

Rights Enabled: The Disability Revolution from the US, to Germany and Japan, to the United Nations. By Katharina Heyer. Michigan: Univ. of Michigan Press, 2015. 260 pp. \$40.00 paperback.

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Disability theory and disability rights are rapidly growing fields of inquiry in law, social sciences, and the humanities yet still largely neglected in socio-legal theory. *Rights Enabled* by Katharina Heyer is an original, timely, and highly important contribution to the emerging field of disability legal studies, which integrates the tenets of disability studies with critical legal theory and socio-legal theory to create a rich account of the socio-legal construction of disability. *Rights Enabled* brings together classical questions of socio-legal theory relating to social movements, rights consciousness and the globalization of rights, and core questions of disability studies concerning the contextual, interactive, and relational nature of disability. The result is a rich and complex account of disability rights in action.

Specifically, this book contributes to the fields of law and social movements and the globalization of rights by examining the global shift to disability rights in four different locations: the United States, Germany, Japan, and the United Nations. Previous studies of these locations were conducted in isolation and none was anchored in socio-legal theory, although did enrich socio-legal research. The US disability movement received most attention, told by disability rights activists (e.g., Fleischer and Zames 2012; Shapiro 1994) and legal scholars (Bagenstos 2014). In contrast, Japan and Germany received little attention in English speaking scholarship (Hayashi and Okuhira 2001; Köbsell 2006). The international arena was first examined in the renowned book *Nothing About Us Without Us* (Charlton 1998), which explored the development of the global disability rights movement, and received an increasing attention since the adoption of the International Convention on the Rights of Persons with Disabilities, 2006 (CRPD) (Sabatello and Schulze 2013).

Rights Enabled offers a comparative view of the social processes that led to the formulation of different structures of disability rights in each location while attending to their unique national histories, different cultures, diverse forms of activism, and particularly different legacies of rights and social welfare. The analysis does not treat each location in isolation, but rather focuses on the flow of ideas and actions from one locale to another, thereby interweaving them to create a thick account of “how disability rights travel” in an increasingly globalized world.

The book examines the global formation and transformation of disability rights claims first as civil rights and then as human rights. The analysis reveals how each locus of disability law, politics, and activism expresses different understandings of rights and social welfare, of formal and substantive equality, of sameness and difference, of negative and positive rights. Accordingly, in each site, activists and policy makers assume or advocate a different role for the state in promoting disability rights. This plurality calls for further complication of the seemingly clear division that was offered at the opening theoretical chapter (p. 24) between the social model of disability, which was associated with a civil rights approach to disability policy and to negative rights, and the medical model, which was associated with a welfare approach to policy and to positive rights. Indeed, the overall analysis blurs these classic divisions and contributes to a more complex understanding of disability rights and policies.

The organization of the book's chapters constructs a fascinating narrative about the evolution of disability rights. It begins with the origination of disability civil rights legislation in the United States that culminated in the enactment of the Americans with Disabilities Act 1990 (ADA). Heyer describes how the ADA became a global model and US became a place to follow, visit, and even yearn to (a "dreamland" for German activists), in the radical imaginations of disability advocates who became "rights tourists" as they came to learn from the independent living movement and its leaders. As the analysis progresses the celebratory account turns into a critical one. Heyer shows (chapters one and two) how at first disability rights were rooted in a narrow *civil rights* approach that is typical to US history and political legacy. She notes the abandoning of social welfare, the limited analogy to race, and the continuing understanding of disability rights as a "welfare reform" in disguise and as "special rights."

The limits of the civil rights discourse become even more apparent when the ADA model of disability rights travelled abroad to Germany (chapter three) and to Japan (chapter four). Heyer's extensive fieldwork in the two countries yielded an illuminating account of the rise of disability discourse and activism in each place, the local factors that shaped it and the challenges it faced. Unlike the US, both countries had strong social welfare mechanisms that were indeed based on stigma, segregation, and paternalism, but also offered a life of economic security, care and protection, much more than the American welfare system ever provided. Heyer's attentions to each country's different cultural background and local history allows for a thick comparison to emerge which results in a critical view of US disability rights discourse and policy. Thus, Germany stands as a model welfare state that offers cradle-to-grave

social services and support, consequently seeking to integrate rights and social welfare. Japan, however, is portrayed as dominated by communitarian values, such as social harmony and care. Both countries have maintained their employment quota system and their segregated education system and manifest very limited reliance on litigation as a vehicle to promote social change.

Rights Enabled's final chapter focuses on the CRPD. The CRPD marks a new era of disability rights—the era of disability human rights. Heyer shows how the long journey from the ADA to the CRPD ended with a new approach to disability rights, one that brings together social rights and civil rights, rights and welfare, formal and substantive justice, and that attempts to reconcile sameness and difference. She then examines the CRPD impact on disability activism and disability policy in Germany in the realm of education, and in Japan, in the realms of employment. The book concludes with a turn back to the US, arguing that it is now the US turn to rethink its own disability rights model and to consider other legal measures that are rooted in disability human rights, otherwise, Heyer warns, it might lose its role as a global leader in the field.

Rights Enabled proves the need for comparative scholarship of such scope and depth and skillfully demonstrates the potential richness of such method. Further explicit methodological guidance for such analysis would have been beneficial, but remained unspecified. One matter to reflect upon would be the choice between highly detailed and contextualized inquiry of each site versus the use of a more explicit and systematic comparison between various elements of the four locales of research. The book leans towards the former, by remaining grounded in local processes of change, while the latter could have allowed for a more thematic analysis across contexts.

In sum, *Rights Enabled* is an excellent work of a comparative socio-legal inquiry into the recent history and the coming future of global disability rights activism with lessons for law and society scholars and for disability theorists and activists alike.

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The Law of the Land: A Grand Tour of Our Constitutional Republic.
By Akhil Reed Amar. New York: Basic Books, 2015. 357 pp.
\$29.99 hardcover.

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Constitutional law scholar Akhil Amar's latest book analyzes federalism under the constitution through the creative means of a road tour—an examination of critical interpreters, cases, and constitutional provisions on the ground in 12 different states encompassing every region of the continental United States. The book, however, is not an analysis of the importance of regional constitutional politics on constitutional development, but rather a series of observations designed to illustrate how American constitutionalism manifests itself in a variety of ways inflected by its situation in the states. The seeds planted by the constitution's framework develop into the same American species of plants, but their local soil, water, and sunlight conditions have made them flower differently.

Substantive issues that Amar addresses on the interpretive front in the book's first section include the problems of crafting a multiracial union (Illinois), the modest populism of the constitution embraced by Alabama's Hugo Black, the practical reasoning of former politician and New Yorker Robert Jackson, and Justice Kennedy's gradual evolution toward a Californian ideal of equality. The second section of the book uses landmark cases as both interpretive and geographic lenses. He explores the meaning of segregation as a form of American apartheid outside the south in a chapter on *Brown*, considers the central democratic importance of political dissent in a discussion of Iowa's *Tinker v. Des Moines*, and explores the relationship between state and federal constitutional law through Florida's litigation culminating in *Bush v. Gore*. The final section addresses particularly vexed constitutional provisions in geographic situ: Ohio's and Texas's engagement with presidents and the problem of mandates and succession, Wyoming and the gendered and racialized implications of the Second Amendment, Massachusetts and the