

# THE UGLY LAWS

DISABILITY IN PUBLIC

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## THE LAW IN LANGUAGE

“Any person who is diseased, maimed, mutilated, or in any way deformed, so as to be an unsightly or disgusting object, or an improper person”: this person is made out of words. To start with, this person is made out of the word “person” (with the “any” signaling the broad and arbitrary reach of the law in question): a legal word, rich in discursive import. Not “any one” or “any body,” but—as the *Oxford English Dictionary* puts it—“a being having legal rights, a juridical person.”

If there is some comfort in remembering that this is a legal and therefore entirely “insubstantial” person, perhaps a person with rights, there is discomfort in noticing how quickly *this* person is bound back into a body and an identity: not a person *with*, for instance (as in “person with a disability”) but “any person *who is*” (diseased, maimed, or what have you). This “who is” suggests that descriptors like *deformed* or *mutilated* are determined by the “natural kinds fallacy” that Silvers and Stein identify, the mistaken belief “that what *is* the case must, in fact, *be* the case”: the person who is unsightly, disgusting, and improper must be unsightly, disgusting, and improper. That which is contingent is attributed to nature (226).<sup>1</sup> The person here is in fact precisely not the “‘person’ at the center of the traditional liberal theory” as Breckenridge and Vogler define him: “he is an able-bodied locus of subjectivity, . . . one who can imagine himself self-sufficient because almost everything conspires to help him take his enabling body for granted (even when he is scrambling for the means of subsistence)” (350). Unsightly = scrambling + able to take nothing for granted.

In this chapter, I explore further some meanings that cluster in this discursive and putatively natural person, in order to extend our understanding of the work done by the unsightly beggar ordinances. I focus on some words that stand out starkly in the language of the law itself—“unsightly,” “improper,” and “disgusting”—as well as some telling others frequently encountered in the chatter that surrounded the unsightly beggar ordinances at the time of their enactment. In each case, I range well beyond the dictionary to consider some broad dynamics in the culture of ugly law.

### UNSIGHTLY, UNSEEMLY, IMPROPER

The law's emphasis not only on *unsightliness* but also on *exposure* and public *view* suggests that it represents a kind of high-water mark of problems of seeing under the new conditions of visibility in modern urbanity. In a particularly illuminating analysis of the ordinances, Rosemarie Garland Thomson focuses on their relation to visualizing as modern problem. She writes that the ugly laws constituted a

refusal to see the disabled, a kind of bowdlerizing of the body that enacted widespread consequences for people with disabilities. Among them were the slow and conflicted demise of publicly displaying disabled people as freaks, as well as institutionalizing, segregating, and medicalizing people with disabilities. . . . even though disabled people have always been a large and significant segment of any social order, those among us whose impairments could be enlisted to symbolize disability were often hidden from public view. . . . modernity deemed disability an improper object to be looked at. (2001, 338)

Modernity, we might say, *was* controlled appearance. As Garland Thomson makes clear, ugly ordinances epitomized how modern bodies were and must be seen as they engaged with city spaces.<sup>2</sup>

The ordinances were obviously related to other laws in the same period that prohibited a broader range of insults to the senses, such as laws that barred people whose smell disgusted others from being in public places and the ordinances I discuss in chapter 7 that regulated noise on the street. From the "foul wound" of Sophocles's Philoctetes onward, the social exclusion and isolation of ill, wounded, and disabled people has been associated textually and culturally as much with assaults to the ears (think of Philoctetes's howling fits) or to the nose (think of his wound's stench) as with offense to the eyes. But the prohibition of appearance alone is what the ugly ordinance, at least in theory, decrees.<sup>3</sup> At the law's onset in 1867 San Francisco, the ordinance's headline spelled this out, defining the order as one "to Restrain Certain Persons from Appearing in Streets and Public Places."

In the later-nineteenth-century United States, combining pressures of individualism and consumerism created what Philip Ferguson calls a "broad cultural aesthetic" obsessed with problems of "appearing" and appearance. "[U]gliness became as important a judgment as beauty," writes Ferguson. "Applied to people with physical and mental disabilities, heightened

attention to appearance made words such as 'repulsive,' 'grotesque,' 'dirty' and 'slovenly' into accusations of moral and mental failure as well as the more obvious aesthetic transgressions." Incurable and incorrigible ugliness entered the dangerous realm that Ferguson calls "chronicity," and the only solution was to hide it: "The proper outcome of aesthetic failure," he writes, "was permanent invisibility" (5-6).

The ugly laws thus focused on disabled people as common or uncommon *sights* on the city streets. "I say 'sight,' rather than simply 'inhabitant,'" writes Gleeson in his description of dominant conceptions in the Victorian period, "because disabled people were distinguished from the masses of pedestrians: first by the social inscriptions of difference arising from their apparent displacement, and second, by the nature of their presence in the streets" (110). These are partly mythic people, and not the whole story; in actuality the scene might be significantly complex, including, perhaps, a disabled man wearing a well-kept officer's uniform, a fashionably dressed, wealthy blind woman, and so on. It is always important not to lump all disabled people together. But Gleeson correctly identifies a pattern in the cultural imagination of poor disabled people. Neither "strolling consumers" nor "people in circulation," disabled people in poverty as Gleeson understands them experienced the street as "a place of subsistence" and as "a stage that constantly retold the story of their social difference and exclusion" (110). This is the story that the ugly law tells.

It tells, too, a story about those not subject to it: the public constructed as viewer, not viewed, as sightly and as sighting, not unsightly and disgusting. Consider, for instance, the ordinance's relation to what Kasson calls "the dialectics of social classification," the emerging standards of rudeness and refinement, acceptable and unacceptable appearance and behavior in the late-nineteenth-century United States (4). Kasson shows how, within the "proximate spaces of the new American metropolises," evolving codes of civility "helped to implant a new, more problematic sense of identity—externally cool and controlled, internally anxious and conflicted—and of social relationships. In the anonymous metropolis and within a market economy, individuals grew accustomed to offering themselves for public appraisal. At the same time they scrutinized others to guard against social counterfeits" (7).

In the cities, Kasson argues, "venturing forth" entailed increased concern about "bodily management in public. . . . Embarrassment became a normal, even an essential, part of American urban life," "a subtle and routine form of discipline" (112, 114). Etiquette books counseled would-be

ladies and gentlemen on how to achieve “impeccable inexpressivity” (121). Amid this growing anxiety about either engaging in or inviting any exercise of visual intrusion, “the urban bourgeoisie was taught to overlook as much as to look,” and “municipal police and detectives properly assumed” the business of surveillance (127).<sup>4</sup> It is easy to see how the notion of policing the unsightly emerges out of this scene—but also how ugly law, in interesting ways, overdoes this project. The idea of unsightliness, vague and other-directed, depends on an assumed axis of appropriateness and inappropriateness and on the internal vigilance of each member of the populace, a continual checking and adjusting of one’s body. Ugly law *legislated* what was otherwise supposed to be (for the middle and upper classes, at least) self-regulated. Jailing and fining unsightly beggars occurred at the point where etiquette failed or could not reach; the subjects of the ugly law were understood as beyond embarrassment.

But who exactly was being managed by ugly law? The sightly (and sighted) passerby as much as the unsightly beggar. At the ordinance’s onset in Chicago we can read this dynamic clearly in the push-pull work of language for labeling the problem at hand, words that emerge only to fall away. Alderman Peevey’s initial resolution before the Chicago city council worried over the presence of “numerous beggars, mendicants, organ-grinders or other unsightly and *unseemly* objects, which are a reproach to the City” and “*disagreeable* to people upon the streets” (Bailey and Evans; *italics mine*). By the end of the council’s deliberations with the mayor, the law that this resolution spawned had altered its wording in two key respects. The language of etiquette (“unseemly,” “disagreeable”) gives way, first of all, to more raw terms of disgust. “Unseemly,” presumably, was too nice a word to be applied to the scum that played “Mollie Darling.” But the well-mannered discourse of this early draft, and even more so the word “improper” in the final version, nevertheless show that politeness was at stake in Chicago’s construction of its civic culture in 1881. Enforcing seemliness and sociable agreeability, it seems, was part of the council’s early resolve. Note too, however, that the explicit, narrow target of Peevey’s resolution (“beggars, mendicants”) disappears entirely in Chicago’s first published version of the ordinance, which makes no mention of beggars, diffusing its prohibition so that it applies to “any person.” In the streets and public places of ugly law, all were disciplined.

Implicitly, the ugly ordinances constituted the bodies of an “everyone else” as tasteful bodies, bodies of distinction in Bourdieu’s terms, whose health and attractiveness comprised a form of cultural capital.<sup>5</sup> The

ordinances functioned as a kind of negative definition of the limits of modernist “health.” Ugly laws targeted what Simon Williams, adapting Leder, calls the “dys-appearing body”—that which appears vulgar, dysfunctional, too loud in its patterns—in order to make other bodies *disappear*, pass by on the street in silence (2003, 96).<sup>6</sup> At the same time, the public was also more directly disciplined, constituted as *that* which at all costs must not view *this*. Consider this account, written by Charles Henderson in 1906, of what happens if a member of the public sees an epileptic seizure:

In sociable intercourse the epileptic is an object of dread, and no one who has witnessed the person in a convulsion can quite escape from the haunting memory of the spectacle and entirely free his mind from terror or disgust. Hence there cannot be that free, unconstrained, and natural converse which gives pleasure to society. (172)

“Hence there cannot be”: this prohibition seems to function both as fiat and as natural fact, suggesting that the epileptic’s seizure prevents natural sociability not only for him or her at that moment but, inexorably, for any witness, for all time; epilepsy stops the city’s business forever, or at any rate constitutes it as perpetual horror.

This kind of thinking, to which the ugly laws have obvious links, often goes along with a certain kind of understanding of the public sphere. Public space, in this model, is pedagogic space; what you allow in public is what children learn is allowed in public. If you allow unsightliness a foothold, the next generation will be even uglier.<sup>7</sup> To display something publicly is to spread it. This was an old notion. Deaf leader Laurent Clerc had had to crusade against it when he addressed legislators in 1818: “The sight of a beautiful person does not make another so likewise. . . . Why then should a deaf person make others so also?” (17). (The idea is related to but not identical with the notions of maternal influence, which focus specifically on effects on growing fetuses, which I discuss in chapter 4.)

New versions of this theory were still developing in the late nineteenth and early twentieth centuries. A number of emerging belief systems, as Pernick has shown, held that the sight of disabled people could literally make healthy people sick. Some reviews of the Chicago-based eugenics film *The Black Stork* (1916), Pernick writes, insisted that this kind of film display of real deformity “threatened the health of all viewers” on the grounds that “powerful emotions influenced bodily health in adults” (1996, 123). *Life* magazine cartoonist and well-known Christian Scientist Ellison Hoover

promoted the idea that disease was mistaken thinking encouraged by health educators who produced people's illness by displaying illness to them. In one of his cartoons, a doctor terrifies a young pupil by dangling a skull at her, gesturing toward a blackboard on which is written, "Name the Ten Most Frightful Diseases and Describe Them. Explain Why the Very Air You Breathe is Full of Deadly Germs." The caption is "The Daily Lesson" (rpt. in Ehrenreich and English, 65). Hoover's targets were Progressive-era health reformers, but the residual implications went further: better to see health everywhere; better not to be faced with sickening reminders of disease, maiming, and deformity.

At the same time, as my analysis of COS "deformances" has suggested, the era of ugly law coincides with a different notion of pedago-public space, one in which the educators whom Hoover decried held increasing sway. Here, as often, many conflicting cultural forces roiled around the ugly laws. Certain kinds of exhibition of disease and deformity were welcomed, even required by city leaders, as admonitory demonstrations for the purpose of increasing public health awareness. Take, for instance, the bulletin published by the Chicago School of Civics and Philanthropy (a Hull-House affiliate) in October 1911 as a teaching aid for those interested in promoting city welfare: a catalogue of "exhibits, lectures, motion films, slides" and so forth. Screens in which the city literally (and figuratively) projected its image of its disabilities included ones labeled "Deaf," "Blind," "Cripples," "Defectives," and a "Eugenics" series that included "Drunken Mothers," "Early Marriage," "Feeble-Mindedness," "Epileptics," and "Crippled Children." One screen produced in Chicago read, "Dental Cripples. Two defective teeth will retard a child for six months, over one-half a school year." The accompanying images display gaping children's mouths stretched open by adult hands for the public view (*City Welfare*, 30–32).

A common form of display took place in medical arenas. The political geography of Chicago charted in *Hull-House Maps and Papers* (Addams et al.) includes the story of Jaroslav Huptuk, a sixteen-year-old "feeble-minded dwarf . . . so deformed as to be a monstrosity." Huptuk had been employed, like many Chicago children, in a cutlery works, and like many Chicago children he had contracted tuberculosis in the process. Hull-House's protective campaign against child labor—"the human product of our industry is an army of toiling children, undersized, rachitic, deformed, predisposed to consumption"—brought him forward in public as an example. So did his doctors: "Dr. Holmes, having examined this boy, pronounced him unfit for work of any kind. His mother appealed from this to a medical college,

where, however, the examining physician not only refused the lad a medical certificate of physical fitness for work, but exhibited him to the students as a monstrosity worthy of careful observation" (61–62). Huptuk was thus subjected to that still familiar form of deformance that contemporary disability activists name as "public stripping."<sup>8</sup>

Viewing in this context could be civically instructive, but displays by health reformers threatened at any minute to devolve into prurient, not pedagogical, occasions. Consider the case of the "devil baby," an incident in 1912 recounted later by Jane Addams with dismayed amusement.<sup>9</sup> Rumors that the women of Hull-House had in their possession a "Devil Baby," born with "cloven hoofs, pointed ears and diminutive tail" resulted in a rush of sightseers from across Chicago who "poured in all day long and so far into the night that the regular activities of the settlement were almost swamped" (67). Hull-House was hard-pressed to dispel its reputation as a kind of freak-show site. "For six months," Addams writes, "as I went about the house I would hear a voice at the telephone repeating for the hundredth time that day, 'No, there is no such baby'" and "'We can't give reduced rates, because we are not exhibiting anything'" (68). To Addams's "query as to whether they supposed we would, for money, exhibit a poor little deformed baby," a group of factory workers being turned away at the Hull-House door replied, "Sure, why not?" and "it teaches a good lesson, too" (74). Perhaps they had previously viewed a dental cripple.<sup>10</sup>

City leaders in the era of the ordinances struggled to encourage proper and discourage unseemly sightings of diseases, maiming, and deformity. Ugly laws faced this problem head on, as the 1890 Columbus and Omaha versions reveal explicitly, with their added proviso that the unsightly subject may not expose himself or herself to public view either for "the purpose of soliciting alms" or for the purpose of "exciting sympathy, interest or curiosity." These ordinances situate themselves as antibegging laws at first but then exceed those grounds. Even without solicitation, the sheer excitement of response of any sort (or any sort short of repulsion) must be suppressed. Surely the law cannot be separated from, must crucially be part of, a genealogy of aversion, as in the panic about epilepsy in the passage I quoted earlier. But what is at stake in Omaha and Columbus seems to be the opposite of a problem with aversion.

What kinds of excitement on the part of the public were ugly ordinances meant to preclude? In order to clarify this question, let us consider first the large range of exceptions to the prohibition—say, in Chicago 1911. Many sorts of matter-of-fact (or even heated) viewing and response seem

to have been perfectly acceptable, particularly during the Progressive era, as civic boosterism promoted cities' modern novelty and do-good innovation. A certain kind of disabled body was entirely safe to display, the kind that, Herndl argues, capitalism requires: one that is productive, one shaped *through* products and paid services, and therefore the opposite of the unruly and uncanny "diseased, maimed, deformed" body of the unsightly beggar. So, for instance, the masseurs' bodies, disciplined for work, in Peter Peel's early-twentieth-century blind massage class could advertise the cutting edge of Chicago modern commerce (Viskochil).

Sports-team public relations worked similarly. In 1915 no one blinked an eye when the *Chicago Daily News* published a photo of baseball pitcher Mordecai ("Three Finger") Brown's "deformed hand." The Chicago Cubs player had been injured as a child, and the resultant configuration of his hand allowed him to throw a famously tricky curveball. Brown attributed much of his success to his "old paw," and he fascinated the public with accounts of its special efficacy. Cubs publicity never shied away from exposing the fingers of "Three Finger." His 1913 book for boys, *How to Pitch Curves*, concluded with a Whitmanesque gesture of frank and winning textual display: "Mordecai Brown's hand is reaching out to you in the distance and he is wishing you—good luck." No gothic horror lurks in this hand extending itself from the page, just a howdy and a handshake—and a good-natured, in-your-face refusal to hide from public view.

A similar dynamic occurred in the case of William Ellsworth ("Dummy") Hoy, the deaf ball player who played for the Chicago White Sox in 1901. He is credited by many people with inventing the hand signals used in baseball today by adapting American Sign Language to use with his teammates, though this may be an apocryphal story.<sup>11</sup> "When Outfielder Hoy made a brilliant catch," wrote Henry Furness in an 1892 *Sporting Life* piece, "the crowds rose 'en masse' and wildly waved hats and hands. It was the only way in which they could testify their appreciation to the deaf-mute athlete." Under the auspices of sport, promoters pitched the combination of prowess and impairment as a marvel, a phenomenon, a novelty, and audiences responded enthusiastically.

In another form of mass display, the Christian revival circuit, disease and disability were brought forward to the public eye as reminders that sooner or later the Savior would heal all wounds. Billy Sunday, the famous "baseball evangelist" whose career began in Chicago, sometimes mockingly imitated "King Richard III limping" in his sermons, and he frequently preached about the banishment of all impairment from heaven. But under

his revival tents, openly ill and disabled people were welcome and visible. In Elijah Brown's 1914 account of a typical meeting conducted by Sunday, the event begins when a "grizzled veteran who has but one arm" bears a flag down the aisle to be personally greeted by Sunday. When later Sunday calls all those "who will accept Jesus Christ as personal savior" to come forward, the same veteran answers the call (141). Brown may have been recording the proceedings of a specific meeting, but his insistence on its typicality suggests that the deserving "grizzled veteran" plays a stock role in the revival scene, in which all people who are "diseased, maimed, or deformed" are exhorted to place themselves within the public view of Christ. As types of affliction for Sunday and other evangelists, disabled people were called on to represent in starkly dramatic form the ills of all sinners in the sight of the Lord. As Sunday put it in one reassuring invitation to backsliders, "Better to limp all the way to heaven than not get there at all"; in the public space of the revival meeting, unsightliness was a universal human condition (E. Brown, 165).

More contested, less clearly permissible displays of impairment, pleasures that teetered on the verge of the forbidden, occurred in the arena of the medicine show. Brooks McNamara describes a stock "deafness demonstration" on the medicine-show circuit in which "the ears of a deaf volunteer were briskly rubbed with Wizard Oil and then 'popped' by the medicine man" (67). In the 1880s, show doctors were instructed on techniques for healing the lame on stage by the distributors of a liniment called Modern Miracles: "Send one of your Company about town during the day looking for cripples for you to cure at night." One hapless medicine man, after one such spectacular cure in Illinois, "neglected to leave town quickly enough, and was earnestly sought after by an uncured and humiliated cripple with a gun" (McNamara, 144). During the era of ugly law, states and cities increasingly enacted legislation to ban the "quackery" of the medicine show and the disability displays that secured its ungoverned claims of healing (McNamara).

Ugly laws sought to control what Michael Sappol calls "anatomy's crowd," a public rabble that came to something called a show, no matter what its ostensible purpose, "merely to gawk at or wallow in the body's otherness." The excitement of this crowd was construed as arousal catered to by panderers, "debased sensations" (2004, 280, 299).<sup>12</sup> Unsightly bodies on the streets, never safely enough cordoned off in the realm of disgust, may be seen as a potential part of the delightful swirl of city mass culture for workers and immigrants, one more example of urban "visual playground,"

as Serlin and Lerner put it, “in which physicality became itself a tangible object to be displayed, bartered, and possessed” (106).

## DISGUSTING

And yet there is that word “disgusting,” indelibly part of the fabric of the law, suggesting that aversion is as much at stake as attraction. The abusive word startles, seems in a different register from the fastidious “improper” that precedes it or the relatively clinical discourse of disease and maiming. With “disgusting,” ugly law takes on a feeling.

Why is the word *disgusting* in the ordinance? What ideological work did it do? Recent academic studies in the growing body of work following in the wake of William Ian Miller’s *Anatomy of Disgust* (1997) provide a number of insights into the word’s powerful and sometimes conflicting functions. First of all, *disgusting* suggests that the law emerges reflexively, from a deeply primal, psycho-visceral (and therefore an apparently universal) point of origin.<sup>13</sup> It suggests that the law knows only what Winfried Menninghaus calls a “vomitive judgment: *away* with it, from the belly” (92). “Disgust implies not just an ability to say no,” Menninghaus argues, “but even more a compulsion to say no, an inability not to say no” (2). The law seems to have its own kind of raw shuddering body: law as gag reflex, a law with guts. *Disgusting* adds biological force to the ordinance, framing it as the legal concomitant of nausea.

The word’s signal—good riddance—links the unsightly beggar implicitly to other core triggers of disgust: excrement, corpses, incontinence, everything that evokes organic matter falling (in Robert Rawdon Wilson’s terms) “sludgewards” (xxiv) and “slimewards” (64). *Disgusting* suggests an aversion as lawful as eating—or not eating; Darwin, and many thinkers after him since 1872, located the origins of disgust in rejection of bad food.<sup>14</sup> So disgust is natural; it is also proto-medical, a proper health precaution in a world of permeable bodies, of possible infection and contagion. The cesspools and dumps of nuisance law are disgusting.<sup>15</sup> *Disgusting* mobilizes the structure that Martha Nussbaum encapsulates: “This act (or, more often and usually inseparably, this person) is a contaminant; it (or he or she) pollutes our community. We would be better off if this contamination were kept far away from us” (123). The word reinforces the impression that the law is hygiene law, impelled by what Pinker has called “intuitive microbiology.”<sup>16</sup> Interestingly, one example used by disgust researchers Rozin, Haidt, and McCauley to illustrate the principle of contagion involves a kind of

tramp scare: “although we normally handle money without thinking of who touched it before us, this strategy might not protect us in the unusual case of a dollar handed over by a vagrant” (641).

As the vagrant example suggests, disgust-thinking, which exceeds rational fear of physical contagion, is also magical thinking. With *disgusting* we enter into the realm of unreason.<sup>17</sup> In its disgust, its sheer “come not near,” ugly law reveals itself as an apotropaic rite, a kind of spell or charm.<sup>18</sup> (Even the contemporary political memory of ugly law in academic and activist disability historiography has apotropaic elements: in its elimination of the history of begging from the scene of unsightliness, it too has said “come not near” to the unsightly beggar.)

Finally, as William Miller has shown, disgust is normative, “a moral response to experience, a psycho-intellectual affect,” and as such it “involves distance and superiority” (294). As Miller puts it, “the avowal of disgust expects concurrence” (194). In this way, as Robert Rawdon Wilson has argued, Miller’s work on disgust reveals it to be a proto-legal condition (52). Disgust’s presence “lets us know we are truly in the grip of the norm whose violation we are witnessing or imagining” (W. Miller, 194). Whether that “grip of the norm” comes from within (like a stomach cramp) or without (like a parent’s hand or a policeman’s), and whether it is to be endorsed or bemoaned, is a matter of some study and debate in work that follows Miller’s. Some recent academic work in the field roughly divides itself into camps that can be described awkwardly and inadequately as anti-disgust (such as Martha Nussbaum’s argument for the elimination of disgust-principles in the operation of American law) and pro-disgust (in work such as Dan Kahan’s or Sianne Ngai’s, more dubious about the value or the possibility of sloughing off disgust). But no one has challenged Miller’s analysis of the regulative function of naming the disgusting.

With legalized disgust, then, comes a heavy norm, as in Lord Devlin’s famous idea, in 1965, that the social disgust of the ordinary “man on the Clapham omnibus” should be sufficient basis in and of itself for banning homosexual acts. We can see this norming clearly at work in the American legal record for cases at the state and federal level in the general era of ugly law (between 1880 and 1918). Judges and the laws that guide them apply *disgusting* to a number of objects (sodomy, frequently; obscenity, just as often, and also—in New Jersey—indecent letters to women; offenses of cruelty, particularly wife and child abuse and rape; alcoholism and opium addiction; sewage and other sanitary nuisances), and by far the most frequent use of the word is in the context of phrases like “I will spare you” or “we

shall not recite" the "disgusting details." As the bearer (or the very embodiment) of disgusting detail, the unsightly beggar was made literally as well as figuratively unspeakable. As a Pennsylvania court put it in 1884, addressing the "loathsome habits" that made it "particularly burdensome and disgusting to take care of" a "lunatic": "A description of them could serve no useful purpose, but it is difficult to imagine a service more revolting and abhorrent" (*Appeal of Court*). In the discourse of "disgusting details," of evidence simultaneously withheld and displayed, disgust is that which *goes without saying* and cannot therefore be contradicted.<sup>19</sup>

Disgust is often treated as if it were a transhistorical phenomenon. But the seemingly natural state of the sensation has a history and a specific cultural location. Disgust, David Barnes notes, is both "experienced as automatic, deeply physical, and unmediated by conscious thought" and "shows distinct variation historically, cross-culturally, and even within an individual's lifetime" (112). Recent disgust theorists have acknowledged the difficulties of tracing disgust's histories. "The ambition to write a history of 'actual' disgust . . . meets with almost insurmountable difficulties," writes Menninghaus (3). Wilson makes a similar point: "the history of disgust (if it were even possible to write) would reveal an overlapping, if not wholly coterminous, history of consciousness" (xiv). Other, narrower and more mediated approaches are required: discourses of disgust can be studied. "It is only through the medium of . . . theories of disgust that some fragments of the largely mute history of this strong sensation become accessible," writes Menninghaus (3). Ugly law had no theory; but it too is a fragment in the history of disgust.

Disgust had free rein in the making of law and policy in the era of the unsightly begging ordinances. In the 1893 case *Watson v. City of Cambridge*, the exclusion of a "weak-minded" boy from school was justified not only on grounds of his disruptiveness but also by the finding that he was "unable to take ordinary, decent physical care of himself"—in short, that he disgusted his teachers and other children. At the tail end of the period of our focus (1919), thirteen-year-old Merritt Beattie, "a crippled and defective child since his birth," was also denied access to common schooling on the basis of disgust. "He is slow and hesitating in speech," reads the majority opinion in the court judgment banning Beattie from the public schools,

and has a peculiarly high, rasping, and disturbing tone of voice, accompanied with uncontrollable facial contortions, making it difficult for him to make himself understood. He also has an uncontrollable flow of saliva,

which drools from his mouth onto his clothing and books, causing him to present an unclean appearance. He has a nervous and excitable nature. It is claimed, on the part of the school board, that his physical condition and ailment produces a depressing and nauseating effect upon the teachers and school children. (*State Ex Rel. Beattie*)

Here the court chose to pile up evidently disgusting detail, perhaps in part to assuage the qualms involved in denying a bright child access to education with his peers. As Merritt Beattie and Thomas Watson's son could testify, and as ugly law set down in legal code, the histories of American disability and of American disgust are intimately conjoined. One of the major ways in which the disability rights movement stood ugly law on its head was by countering the discourse of disgust directed at disabled people.<sup>20</sup>

## ANIMAL

Other terms besides the ones explicitly included in the law's language helped frame the unsightly beggar. One is strongly linked to disgust. A line of thinking in the analysis of human emotion by some of its major theorists concludes that people use disgust to ward off problems of (or with) animality. In this thesis, disgust originates, Martha Nussbaum writes, in "the belief that if we take in the animalness of animal secretions we will ourselves be reduced to the status of animals" and particularly that "if we absorb and are mingled with the decaying, we will ourselves be mortal and decaying" (89).<sup>21</sup> As William Miller puts it, "ultimately the basis for all disgust is us" (xiv). Inevitably, because the unsightly beggar carries animality, for "us" and toward "us," exposing it to us and us to it, the ugly law speaks the language of disgust ("no person who is . . . disgusting") right out loud.

In the late-nineteenth-century United States what the theorist calls "animality" was trouble for the alderman. After reading through the city council records for many cities in the 1880s and 1890s, I can say with some assurance that probably the single most common item on their agendas was the management of dogs. Newspapers that ignored the passage of ugly laws in their reports of council meetings paid lavish attention to measures passed at the same meetings concerning dog licensing, dog leashing, dog impounding, rabies, and so forth. There is some evidence to suggest that in cities fearful of going to the dogs, the threat of unsightly beggars who might spread disease or bite the hand that fed them got phrased at times as a problem of animal control.<sup>22</sup>

Certainly in the related realm of freak shows, as Rosemarie Garland Thomson has pointed out, the line between human and animal was both drawn and threatened. Cheap freak shows were as likely to display “the human-faced donkey, the three-legged rooster, and the deformed hen” as “the leopard girl” and the “poodle man,” often staging the hen and the girl side by side, in open demonstration that the fascinations of anomaly crossed species lines (see “No Violation”). Garland Thomson writes in her analysis of the enfreakment of Julia Pastrana that “the visual rhetorics that governed the display of Pastrana’s body questioned the traditional ontological border that divided the human and the animal into opposing and exclusive categories,” citing as three key examples of these rhetorics “the emerging scientific discourse of evolution,” sensationalized fantasies of bestiality, and political debates over “who was human enough to be granted . . . rights promised by democracy” (2003, 132–134).<sup>23</sup> “Missing Link” freaks openly provoked the question of “human and/or animal” in their audiences from the sideshow stage; unsightly beggars, probably usually less deliberately, raised (and could sometimes play on) alarm at the sight of “people living like animals” on the street.

Let us take “living like animals” as a neutral or positive term for a moment. We might say that what unsightly beggars exposed to public view was *animality*, in the sense that Ruth O’Brien summarizes:

the able-bodied workforce must recognize its own mental and physical vulnerability. A more universal notion of the organic mind and body or “animality” should be substituted for the concept of disability in the ADA. . . . Animality underscores that homo sapiens—the human being—is made up of flesh and blood and that needs can be derived from this. . . . animality . . . associates needs not with imperfection, but with the human condition. (2005, 5–6)<sup>24</sup>

Or, as Martha Nussbaum puts it in her account of social scapegoating, “We have chosen these people as surrogate animals” (123). Displaying human animality, “diseased, maimed, deformed” people made that condition clear. Confronting them, others read the “human condition” as the unsightly beggar’s *one* condition, as a limiting bottom line.<sup>25</sup>

We must be cautious, though, as O’Brien herself would recognize, about the political reverberations of the concept of *animality* if it is read, mistakenly, as a substitute term for *impairment* or *disability* instead of for *humanity*. The archives of the ugly laws reveal the price paid when already marginalized disabled people are publicly animalized.<sup>26</sup> In Los Angeles, for instance,

a 1907 newspaper story on the growing influx of hobos quoted reports by desert brakemen “that the cripples . . . sneak into the box cars and snarl and snap like ugly dogs” (“Rags and Tags”). This kind of language helped ensure harsh welcome for disabled beggars in western cities. In a newspaper article on begging in New York City published in 1881, the abusive association of animals with human panhandlers reached what may be its shrillest pitch; the essay, titled “Canine Mendicancy,” developed an elaborate satire in which stray dogs were represented as if they were unsightly people, or perhaps it is that human beggars were portrayed as feral animals.

Labels like this branded individuals as much as nameless “packs.” The most striking example I have encountered comes from Atlanta, whose city council passed a one-of-a-kind ugly law sometime in the 1880s. I mean literally one-of-a-kind: the law was personalized, directed at a single man. His name was William Jasper Franklin. Paralyzed on his left side and unable to walk, he sat or lay in a wagon drawn by a goat. A reporter for the *Atlanta Constitution* described William Franklin this way in 1886: “age 36; is one of Atlanta’s quaint characters. . . . his familiar petition is, ‘Mister, I can’t walk—give me a nickel.’ . . . Sometimes he sells peanuts and matches and takes in about \$1.50 a week. He claims to support his mother and father, the latter being blind.” The feature in the *Constitution* recounts the emergence of Atlanta’s individualized unsightly beggar ordinance as well as the typical ensuing pattern of nonenforcement: “He was such a prominent figure that city council passed an ordinance to regulate him. Some people thought his goat and himself were nuisances and they petitioned council to debar the pair from coming to the heart of the city. The ordinance was enforced for awhile, but was gradually forgotten, and the pair now wander at will.”<sup>27</sup>

Franklin’s goat played the role of what we now call a “service animal,” like a guide dog. (The goat, of course, was not “trained” by “professionals” to assist Franklin; that phenomenon occurred much later, in the twentieth century, primarily in the United States and other relatively wealthy nations. Animals had not yet become service animals.)<sup>28</sup> The fact that the goat was barred as a nuisance serves to remind us that laws regulating whether, when, and how animals may appear in public have often—probably far more frequently than ugly law—resulted in exclusion and isolation of disabled people.<sup>29</sup>

William Franklin in 1886 Atlanta was not only a person with an animal or, if we risk an ahistorical lens, “a person with a service animal.”<sup>30</sup> Franklin was also seen as an animal himself. His goat was named (“Peter”), but he himself was known in Atlanta not as “William” but as “The Goat Man.” One

assumes it was a practical identifier—"Oh, yeah, the guy with the goat"—but that does not entirely explain the collapse of goat into man that occurs in the name, with its hint of horns and hooves. It is easier, perhaps, to enact an ordinance barring a Goat Man from appearing in public than to enact one barring Bill Franklin. Though the "quaint . . . pair" (as if lined up two-by-two for Noah's Ark) ended up "wander[ing] at will" with the indulgence of the police, William Franklin had still been consigned to animality by a humiliating ordinance in an extreme case of ugly law.<sup>31</sup>

The costs of being animalized by those in power are made starkly clear in African American history. William Franklin's race goes unmentioned in Atlanta's archives, and that probably means he was seen as white, though it is possible that paralysis and "goatness" overrode racial subordination as factors worth remarking in his case. It is not surprising that the most famous goat man in American culture is both disabled and black. Many readers will be familiar with the goat-cart arrangement through the Gershwins' *Porgy and Bess*. George Gershwin based his unsightly beggar's opera on the novel *Porgy* by his collaborator, elite white (and disabled) Charleston writer Dubose Heyward, who in turn drew his inspiration for the title character from Charleston's real-life turn-of-the-century version of a goat man, the black beggar Samuel Smalls or "Goat-Cart Sam."

Punished for animality and punished by relegation to animality, made into "less of man" (or a woman), disabled beggars sometimes took on with a vengeance the categories given to them to occupy. One famous beggar, Frank Hammel, also known as "The Human Dog," was such an outlaw "Dog" that COS monitor James Forbes sent out letters across the nation warning cities about him. Issuing an alert to be on the watch for a man who "crawls along curb on all fours, with a few pencils in his hand, saying his back is broken," Forbes cautioned, "To arouse sympathy he makes false statements concerning the origin of his deformity and injury." Hammel, who was born with "muscular rheumatism," was also in fact a double amputee, but nonetheless a very undeserving beggar in Forbes's book. "Get after him," Forbes concluded his letter to other COS officials.<sup>32</sup> Here again we return to the inescapable suspicion of "false statements" that attends the unsightly. But Forbes's revulsion at the "Human Dog" is more than a moral disdain toward a liar. Something in these performances, conscious or not, seems almost to enact premodern rites, as if the beggar's show, *The Goat and the Dog*, cued into a strata of disturbingly archaic images.<sup>33</sup> But what seems to bother Forbes the most is the scandal of Hammel's self-display—which brings me to an additional important vector in the niche of ugly law.

## FREAK

The ugly laws cry out to be placed in relation to another realm of law in which the cultural antithesis between display and concealment during this period played out: ordinances designed to control or abolish arenas of cheap entertainment where human oddities or infirmities were exhibited, such as freak shows and popular anatomical museums.<sup>34</sup> As Rosemarie Garland Thomson has noted, the rise of ugly law coincides with the beginning of the slow decline and the uneven suppression of the freak show. State and city laws banned “display of deformed persons for profit” or “exhibition for pay or compensation for any crippled or physically distorted, malformed or disfigured person”; new laws such as Michigan’s Act 103 (1903) made it unlawful both to “expose or keep on exhibition any deformed human being or human monstrosity, except as used for scientific purposes before members of the medical profession,” and to “exhibit in museums or elsewhere diseased or deformed human bodies, or parts thereof, or representations thereof, which would be indecent in the case of a living person.”<sup>35</sup> An 1887 editorial decrying the “unsightly exhibition” of the skeleton of McKinley’s assassin Goiteau had no doubt about what needed to be done: it “should be prohibited by the law at least, if not the sense of decency. . . . This nation is not a dime museum” (“Unsightly Exhibition”). Like freak-show and dime-museum suppression, ugly law was part of what Loo and Strange call “the revenge of the rubes” (649).

In the texts of some ugly or uglylike laws, the languages of freak and beggar, street and stage, overtly intertwine. We might read the trace of sideshow banner and ballyhoo, for instance, in the possibly overdetermined capital “E” that stands out in the handwritten record of Alderman Peevey’s resolution to the mayor of Chicago in 1881: “at once take steps to remove from the streets . . . all those who by making Exhibition of themselves and their infirmities seek to obtain money from people.”<sup>36</sup> (See frontispiece.) Here only the zone of operation, “on and along the streets,” distinguishes begging Exhibitors from their circus counterparts. Popular columnist and answer man Cecil Adams was technically mistaken when he answered a reader’s inquiry about the Chicago ugly law (“Is this for real, and what’s it all about?”) by treating the ordinance *perfectly clearly* as anti-freak-show legislation:

The alleged purpose of the statute was not, as you might think, to rid the public ways of unsavory characters, but to protect the pitiful creatures from being exploited for profit—in other words, not to punish the deformed

but to protect them. Perfectly clear? An earlier ordinance had given the City Council the power to “regulate, license, suppress, and prohibit . . . exhibitions of natural or artificial curiosities,” but apparently that legislation was too much to the point to be useful.

But Adams’s answer had truth to it as well. The ugly law sprang in part from protective impulses on the part of offended legislators that also spurred laws against freak “Exhibition.” Though lawmakers in general made distinctions between the self-display of beggars and the exploitation of freaks by sideshow owners, between “exposed” and “exhibited” persons, these lines were not always easily drawn. (Nor, as I have shown, was the line easily drawn between Adams’s two terms, the “unsavory character” and the “pitiful creature.”) Byrom suggests that the cross-class popularity of the freak-show form may have inspired and motivated some disabled beggars who fully understood “the public fascination with viewing impairments” (although it should be noted that beggars long before freak shows came up with the idea of exhibiting their body parts). “While the revelation of a disfigured limb may have offended the sensibilities of some,” he writes, “it no doubt offered voyeuristic pleasure to others. Perhaps, then, it is most accurate to interpret the unveiling of a disfigured limb by the street-corner mendicant as part of the professional beggar’s obligation to those offering alms” (2004, 16–17).

Pennsylvania’s 1895 version of ugly law, Act 208, collapsed the beggar and the freak into one sentence: “Be it enacted that whoever shall exhibit any physical deformity to which he or she shall be subject . . . for hire or for the purpose of soliciting alms . . .”<sup>37</sup> In New York, COS leader Charles Kellogg, following suit, drafted a law prohibiting similar exhibitions “in any public hall, museum, theatre or any public building, tent, booth or public space for a pecuniary consideration or reward” or “upon any public street or place to solicit or receive alms” (“Crude Suggested Draft by CDK”). (Fines harshened when distinctions between freaks and beggars disappeared. Pennsylvania’s law levied a fine “not exceeding fifty dollars” on offenders, at a time when the typical ugly-law fine was a dollar; Kellogg, under no official civic constraints, imagined a fine “not exceeding one thousand dollars,” the equivalent of almost twenty-five thousand dollars today, for the law he hoped to get enacted in New York City.) When New York City police official Addison Jerome wrote to the organizing secretary of the New York Charity Organization Society in October 1895 recommending that New York follow Pennsylvania’s lead and reinforce police power to shut down begging by shutting in deformity, he referred to his antibegging proposal

as an “anti-freak law” (Ringebach, 99). It is hard to say who might have been hurt more by the conflation at work here of the beggar and the freak, the beggar whose requests for help were converted into carnival *spiel* or the freak-show performer whose stage work was translated into whines for alms. Both were reduced to examples of disgusting bodily display.<sup>38</sup> Of course, helping, not hurting, was the stated aim; but poor people have often been crushed in the name of reform.

The freak and the unsightly beggar are by no means identical, despite legislative efforts like these that attempted to render them equivalent. Unsightly beggars were less disciplined than freak performers, and arguably more abject. Beggars played on pity for their plights, but “‘pity’ as a mode of presentation was absent” in the freak show, argues Bogdan: “Pity did not fit in with the world of amusement” (277). Beggars were usually closer to being their own bosses in the petty street economy, but they were also closer to bare life (one can die of exposure but not of exhibition). The borders between the two were indeed sometimes porous. Nickell describes sighting a subject of his research on sideshows, “El Hoppo the Living Frog Boy,” in his wheelchair selling newspapers on the street, and being told by a “showman” that El Hoppo was “just some poor unfortunate . . . picked off the street and created on the spot” for a one-time exhibition (147). But the unsightly beggar plays a very different social and cultural role than that of the freak.

Freaks might in rare cases achieve star status. At the same time, the freak was governed by placement in/as spectacle. The conventions of the freak show, however tiny and seedy a show, dictate, as Susan Stewart notes, that spatially “the viewer of the spectacle is absolutely aware of the distance between self” and viewed and that “the spectacle exists in silence. . . . there is no dialogue—only the frame of the pitchman or the barker” (108–109). Freaks act as “effigies,” in Roach’s terms: “performed effigies—those fabricated from human bodies and the associations they evoke—provide communities with a method of perpetuating themselves through specially nominated mediums or surrogates: among them, actors, dancers, priests, street maskers, statesmen, celebrities, freaks” (1996, 36). Surrogates for no one, beggars could not be effigies. By no stretch of the imagination did they function as specially nominated mediums for the broader community. If they performed (and the next chapter will show how thoroughly the unsightly beggar was made up out of, made up by, performance), they nonetheless did not perform visibly, formally, theatrically, enough.<sup>39</sup> They were not contained by what Bill Brown terms “the amusement/knowledge system that translates a phenomenon into a freak” (244).

In the case of both antifreak law and ugly law, cities solidified their legal municipal cultures, what we might call their cultures of civiness, by regulating and suppressing displays of anomalous bodies too far outside civil norms and forms. As the references to indecency in the act that I quoted earlier suggest, proponents justified these efforts as guarantees of an appropriate urban culture. Suppression of unsightly beggars was one way to secure the decency of the modern urban polis.

### DISSIPATIONS

In 1919, one disabled vagrant, a man who had traveled the country over many years and had a firsthand sense of exactly where and when city leaders cracked down on unsightly begging, made this observation: "During the past 17 years I have noticed that where there was booze, a red light district, gambling—a 'wide-open' town, usually the cripples and blind were not interfered with, but helped. When we get a spell of reform, we get a hard sanctimoniousness" (Fuller 1919, 62). As is often the case, Arthur Franklin Fuller (whose writing I discuss in chapter 11) turns out to be a reliable witness. The history of the unsightly beggar ordinances is indeed closely connected to the history of municipal regulation and prohibition of alcohol, not just because both emerge when "spells of reform" reflect civic willingness to police a broadening range of behavior but because a great deal of the time "so as to be an unsightly or disgusting object" turns out to mean "so as to be (or seem) inebriated."<sup>40</sup> A reporter on the city court beat in Louisville put it succinctly in 1884: "Such a helpless cripple would have been pitiful if he had not been so drunk" ("Victim of Drink").

"Unsightly," then, often is something like disabled plus disorderly or disabled under the influence, and "disgust" is shaped at times by the ideals of the Temperance and Prohibition movements.<sup>41</sup> Arthur Fuller records a debate in the Texas State legislature around 1915. "There was recently a bill up," Fuller writes, "to compel cripples and blind, etc. to keep out of the state. It was claimed they are a lot of boozefighters, gamblers, and impudent toughs; that the women are harlots and the men bawd-masters" (*Fifty Thousand Miles*, 193–194). No record exists of a Texas bill specifically addressing the problem of blind and crippled interlopers. Most likely, as the references to harlots and bawd-masters suggest, the bill in question was an act "to regulate intrastate commerce by prohibiting the transportation of women and girls for immoral and other purposes in the state of Texas, and declaring an emergency" (1915 HB 52).<sup>42</sup> If I am correct, "other purposes"

may have referred to organized begging by disabled women. The links here between trafficking in beggars and trafficking in harlots are fascinating, and I will have more to say about these complex imbrications of unsightliness and indecency in chapter 6. Worth noting now is Fuller's emphasis on specifically masculine forms of bad behavior: gamblers, bawd-masters, impudent toughs. Imperiled women slip away, and in their place "boozefighters" step out. These rowdy cripples and blind men are drunk and disorderly, or as W.E.B. Du Bois put it in his study of Negro paupers in Philadelphia, "fast, tough, criminal and besotted" (280).

In "The Right to Live in the World" (1966), tenBroek categorically denies the possibility that a boozefighter and a disabled person could be one and the same. Commenting on an Arizona law excluding persons "of lewd or immoral character, guilty of boisterous conduct or physical violence," or "under the influence of alcohol or narcotics," tenBroek concludes decisively, "And not a blind man or a cripple is among them" (850). But in Fuller's account of the debate in Texas, "cripples and blind, etc." is the master category under which all these disreputable types are subsumed, and interestingly, Fuller endorses this claim: "The accusations," he writes, "are too generally true." Like many other disabled people attempting to make a living on the street at this time, Fuller did his best to dissociate himself from lumpen sorts as a better class of beggar or peddler. Certifying one's sobriety increased the likelihood of alms or sales of pencils. But Fuller often defended other beggars from charges that he thought were unjust, whereas here he concedes the point—despite the implausibility of this wild vision of noncompliant hordes of bawdy disabled women and pimp crips infiltrating the embattled state of Texas.

Evidence from the present day suggests that disabled people are at disproportionately high risk for substance abuse, for a variety of reasons: poverty, isolation, pain management, lack of access to treatment.<sup>43</sup> Evidence from the past suggests something of the kind of substance we are talking about in the context of the unsightly beggar. In the bars catering to disabled beggars that I discuss in the next chapter, the menu consisted of drinks described with typical verve in Asbury's *Gangs of New York*: "for those whose jaded palates failed to respond to the raw liquor there was a villainous mixture of water and liquid camphor. . . . There was also a hot punch compounded of whiskey, hot rum, camphor, benzine, and cocaine sweepings, which generally sold for six cents and was guaranteed to contain a case of delirium tremens in every drop" (298–299).<sup>44</sup> I am not arguing that all disabled people who begged were addicted to punch laced with cocaine sweepings, but I

am noting that a history of disability on the street that ignores the traces of substance abuse is an impoverished one and, more importantly, that in American discourses of the beggar unsightly often goes out on a binge.<sup>45</sup> As one New York City COS worker put it in a 1902 file on one "beggar-cripple," "liquor undoubtedly furnishes in this and most similar cases the energy to cross the bridge between subjective and objective law breaking" ("James Grady, Jr., Mendicancy #1295," 2-3). For this writer, liquor created the unsightly beggar: "There are thousands of beggar-cripples in our land to-day who have become such and remain what they are by just such processes."

Policing "beggar-cripples," street cleanup and barroom shutdown campaigns often patrolled side by side. Accounts of disability discrimination in American history almost always cite the ugly ordinances, but histories of what the Burgdorfs called "unequal treatment" rarely, if ever, include liquor control laws. In the extensive compendium of "state-sponsored discrimination against persons with disabilities," including statutes from some municipal codes, that was prepared by scholars as an amicus brief for the Supreme Court's *Garrett* case, no mention is made of laws prohibiting the sale of alcoholic beverages to disabled people. Los Angeles enacted one in the Progressive era. A 1916 *Los Angeles Times* antimendicancy feature piece with special emphasis on the "sad, maimed and misshapen" represents one man's response:

A familiar figure at Eighth and Spring streets is an old blind man who sits on a camp stool with a huge Bible written in raised script for the sightless, and from this he reads passages in a loud voice, tracing the letters with his fingers, then, after a scriptural suggestion, he shakes a tin can suggestively. . . .

He is an ardent "dry," but was converted in a way which will never be placed in the annals of the Anti-Saloon League. He was accustomed to a daily care-chaser in one of the bars across the street from his stand, but one day a cripple killed one of his bartenders in the saloon, and a regulation was immediately made to serve no liquor to cripples or blind men.

So he decided: "I'm going to vote dry; I'll put all the booze joints out of commission if I can't get a drink!" ("Genius of Mendicants")

It is as if, after a red-haired man killed someone in a bar brawl, a city council had banned the sale of liquor to red-haired people. The ugly laws made the disability history books, but this kind of law, with its potent brew of fear, hostility, and protectionism guaranteed to contain a case of discrimination

in every drop, has never (probably simply out of ignorance) been an iconic story for the public disability rights movement.<sup>46</sup> Boozefighters still embarrass.

The history of these ordinances is intertwined with ugly law. Judges gave harsher sentences to beggars who were drunk and disorderly as well as unsightly. An article in the *Los Angeles Times* in July 1913 on doings in San Pedro, California, reported that “the police round-up last night was a literal compliance of the injunction of Luke xiv:21 to ‘Bring hither the poor and maimed and the halt and the blind,’” recounting how “Ed Wagner, blind and deaf; Jack Logan, with one leg, and Frank Yanders, with one arm, all pleaded guilty to being drunk. All gave their occupation as lead-pencil peddlers.” The subtitle to the piece was “Halt and Blind,” the broader title “Police Judge Sentences without Compunction Drunken Beggars Even Though They Are Halt and Blind.” A curious moment, of uncertain tone, notes that “the blind man was given a straight jail sentence,” rather than being offered the option of paying a fine like his friends, “on the theory of the court that the rest would do him good.” Was he being “well cared for” in the old-fashioned terms of the early ugly laws, or is this meant sarcastically? Either way, the cultural meanings of drunkenness resulted in lawmaking and sentencing “without compunction” (“Police Judge Sentences”).

Arrest either under ugly law or under “drunk and disorderly” statutes could lead to long-term incarceration for disabled people. In Indianapolis, around 1915, a man who had an epileptic seizure as he stepped off a streetcar was arrested by a policeman who thought he was drunk. He remained in jail for several days, until a local doctor read about him in the paper and came forward to certify his epilepsy. As a condition of the man’s release, he was institutionalized for life in Indiana’s Village for Epileptics (Indiana State Board of Charities).

This man’s story is easy to recognize as an extreme case of disability subjection. Boozefighters are harder to claim as disability culture heroes, even of the romantic outlaw sort. But ideas of the addict and the brawler helped shape the idea of the unsightly beggar and are an important part of the history of that idea. The image of the drunk cripple justified the ugly ordinances; so did the image of the sham cripple, to which I now turn. Like “they’re all spending it on liquor,” “they’re all faking” worked powerfully as a formulation that undergirded the hard line of ugly law.