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**Realizing the right to access in France:
between implementation and activation**

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Abstract:

This paper explores the realization of the right to access in France, based on biographical interviews with people with mobility or visual impairments. I lay out an original theoretical framework for studying rights realization at the individual level. While rights activation is the horizon of most rights consciousness research, I argue that rights do not necessarily need to be activated in order to be made real. This realization may also derive from effective policy implementation. In France, however, disabled individuals are very active in realizing their right to access, in a context of insufficient implementation. Moreover, while there is limited collective mobilization, several types of policy feedbacks fuel rights activation and the emergence of grievances regarding the lack of accessibility. Studying the realization of the right to access thus opens up promising perspectives for sociolegal research.

Keywords: rights realization, rights consciousness, legal consciousness, accessibility, policy feedback, relative deprivation, implementation, activation, mobility, blindness.

“There is nothing more gratifying, nothing more fulfilling than being able to be free of one’s movements, to be free to move, to be independent” (Lea Martin, 28-years-old woman with mobility impairment, January 2015)

“To be able to go out to some friends’ place, without any constraint. That’s my sweet dream” (Laetitia Roger, 40-year-old woman with mobility impairment, November 2014)

Freedom to move, independence, access to social life: these quotes illustrate the fundamental nature of the right to access for disabled people, while its characterization as a “sweet dream” reveals the commonality of its infringement. In his famous 1966 article “The Right to Live in the World: the Disabled and the Law of Torts”, Jacobus tenBroek pinpointed this peculiar social and legal status of the right to access for disabled people, a fundamental right at stake in everyday life and as commonly infringed upon, without this deprivation being the object of much comment: “Without legal redress in many areas, and with the frequency of arbitrary action, disabled persons have been turned away from trains, buses, and other common carriers, from lodgings of various sorts, from the rental of public and private housing, from bars, restaurants and places of public amusements [...], declared by statute as well as by common experience to be places in which the public is accommodated” (tenBroek 1966:851). TenBroek also described in terms of “unawareness” this ambiguous legal context (tenBroek 1966:913).

The (still) common deprivation of the right to access is a major issue. A fundamental right in itself, this right also is a precondition for the realization of several other types of rights (Mor 2018:619). Without accessibility, other disability rights such as the right to education or employment risk being nothing more than “fragmented protections”, doomed to fail in their realization (Satz 2008:541). For example, legal provisions against employment discrimination are likely to be of little effect in a context where neither sidewalks, public transportations nor offices are accessible for wheelchair users or blind persons.

It comes as no surprise, then, that accessibility has been a key goal of disability rights mobilizations over the past decades (Barnartt and Scotch 2001; Fleischer and Zames 2011; Heyer 2002, 2015; Olson 1984; Prince 2009; Scotch 2001; Swain et al. 2013; Vanhala 2011). Parallel to national reforms, this resulted in its recognition by the United Nation’s 2006 Convention on the rights of persons with disabilities (CRPD) (Lawson 2014). Article 9 of the Convention provides that “To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas” (CRPD, Article 9 (excerpt)).

To what extent and how does this right to access become real in the lives of persons with disabilities? Most studies of rights (non-)realization focus on intermediary actors and processes,

such as collective mobilization, litigation, and administrative implementation, which mediate the realization of rights, either favoring or limiting it. This paper adopts a different approach, focusing on the individual bearers for whom rights may eventually make a difference. Building upon legal consciousness studies (Ewick and Silbey 1998; Marshall and Barclay 2003; Merry 1986; Sarat 1990; Yngvesson 1988), I define an original theoretical framework for the study of how rights become real or are infringed upon at the individual level. This framework has four main characteristics: 1) Rights realization has practical and material dimensions besides the more common apprehension of individual rights consciousness in cognitive terms; 2) It has a commonplace, everyday character; 3) Rights do not necessarily need to be activated by individuals in order to become real; efficient policy implementation may suffice to make rights real in individual lives; 4) Rights realization may be partly disconnected from social movements.

The right to access, in general, well illustrates the first two features of this framework: beyond ideas about rights, its realization takes the form of ramps (1), for example, and it is at stake every time a person in a wheelchair goes out in the street (2). The French case, under study in this contribution, offers fruitful insights into questions leveled by the two other characteristics of the framework. To this effect, I will draw analytically on two main features of the current French context in terms of accessibility: partial implementation, which raises the question of the respective roles of (and interactions between) implementation and activation in rights realization in such an intermediary context (3); and lack of any major social movement, which leads to questions regarding other possible paths to the emergence of discontent and rights activation at the individual level (4).

Hence, the initial research question regarding rights realization translates into two more specific questions operationalized on this case study of France: to what extent is the right to access already there, and taken for granted, in the lives of individuals, or on the contrary needs to be activated? And how does discontent regarding inaccessibility emerge and express itself at the individual level, in the absence of any major collective mobilization?

I address these questions by drawing on biographical interviews with 30 persons with either mobility or visual impairments. The analysis of these narratives leads to two main series of findings in relation to the two questions listed above. First, in a context of very partial policy implementation, individuals are very active in the production of their right to access. Second, I offer an explanation for the emergence of grievances in this specific context, showing how different types of policy feedbacks fuel relative deprivation (Campbell 2012; Gurr 1970; Pierson 1993).

The first two parts of the paper build upon sociolegal literature to define an original framework for the study of rights realization at the individual level, and provide context on French accessibility policy and disability movement. I then introduce the methods of the study. Research results are presented in two sections. First, I provide a diagnosis on the flawed implementation of disability rights in France based on disabled people's experiences of mobility; I show how in this context, individuals are very active in negotiating the realization

of their mobility rights. Second, I offer an explanation for the emergence of individual grievances regarding accessibility in a context of limited collective mobilization, stressing how two types of policy feedbacks fuel relative deprivation at the individual level.

An individual perspective on rights realization

By rights realization, I refer to the extent to which and the processes through which rights become real. In other words, this notion does not necessarily mean that rights become real; it is meant to account for the continuum between full infringement and full realization of rights. To simplify writing, I will not systematically specify the possibility of non-realization when referring to the concept of rights realization. It should, however, be borne in mind that my reference to the idea of realization includes this possibility for rights not to be realized.

Individual rights are eventually realized to various extents at the level of the individuals they target, those who bear these rights. For example, the ultimate relevant criteria to measure the effectiveness of the right to school integration for children with disabilities is the actual possibility for a given child to attend their local public school. This realization, however, is conditioned by a long chain of processes and actors which mediate it, either by facilitating or by impeding it. In the case of school integration, one can mention international and national legal provisions, policies defined by the department of Education, mobilizations on the part of parents to obtain access, sometimes based on litigation (Engel 1991). Studies of rights realization in sociolegal research so far have mainly focused on the level of these legal intermediaries – broadly defined here as the individual and collective actors who mediate the realization of rights. Legal consciousness studies, on the other hand, take ordinary individuals (the potential right bearers) as their points of departure. Yet the question they address differs from the one at stake here, rights realization. Characterizing a parent's sense of entitlement differs from analyzing whether and how their child attends the local public school. This body of research nevertheless provides valuable inputs into an analysis of how rights are made real at the individual level. Hence, the framework I offer to study rights realization mainly builds upon this body of research.

Legal intermediaries and the realization of rights

To the foundational question “How are rights made real?”, law and society scholars have provided a rich array of analyses focused on the individual or collective actors which may favor or limit the possibility for rights to become concrete and make a difference in the lives of individuals (Haglund and Stryker 2015). In line with the US context of litigious policy (Burke 2002), courts and litigation have been for a long time at the forefront of this scholarship (Galanter 1974; Scheingold 1974). Several studies have insisted on the role of judicial actors, notably cause lawyers, in making rights real for various social minorities (Sarat and Scheingold 1998, 2001; Scheingold and Sarat 2004). Still in compliance with this prominent role played by the court system, a large body of research has addressed the strategies deployed by social movements to influence jurisprudence, using strategic litigation as a leverage of transformative social change (Burstein 1991; Epp 1998; McCann 1994; Scheingold 1974).

Further from the court system, other works have explored the role of bureaucratic intermediaries in favoring or preventing the realization of individual rights, often focusing on the discretion exerted by “street-level bureaucrats”(Lipsky 1980; see also Dubois 2010; James and Killick 2012; Maynard-Moody and Musheno 2003)Epp 2009). A separate strand of research has theorized the role of private corporations as legal intermediaries (Edelman 1990, 1992; Talesh 2009). LaDawn Haglund and Robin Stryker list yet other mechanisms at play in the realization of rights, including rights monitoring through indicators, the role of electoral campaigns, or the effect of international aid and development funding (Haglund and Stryker 2015).

The legal consciousness of ordinary individuals

Parallel to this analysis of how legal intermediaries may favor or impede the realization of rights, legal consciousness studies have shifted the focus to ordinary citizens, exploring their relation to legality and contribution to the production thereof (Ewick and Silbey 1998; Marshall and Barclay 2003; Merry 1986; Sarat 1990; Yngvesson 1988). While asking a slightly different question, this body of research has paved the way for a study of rights realization at the individual level. Three methodological and theoretical choices are key in this perspective.

First, ordinary individuals are the starting point of investigation. This means decentering the usual focus of sociological research from legal institutions and actors, to place individual citizens’ practices and accounts of legality at the heart of the analysis. Biographical interviews are the privileged methodological tool (Engel and Munger 2007; Ewick and Silbey 1995, 1998, 2003). The accounts of individuals “in their own words” are the main basis for an exploration of their relation to and contribution to the construction of legality (Marshall and Barclay 2003:617). This methodological choice is tightly connected to a strong theoretical assertion: individuals’ relation to legality must be empirically explored because it cannot be theoretically deduced (Merry 1986:255). Individual action cannot be reduced to an “epiphenomenon” of social structure (Ewick and Silbey 1998:36).

Hence the second main feature of legal consciousness studies, which relates to the interplay between structure and agency. Initial accounts of legal consciousness derived from a discussion on law’s hegemony (Hunt 1985, 1993). In 1990, Austin Sarat promoted the idea of consciousness as a synonym of ideology, to distinguish it from the more common notion of attitude, which he deemed too individualizing (Sarat 1990:343). But while reflecting this structural aspect of legal hegemony, the concept of legal consciousness also accounts for its interplay with individual agency. Legal consciousness thus “keep[s] alive the tension between structure and agency, constraint and choice” (Ewick and Silbey 1998:45). Agency, in this context, means that individuals reinterpret legal scripts, may keep legal institutions at a distance, but also that they contribute to the very production of what legality means. Individuals may even conceive and claim rights they are not (yet) legally entitled to (Lovell 2012). The legal consciousness perspective thus entails an original sociological definition of rights as “claims that people use to persuade others (and themselves) about how they should be treated and about what they should be granted”, besides formal legal rules (Minow 1987:1866). In this approach,

the legality that matters to sociolegal scholars is the one making a difference in the lives of ordinary individuals.

Thirdly, this relative autonomy of the construction of legality from legal scripts and institutions feeds into the idea of the “commonplace” character of legal consciousness (Ewick and Silbey 1998). The relation to and construction of legality are at stake in everyday settings (at work, at home or in the street for example), and not just when individuals interact with legal institutions or explicitly invoke the law (Engel and Munger 2003; Levitsky 2014; Marshall 2005).

These three ideas stemming from legal consciousness studies are key to my analysis of rights realization at the individual level: using ordinary individuals as the starting point of analysis, considering the commonplace and everyday character of rights realization, and choosing to approach individual action and cognition in a sociological perspective which articulates structure and agency. The latter, however, takes on a specific inflection when applied to rights realization.

Rights realization, between implementation and activation

In order to further specify my framework for analyzing rights realization at the individual level, it is important to note how this question differs from that of legal or rights consciousness. The legal consciousness perspective studies individuals’ relation to the legal order and contribution to the production of legality. To what extent and how rights eventually become real is the question addressed by studies of rights realization. These are two distinct theoretical questions, even though legal consciousness studies provide a major input into the analysis of rights realization, and in spite of possible correlations in terms of empirical results. These, however, should not be assumed but investigated. For example, one would expect that the type of legal consciousness characterized by Ewick and Silbey as “with the law” (Ewick and Silbey 1998:108) may favor a more active role of individuals in the realization of their rights: the parent of a disabled child is all the more likely to obtain their registration in the local public school since they know how to mobilize the law and are ready to do so if needed. But reciprocally, one may be “against the law” and yet have their rights made real on a daily basis: the fundamental distrust of a nondisabled child’s parent in the law’s potential will not prevent their child from attending the local public school. What these examples reveal is that rights do not necessarily need to be activated in order to become real. The legal consciousness perspective provides a major insight into how individuals may activate their rights, but activation is only one of the paths through which rights can be made real. Hence, the study of rights realization at the individual level requires a specific approach.

The framework I offer draws heavily on the input of legal consciousness studies, notably with regards to the three previously listed elements: a focus on ordinary individuals, an apprehension of rights realization as a commonplace/everyday stake, and a sociological perspective combining structure and agency. The structure at play, however, is slightly different than what is commonly addressed by legal consciousness studies. As suggested by the above examples, the distinction that matters for rights realization can be framed as a distinction between implementation and activation. Rights can be made real without any active intervention on the

part of their bearers. Their realization then derives from various forms of policy implementation involving the intermediaries listed above. From the point of view of individual bearers, they are taken for granted; they do not require any conscious effort, and consequently they are even likely not to be understood as rights. Referring to the constitutive dimension of law, Robin Stryker develops this idea of “taken-for-grantedness” (Stryker 2003:345), which relevantly describes this structural aspect of rights realization, underpinned by efficient policy implementation. Disability studies help shed light on this dimension of rights realization, by pointing to the experience of nondisabled people as such: for many nondisabled people, the right to access many public spaces, or to some extent the right to schooling, may be assumed and not even thought of as rights¹. A nondisabled person is unlikely to be conscious of being activating their right to access every time they go out in the street. It is more probable, on the other hand, that a disabled person will live the same experience as requiring an activation of their rights.

Because it typically focuses on rights commonly infringed upon, research on rights consciousness has tended to move away from legal consciousness studies’ initial call to take into account the interplay between structure and agency, focusing on the possibility of the latter. For example, David Engel and Franck Munger mainly address rights realization by means of the question of rights “activation” (Engel and Munger 2003). The common meaning of “consciousness” also points to this active role played by individuals in the realization of their rights, suggesting that people would need to be conscious of their rights, and eventually “activate” them, in order for these rights to become real. This can be interpreted as a consequence of the persistence of a court-centered vision of rights realization, even in the context of a perspective such as legal consciousness studies whose main impulse was to “decenter the courts” (Marshall and Barclay 2003:619). Even if the focus has been radically decentered from the courts, these remain on the horizon (Revillard, 2017b). Implicitly, a full-fledged rights consciousness would eventually translate into court action. Similarly, and in connection to this, rights consciousness often is analyzed in relation to the existence of a social movement whose ideas may fuel this rights consciousness at the individual level (Engle Merry et al. 2010; Fleury-Steiner and Nielsen 2006; Kirkland 2008; McCann 1994).

Hence previous research has tended to restrict the analysis of rights realization to the individual activation of rights. Yet, rights do not necessarily need to be activated, even less so become conscious, in order to be realized. This is why I offer to develop a broader framework on rights realizations, in which individual activation is only one of the ways rights may become real in individual lives, along with realization as a result of policy implementation (See Table 1). Rights typically need to be activated when their implementation is inefficient, as is the case

¹ This, however, varies across social groups and historical contexts: the history of racial segregation and the struggle of African-Americans for their civil rights in the US, for example, provides an important exception. TenBroek alludes to it when he stresses in 1966 that “With respect to able-bodied groups and individuals, the basic rights of effective public access have been long established and *newly vindicated*” (tenBroek 1966:848, my emphasis).

with accessibility rights in France as will be demonstrated below. But beyond considering implementation and activation as alternate routes to rights realization, their interplay must be taken into account. On the one hand, implementation sometimes requires some form of individual activation. Such is the case in the implementation of all categorical rights, which involve individual claim-making on this categorical basis: disability social rights, for example (Revillard 2017b). On the other hand, the characteristics of rights implementation may influence the possibility for individual activation. Two examples of such dynamics will be developed in the results section: one of the consequences of a flawed implementation is that rights need to be activated by individuals; the emergence of grievances regarding accessibility rights is influenced by several types of policy feedbacks (Campbell 2012; Pierson 1993).

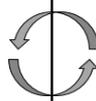
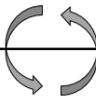
		Material dimension/ practices	 Cognitive dimension
Rights realization	Rights implementation (Structure)	How legal provisions impact one's material circumstances: resources, characteristics of the environment	How legal scripts/policymaking frame individual rights consciousness
	 Rights activation (agency)	Take-up, tactics to make one's rights real	Reinterpretations, original definitions of one's rights

Table 1 : Structure and agency in rights realization at the individual level

As shown in table 1, the case of accessibility also calls for renewed attention to the material and practical dimensions of rights realization, along with the more cognitive aspect which often is the main focus of rights consciousness studies. Indeed, in most existing studies of rights consciousness (Engel and Munger 2003; Fleury-Steiner and Nielsen 2006; Levitsky 2014; Marshall 2005; McCann 1994, 2006), the latter has by and large been understood primarily in terms of cognition – what people think about their rights, how this is partially framed by institutional scripts and can be transformed by social movements – whereas legal consciousness had initially been defined more broadly in terms of “cultural practices”, including what people do and the extent to which their actions can be not only cognitively but also materially constrained (Ewick and Silbey 1998:38). Mobility-related disability rights provide a case in point to explore this less investigated aspects of the realization of rights at the individual level. Mobility rights in the field of disability have a physical dimension: they take the form of ramps, wide curbs or elevators, for example. More generally speaking, rights realization is not only facilitated or infringed upon by ideas about rights, but also by the way buildings, curbs and public transportations are built – themselves the result of “rights practices” on the part of organizations (Barnes and Burke 2006:505). Reciprocally, on the side of agency, people’s

activation of their rights does necessarily take the form of a formalized sense of entitlement. It also translates into practices: actions, small tactics (de Certeau 1990) to make their rights real in everyday life (reminding the bus driver to deploy the ramp, complaining to the local bank about the absence of vocalized system at their ATM). In other words, the same person calling out the bus driver to deploy the ramp may not necessarily put their sense of entitlement into words (“I have rights”), either to the bus driver or to the researcher in the interview setting. This does not mean that this sense of entitlement is absent. Through this comment, I just mean to draw attention to the fact that people’s accounts of their daily practices are a fruitful way to investigate into their activation of their rights, aside from what they may also theorize about what they feel entitled to. Moreover, these material/practical and cognitive dimensions of rights realization interact. Practices and ideas influence each other, and as will be shown in the case of accessibility, material obstacles and bodily experiences may have cognitive effects.

To sum up, the processes by which rights become real if we consider them at the individual level are commonplace and occur in everyday settings. They involve a combination of material and ideational elements, practices and ideas, and an articulation between policy-related structural effects and individual agency.

The right to access in France: a context of partial implementation and limited mobilization

Why is the French case of accessibility rights of particular interest to test this theoretical framework for the study of rights realization? In the above presentation of this framework, I have stressed how accessibility rights in general offer a fruitful demonstration of two of its features: the materiality, and the commonplace character of rights. But why study their realization in the case of France? Two characteristics of the French context turn it into an interesting laboratory. Firstly, accessibility provisions are only very partially implemented. The French case thus offers us with an opportunity to study how rights are realized in a context of partial implementation, and how the latter may influence rights realization. Secondly, there is very limited collective mobilization on this issue, which raises the question of how rights consciousness emerges when it cannot easily be connected to social movement influence. A few elements regarding the history of disability policy in France will help explain these two characteristics.

As in many other non-US contexts (Heyer 2015), disability in France is not prominently framed as a rights issue at the level of policy discourse. It is more theorized as an issue of solidarity and collective responsibility, than individual rights. But the limited prevalence of rights discourse did not preclude rights from being enshrined in law, generally under the form of regulatory obligations to collective actors rather than statements of individual rights.

Two main policy acts have governed disability policy in France, in 1975 and 2005 (Winance, Ville, and Ravaud 2007). The 1975 law² timidly introduced the idea of promoting the accessibility of public spaces and transportation. No sanctions being provided for in case of non-compliance, the law had very limited impact. In public transport, it mainly led to the development of specialized transportation, rather than an evolution of mainstream transportation towards universal accessibility. The latter, however, was increasingly promoted by disability organizations in the following decades. Two organizations of people with mobility impairments, the *Association des paralysés de France* (APF) and the *Groupement des intellectuels handicapés physiques* (GIHP), were leaders in these campaigns (Larrouy 2011). The APF had a more significant impact due to its larger size. It initially adopted confrontational tactics facing public authorities. For instance, 4000 wheelchair users gathered in Paris for a demonstration demanding “autonomy in individual and collective movement” in 1982. The organization, however, later became more institutionalized. It evolved to a more technical and professional stance, positioning itself as a “partner” of public authorities (Larrouy 2011:107).

These lobbying efforts contributed to the enactment of more rigorous accessibility provisions in 2005. Compared to the 1975 law, the 2005 law “on the Equal Rights and Opportunities, the Participation and the Citizenship of Disabled Persons” formulates much more specific accessibility requirements, defines modalities of implementation, and provides for sanctions in case of non-compliance. With regards to the built environment, the perimeter of the accessibility obligation includes housing units belonging to either private or public owners, facilities open to the public, and workplaces (Article 41). With regards to transportation, accessibility is to be implemented throughout the mobility chain, including streets and roadways, public spaces, transportations systems and their intermodality (art.45). Some exceptions are provided for, notably in the case of subways, but the obligation generally is very broad. When accessibility is deemed technically impossible, authorities in charge of public transportation must provide an alternate transportation system for disabled people, whose cost for users must not exceed that of general public transportation. In order to plan for the accessibility of streets and public places, all cities over 5000 inhabitants must create accessibility committees which include representatives of user organizations and disabled people organizations. In the built environment as well as in the mobility chain, the law provided that accessibility had to be implemented within a 10-year deadline. After 2015, non-compliance would have been subject to penal sanction. Even though France ratified the CRPD in 2010, the 2005 law has remained the main legal reference in terms of accessibility policy.

Administrative reports started alerting the government regarding delays in accessibility implementation as of 2011 (Campion 2013; Campion and Debré 2012; CGEDD, IGAS, and

² *Loi n° 75-534 du 30 juin 1975 d'orientation en faveur des personnes handicapées* [Framework Law in Favor of Disabled Persons, 30 June 1975].

Loi n° 2005-102 du 11 février 2005 pour l'égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées [Law on the Equal Rights and Opportunities, the Participation and the Citizenship of Disabled Persons, 11 February 2005.]

CGEFi 2011). They stressed the likelihood of massive non-compliance by the 2015 deadline, including on the part of public authorities themselves. As a result, the government postponed the accessibility deadline by means of ordinances in September, 2014. These were ratified by Parliament in August, 2015. They introduce a derogatory mechanism by which private and public authorities in charge of implementing accessibility in their facilities and services may sign “Timed accessibility programs” planning the needed renovation within a 3-to-9-year framework. Provided they signed such programs, they would not be liable under the terms of the 2005 law. These ordinances were enacted following a series of concertation meetings with national disability organizations. The APF took part in them and did not publicly question the government’s strategy in this context³, even though it also organized street protests in parallel to stress the importance of accessibility implementation (Baudot and Revillard 2016). A few more radical activists publicly voiced criticism against the APF’s general endorsement of the governmental strategy. This led to the creation of the “No to postponement” collective (*Non au report*). This organization, however, lacked resources and political relays, and was not much heard during this period. The main national disability organizations remained in a logic of partnership with public authorities rather than confrontation, and the episode provoked little collective mobilization. Moreover, it received strikingly little coverage in the general media, compared to the democratic infringement it represents (questioning a previously recognized fundamental right by means of ordinances). The more specialized disability media, however, covered the event. This is how most research participants had heard about the reform when I met them.

In a nutshell, the French context offers us with an opportunity to study rights realization in a political environment marked by flawed implementation, legal setback, and limited collective mobilization.

Methods

Biographical interviews are a common methodological tool in both disability studies (French and Swain 2006; Lid and Solvang 2016; Malacrida 2007; Shah and Priestley 2011) and legal consciousness research (Ewick and Silbey 1995, 1998, 2003). At the intersection of the two fields, David Engel and Frank Munger have fruitfully applied this method to the analysis of the effects of the Americans with disabilities Act (ADA) in the lives of Americans with disabilities (Engel and Munger 2003; Heyer 2007). The way they justify the use of this method illustrates how it is suited to reflect the interplay between structure and agency: “autobiographical narratives by ordinary people reflect the influence of political change, of cultural transformations – and at times, of legal innovations like the ADA. Yet the threads of individual

³ On the last day of the consultation, APF president Alain Rochon declared “saluting the concertation process” that took place, and positioned the organization as a partner to public authorities (“Together we must change the way French people view disability”). Source : Réflexe-handicap, « Accessibilité : le Premier ministre conclut la concertation », 26/02/14, accessed on 29/11/16 : <http://www.reflexe-handicap.org/archive/2014/02/26/accessibilite-le-premier-ministre-conclut-la-concertation-66888.html>

lives also make up this fabric: through the choices and struggles people experience in their everyday lives, [...] events are channeled in particular directions and history is carried forward. The telling of life stories is part of this process.” (Engel and Munger 2003:2). As part of a broader project on the reception of disability policy (Revillard 2017a), this research adopts the same method to address the question of how the right to access is realized in the lives of persons with either mobility or visual impairments in France.

Biographical interviews are the output of specific interactions between researcher and research participants. Therefore, the methodological choices made in their production are of crucial importance, and must be accounted for. Because of my interest in the consequences of long term legal and policy change (as marked by the two laws of 1975 and 2005), I chose to focus on two types of impairments, visual and mobility impairments, which have been legally recognized for a long time (as opposed to more “recent” ones in French disability policy, such as psychiatric or learning disabilities). In the post I disseminated to find research participants, I also limited the perimeter to people who had lived with an impairment for more than 15 years. This followed the same idea of tracking the effects of policy and legal changes in individual lives; I also sought to meet people whose relation to their impairment was rather stabilized, who were not in the middle of a major biographical disruption.

Translating the notion of “ordinary people” into methodological practices is never an easy task. In this research, the minimal definition I used of “ordinary” was “non-institutional” and “non-activist”: I wanted to avoid (or at least avoid a bias in favor of) people directly involved in disability policy-making (or policy implementation), as well as people involved in activist groups. This translated into my choice of research intermediaries: I did not use connections to either the disability policy administration or activist networks in order to find research participants (for the same reasons, I did not use my Twitter account). Rather, I asked a disability magazine (*Handirect*) to post my inquiry on their website, and this was then relayed on specialized listservs and social media. I also contacted several service-providing organizations, which gave me access to some of their clients.

Another challenging prescription coming from legal consciousness studies is the idea of not referring to the law in order to explore people’s relation to legality. This is in keeping with the methodological stake of avoiding to impose a reference to law that would not be relevant to the respondent. Nevertheless, this raises ethical concerns since it may result in disguising the actual object of inquiry when presenting the research project to the respondent. I was all the more sensitive to the issue as a nondisabled person working on disability (see below). The compromise I settled with was to be discreet regarding the policy/rights issue at stake in the post, which read as followed:

“[...] As part of a sociological study on disability, I am seeking to meet people who have had a mobility or visual impairment for more than 15 years, in order to exchange on their experience.

These interviews follow a very open format. You will be invited to talk about your personal trajectory (in terms of family, schooling, etc.) and your

experience of disability in everyday life. These interviews take place face-to-face. They generally last about one hour and a half. They are recorded and used anonymously in the research. [...]

This work should result in academic publications. One of the aims is to feed into a reflection on disability policy [...]”.

When participants called me back, however, I explained to them the context of my research and the goal of seizing the effects of policy and legal change, while insisting on my indirect way of proceeding (asking questions about the person’s past and everyday life, rather than explicitly policy-related questions). I made sure they agreed with the general framework of the research before going onto planning the interview.

I conducted interviews with 30 people with either visual (N=15) or mobility (N=15) impairments, between November, 2014 and January, 2016. Participants include 13 men and 17 women, aged 23 to 75. 21 of them have been living with a diagnosis of impairment since childhood (before age 16); 9 were diagnosed later on. The respondents come from diverse social backgrounds: 13 from a working class background, 13 from the middle class, 4 from upper-class families. Education levels vary from first secondary school diploma or below (N=3) to Master’s level diploma or PhD (N=7). Occupational positions are sometimes difficult to characterize given the instability of many trajectories. Based on their current occupation or the last known one for retired people, 8 persons (including 7 men) are in managerial positions, 6 can be characterized as middle-level occupations; 11 live only on disability income support, and 3 combine the latter with some form of precarious self-employment; 2 are students. Research participants all live in urban or suburban areas.

The interview outline included elements on: the family context; the outset of the impairment, its diagnosis and its impact on everyday life; modes of schooling; housing and personal life; occupational trajectory (when applicable); other activities (such as leisure or political participation); everyday life and mobility; administrative tasks in relation to disability. Broader questions on perceptions disability policy and the evolution of social attitudes towards disability were included at the end of the interviews. The majority of the interviews took place at the respondent’s home, and they lasted 1h35 on average. I combined three techniques of analysis of the interview transcripts: individual portraits, content analysis using Atlas.Ti, and in-depth analysis of excerpts (Revillard 2017a). All the names of participants have been modified, as well as names of locations except from the Parisian area (where 21 persons currently live, including the broad suburban area).

Before turning to the findings, the relation to disability at play in the research relation requires some comments. I currently identify myself as nondisabled, and research participants perceived me as such. This difference in status towards disability (nondisabled researcher/disabled respondents) impacted the research relation in two main ways. First, it may have favored the assertion of this symbolic boundary in respondents’ discourse, with the development of an us-and-them logic (Lamont, Pendergrass, and Pachucki 2015). While this is hard to measure, I didn’t feel this difference had a significantly negative impact on the trust research participants

put into me. They generally confided easily. Second, and probably more importantly, my status as a nondisabled person impacted how I approached the topic. The collection of disability stories by nondisabled people, focusing on the medical and psychological aspects of impairment to foster pity or inspiration, has been described as a major trope in cultural representations of disability (Garland-Thomson 2005). In preparing for, conducting, and analyzing the interviews, I was particularly cautious to avoid feeding into this common narrative. In this perspective, I adopted a rather strong version of the social model for methodological and analytical purposes, choosing to focus on environmental and social barriers (Oliver and Barnes 2012). This may have led to my underestimating the impact of the medical and psychological aspects of impairment in some instances. This approach, however, proves of particular relevance in exploring the realization of the right to access.

In the following sections, I develop two series of findings deriving from the analysis of this life-story material. These address the two main questions that emerge from the theoretical framework laid out above on rights realization: to what extent are accessibility rights taken for granted or need to be activated by individuals? And in the context of a lack of any major visible collective mobilization around those issues, how does discontent regarding inaccessibility emerge and express itself at the individual level?

Active citizens in a context of flawed implementation

To what extent and how are mobility rights realized? The first important result coming from the interviews is that mobility rights are far from being a given in the everyday lives of disabled people in France. People's accounts of their experiences of mobility in urban spaces reflect a situation of flawed policy implementation, even though some older interviewees also praise the "progress" and "efforts" that have been made to improve accessibility over the years. For the people interviewed in this study, limited accessibility results in several, often combined difficulties⁴. The first one is the restriction of possible destinations and itineraries, when only some places and some public transportations are accessible. In some cases, this limits housing opportunities. For example, Kader Zyebe (23-year-old blind man), who is in training in a specialized institution, had to take a boarding room during the week in this institution far from his own apartment, because of the lack of accessible public transportation to commute from one to the other. A second difficulty is the uncertainty regarding access: even in places or transportations which are supposed to be accessible, there can be technical failures (the elevator or the ramp may be out of order). As a consequence, many disabled people rely on specialized transportation. The latter is organized at the level of municipalities, with important variations in functioning and efficiency from one city to the other. The system used in the Paris area (*Pour aider à la mobilité* – PAM, standing for "To help mobility") is commonly described as unreliable. It needs to be booked well in advance, which prevents any possibility of improvisation regarding urban mobility.

⁴ Quantitative findings in France concur with these conclusions (Dejoux 2015:77-79). Comparable difficulties have also been documented in other national contexts (Lid and Solvang 2016).

These difficulties expressed by disabled people narrating their experiences of mobility help delineate the content of mobility rights as they make sense for them: the right to move without advanced planning, at a cost and within a timeframe similar to that experienced by nondisabled people, and without needing to worry about accessibility issues. This emerging characterization of the right to access departs from doctrinal discussions in two main ways: the idea of a right to improvise outings appears as an original formulation; moreover, research participants mainly criticized specialized transportation based on its lack of efficiency (and its incompatibility with improvising outings) rather than for its segregative aspect. This does not necessarily mean that this forced separation from mainstream transportation is not an issue for disabled people, but efficiency and the capacity to move appear as priorities at this stage.

In this context where accessibility is far from being a given, the individuals I met are very active in negotiating their right to access. First, they often need to compensate individually for the lack of access. For example, Chloe Lamarche, a 23-years-old blind woman, describes the effort and concentration needed in partially vocalized subway lines:

Public transportation, there is still some progress to be made, because half of the subway lines are not vocalized yet. When I was on line 6, it was weighing because I needed to count the stops to know where I was, or to pay attention to turns. So then I used the B-train and it was so comfortable... I already had less weigh when I came out. (Chloe Lamarche, 23-years-old blind woman, April 2015)

Besides this individual effort, the negotiation of one's right to access often involves interactions with other people: reminding the bus driver to deploy the ramp, asking passers-by or passengers for help or support... Finally, the individual investment needed in the realization of one's mobility right may translate financially, notably when taxis need to be paid for to compensate for the lack of accessible public transportation and the need to book specialized transportation too long in advance. Lea Martin, a 28-year-old mobility-impaired woman, is in this case. Her narrative of her mobility options and practices offer a relevant illustration of the aforementioned difficulties:

"Today I am in a wheelchair, and I must pay for taxi on my own. Why? Because in the subway, only line 14 is adapted. [...] So the subway, it's almost impossible – or risky: I know a lot of people who will ride the escalator in a wheelchair, but I am not taking that kind of risk. [...] I mean it takes some strength. Me, I don't have this kind of muscles, this kind of courage, this kind of ... I am afraid, you know. So for me at least, the subway is not the ideal solution. So I am left with the bus. But if you take aside the buses which are supposed to be accessible but they don't work... There is some progress with the buses, but still, it doesn't work. Me, I am still in a manual wheelchair, so I need to have the strength to go up the little ramp. And I also need to be able to count on the passengers to tell the driver if I have difficulties going up the ramp [...] .../..."

.../... Then you have the [specialized transportation system] [...] You need to warn [them] two weeks, a month ahead, if you want to go out. [...] I, for one, do not know what I will be doing in two weeks, or in one month. So it is a bit complicated. If you call them too late, they have no availability. If they have no availability, you cannot go out. So that leaves you with taxis, but taxis have a cost. So what does this mean? It means economies, it means not going on vacation, almost not going to the theater anymore... Why? Because we must move, because we have a life, and we are socially integrated like any other individual". (Lea Martin, 28-years-old woman with mobility impairment, January 2015)

This excerpt describes a universe of possibilities which is also a universe of constraints. Using a manual wheelchair, access to public transportation is not perceived as a mundane activity, but described as an enterprise requiring specific physical strength, courage and luck. Because specialized transportation imposes to plan moves several weeks ahead of time, Lea is often constrained to used taxis. These represent a financial burden, and as such, end up limiting her mobility (limiting the possibilities for travel or cultural outings). Lea's final comment stresses the discrepancy between the social status she aspires to through her way of life (working, going out, travelling) – “we are socially integrated like any other individual” – and the actual constraints weighing on this aspiration to a full social participation.

To sum up, research findings illustrate the relevance of the implementation/activation alternative in rights realization: in a context of flawed implementation, individuals are very active in the negotiation of their right to access. They do so, however, to a large extent aside from formal accessibility provisions. Rather, they often individually compensate for policy failures, deploying efforts which may be cognitive (remembering the number of subway stops), physical (riding the escalator in a wheelchair), emotional (appealing to other passengers' cooperation) or financial (paying for taxis), among others. But besides these tactics to compensate for policy failures, individuals, to various extents, express grievances regarding the lack of accessibility. As we will see in the next section, analyzing their emergence points to how lacking implementation may foster rights activation. This calls for an analysis of the interaction between implementation and activation, beyond the dichotomy between these two forms of rights realization.

The emergence of accessibility grievances

How do research participants react facing this situation of a yet very partial accessibility? The existence of an “injurious experience”, to use Felstiner, Abel and Sarat's terms, does not mechanically induce claiming (Felstiner, Abel, and Sarat 1980). The experience first needs to be named and a responsibility must be attributed (naming and blaming). These two processes tend to conflate in the case of accessibility, the very notion of accessibility pointing in itself to the role of the environment in the production of the conditions of individual mobility (Mor 2018). How does discontent emerge regarding this issue, and what types of actions does this translate into?

The production of discontent

First, this research confirms the idea that there is no direct path from the experience of injustice to the expression of discontent, even within the limited framework of an interview setting. For example, unlike 28-year-old Lea Martin who wants to be able to go out by herself without planning, 73-years-old Lydie Sonnet never goes out unaccompanied, and does not protest the fact that the benevolent assistance she relies on for going out can be cancelled at the last minute. She generally does not move around very much, and plans in advance all her trips outside. She describes this as the way things are, not as a matter of claiming. Hence discontent requires specific conditions to emerge.

Felstiner, Abel and Sarat stress the methodological difficulties associated with the attempt to trace, by means of interviews, this process through which an injurious experience becomes an object of claiming. Indeed, by interviewing people on their injurious experience, one risks inducing the naming process one is trying to analyze (Felstiner et al. 1980:633). To limit this risk of observer's paradox, I have interviewed research participants on their mobility practices, rather than directly on the topic of accessibility – which then indeed came up spontaneously in the interviews, a fact that may also have been favored by the political context. I also separately included, in the interview grid, questions that meant to test possible explanations for the expression of discontent, such as involvement in activist networks or a familiarity with disability studies.

Rather unsurprisingly in the political context described above, but more surprisingly compared to a connection often made in rights consciousness studies, the emergence of discontent regarding accessibility cannot be directly linked to the influence of either belonging to a disability social movement organization or having been confronted to disability studies-inspired cultural representations (be it books, blog posts, movies, etc.). Rather, this feeling of discontent and its expression (if only in the interview) result from the interaction between two factors, which fuel a mechanism of relative deprivation (Gurr 1970; Pettigrew 2015): the bodily experience of different levels of accessibility on the one hand, and expectations in terms of social participation and inclusion on the other. Both factors are influenced by public policy, in a policy-feedback effect (Campbell 2012; Pierson 1993). These mechanisms are summed up in this schema and further described and illustrated below.

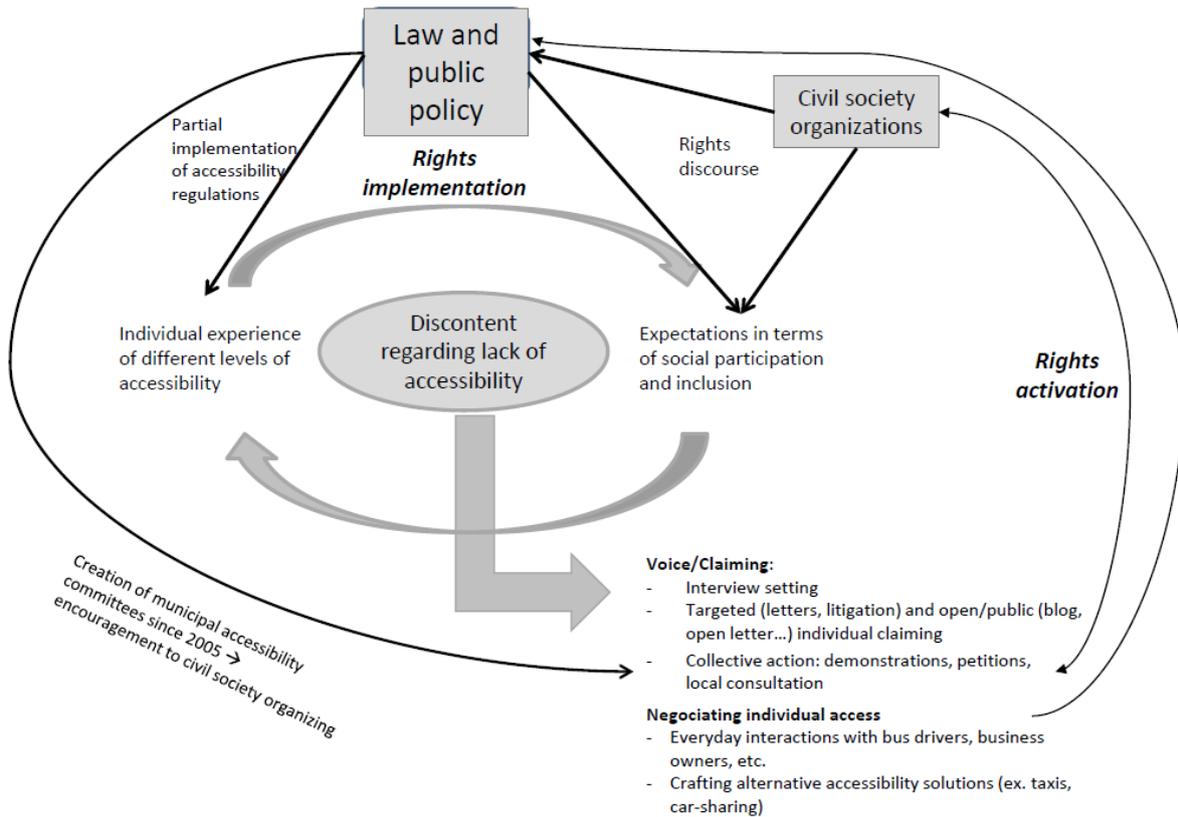


Figure 1: The production and expression of discontent regarding the lack of accessibility

In order to be able to perceive one's common experience of mobility as reflecting a lack of accessibility, one first needs to be aware of the existence of alternative situations. Among research participants, the origin of this knowledge is not theoretical. It does not derive from a political socialization in the disability rights movement, nor to having read or heard about disability studies. Rather, its origin is corporal: it lies in the personal experience of different levels of accessibility. For some, travels have spurred this awareness of the possibility of a more accessible environment: mainly travels in foreign countries (the US, the UK, Canada or Sweden were often mentioned), or to a lesser extent, travels to more accessible French cities. Such comparisons are often made throughout the evocation of mobility practices:

[In the US] I could do anything. It wasn't the same mindset. (Laetitia Roger, 40-year-old woman with mobility impairment, November 2014)

When I worked [in Sweden], I could go from my hotel to my workplace without having to take a taxi, without any difficulty to ride the subway, without any difficulty to ride the bus (Lea Martin, 28-years-old woman with mobility impairment, January 2015)

[Alluding to a travel in the US in the 1960s] That's when I saw the difference, that's when I saw the stage they were at, them. Not far from the stage we [in France] are at now, you see. [...] Everything was already done there. The

ramps, they knew about them, the wheelchairs, they were all over the place. People didn't look at you like... Yes, that's when I saw. I saw that it was possible. (Maryse Cloutier, 72-year-old woman with mobility impairment, November 2014)

The expression “I saw that it was possible” translates very literally my analysis: the concrete personal experience of a more accessible environment opens up the field of possibilities. Sometimes linked to travels, the experience of different levels of accessibility is also related to different forms of policy feedbacks in the realm of French disability policy. Two can be mentioned: the partial implementation of disability regulations, and policy measures that favor de-institutionalization.

First, the experience of different levels of accessibility is the direct result of the previously described contemporary situation of partial implementation. For example, the experience of the unequal vocalization of subway lines mechanically produces relative deprivation: when a blind person has experienced the comfort of a vocalized subway line, they are likely to be upset when they discover the next line they get on has no vocal stop announcement. As indicated by Marie Germain below, “one gets used to comfort, so when it is missing, it is all the more difficult”:

[Referring to the vocalization of subway stop announcements] there are lines where it is not planned [the vocalization] until 2020 so... [sighs] We are like, gee, it takes too much time, it takes too much time. Whereas in other countries, it has been done for a long, much longer time. And then, one gets used to comfort, so when it is missing, it is all the more difficult” (Marie Germain, 60-year-old blind woman, November 2014)

Secondly, this experience of varying levels of accessibility may derive from deinstitutionalization, understood here not as a general policy trend, but as the individual experience of switching from an institutionalized context (of life, study or work) to a mainstream one: for example, switching from a specialized to a mainstream school, or from living for years in a rehabilitation center to independent living (having a home of one's own). This type of experience is fueled by policy feedbacks. Disability policies have promoted school integration as of 1975. In terms of housing, a combination of measures have favored deinstitutionalization⁵. Such is the case of the development of accessibility in housing, or the improvement of compensation for personal assistance. The 2005 law created a disability compensation benefit (*Prestation de compensation du handicap*, or PCH) which aimed at compensating for the extra costs connected to disability, such as technical equipment, home improvement for accessibility, or personal assistance. Such measures facilitated independent living (Beyrie 2015). How does going from an institution to an ordinary life setting induce an experience of a diminished level of accessibility? This may seem paradoxical since the development of accessibility is precisely conceived as a way to promote a less segregated way

⁵ Deinstitutionalization is not stated as an explicit policy goal in France. Disability organizations running various types of institutions are important policy partners for the state, and measures such as the ones described here which objectively favor deinstitutionalization coexist with the maintenance of a strong institutional sector.

of life for disabled people, as opposed to institutionalization. Yet, however segregated and restrictive they are in terms of the mobility they allow, specialized institutions are, in themselves, generally more accessible than mainstream settings, precisely because they are conceived for disabled people: hallways are wide, ramps and elevators are present, etc. Therefore, for many people, deinstitutionalization induces the experience of a lower level of accessibility. Such was the case for Laetitia Roger, who directly connects the experience of accessibility issues to her move from a rehab institution to independent living:

LR : When you are in the [rehab] structure, you don't realize what issues there might be, because you are always with counselors or... Here, the real issues, I have been aware of them in the past 12 years, since the time I have moved here [designating her apartment].

AR: OK. And what types of issues are those?

LR: The inaccessibility... The buses, it's OK, they are accessible, but the subway, you can't ride it, except line 14 which is fully accessible. The more time passes, the more marginalized we are. (Laetitia Roger, 40-year-old woman with mobility impairment, November 2014)

To sum up, two types of policy feedbacks favor the corporal experience of different levels of accessibility: the effect of the partial implementation of accessibility regulation, and that of measures which favor deinstitutionalization. These policy feedback effects add up to more autonomous individual experiences of unequal access, notably in connection to traveling abroad. All these concrete mechanisms fuel discontent regarding the lack of accessibility.

Their effect is enhanced by their interaction with a more subjective mechanism, i.e. individual expectations in terms of social participation and inclusion. On the one hand, as we have seen, the experience of different levels of accessibility fuels expectations of accessibility which are also expectations in terms of social inclusion (Mor 2018). On the other hand, expectations of inclusion influence mobility practices. This, for example, is well reflected in the above comment by Lea Martin, stressing that “we are socially integrated like any other individual”. This expectation of integration influences her mobility practices: she goes on cultural outings, on vacation, to work, “like any other individual”, and therefore is confronted with the bodily experience of unequal access. Following a classical mechanism of relative deprivation, the discrepancy between expected and actual status fuels discontent.

Expectations of social participation and inclusion, in turn, are directly influenced by public policy on two levels. First, governmental discourse has been officially promoting the “integration” (since 1975) and then the “rights, participation and citizenship” (since 2005) of disabled people, producing status expectations. The discrepancy with the everyday experience of inaccessibility and marginalization then directly favors an awareness of the latter. This leads to denunciations of this rights and inclusion discourse as precisely just discourse, or in Chloe Lamarche’s terms, “a lot of blah-blah”:

AR: The 2005 law has put a lot of emphasis on the rights of disabled persons, their citizenship... What do you think of this discourse?

CL : Me, I think that really is a lot of blah-blah, nothing but air. Upfront they say this, in the media they say this, but if you dig in, things are not necessarily organized. I think there still is a general mindset, I don't know if it is specific to France or specific to disability, but well, some people have gone abroad and they tell me that it is not the same, elsewhere. In France we are still struggling to recognize the disabled person as a person... It is OK to talk about disability because it is right, because it is fashionable, we want to respect "the little handicapped, the poor people... They are human beings above all". But then after, when you look at facts, we are not there yet. (Chloe Lamarche, 23-year-old blind woman, April 2015)

The second policy feedback mechanism derives from the 2014 reform postponing the implementation of the right to access. Among research participants, especially the younger generations, this effect was all the more hardly felt since the postponement was accompanied by a discourse in terms of organizing the right's effectiveness (when in fact, the immediate effect of the reform was to cancel a legally recognized right). Chloe Lamarche comments on this event: "It is frustrating, it boils down to treating people like fools". Victor Jaucourt (30-year-old man with mobility impairment), who is a lawyer, tackles the question in more legal terms: "What other minority would they dare to do that to, suppressing a substantive right? Foreigners, maybe?".

To sum up, as described in Figure n°1, the production of discontent derives from the interaction between the bodily experience of different levels of accessibility and, at the cognitive level, expectations of social participation and inclusion. The relative deprivation at play in this interaction is fueled by policy feedbacks on both sides of the interaction: incomplete implementation of accessibility regulation and deinstitutionalization on one side, rights and inclusion discourse and the postponement of the enforcement of a legally enshrined right on the other. To be sure, the reference to a theory such as relative deprivation might be surprising in the context of the evolution of social movement theories away from this perspective in the past half-century. Theorists of social movements have abundantly pointed to the limit of this theory in terms of fully explaining how social movements organize and mobilization occurs (McAdam, Tarrow, and Tilly 2001; McCarthy and Zald 1977). However, this theory is of use in the present case precisely because we are interested in the emergence of discontent, before the stage where it may lead to political mobilization. The current situation of (non-)realization of the right to access in France, as documented by means of biographical interviews, offers an opportunity to observe relative deprivation in the making, before it may lead to more visible collective mobilization. In other words, the theory remains relevant because we are not trying to explain collective action as such (Pettigrew 2015). Indeed, as previously stated, discontent regarding inaccessibility so far has led to only limited mass collective action. It does, however, lead to some forms of individual and collective protest, which are detailed in the following sub-section.

Protesting the lack of access

What forms of protest does this discontent regarding the lack of accessibility translate into? Even though there are only limited traces of collective mobilization on this issue at the national level, some research participants have taken part in such initiatives, if only distantly. Marie Germain (60-year-old blind woman) tells me she has “signed petitions on the internet” in the context of the postponement of the 2005 accessibility provision; Michel Simon (57-year-old blind man) indicates that he has “signed petitions, gone to demonstrations; of course, yes, civil society organizations legitimately protest”. But this involvement in collective action remains distant for most interviewees. For those with a more significant implication in civil society organizations, activism takes place at the municipal rather than the national level. Indeed, the 2005 law’s provision to create accessibility committees in each municipality, including disability organization representatives, seems to have had a significant impact on the development and structuring of accessibility-related disability organizations in several cities, due to the need for the municipalities to identify a civil society partner in this matter. Several of my interviews show how these committees have functioned as instances of political socialization on disability rights issues. Interestingly, this political socialization takes place within the context of civil society organizations which, far from being radical or necessarily very vocal, adopt a very accommodationist stance with relation to public authorities. Louis Resnais (59-year-old blind man) insists on the need to develop a “relation of trust” with public authorities in order to be efficient in the negotiation of access at the municipal level. In another city, Jeannette Houde (75-year-old blind woman) insists on the achievements made by the local association she is involved in (created in the aftermath of the 2005 law) in order to improve accessibility. This leads her to develop a more nuanced assessment of the impact of the 2014 reform, stressing that what really matters is what can be negotiated at the city-level, rather than national legal provisions.

Well, we sort of go with the crowd, no matter what, I mean, we do it out of solidarity. For example, we went to the demonstration with the APF on February, 11th, things like that. [But] for us, our goal is to be efficient at the local level. (Jeannette Houde, 75-year-old blind woman, March 2015)

Therefore, an important finding coming from the interviews is the importance of municipal level collective mobilization around accessibility, rather than the more visible national initiatives.

As suggested by the research participants listed above, among the persons I encountered, those participating in municipal accessibility committees are generally over 50. While often expressing stronger discontent, younger interviewees are less involved in collective mobilization. They are nevertheless very active in protesting the lack of accessibility, but most often do so at a very individual level. This individual protest typically takes the form of complains to specific services about obstacles encountered in their personal everyday lives. For example, Chloe Lamarche (23-year-old blind woman) recalls how she complained to her local bank about the absence of vocalized system at their ATM:

I had a conflict with a bank which wouldn't install this type of software. I went to see them and explain my need, and that it put me in a difficult situation, that I needed to come and ask for cash at the counter each time, and if I wanted to withdraw money on a Sunday [I couldn't]... It is a limitation on my freedom, it is intolerable in our century. The person answered: "Take your precautions". [I told him] "But that's not what I am talking about, I don't have to 'take my precautions', I just want to dispose of my personal money as I wish and when I wish". He told me "You'll have to do without it, anyway it is not planned in our budget" [...] I told them I would press charges if needed. But pressing charges means expenses, it means time, it means energy, and will I even win? I don't know, since anyway laws are being postponed... So finally, we have learned to memorize the required actions in order to withdraw cash. And I think that's going to be the end of the story. (Chloe Lamarche, 23-year-old blind woman, April 2015)

This quote illustrates the potential and limits of individual rights activation. Marie refers to general principles ("a limitation on my freedom") in relation to an everyday situation ("to dispose of my personal money as I wish and when I wish"). By doing so, she frames this situation as a matter of rights and justice, and threatens to take legal action ("I told them I would press charges if needed"). But at the same time, she dreads the costs of pursuing legal action, and this results in her relying on individual compensation.

These targeted claims unfold over the course of the obstacles encountered in everyday life. They are part of the individual negotiation of access, while contributing to a form of infrapolitics (Scott 1991) through which the idea of accessibility is gradually infused in ordinary settings. In both respects, disabled individuals are very active in making their accessibility right real, even if it does not translate into formal legal action.

Besides these claims which target specific services, individual protest regarding the lack of access may take more open forms, in an attempt to make this reality known to a larger public. Several research participants have written blog posts or open letters on the topic, and/or communicated about it on social media. The interview setting can be analyzed in those terms (Engel and Munger 2003; Ewick and Silbey 1995), not only for what is immediately at stake in it (letting a nondisabled person know about one's discontent), but also through the hope some interviewees put in my relaying their claims to a broader public and/or public authorities.

To sum up, this last section has gone beyond the implementation/activation dichotomy, showing how rights discourse at the policy level combine with faulty implementation to favor rights activation through several types of policy feedbacks. I have shown how these fuel into both the concrete experience of (lack of) access, and status expectations, the two parameters of a situation of relative deprivation. While so far resulting in limited collective mobilization, this discontent leads to various forms of actions at the individual level. Often under the radar, these are part of individuals' negotiation of their right to access, while contributing to the diffusion of the idea of accessibility in everyday settings.

Conclusion

This paper has laid out an original theoretical framework for the study of rights realization, based on the case of accessibility in France. The theoretical fruitfulness of this case study derives from three of its characteristics. Because it is a matter of ramps, curbs, and elevators, accessibility helps shed light on the materiality of rights realization, beyond the usual focus on cognition on the part of much of the rights consciousness literature. Further, the commonplace nature of accessibility rights, and their taken-for-grantedness for many nondisabled people, usefully remind us that rights do not necessarily need to be activated in order to become real. Finally, the French context of limited collective mobilization sheds light on other possible sources of rights activation, in this instance, policy feedbacks. In these respects, the paper illustrates the theoretical input of disability studies to sociolegal research.

The specific case under study illuminates some of the possible mechanisms of interplay between implementation and activation in rights realization. In a context of insufficient implementation, individuals need to be active to make their rights real. Moreover, the combination of rights discourse and flawed implementation at the policy level fuel individual rights activation through a mechanism of relative deprivation.

There is, of course, no way to tell what kind of “fabric” these individual threads will turn out into, to use Engel and Munger’s beautiful metaphor (Engel and Munger 2003:8). These individual negotiations of access may remain at the level of infrapolitics, or result in a more significant collective mobilization. In the meantime, the documentation and analysis of these everyday forms of protest emerges as a promising research agenda in itself. The absence of discontent or protest should also be an object of future investigation. Relying on a call for participants in life-story research induces a self-selection bias in favor of those who want to express discontent and are more active in the realization of their rights. In order to limit this bias, I have relied on strategic intermediaries as a complement to the call for participants. Such methodological device should be favored in future research in order to reach out to the less vocal people.

While this paper has pointed several of the law and policy-induced mechanisms that fuel these individual actions, the more specific social characteristics mediating this influence yet remain to be explored. This case study hints at a generational gap, which would need to be more systematically investigated. The effects of education, social class, and political socialization, also call for attention. Finally, the scope of this study was limited to people with either mobility or visual impairments, living in urban or suburban areas. Accessibility issues are not limited to these impairments, and are likely to be more acute in rural settings.

Beyond the case of accessibility in France, the framework I have defined would be interesting to test on other types of rights, in other domains and political settings. In doing so, other mechanisms of realization are likely to be discovered. Beyond the policy implementation/individual activation dichotomy I have chosen to work with in this contribution to open up the reflection, a promising avenue for research emerges from taking into account the relational dimension, that is, how interactions between individuals may contribute to the

realization of rights. Reliance on formal or informal human assistance is frequent in negotiating access, and disability legal studies have more generally stressed the need to go beyond a focus on the individual legal subject to take into account interactions and interdependence (Fineman 2008; Kittay 2011). This is yet further illustration of how disability studies may continue to contribute to the development of sociolegal research in the years to come.

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