# Disability K

Shildrick: Merleau-Ponty, Deleuze – insecurity with able-bodiednesss, we needfluidity and unpredictability (p. 54)

## Notes

## Background

Institutionalization, eugenics of the 19th and 20th centuries, emerged from psychometric tests.

Deinstitutionalization began in 1960s, where there was an emphasis on self-determination and autonomy.

## 1NC – Policy

#### The educational enterprise delineates subjects within the borders of normality, while the non-docile bodies are left out of this meritocracy.

Buchner 15 (Tobias Buchner, Graduate Student in the Department of Education and Human Development at the University of Vienna, Department of Education and Human Development, "Mediating Ableism: Border work and resistance in the biographical narratives of young disabled people," Zeitschrift für Inklusion, 6/28/15, http://www.inklusion-online.net/index.php/inklusion-online/article/view/272/255)

According to Foucault (discipline and punish), subjects are not autonomous actors, but are made and shaped by the power, by discoursive regimes and interrelating practices. Following this understanding, subjectification is a productive process, in which the individual gets subjected and subjects itself at the same time, to become a subject. In these processes, subjects learn to think about themselves and the world in a specific way. They incorporate orders of knowledge that shape their thoughts, emotions and actions. Ableist normalities are part of these orders that are embedded in culture, producing a particular understanding of one’s self and body.

But how are subjects brought to think and act in an inherent way? In his work 'Discipline and Punish', Foucault (1995) outlines a crucial aspect of the 'making' of the modern subject: the configuration of the self 'from outside', via practices in disciplinary institutions. For example, in schools, individuals are subjected by disciplinary and normalizing practices. They need to submit to a pre-arranged hierarchical mode of communication, which includes taking orders from teachers, doing homework, etc. Furthermore, students are exposed to test regimes and need to accept inherent objectification, which is framed by a meritocratic system and intended to individualize and homogenise students: their achievements are measured individually to create a homogenous body of students and this body is defined by the borders of a contingent range of achievements considered as 'normal'. In these processes, students 'learn' to become measured and disposed to a hierarchical order of students. The described disciplining practices normalise students, which means they 'learn' to become a 'docile body'. These mandatory 'learning' processes can be thought of as active part of the student in his or her process of subjectification: incorporating a system of thinking and arranging actions in line with that system of thinking. In his studies on governmentality, Foucault refers to this aspect of subjectification as self-techniques. These technologies can be understood as the 'work on the self', as the 'active' part of subjectification, when people gain knowledge about themselves and how to ‘take care’ of themselves. This work is interwoven with self-guidance, leading and generating actions directed towards specific goals (teleoi). Obeying the discoursive regimes and normalities of schools, adopting the mandatory ways of thinking of oneself as a student with certain obligations and working to fulfil these, can be understood as a key and obligatory technology of the self that students adopt in schools as it is interwoven with the subject position 'student'.

American philosopher Judith Butler offers a theoretical tool that is also of use in this context. According to her, an individual subjectivates itself 'actively' by 'doing' a certain subject position[1]. These performative practices are discoursively arranged and mandatory for becoming intelligible as a subject. In this case, doing homework, following the orders of teachers, taking a given seat in a classroom, sitting on it in an 'appropriate' way and being attentive could be thought of as 'performative practices' children have to do to become recognized or rather intelligible as ('normal') students. Performing this position (with Butler), or, (with Foucault) developing technologies of the self, generating actions to become a 'normal' student, children and young people incorporate a way of acting and thinking that is informed by the axes of school normality, and this normality is structured by the ideal of 'docile bodies' and meritocracy. That means **subjectification processes in schools are 'per se' underlined by an ableist matrix**: students learn to incorporate meritocratic ideals which are soon regarded as 'normal', masking the contingency of this mode of thinking.

However, there are different subject positions in relation to learning and achievements. Teachers have a special role in (re-)producing these positions and the intertwined processes, as they often function as what Foucault has called 'the judges of normality' (Foucault 1995, 304). Teachers do not only have to facilitate the learning of students, to transmit different types of knowledge to children and young people, but also have to monitor the production of 'normal' subjects. Students, who perform outside the 'normal' range of achievements, are introduced to different subject positions. One can be considered as the position of 'student of excellence', who performs constantly 'above average'. Another one is the student with special educational needs (SEN). Students who perform below average or seem not to follow the 'regular schedule' of child development get into the focus of monitoring practices intended to observe the further developmental and achievement trajectory, scanning for deviances.[2] If an individual performs outside of what is considered as a 'normal' trajectory for too long, she or he is most likely diagnosed as having 'special educational needs' (SEN). Within the logic of the mainstream educational system, the diagnosis is intended to disclose students to specific support programs, which should meet the 'special needs' of the students and, furthermore, are thought to enable full participation. However, taking a critical stance, **the diagnosis can be considered as the starting point of a specific subjectification program** because the position of student with SEN is interwoven with attributions and expectations that, in some aspects, are similar to the ones pointed towards 'normal' students, but which also differ in other aspects. Students with SEN need to mediate these attributions and the interlinked discourses imposed on them, they have to relate to the obligations that come along with the subject position 'student with SEN'. Referring to subjectification processes of students in special schools, German disability studies in education scholar Lisa Pfahl (2011) has shown that individuals can incorporate the mandatory self techniques arising from discourses around special educational needs practises but also take them into question, searching for alternative ways to live this subject position.

It is important to note that there are, of course, more subject positions to be distributed and negotiated in schools, e.g. the positions 'girl', 'boy' or student 'with migration background', and students learn how to inhibit these. In everyday interactions in schools, students incorporate gender dichotomies, get familiar with the expectations of being a girl, with what behaviour and way of dressing is considered as 'normal' for a female student. They learn what it means to be part of a societal majority and what it means not to be an intelligible part of it (Butler 2014). All positions mentioned are linked to professional practices in classrooms and orders of knowledge transmitted in these. However, the impact of hegemonic discourses is not limited to the classroom. Various ethnographic studies have shown that the obligations arising from heteronormative, racist or sexist discourses impact on other spaces of schools, too. The borders of intelligibility are enforced, but also re-negotiated in peer interactions taking place on school playgrounds, in toilets, corridors, etc. For example, Renolds (2006) has pointed to specific performative practices of female students such as 'doing girl', which are linked to a heteronormative matrix. Deborah Youdell explored interactions between boys and girls in Australian secondary schools and how "desirable heterosexual femininity" (Youdell 2005, 250) is reproduced in body practices. In these practices, discoursively generated lines of difference intersect, for example masculinity and disability (Loeser 2010) or masculinity and ethnicity (Youdell 2006), shaping complex subjectification processes in schools. Furthermore, discourses and interlinked subject positions, mandatory practices and self-techniques are of course not restricted to the material borders of schools, but impact on the neighbouring spaces of schools as well. In return, broader societal discourses permeate the spaces of schools and impact on interactions in them (Holt 2007). Families are of key relevance, here. In research on student biographies it was highlighted that not only school cultures and 'individual aspect' shape educational biographies and the inherent academic and social trajectories, but families and the norms that are hegemonic in these spaces too (cf. Kramer 2002, Wieczoreck 2005, Höblich 2010).

In conclusion, subjectification processes in schools can be considered as a rather complex phenomenon. They include the shaping of students’ selves via **normalising practices of professionals**, but also the incorporation of systems of belief, perception and thoughts as well as the **active work on subjectification, such as self-techniques and performative practices**, which are obligatory for becoming intelligible as a subject. Taking into account these aspects of subjectification, it seems that schools are vehicles for producing both normal subjects and, at the same time, societal differences and inequality. Indeed, they can be considered as an institution of the 'ideological state apparatus' (Althusser), where individuals have to 'pass through' to become exploitable, docile bodies and, simultaneously 'acquire' subject positions, encircled with specific lines of self-perception and mandatory self-techniques/performative practices. At the same time there are possibilities for ‘resistance’ and opportunities for enacting agency in the processes of becoming a subject. In his late work, Foucault thinks about technologies of the self not only as a mode of self-configuration in line with hegemonic discourses, but also as **self-practices directed against the subjectification** that inaugurated and shaped the subject. This (consciously) chosen mode of self-guidance/work on the self, enables the subject to shift the inscribed modes of perception and thinking and allows the subject to 'untighten the chains of power', constraining the self. Foucault thinks of technologies of the self as practices,

"which permit individuals to effect by their own means or with the help of others a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality." (Foucault 1988, 17)

These technologies can be part of an **ethical project to shape one’s self and actions** in a chosen way, which can be opposed to the discourses that determined the mode of perception and thought, allowing the subject for an endeavour called 'desubjectification' (Foucault 2010, 378). Furthermore, Foucault notes that even power shapes subjects and knowledge, "[t]here are no relations of power without resistances" (Foucault 1980a, 142). Resistance can be facilitated by 'counter discourses' (Foucault 1980b, 209), offering alternative types of knowledge than the one’s of power, what Foucault refers to as 'local' or 'depriviledged knowledge' (Foucault 1980c, 82), such as the knowledge of psyciatric inmates or delinquents. Counter discourses or deprivileged types of knowledge offer different ways to understand the world and the self, informing different technologies of the self and, thus, allow subjects to re-shape their way of thinking.

#### Modern biopolitics proliferates discourses of bodily and affective imperfection to justify extermination of difference.

Mitchell 15 (David T Mitchell, “The Biopolitics of Disability: Neoliberalism, Ablenationalism, and Peripheral Embodiment”, University of Michigan Press, p. 40-41)

It is in this exposé of the fragility of neoliberal governance tactics carried out by a diffuse network of skilled and semiskilled laborers in the professions of normalization (assistive technology, medicine, social work, psychology, psychiatry, and rehabilitative therapies) that disabled people assist in realizing all bodies supply the raw material upon which contemporary biopolitical systems work their productive power. To secure this point we might think of the way commercial media are dominated by selling contemporary audiences products through the heightening of awareness of proliferating zones of bodily and affective imperfection: incontinence, erectile dysfunction, migraine headaches, back pain, menstrual cramp relief, depression, acid reflux, insufficient arch support, vaginal dryness, and uterine pain during intercourse are among those conditions now referenced in a proliferating array of body ailments. Such embodied insufficiencies multiply across every surface, crevice, and cavity of the personal interior and exterior spaces of embodiment. Increasingly we come to knowledge of ourselves as embodied beings within neoliberal biopolitics primarily through understanding our bodies as containing a **matrix of referenced pathologies** deviating from narrow (and, ultimately, fictitious) norms of health. Foucault’s dissertation advisor, Georges Canguilhem, argued in The Normal and the Pathological that we only come to know embodiment through “the experience of bodily breakdown,” yet the era of biopolitics has made such ways of knowing increasingly diffuse and unmoored from modernism’s normal/pathological binary (209). Neoliberal biopolitics references all bodies as deficient and in need of product supplementations to treat the in-built inferiority within, a system of bodily referencing shorn of environmental causes. Contemporary bodies find themselves increasingly colonized by “Big Pharma” through a process that segments body parts into insufficiencies, ailments, and shortcomings in need of chemical and surgical interventions (Rose, Politics of Life Itself 219). The historical shift from liberalism’s carceral restraints on deviant bodies to neoliberalism’s referencing of deficiencies across all bodies provides a key transition in historically distinct approaches to body management. Whereas liberalism recognized some bodies as normatively capacitated for a competitive labor market and other bodies as nonproductive due to their incapacitation (their defining, in-built impairment effects), neoliberalism tends to produce all bodies as languishing through excessive demands of productivity, exacerbated social anxieties, and excessive exposures to toxic environments in order to exploit new treatment markets. Whereas a prior era celebrated autonomous bodies rich in capacity, the era of biopolitics turns the corner and proliferates pathologies as opportunities for new **product dissemination** opportunities (that is, forms of addiction now promoted as body-altering solutions). **Incapacitated bodies are now the standard** to an increasing degree, and for-profit healthcare corporations recognize them as rich veins of data for ailments largely social in their making but often realized at the level of materiality. Such interventions are delivered through the acquisition of over-the counter medications and other forms of body-alleviating consumption. This shift to contemporary bodies as incapacitated rather than “autonomously” independent marks a massive shift in the operation of a normalizing contemporary marketplace. Under neoliberalism the body is targeted as inherently lacking, and the pharmaceutical and medical industries promise not to remove but mask social symptoms as individualized adjustments to states of a universally beleaguered embodiment. Nowhere in this marketing scheme is there a direct address of toxic environments, workplaces, or oppressive living arrangements as the appropriate objects of critique or suspect sources of bodily debility. This loss of the exploitation of environment as causal agent brings full circle a shift in emphasis from the early eugenics period that identified urbanity as the origins of modern maladjustment and “pastoral cure” (removal to rural institutions to reestablish one’s connection with nature for the rejuvenation of ailing spirits) as the appropriate intervention. The move from liberal to neoliberal disability, then, becomes identifiable as an effect of historical forces that shift from fetishizations of full capacity to fetishizations of minor, yet prolific, incapacitations (that which Puar terms “debility” [“Coda” 149]). This ebb and flow of ideas of dysfunctional embodiment reveals the outlines of an artificially tailored infrastructure that excludes and then includes as the terms for **retrofitting bodies to a new market-driven formula.** Incapacity transforms into “the new normal” and, in this process, **we lose an ability to recognize alternative maps for living evolved within alternative crip/queer contexts.** Normalization drives the matter of corporeality underground, so to speak, in the press to flatten differences into the multicultural mosaic that continues to champion normative modes of existence while seeming to become more flexible and therefore in line with key facets of neoliberal adaptability.

#### Under this form of biopolitics, crips are dehumanized and sentenced to zones of living dead

Jordan 13 (Thomas Jordan, “Disability, Able-bodiedness, and the Biopolitical Imagination.”, http://www.rdsjournal.org/index.php/journal/article/view/70)

Both Foucault and Arendt characterize modernity in precisely the same way, though they arrive at the conclusion separately: the threshold of modernity is constituted by the politicization of the unqualified body, simple human life. For Arendt (1958), scientific modernity names the process by which labor, the animal laborans, rises to central importance within the sphere of politics. Foucault’s (1990) analysis concurs: “For millennia man [sic] remained what he [sic] was for Aristotle: a living animal with the additional capacity for political existence; modern man [sic] is an animal whose politics calls his [sic] existence as a living being into question” (p. 143). Once the animal laborans (or Agamben’s zoe) is linked to the disabled body, disability becomes stigmatized in the West as a symbol of the strictly biological needs of the human body. The conclusion might follow that if the project of modern biopolitics is invested primarily in the biological processes of its subjects, disability would find a measure of inclusion in this new paradigm of rule. On the surface, this appears to be the case, particularly with the deinstitutionalization movement and legislation like the Americans with Disabilities Act (1990) that seeks to guarantee the civil rights of disabled populations. Likewise, Davis (2002) has demonstrated the ways that disability finds inclusion as a market identity within the newly globalized economy. At the same time, there are dangers associated with this line of thought, which corresponds to a type of progress narrative associated with disability liberation. Even as the old walls of the institution begin to crumble, the group home, the nursing home, the special education classroom, and the government-funded facility continue to mark a point of separation between the able-bodied and the disabled. From a global perspective, the inclusion of disabled subjects is also severely limited. In Achilles Mbembe’s (2003) essay “Necropolitics,” he offers the concept of a “death-world” to describe “new and unique forms of social existence in which vast populations are subjected to conditions of life conferring upon them the status of living dead” (p. 40).6 Given that there are more than a half billion disabled people in the world today and that 80 percent live in developing countries, the intersections between impaired bodies and the creation of death-worlds are multifarious (Davidson, 2008, p. 117). In such spaces, **the visibly fragmented body marks a liminal position between life and death.** While the social conditions conferred upon Mbembe’s (2003) “living dead” produce disproportionate numbers of disabled people, their disabilities perform the symbolic work of justifying those unequal living conditions.7 The “death-world,” then, relies on a form of circular logic that inverts its temporal manifestation, where acts of violence are justified by the disabilities they produce. Neither Foucault nor Arendt can answer the competing and contradictory claims represented by **the simultaneous inclusion and exclusion of the disabled body** that **characterizes modernity** and the current age of global capital. For Agamben (1995), the primary limitation of Foucault’s (and by extension, Arendt’s) theoretical analysis is their inability to define the precise relationship between the law and specific forms of biopower (p.6). Agamben (1995) asks, “Where is the zone of indistinction (or, at least, the point of intersection) at which techniques of individualization and totalizing procedures converge?” (p. 6). In other words, at what point do sovereign acts of violence and modern technologies of discipline intersect and inform one another?

#### The upholding of the docile body within education ontologically invaldiates crips, justifying massive violence

Hughes 12 (Bill Hughes, “Civilising Modernity and the Ontological Invalidation of Disabled People”, p. 21-26)

The stratifying binary of disability/non-disability and the antagonism of the latter towards the former is mediated and maintained, principally, by the emotion of disgust. Disgust is the bile carried in a discursive complex that Campbell (2008: 153) calls ‘ableism’: ‘a network of beliefs, processes and practices that produces a particular kind of self and body (the corporeal standard) that is projected as perfect, species-typical and therefore essential and fully human’. The body produced by ableism is equivalent to what Kristeva (1982: 71) calls the ‘clean and proper body’. It is the body of the ‘normate’, the name that Rosemarie Garland-Thomson (1997) gives to the body that thinks of itself as invulnerable and definitive. It is the hygienic, aspirational body of civilising modernity. It is cast from the increasingly stringent norms and rules about emotional behaviour and bodily display that mark mundane social relations in the lebenswelt (lifeworld). This curious non-disabled body/self has no empirical existence per se . On the contrary, **the body of ableism is a normative construct**, an invulnerable ideal of being manifest in the imaginary of ‘modernist ontology, epistemology and ethics’ as something ‘secure, distinct, closed and autonomous’ (Shildrick, 2002: 51). It embraces ‘human perfectibility as a normative physical or psychological standard’ and involves ‘a curious disavowal of variation and mortality’ (Kaplan, 2000: 303). It is what we are supposed to aspire to, to learn to be but can never become. **It has no grounding in the material world.** It is a ‘body schema, a psychic construction of wholeness that … belies its own precariousness and vulnerability’ (Shildrick, 2002: 79). It is a ‘body divorced from time and space; a thoroughly artificial affair’ (Mitchell and Snyder, 2000: 7), the epitome of civilisation, closed off from any connection with the animal side of humanity and from the ways in which our bodily nature wallows in its carnal improprieties. It is a body aghast at the messiness of existence. Disability is the opposite of this ideal body, its ‘inverse reflection’ (Deutsch and Nussbaum, 2000: 13). The disabled body is or has the propensity to be unruly. In the kingdom of the ‘clean and proper body’, disability is the epitome of ‘what not to be’. As a consequence the disabled body can be easily excluded from the mainstream ‘psychic habitus’ (Elias, 2000: 167). The ‘clean and proper’ – a normative body of delicacy, refinement and self-discipline – has powerful social consequences most manifest in its normalising dynamics. **It is the standard of judgement against which disabled bodies are invalidated** and transformed into repellent objects. It is the emblem of purity that by comparison creates existential unease. It apportions the shame and repugnance that underwrite the civilising process (Elias, 2000: 114–19, 414–21). Through ableism, modernity has been able to structure disability as uncivilised, outside or on the margins of humanity. One of the great books of the science of natural history published under the title Systema Naturae by Linnaeus in 1735 distinguishes between homo sapiens and homo monstrosus . In this classification impairment – at its extreme and highly visible end – is excluded from the human family. The distinction is, in itself, an act of violence and invalidation, an object lesson in transforming difference and ‘defect’ into the abominable. The distinction mobilises the aversive emotions of fear and disgust. **Ableism is a cruel teacher. It embodies violence at many levels: ‘epistemic, psychic, ontological and physical’** (Campbell, 2008: 159). It is at its most bellicose when it is mediated by disgust: a mediation invoked mostly in the social fabrication of taboo and most compellingly in a context when the human/animal boundary is under threat. Ableism rests on the effort to eliminate from awareness, chaos, abjection, animality and death: **all that civilisation seeks to repress.** It encourages us to live in the false hope that we will not suffer and die, to adopt a perspective of invulnerability, to confuse morality with beauty and to see death, pain and disability as the repulsive woes of mortality rather than as the existential basis for community and communication. Kolnai (2004: 74) reminds us that, ‘in its full intention, it is death … that announces itself to us in the phenomenon of disgust’. Disability, in modernity, has been produced in the ontological household of the abject, as the antithesis of communication and community, in a place that we might on occasion peer into only to ‘choke’ on the unsavoury sights that greet us. Disability is put out, put away, hidden, segregated or transformed into its opposite, covered up by whatever medical or aesthetic techniques are available to achieve this end. Any opportunity that disability might have to take its place at the heart of communication and community is thwarted by the ablest sensibilities that push it back down among the disgusting, the sick, the dead and the dying. In fact, as Elias (2000) suggested, the making of ‘civilised’ community and communication in modernity proceeds by exclusion and interdiction, by cutting out and hiding away whatever causes or might come to inspire angar (choking) or anguista (tightness). It is important to understand ableist disgust as an emotion that attests to the failure of non-disabled people to fully recognise their own vulnerabilities and imperfections particularly as these relate to their mortal selves and to the death and decay that is the fate of all. Although it appears as an aversion to ‘the other’, **it is a form of self-aversion or a means by which we hide from the bodily basis of our own humanity** (Nussbaum, 2004). Indeed, disgust begins close to home and is derived from our discomfort with our own bodily functions, our oozy, sticky ‘leaky selves’ (Shildrick, 1997; Kolnai, 2004), the fact that we cannot contain ourselves within our own boundaries and the shame and embarrassment that the ‘civilising process’ brings to bear upon us if our leakiness is exposed to others. Because modernity is a charter for anal retentiveness, we cannot forgive ourselves for our physical impurities. We hold ourselves ransom to the myth of the ‘clean and proper’ body; the perfect body of ableist culture is a myth that we use to screen ourselves from the visceral realities of our own lives. The ableist body ‘helps’ non-disabled people cope with their fears about their own corporeal vulnerability. It does so by invoking its opposite, the disabled body, a foreign entity that is anomalous, chaotic and disgusting. Modern history helps to make this object of disgust more tangible. Civilising processes clarify stigma and make biological differences into socio-moral categories. Disgust provokes the civilising sensibilities. It warns them of the presence of possible contaminants (Miller, 1997). Consequently, psychological and social distance between disability and non-disability expands. Disgust in ‘it’s thought- content’ is ‘typically unreasonable, embodying magical ideas of contamination, and impossible aspirations to purity, immortality, and non-animality, that are just not in line with human life as we know it’ (Nussbaum, 2004: 12). Disgust is an emotion that has a central role in our everyday relationships with our bodies, our patterns of social interaction and – most pressingly from the perspective of this chapter – in processes of social exclusion. Disgust is the emotional fuel of ableism. The threat posed by ourselves to ourselves (and projected onto others), the threat of our ‘bodiliness’ and the shame and anxiety associated with it is a product of ableism, of the ‘tyranny of perfection’. Ableism makes the world alien to disabled bodies and, at the same time, produces impairment as an invalidating experience. It is manifest in our cultural inclination towards normalcy by way of correction, towards homogeneity by way of disparagement of difference. What this means for disabled people is that they are ‘expected to reject their own bodies’ and ‘adjust to the carnal norms of nondisabled people’ (Paterson and Hughes, 1999: 608). The ‘corporeality of the disabled body’ is, according to Campbell (2008: 157), ‘constantly in a state of deferral’ awaiting the affective response that will demean it or the travails of sociogenesis that will either do away with it or ‘make it better’. Sociogenesis and the elimination of disability Disabled people have to make a significant effort to establish their human worth. This effort is a struggle against the civilising process and its tendency to **marginalise disability at an ontological level.** This can be exemplified by the case of intellectual disability. Stainton (2008: 486) argues that ‘the basic association of reason, personhood and human value has been at the heart of the exclusion and oppression of people with intellectual disabilities throughout western history’. The hypostatisation of reason traps disabled people in the cusp of the human–non-human/animal divide which is, according to Giorgio Agamben (2004), the fundamental division that **underpins the very possibility of politics**. The world of man is ‘open to formation’ intentional and free. By contrast, the animal is ‘poor in the world’, captivated by dependency on its instinctual armoury (Heiddeger, 1995). ‘The animal’, according to Heiddeger (1993: 230), ‘is separated from man by an abyss’. The history of the exclusion of disability is (explicable through) the history of the human effort to efface its own animality, to close the door to the brute in its own breast, to disavow its unreflexive self, to expel messy nature from its core. The psychologist Paul Rozin argues that the things that disgust us deeply do so because they remind us of our animal origins (see, for example, Rozin and Fallon, 1987). Elias reminds us (2000: 365) that the civilising process is a struggle against the ‘more animalic human activities’, against those, for example, who are attributed with wounded reasoning. In the early modern period, disability registered most strongly at the cultural level as corporeal excess, defect and monstrosity (Deutsch and Nussbaum, 2000). ‘Freaks of nature’ began to shed supernatural explanation and became objects of study for secular medical science. Teratology – the science of monsters and a matter of much philosophical and theological speculation during the early modern period – became, by the end of the nineteenth century, a sub-discipline of embryology (Park and Daston, 1981). Fiedler (1978: 24) argued that the ‘freak ... challenges the conventional boundaries between male and female, sexed and sexless, animal and human’. On this view, encounters with spectacular forms of physical difference are emotionally powerful because they challenge the ‘normal’, stable view of embodied self. Putting emotional, physical and social distance between one’s self and the cause of this kind of visceral identity shock can be achieved by an act of reclassification that dehumanises the aberrant body. Medieval ideas that linked monstrosity to, for example, copulation with animals began to decline in the wake of the rise of scientific explanations that ‘proclaimed the biological fraternity of men and “monsters”’. However, ‘the surveillance and policing of humans with congenital anomalies made them “less than human”’ (Snigurowicz, 2004: 174). Indeed the Eugenics movement of the late Victorian and Edwardian period came hard on the heels of the ‘discovery’ of so-called objective, scientific and medical explanations for disability. Today, debates about selective abortion, pre-natal screening, euthanasia and physician-assisted death are intimately linked with sentiments that question disabled people’s right to life (see, for example, Preistley, 2003: 35–60 and 166–88). It is not difficult to demonstrate a eugenic sensibility at the heart of the new genetics. When people have their identity reduced to something less than human, to the animal in humanity, to objects of hatred and disgust like the Jews in Nazi Germany or disabled people during the Edwardian craze for Eugenics, or – to use Agamben’s example – the prisoners in Guantanamo bay, **they become reduced to ‘bare life’, become candidates for exclusion, torture, enslavement, extermination and genocide.** In this liminal social space – what Agamben (2004: 79) calls ‘a zone of exception’ – that is the repulsive borderland between the animal and the human, the possibilities for cruelty are, as history has taught, all too imaginable. This ‘zone of exception’ may be (relatively) ‘benign’ as in the case of people with achondroplasia who were sometimes kept as pets by Roman Patricians (Garland-Thomson, 1995: 47) but it can be and has been transformed – under the Third Reich – into a slaughterhouse. Physical disability has been defined as a ‘disruption in the field of the observer’ (Davis, 2000: 56). Historically, there have been times when the observer has decided to clear the field. From the perspective of non-disability, disability signals the presence of impairment, unreason, sickness, monstrosity, abjection and death, all the ‘repulsive’ embodied characteristics that civilisation refuses, point blank, to celebrate and seeks, desperately to disavow. Disability invokes too much of the natural and the animal in man to sit comfortably in a culture that has been intent on keeping an ‘abyss’ between them. The issue of distinction and categorical clarity is at the heart of Mary Douglas’s (1991) analysis of pollution and taboo. On this view the abominations of Leviticus – those biblical beatitudes on hygienic propriety – make sense only when we understand that ‘holiness’ or purity ‘requires that different classes of things shall not be confused’ which ‘means keeping distinct the categories of creation’ (1991: 53) particularly the animal and the human. This is testimony to the unsettling and disturbing nature of the anomalous. It helps to explain the sociological processes that consign disabled people to the marginal role of the stranger (Hughes, 2002). The animal represents the unrestrained and impulsive in man, and it is these very characteristics that civilisation seeks to abrogate. Elias (2000: 384) notes that ‘offences against the prevailing pattern of drive and affect control, any letting go’ by members of a civilised society is unacceptable and meets with strong disapproval. The ontological insecurities of modernity become projected onto disabled people and, therefore, the positivity, wisdom and strength that Nietzsche recognises in the – so called – ‘unfit’ become obscured. Socially, disabled people come to represent those who cannot practice self-restraint and, as the ‘threshold of repugnance’ (Elias, 2000: 97–9) narrows, they are ‘rounded-up’ and ‘herded’ into institutions. The confinement of disability – in the nineteenth century – marks the supreme moment of its passage into interdiction, when the desire for social homogeneity – so characteristic of modernity – finally admits to itself that its civilising tendencies must be marked by clear corporeal prohibitions and that certain categories of bodies/minds must be removed from polite society so that it can realise the hygienic utopia inscribed in the civilising process. The punitive norm embodied in the hegemonic drive towards an homogeneous and hygienic culture demands many sacrifices. By the middle of the nineteenth century any ’thing’ and every ’thing’ anomalous was a potential lamb to the slaughter. Cora Kaplan (2000: 302) describes how the ‘history of defect’ in the early part of the twentieth century became ‘a pretext for genocide’, and she notes that disability has proved a significant challenge to the ethic of tolerance that underlies modern liberalism. In this context, Georges Bataille’s (1985) argument for a ‘heterology’ – a science that rescues the victims of homogenising modernity – might have been written as a manifesto for disabled people. They, after all, have had to put up with the ‘civilising process’ in which the embedding of ever more prescriptive norms of bodily comportment confirms disability as a social contaminant, calling, more or less explicitly, for a ‘disgust response’ to its presence. Consequently, disabled people are ‘sacrificed’ (to use a term much loved by Bataille) on the grounds that they are devoid of the kind of comportment that is a pre-requisite for appropriate social participation. **The residue of disgust** – the angar and anguista – that is a product of the civilising process is, thereby, mobilised as social policy. It forms a kind of Dickensian clean-up operation that sweeps disabled people off the streets and into the carceral spaces that soon come to be dominated by medical custodians and their strategies for bodily or mental correction.

#### The alternative is a curricular cripistemology. Reject the able-bodied standards of the 1AC and embrace failure to redefine inevitable shortcomings as crip success.

Mitchell 15 (David T Mitchell, “The Biopolitics of Disability: Neoliberalism, Ablenationalism, and Peripheral Embodiment”, University of Michigan Press, p. 78-83)

“Every Child Left Behind,” or the Crip/Queer Art of Failure

Most educational tracking indicators of success point to the fact that inclusionist practices have resulted in new kinds of exclusions for crip/queer participants as opposed to integration. For example, students with intellectual disabilities receive a diploma only 36.6 percent of the time, and 22 percent drop out. The rest (59 percent) finish their schooling but receive no diploma and, over the course of their educations, spend time with nondisabled peers only in art, gym, or music (Smith, Whatever Happened to Inclusion? 4–5). The statistics in higher education for students with disabilities are equally troubling: in a study of degree completion and postschool success researchers found that “two-thirds of all college freshmen with disabilities fail to obtain their degree within six years of enrollment” (Gugerty). In other words, inclusionism’s primary purpose of molding crip/queer bodies into tolerated neoliberal normativities scores a less than passing mark. This chapter may be understood, then, as a companion to recent critical disability studies in education (DSE) efforts regarding the ongoing critique of an inclusionist process that leaves all children behind. If one can be included only by passing as nondisabled, then much of the value of crip/ queer experiences evaporates in traditional pedagogical practices. In undertaking this exposure of pedagogical heteronomativity we seek to accomplish three specific tasks: (1) engage disability studies in a dialogue with Judith Halberstam’s important recent work on “the queer art of failure” (147); (2) draw out how queer theorizing of the last decade can be productive for disability studies even though, as Robert McRuer and Anna Mollow point out, a more direct engagement with disability has been slow in coming within queer studies (Sex and Disability 3); and (3) pursue what may seem, at first, to be a counter-intuitive argument on behalf of actively promoting a certain kind of failure for crip/queer students in the context of curricular cripistemologies. All of these objectives combine findings from our teacher training and scholarly research projects on disability pedagogy in higher education over the past fifteen years to more effectively address shortcomings foundational to inclusionist methodologies now operative in most public schools across the nation. To accomplish the alternative crip/queer goals of curricular cripistemologies we intend to explain why educational inclusion operates as an exclusionary undertaking in, perhaps, the most entrenched, neoliberal, and commonsense institution of all: public education. By neoliberal we mean to define education as part of an ongoing privatization scheme for selling off public institutions to for-profit interests (Hardt and Negri, Multitudes 302). Henry Giroux has chronicled this influx of corporate interests into schools through the arrival of product marketing campaigns of unhealthy foods in cafeterias, product tie-ins for lavish expenditures on high-end goods such as sneakers, technology-driven surveillance systems networks, and increased police presence as ever-present conduits in the school-to-prison pipeline particularly in lower-income racial communities (Disposable Youth 6-7). All of these initiatives advance the culture-wide neoliberal festishization of able-bodies that **leave under-consumptive, less capacitated bodies behind.** In addition, our critique centers on inclusionism as a neoliberal gloss on diversity initiatives that get some disabled students in the door while leaving the vast majority of crip/queer students behind. Contemporary education’s neoliberal practices cultivate further funding opportunities by **advancing claims of successful normalization** rather than drawing upon crip/queer differences as sources of alternative insight. Curricular cripistemologies, in contrast, openly advocate for the **productive potential of failing normalization practices** (if they were ever obtainable in the first place) because such goals entail erasing recognitions of the alternative blueprint of values, practices, and flexible living arrangements particular to crip/queer lives. Whereas the administrative platform of former president George W. Bush pushed for U.S. educational reforms around the promotion of standardized testing that would “leave no child behind,” we, in turn, present an argument for recognizing standardization of curricula as ultimately “leaving every child behind,” or, at least only promoting a certain type of norm fulfilling child in whose name most students turn up wanting. This curricular abandonment of difference in the name of assimilation occurs primarily through an incapacity (or, perhaps, unwillingness) to adapt the lessons of systemically in-built accommodations and crip/queer content designed to address the range of learning differences comprising today’s classroom demographics. The neoliberal school attempts to resolve accommodating disability through **downplaying rather than learning from** people’s differences. Through the abandonment of disability as difference, neoliberal standards guide educational reforms saturated in the questionable values of ableism, normalization, and rehabilitative masking. Thus, what appears on the surface as disabled students’ incapacity to keep up with their normative peers should be read as the exercise of an agentive form of resistance: a crip/queer art of purposeful failure to accomplish the unreal (and, perhaps, unrealizable) objectives of normalization. In The Queer Art of Failure Halberstam argues on behalf of a concept of “failure [that] allows us [queer people] to escape the punishing norms that discipline behavior and manage human development with the goal of delivering us from unruly childhoods to orderly and predictable adulthoods” (3). This queer studies inversion of ways to read non-normative lives as falling below standards of heteronormative expectations allows crip/queer people to pursue other modes of existence as alternates to sanctioned social roles. These alternative strategies of living pass by largely undetected because educational assessments measure only the degree to which students clear the bar of normalization. By applying this crip/queer deployment of “failure,” curricular cripistemologies undertake pedagogical practices suppressed (or, at least, devalued) within normative neoliberal educational contexts. In adopting a strategically counterintuitive slogan such as “every student left behind,” then, the cripistemological critique of inclusionism exposes the increasingly disciplinarian nature of public education’s normalizing objectives. Inclusion has taught teachers a dangerous lesson in what appears to be a failed model of adaptation: crip/queer students cannot effectively compete with their nondisabled peers. The pedagogical assessment of the distance that exists between crip/queer and normatively engendered student accomplishments through standardized testing regimes is now part and parcel of their wider cultural non-normativity. But what if a “failure to thrive” in predetermined educational roles is understood as the product of active refusals (that which Halberstam refers to as a “rejection of pragmatism” [Queer Art 89] and Herbert Kohl refers to as “willed not-learning” [“I Won’t Learn” 134]) to “fit” disability paradigms reductively dictated by normative institutional expectations? We could take seriously the findings of DSE scholars such as Phil Smith, who points out in his book, Whatever Happened to Inclusion?, that education has actually lost ground in terms of including students with more significant learning needs in recent years (28). Within this context, the objectives accomplished by public relations driven educational “creaming practices”—those inclusionist claims to success wherein the normative accomplishments of the most “able-disabled students” eclipse the struggles of those left behind. Inclusionism, in other words, covers over an unethical promotion of the successes of the few based upon normative standards of achievement for the normative capitulations of the many. Within curricular cripistemologies disability metamorphoses from a failure of successful normalization of lesser versions of the ableist self into a meaningful alternative site for transforming pedagogical practices and devalued social identities. These insights come from the application of nonnormative positivist surfacings in a pedagogical project wherein productive failure sets significantly higher goals than mere tolerance within neoliberalism will generally allow. What does curricular cripistemology look like if the subterfuge of normalcy does not dictate the socially anemic goals of inclusion—or that which Linda Ware has provocatively termed “(in)exclusion” (2)? Perhaps these reformist efforts have come on the heels of developments during the Clintonian era wherein previously inclusive legislation had to be revitalized and newly enforced. The implementation of more flexible accessibility features followed implementation of the Americans with Disabilities Act (1992) and the Individuals with Disabilities Education Act (1990). Both of these legislative reforms were necessary to update prior failures of inclusive legislation from two decades earlier, including the Education for All Handicapped Children Act (1975) and the Architectural Barriers Act (1968). These policy based efforts to mandate the inclusion of students with disabilities under neoliberal principles of integration opened up U.S. education to those with developmental disabilities and “multihandicaps” (sometimes also including those referred to as transgender) who had been actively segregated from public education with their peers since the early 1900s and into the early 1970s. One can witness this public segregation at work in Fred Wiseman’s documentary film and documentary series titled by the same name, Multihandicapped, where viewers are given access to the “education” provided for deaf and/or blind individuals at the Helen Keller School for the Deaf and Blind in Talladega, Alabama. What Wiseman’s films expose are the substitution of basic skills curricula in hygiene and severe sexual prohibitions in place of academic content when students with severe disabilities are concerned (Snyder and Mitchell, Cultural Locations 133–54). Curricular Cripistemologies In part, the results of inclusionism have been incomplete because neoliberal efforts evolve around beliefs that mainstreaming would largely require retrofitting architectural environments in order to bring students with disabilities into buildings outfitted for their able-bodied peers: “the word ‘access’ . . . has been largely left out of key disability rights laws such as the ADA and when used, access has been understood in its most physical and aesthetic sense” (Richter, “Ableliberalism”). Further, the political pressures of the disability rights movements to achieve meaningful integration ultimately rely on the neoliberal approaches they presumably critique. By advocating for the right to be included alongside able-bodied peer activists in the 1980s and 1990s, the U.S. disability rights movement used a normalizing framework to give weight to their critique of exclusion. They argued that disabled people were like everyone else and wanted the right to pursue normative values in tandem with their nondisabled peers. In other words, a disability rights-based model of policy intervention relies upon assimilationist claims in order to gain access to key neoliberal institutions such as education. As a corrective to inclusionist objectives that began wholeheartedly in the mid-1990s, scholars in DSE such as ourselves have pursued the development of a curricular cripistemology. Curricular cripistemologies imagine another kind of inclusion as that which entails a multitiered approach to making crip/queer lives not just integrated but **integral to the contemporary pedagogical knowledge base** (Stiker, History of Disability 32). As an alternative engagement with existing inclusionist methodologies that largely pursue inclusion as an outcome of assistive technology applications—the formalization of a “failed technological fix” to the integration of disabled students that we discuss below—we argue that curriculum needs to contextualize the lives of crip/queer people in order to create a context of receptivity for a more productive interaction with the embodied differences of crip/ queer lives in school. A functioning curricular cripistemology entails teasing out and making visible otherwise latent crip/queer themes in educational materials as a primary ordinal in a multitiered approach. Based on our experiences in a variety of pedagogical training settings, curricular cripistemologies involve the development of a systemic, even replicable, disability pedagogy and content in combination with the active participation of crip/ queer subjects.

## 1NC – K

#### Subject formation relies on an autonomous separation of the body and the individual that excludes crips – within civil society, they can never express themselves as autonomous subjects able to move beyond their bodies

Braswell 11 (Harold Braswell, “Can there be a Disability Studies Theory of "End-of-Life Autonomy"?”, <http://dsq-sds.org/article/view/1704/1754)> \*We don’t endorse gendered language

While there are many competing conceptions of "autonomy" (Christman, 1998), there is common ground among philosophers in understanding "autonomy" to be a conception of **subjectivity** that **defines the individual as a self-governing being** (Buss, 2008). In this view, individuals are coherent, self-knowing entities with the capacity to understand and, ideally, to act on their own desires. These desires are, in turn, what is best for the individual: In other words, the individual him or herself is best able to determine his or her own conception of the "good life" (Emanuel, 1991, p. 81). This conception is considered independent of and, conceivably, even in opposition to society. The individual is thus prior to society, and while society can provide the means of realizing the individual's desires, it does not constitute them. The individual is master and creator of himself. As a conception of subjectivity, "autonomy" determines the organization and function of the state. In liberal democracy, the state adopts an attitude of "neutrality" with regard to its citizens (Emanuel 1991, p. 36). The state does not postulate a unified vision of the "good life," to which its citizens universally ascribe. Rather, by abstaining from proposing such a unifying public conception, the state allows its citizens, in the private sphere, to determine their own vision of the "good life" (Fineman, 2004, p. 19; Emanuel 1991, p. 36). The state is thus organized to avoid paternalism, which is "the interference of a state or an individual with another person, against their will, and defended or motivated by a claim that the person interfered with will be better off or protected from harm" (Dworkin, 2010). Consequently, the liberal state fosters the "autonomy" of its citizens by abstaining from contact with them. This view is consistent with and dependent on the autonomous individual's originary asociality. Less commented on—but no less important—is the manner in which "autonomy" conceives of the individual's relation to his or her body. The autonomous individual is master of ~~his or her~~ (their) own body, but ~~his~~ (their) body is not synonymous with the self. Rather, the self owns the body like a piece of property (Andrews, 1986; Rao, 2000). He or she instrumentalizes it, using it as he sees fit, in accord with ~~his~~ (their) particular vision of the good life. The autonomous subject exerts mastery over his or her body; such mastery is, in fact, the mark of ~~his~~ (their) freedom—and any attempt to manipulate the individual's body against ~~his~~ (their) will would be the ultimate example of paternalistic domination. "Autonomy" thus reifies a Cartesian division between subjectivity and corporeality, postulating the individual as prior to ~~his or her~~ (their) body in a manner that parallels ~~his~~ (their) relation to society. Thus, just as society can impinge itself on the individual's autonomy, so too can the individual's body, if it resists ~~his~~ (their) commands. This presumptive conflict between subjectivity and corporeality is what makes the very concept of "end-of-life autonomy" possible. The Intersection of Political "Autonomy" and "End-of-Life Autonomy" How does the conception of end-of-life autonomy in bioethics relate to this broader definition of "autonomy" as a form of political subjectivity? Just as "autonomy" connotes the individual's self-realization in the absence of external political impairments, so "end-of-life autonomy" marks a space in the private sphere where the individual can make decisions about his own life without imposition from political authority. The state recognizes individual "autonomy," but, due to its neutrality, it is not understood to affect "autonomy" itself. Similarly, the relevant medical information tendered in "informed consent" is a precondition for patient autonomy, but does not compromise this autonomy in any way. Like the state, this information is considered to be of a neutral character. In this sense, "end-of-life autonomy" extends political neutrality to medical authority: The nullification of the doctor's own perspective of the "good life" and the presumed neutrality of medical data is parallel to the liberal state's coupling of a lack of a conception of a public good with its own neutral political structures. The "neutrality" of medical and political spheres is, in turn, only possible because "autonomy" conceives the individual to be primarily acorporeal and asocial. Thus, in a seeming paradox, the medical and political aspects of "autonomy" represent the individual as fundamentally independent of both medicine and politics. The autonomous individual's independence from body and society is reflected in the construction of the bioethical encounter, as well as that of social action more generally. Consequently, one cannot discuss "end-of-life autonomy" without implicitly commenting on the political organization of life in liberal democracy. My treatment of the disability studies rethinking of "autonomy" will move between these micro- and macro- levels, in recognition that any reformulation of "end-of-life autonomy" will necessarily also reformulate the relationship between individual, society, and the state. Rethinking Autonomy The first claim in a disability studies reformulation of autonomy is that "autonomy" is itself, prior to any application to persons with disabilities, saturated with ableist norms. Rosemarie Garland-Thomson has argued that the rise of liberal individualism—which, as Paul Root Wolpe notes, is synonymous with autonomy (Wolpe, 1998, p. 43)—was predicated on ideals of self-government that were prejudicial against the disabled (Garland-Thomson, 1997, p. 43). The deviant corporeality of the disabled body refused the dictates of the autonomous individual. Similarly, the visible dependence of persons with disabilities on social relations—whether incarnated in caretaking bonds or technological prostheses—was the denigrated opposite of the autonomous self's constitutive independence. As a reminder of the individual's dependence on both body and society, disability represented the destruction of the autonomy (p.44). Historically, then, **the rise of the autonomous subject created disability as a pathology.** For Garland-Thomson, the primordial asociality of the autonomous individual obscures the relational core of individual identity. A disability studies rethinking of autonomy, in contrast, highlights the role of relationships in the constitution of individual identity. Various sources exist for such an argument: Most recently, feminist physicist Karen Barad (2006) has analyzed the experiments of Niehls Bohr to argue that discrete relata do not preexist the relationships that bind them, but rather are a product of these relationships (p. 140). Barad's claims accord with Foucauldian accounts of the discursive production of the modern individual (Foucault, 1971, 1978). A clinical basis for such arguments can be found in the work of developmental psychologist Phillipe Rochat whose work Others in Mind postulates the primacy of culturally-formed caretaking relationships in the development of self-consciousness (Rochat, 2009). This theoretical, historical, and clinical literature demonstrates that the self is always already interpenetrated with the other. "Autonomy's" insistence on the necessarily coercive or instrumental character of relationships is thus untenable. But disability studies also raises questions about relational theories of subjectivity. Such theories cannot account for the possibility of "internalized discrimination"—a concept fundamental to disability critique (Campbell, 2009, p. 16; Charlton, 2000, p. 27). The problem of "internalized discrimination" supersedes debates about whether the self is primarily isolated or relational. Both phenomenologically oriented and intersubjective developmental psychologists, while disagreeing on the primacy of the "first-person perspective" (Zahavi, 2005), share a view of the subject as a coherent entity. This coherence may be relational or not, but, in either case, it eliminates the possibility that a person could, in some sense, be turned against him or herself. This view of the self as a coherent entity is fundamental to the autonomous subject. The hegemony of "autonomy" in bioethics explains why the field not only considers internalized discrimination to be irrelevant to determining autonomy, but in fact cannot conceive of it as a possibility. **Disability studies must propose an alternative conception of subjectivity, one based not in coherence, but rather in conflict**. Grounding the subject in conflict makes it possible to conceive of how persons with disabilities, because of the conflictive nature of life in an ableist society, can persistently devalue their own existence. At the same time, a conflict-based theory of subjectivity highlights that such internalized ableism is never total—and that it always possible for individuals to oppose it. Grounding the subject of disability studies in conflict thus makes it possible to conceive of not only internalized ableism, but also a world without it. The inability of the liberal conception of autonomy to imagine internalized discrimination relates to its model of civil society and the state. The liberal state provides the grounds for individual autonomy through the negative freedom of not interfering in the social order. This perspective naturalizes the social order as an entity that allows for the equal self-realization of its members. It cannot conceive of society as privileging some individuals over others (Felski, 1989, p. 168, cited in Slaughter, 2007, p. 146). As a result, this view is unable to conceive of ableism or, for that matter, or any form of power relations. In contrast, a disability studies rethinking of autonomy understands society to be defined, like the individual, by conflict—particularly (though not exclusively) the conflict between the able and disabled. This conflict manifests itself in and is mediated by individual psychology, just as individual psychology mediates social organization. Both must be considered, as both are fundamentally intertwined. This critique of the presumed neutrality of the liberal state applies as well to the procedures designed to determine whether a particular individual is acting "autonomously" or not. "Autonomy" presumes a radical separation between the individual and the procedural measures taken to ensure the autonomy of his decision. The framing of the choices presented to the individual, as well as the procedures that ensure that he is of "sound mind" (Werth, 1998, p. 5) are not considered to limit him, but rather to provide neutral vehicles for the realization of ~~his~~ (their) freedom. Thus, as I discussed earlier, "informed consent" is considered to be an essential precursor of autonomy because the medical information it supplies is considered to give the individual the possibility of choice, without determining which choice he or she would make. But, as Karen Barad (2006) has argued, Bohr's experiments rendered the presumed neutrality of the measuring apparatus highly suspect. Just as relata are a product of relationships, so too the scientific measure produces the very entities whose existence it presumes to catalog (p. 140). As a result, in Barad's view, the goal of science should not be to claim the neutrality of its measures but instead to scrutinize the seemingly discrete identities that its measures create (p. 393). A disability studies critique of "autonomy" would thus draw attention to how "autonomy's" neutral procedures produce the very autonomous subjectivity they claim to discover, and how the resulting "autonomous" subject is structured according to ableist norms. For example, Paul Root Wolpe (1998) has highlighted that the legal model for end-of-life autonomy is the private contract (p. 51). But, as Martha Albertson Fineman (2004) has pointed out, the private contract obscures the public nature of the private sphere (p. 226). This false division skews decision-making in bioethics and liberal politics more generally. While the negative freedom of autonomy leaves individuals presumably free from public forces, it does not enable them to make demands on the state and society. Thus physician-assisted suicide is legitimized as an "autonomous" choice due to its private nature, but an individual demand for healthcare would not be protected as an exercise in "autonomy" (Wolpe, 1998, p. 53). Similarly, the presumably neutral category of the "removal of life-sustaining treatment" creates an articulation of subjectivity in which **individuals exist separate from and prior to technological prostheses**. An alternative, as illustrated by Fiona Kumari Campbell as well as Barad, would be to adopt the view that technology—including end-of-life technology—is expressive of and constitutive of individual character (Campbell, 2009, p. 53; Barad, 2006, p. 158-9). The seemingly "neutral" measure of the individual's desire to remove treatment is what enacts their separation, producing the asocial autonomous subject it claims to discover. The same is true of the conception of causation underpinning "autonomy." Here, the individual's desire to die must be traced to a discrete medical cause. Were it shown that this desire were due to social or psychological factors—such as poverty or, for example, a desire to enact vengeance on a father figure—then its "autonomy" would be nullified. But this very understanding of causation presumes that medical data are discrete entities readily isolable from social, economic, and psychological forces. In fact, the central concern of the disability rights movement has been to show the social valorizations implicit in purportedly neutral medical measures (Charlton, 2000, p. 23-36). By treating medical data as neutral facts, "informed consent" separates both them and the deciding individual from any mediation by society. The result is a conception of not only medicine, but also individual subjectivity as atomized entities. Autonomy's criterion of "consistency of character" is especially problematic. In an ableist society, individuals will, by default, tend to be consistently ableist. They will frequently have derogatory perceptions about life with disability, and will be particularly fearful of living with the open acknowledgement of their dependence on others. The achievement of such acknowledgement would not be a form of "consistency of character;" rather, it would be an active development of one's character towards a heightened understanding and experience of life as a social being. But the criterion of "consistency of character" will, in an ableist society, always be prejudiced against such realizations—considering them deformations of the individual's "consistent" self. Its seeming neutrality enforces ableism. Finally, "autonomy" enacts a split between the individual and his or her body. The autonomous individual's consideration of his body as property precludes a consideration of the body's role in constituting subjectivity. This self/body split is inherently prejudiced against individuals who, while living, **cannot express themselves in terms that render them legible as autonomous subjects**. Thus, persons in persistent vegetative states cannot be recognized as autonomous beings; rather, their autonomous decision must be determined by the information on their advanced directives, which refers to a time when they were "autonomous" (Olick, 2004, p. xviii). As "vegetative" bodies, they do not figure as legal or medical subjects. This obfuscation of the living body is a product of autonomy's acoporeal construction of the self. Thus, rather than neutral, the very measuring apparatus of "autonomy" produces a conception of the individual that, in its self-coherence and independence from both technological and biological processes, is constituted by ableist norms. This conception of the individual is buoyed by an understanding of medical data as asocial markers of objective truth, and an understanding of society as a coherent and power-free sphere that gives all its members equal opportunity for self-realization. Such a conception of subjectivity is, I have argued, inherently ableist, and it should be abandoned by disability studies. Nevertheless, though I think that we should abandon this liberal conception of "autonomy," I do not think that we can give up on "autonomy" itself. In the following section, I argue that disability studies scholars must appropriate "autonomy" for our own ends, and explain how we can do so.

#### In this pursuit of the autonomous subject, crips are ontologically invalidated, justifying massive violence

Hughes 12 (Bill Hughes, “Civilising Modernity and the Ontological Invalidation of Disabled People”, p. 21-26)

The stratifying binary of disability/non-disability and the antagonism of the latter towards the former is mediated and maintained, principally, by the emotion of disgust. Disgust is the bile carried in a discursive complex that Campbell (2008: 153) calls ‘ableism’: ‘a network of beliefs, processes and practices that produces a particular kind of self and body (the corporeal standard) that is projected as perfect, species-typical and therefore essential and fully human’. The body produced by ableism is equivalent to what Kristeva (1982: 71) calls the ‘clean and proper body’. It is the body of the ‘normate’, the name that Rosemarie Garland-Thomson (1997) gives to the body that thinks of itself as invulnerable and definitive. It is the hygienic, aspirational body of civilising modernity. It is cast from the increasingly stringent norms and rules about emotional behaviour and bodily display that mark mundane social relations in the lebenswelt (lifeworld). This curious non-disabled body/self has no empirical existence per se . On the contrary, **the body of ableism is a normative construct**, an invulnerable ideal of being manifest in the imaginary of ‘modernist ontology, epistemology and ethics’ as something ‘secure, distinct, closed and autonomous’ (Shildrick, 2002: 51). It embraces ‘human perfectibility as a normative physical or psychological standard’ and involves ‘a curious disavowal of variation and mortality’ (Kaplan, 2000: 303). It is what we are supposed to aspire to, to learn to be but can never become. **It has no grounding in the material world.** It is a ‘body schema, a psychic construction of wholeness that … belies its own precariousness and vulnerability’ (Shildrick, 2002: 79). It is a ‘body divorced from time and space; a thoroughly artificial affair’ (Mitchell and Snyder, 2000: 7), the epitome of civilisation, closed off from any connection with the animal side of humanity and from the ways in which our bodily nature wallows in its carnal improprieties. It is a body aghast at the messiness of existence. Disability is the opposite of this ideal body, its ‘inverse reflection’ (Deutsch and Nussbaum, 2000: 13). The disabled body is or has the propensity to be unruly. In the kingdom of the ‘clean and proper body’, disability is the epitome of ‘what not to be’. As a consequence the disabled body can be easily excluded from the mainstream ‘psychic habitus’ (Elias, 2000: 167). The ‘clean and proper’ – a normative body of delicacy, refinement and self-discipline – has powerful social consequences most manifest in its normalising dynamics. **It is the standard of judgement against which disabled bodies are invalidated** and transformed into repellent objects. It is the emblem of purity that by comparison creates existential unease. It apportions the shame and repugnance that underwrite the civilising process (Elias, 2000: 114–19, 414–21). Through ableism, modernity has been able to structure disability as uncivilised, outside or on the margins of humanity. One of the great books of the science of natural history published under the title Systema Naturae by Linnaeus in 1735 distinguishes between homo sapiens and homo monstrosus . In this classification impairment – at its extreme and highly visible end – is excluded from the human family. The distinction is, in itself, an act of violence and invalidation, an object lesson in transforming difference and ‘defect’ into the abominable. The distinction mobilises the aversive emotions of fear and disgust. **Ableism is a cruel teacher. It embodies violence at many levels: ‘epistemic, psychic, ontological and physical’** (Campbell, 2008: 159). It is at its most bellicose when it is mediated by disgust: a mediation invoked mostly in the social fabrication of taboo and most compellingly in a context when the human/animal boundary is under threat. Ableism rests on the effort to eliminate from awareness, chaos, abjection, animality and death: **all that civilisation seeks to repress.** It encourages us to live in the false hope that we will not suffer and die, to adopt a perspective of invulnerability, to confuse morality with beauty and to see death, pain and disability as the repulsive woes of mortality rather than as the existential basis for community and communication. Kolnai (2004: 74) reminds us that, ‘in its full intention, it is death … that announces itself to us in the phenomenon of disgust’. Disability, in modernity, has been produced in the ontological household of the abject, as the antithesis of communication and community, in a place that we might on occasion peer into only to ‘choke’ on the unsavoury sights that greet us. Disability is put out, put away, hidden, segregated or transformed into its opposite, covered up by whatever medical or aesthetic techniques are available to achieve this end. Any opportunity that disability might have to take its place at the heart of communication and community is thwarted by the ablest sensibilities that push it back down among the disgusting, the sick, the dead and the dying. In fact, as Elias (2000) suggested, the making of ‘civilised’ community and communication in modernity proceeds by exclusion and interdiction, by cutting out and hiding away whatever causes or might come to inspire angar (choking) or anguista (tightness). It is important to understand ableist disgust as an emotion that attests to the failure of non-disabled people to fully recognise their own vulnerabilities and imperfections particularly as these relate to their mortal selves and to the death and decay that is the fate of all. Although it appears as an aversion to ‘the other’, **it is a form of self-aversion or a means by which we hide from the bodily basis of our own humanity** (Nussbaum, 2004). Indeed, disgust begins close to home and is derived from our discomfort with our own bodily functions, our oozy, sticky ‘leaky selves’ (Shildrick, 1997; Kolnai, 2004), the fact that we cannot contain ourselves within our own boundaries and the shame and embarrassment that the ‘civilising process’ brings to bear upon us if our leakiness is exposed to others. Because modernity is a charter for anal retentiveness, we cannot forgive ourselves for our physical impurities. We hold ourselves ransom to the myth of the ‘clean and proper’ body; the perfect body of ableist culture is a myth that we use to screen ourselves from the visceral realities of our own lives. The ableist body ‘helps’ non-disabled people cope with their fears about their own corporeal vulnerability. It does so by invoking its opposite, the disabled body, a foreign entity that is anomalous, chaotic and disgusting. Modern history helps to make this object of disgust more tangible. Civilising processes clarify stigma and make biological differences into socio-moral categories. Disgust provokes the civilising sensibilities. It warns them of the presence of possible contaminants (Miller, 1997). Consequently, psychological and social distance between disability and non-disability expands. Disgust in ‘it’s thought- content’ is ‘typically unreasonable, embodying magical ideas of contamination, and impossible aspirations to purity, immortality, and non-animality, that are just not in line with human life as we know it’ (Nussbaum, 2004: 12). Disgust is an emotion that has a central role in our everyday relationships with our bodies, our patterns of social interaction and – most pressingly from the perspective of this chapter – in processes of social exclusion. Disgust is the emotional fuel of ableism. The threat posed by ourselves to ourselves (and projected onto others), the threat of our ‘bodiliness’ and the shame and anxiety associated with it is a product of ableism, of the ‘tyranny of perfection’. Ableism makes the world alien to disabled bodies and, at the same time, produces impairment as an invalidating experience. It is manifest in our cultural inclination towards normalcy by way of correction, towards homogeneity by way of disparagement of difference. What this means for disabled people is that they are ‘expected to reject their own bodies’ and ‘adjust to the carnal norms of nondisabled people’ (Paterson and Hughes, 1999: 608). The ‘corporeality of the disabled body’ is, according to Campbell (2008: 157), ‘constantly in a state of deferral’ awaiting the affective response that will demean it or the travails of sociogenesis that will either do away with it or ‘make it better’. Sociogenesis and the elimination of disability Disabled people have to make a significant effort to establish their human worth. This effort is a struggle against the civilising process and its tendency to **marginalise disability at an ontological level.** This can be exemplified by the case of intellectual disability. Stainton (2008: 486) argues that ‘the basic association of reason, personhood and human value has been at the heart of the exclusion and oppression of people with intellectual disabilities throughout western history’. The hypostatisation of reason traps disabled people in the cusp of the human–non-human/animal divide which is, according to Giorgio Agamben (2004), the fundamental division that **underpins the very possibility of politics**. The world of man is ‘open to formation’ intentional and free. By contrast, the animal is ‘poor in the world’, captivated by dependency on its instinctual armoury (Heiddeger, 1995). ‘The animal’, according to Heiddeger (1993: 230), ‘is separated from man by an abyss’. The history of the exclusion of disability is (explicable through) the history of the human effort to efface its own animality, to close the door to the brute in its own breast, to disavow its unreflexive self, to expel messy nature from its core. The psychologist Paul Rozin argues that the things that disgust us deeply do so because they remind us of our animal origins (see, for example, Rozin and Fallon, 1987). Elias reminds us (2000: 365) that the civilising process is a struggle against the ‘more animalic human activities’, against those, for example, who are attributed with wounded reasoning. In the early modern period, disability registered most strongly at the cultural level as corporeal excess, defect and monstrosity (Deutsch and Nussbaum, 2000). ‘Freaks of nature’ began to shed supernatural explanation and became objects of study for secular medical science. Teratology – the science of monsters and a matter of much philosophical and theological speculation during the early modern period – became, by the end of the nineteenth century, a sub-discipline of embryology (Park and Daston, 1981). Fiedler (1978: 24) argued that the ‘freak ... challenges the conventional boundaries between male and female, sexed and sexless, animal and human’. On this view, encounters with spectacular forms of physical difference are emotionally powerful because they challenge the ‘normal’, stable view of embodied self. Putting emotional, physical and social distance between one’s self and the cause of this kind of visceral identity shock can be achieved by an act of reclassification that dehumanises the aberrant body. Medieval ideas that linked monstrosity to, for example, copulation with animals began to decline in the wake of the rise of scientific explanations that ‘proclaimed the biological fraternity of men and “monsters”’. However, ‘the surveillance and policing of humans with congenital anomalies made them “less than human”’ (Snigurowicz, 2004: 174). Indeed the Eugenics movement of the late Victorian and Edwardian period came hard on the heels of the ‘discovery’ of so-called objective, scientific and medical explanations for disability. Today, debates about selective abortion, pre-natal screening, euthanasia and physician-assisted death are intimately linked with sentiments that question disabled people’s right to life (see, for example, Preistley, 2003: 35–60 and 166–88). It is not difficult to demonstrate a eugenic sensibility at the heart of the new genetics. When people have their identity reduced to something less than human, to the animal in humanity, to objects of hatred and disgust like the Jews in Nazi Germany or disabled people during the Edwardian craze for Eugenics, or – to use Agamben’s example – the prisoners in Guantanamo bay, **they become reduced to ‘bare life’, become candidates for exclusion, torture, enslavement, extermination and genocide.** In this liminal social space – what Agamben (2004: 79) calls ‘a zone of exception’ – that is the repulsive borderland between the animal and the human, the possibilities for cruelty are, as history has taught, all too imaginable. This ‘zone of exception’ may be (relatively) ‘benign’ as in the case of people with achondroplasia who were sometimes kept as pets by Roman Patricians (Garland-Thomson, 1995: 47) but it can be and has been transformed – under the Third Reich – into a slaughterhouse. Physical disability has been defined as a ‘disruption in the field of the observer’ (Davis, 2000: 56). Historically, there have been times when the observer has decided to clear the field. From the perspective of non-disability, disability signals the presence of impairment, unreason, sickness, monstrosity, abjection and death, all the ‘repulsive’ embodied characteristics that civilisation refuses, point blank, to celebrate and seeks, desperately to disavow. Disability invokes too much of the natural and the animal in man to sit comfortably in a culture that has been intent on keeping an ‘abyss’ between them. The issue of distinction and categorical clarity is at the heart of Mary Douglas’s (1991) analysis of pollution and taboo. On this view the abominations of Leviticus – those biblical beatitudes on hygienic propriety – make sense only when we understand that ‘holiness’ or purity ‘requires that different classes of things shall not be confused’ which ‘means keeping distinct the categories of creation’ (1991: 53) particularly the animal and the human. This is testimony to the unsettling and disturbing nature of the anomalous. It helps to explain the sociological processes that consign disabled people to the marginal role of the stranger (Hughes, 2002). The animal represents the unrestrained and impulsive in man, and it is these very characteristics that civilisation seeks to abrogate. Elias (2000: 384) notes that ‘offences against the prevailing pattern of drive and affect control, any letting go’ by members of a civilised society is unacceptable and meets with strong disapproval. The ontological insecurities of modernity become projected onto disabled people and, therefore, the positivity, wisdom and strength that Nietzsche recognises in the – so called – ‘unfit’ become obscured. Socially, disabled people come to represent those who cannot practice self-restraint and, as the ‘threshold of repugnance’ (Elias, 2000: 97–9) narrows, they are ‘rounded-up’ and ‘herded’ into institutions. The confinement of disability – in the nineteenth century – marks the supreme moment of its passage into interdiction, when the desire for social homogeneity – so characteristic of modernity – finally admits to itself that its civilising tendencies must be marked by clear corporeal prohibitions and that certain categories of bodies/minds must be removed from polite society so that it can realise the hygienic utopia inscribed in the civilising process. The punitive norm embodied in the hegemonic drive towards an homogeneous and hygienic culture demands many sacrifices. By the middle of the nineteenth century any ’thing’ and every ’thing’ anomalous was a potential lamb to the slaughter. Cora Kaplan (2000: 302) describes how the ‘history of defect’ in the early part of the twentieth century became ‘a pretext for genocide’, and she notes that disability has proved a significant challenge to the ethic of tolerance that underlies modern liberalism. In this context, Georges Bataille’s (1985) argument for a ‘heterology’ – a science that rescues the victims of homogenising modernity – might have been written as a manifesto for disabled people. They, after all, have had to put up with the ‘civilising process’ in which the embedding of ever more prescriptive norms of bodily comportment confirms disability as a social contaminant, calling, more or less explicitly, for a ‘disgust response’ to its presence. Consequently, disabled people are ‘sacrificed’ (to use a term much loved by Bataille) on the grounds that they are devoid of the kind of comportment that is a pre-requisite for appropriate social participation. **The residue of disgust** – the angar and anguista – that is a product of the civilising process is, thereby, mobilised as social policy. It forms a kind of Dickensian clean-up operation that sweeps disabled people off the streets and into the carceral spaces that soon come to be dominated by medical custodians and their strategies for bodily or mental correction.

#### Disability is the master trope of human disqualification that structures oppression

Siebers 9 (Tobin Siebers, “The Aesthetics of Human Disqualification”, p. 5-8)

The appearance of lesser mental and physical abilities disqualifies people as inferior and justifies their oppression. It is now possible to recognize disability as a trope used to posit the inferiority of certain minority populations, but it remains extremely difficult to understand that mental and physical markers of inferiority are also tropes placed in the service of disability oppression. Before disability can be used as a disqualifier, disability, too, has to be disqualified. Beneath the troping of blackness as inbuilt inferiority, for example, lies the troping of disability as inferior. Beneath the troping of femininity as biological deficiency lies the troping of disability as deficiency. The **mental and** **physical properties of bodies become the natural symbols of inferiority** via a process of disqualification that seems biological, not cultural—which is why disability discrimination seems to be a medical rather than a social problem. If we consider how difficult it is at this moment to disqualify people as inferior on the basis of their racial, sexual, gender, or class characteristics, we may come to recognize the ground that we must cover in the future before we experience the same difficulty disqualifying people as inferior on the basis of disability. We might also recognize the work that disability performs at present in situations where race, sexuality, gender, and class are used to disqualify people as physically or mentally inferior. Aesthetics studies the way that some bodies make other bodies feel. Bodies, minimally defined, are what appear in the world. They involve manifestations of physical appearance, whether this appearance is defined as the physical manifestation itself or as the particular appearance of a given physical manifestation. Bodies include in my definition human bodies, paintings, sculpture, buildings, the entire range of human artifacts as well as animals and objects in the natural world. Aesthetics, moreover, has always stressed that feelings produced in bodies by other bodies are involuntary, as if they represented a form of unconscious communication between bodies, a contagious possession of one body by another. Aesthetics is the domain in which the sensation of otherness is felt at its most powerful, strange, and frightening. Whether the effect is beauty and pleasure, ugliness and pain, or sublimity and terror, the emotional impact of one body on another is experienced as **an assault on autonomy** and a testament to the power of otherness. Aesthetics is the human science most concerned with invitations to think and feel otherwise about our own influence, interests, and imagination. Of course, when bodies produce feelings of pleasure or pain, they also invite judgments about whether they should be accepted or rejected in the human community. People thought to experience more pleasure or pain than others or to produce unusual levels of pleasure and pain in other bodies are among the bodies most discriminated against, actively excluded, and violated on the current scene, be they disabled, sexed, gendered, or racialized bodies. Disabled people, but also sex workers, gay, lesbian, bisexual, and transgendered people, and people of color, are tortured and killed because of beliefs about their relationship to pain and pleasure (Siebers 2009). This is why aesthetic disqualification is not merely a matter for art critics or museum directors but a political process of concern to us all. An understanding of aesthetics is crucial because it reveals the operative principles of disqualification used in minority oppression. Oppression is the systematic victimization of one group by another. It is a form of intergroup violence. That oppression involves “groups,” and not “individuals,” means that it concerns identities, and this means, furthermore, that oppression always focuses on how the body appears, both on how it appears as a public and physical presence and on its specific and various appearances. Oppression is justified most often by the attribution of natural inferiority—what some call “in-built” or “biological” inferiority. Natural inferiority is always somatic, focusing on the mental and physical features of the group, and it figures as disability. **The prototype of biological inferiority is disability. The representation of inferiority always comes back to the appearance of the body and the way the body makes other bodies feel.** This is why the study of oppression requires an understanding of aesthetics—not only because oppression uses aesthetic judgments for its violence but also because the signposts of how oppression works are visible in the history of art, where aesthetic judgments about the creation and appreciation of bodies are openly discussed. One additional thought must be noted before I treat some analytic examples from the historical record. First, despite my statement that **disability now serves as the master trope of human disqualification**, it is not a matter of reducing other minority identities to disability identity. Rather, it is a matter of understanding the work done by disability in oppressive systems. In disability oppression, the physical and mental properties of the body are socially constructed as disqualifying defects, but this specific type of social construction happens to be integral at the present moment to the symbolic requirements of oppression in general. In every oppressive system of our day, I want to claim, **the oppressed identity is represented in some way as disabled**, and although it is hard to understand, the same process obtains when disability is the oppressed identity. “Racism” disqualifies on the basis of race, providing justification for the inferiority of certain skin colors, bloodlines, and physical features. “Sexism” disqualifies on the basis of sex/gender as a direct representation of mental and physical inferiority. “Classism” disqualifies on the basis of family lineage and socioeconomic power as proof of inferior genealogical status. “Ableism” disqualifies on the basis of mental and physical differences, first selecting and then stigmatizing them as disabilities. The oppressive system occults in each case the fact that the disqualified identity is socially constructed, a mere convention, representing signs of incompetence, weakness, or inferiority as undeniable facts of nature.

#### The aff places crips in a paradox – their narratives of overcoming use crips that do overcome the bar to normalization to silence those who cannot.

DeVolder 2013 (Beth, University of British Columbia, Interdisciplinary Studies Graduate Program, Graduate Student “OVERCOMING THE OVERCOMING STORY: A CASE OF "COMPULSORY HEROISM" Feminist Media Studies Volume 13, Issue 4, 2013)

Second, heroism is compulsory in that it inherently resists critique. There is a "halo effect" allied with discourses of hope, heroism and inspiration: to invoke them "is to gain by association" (J. Elliot 2005, p. 29). They serve like "rituals" of a "secular religion" (Paul K. Longmore 2009; Joseph P. Shapiro 1993). The call to heroism is so naturalized, and assumed to be for the greater good, that opportunity for critique is effectively foreclosed. Furthermore, audiences, individuals and organizations are emotionally invested in the overcoming narrative. Overcoming stories are positioned as antidotes to bad news stories; they "refill the tank so to speak" (CMH 2009). Audiences and donors feel "nobly uplifted even ethically superior for 'supporting' a cause" (Charles Riley 2005, p. 71). They speak of individuals finding meaning and purpose in life. As fundraising tools in the volunteer sector, they foster a sense of community and civic engagement. They also raise a lot of money for organizations that could not maintain their services without charitable dollars. In other words, they do socially productive work. Additionally, helping professionals are personally invested in another way. I have come to the conclusion that the production of overcoming individuals lies at the very heart of the whole rehabilitation complex and has since its inception. Consider this from the 1944 US presidential address: "I will tell you of the plans for vocational training to equip the disabled to overcome the handicaps of their injuries" {The New York Times 1944); or this from Howard A. Rusk MD, the man who has been called 'The Father of Rehabilitation": The most important medical aspect in the rehabilitation of a handicapped man is the measure of the desire he has to overcome his misfortune. Doctors, therapists, educators and other professional personnel are essential to any rehabilitation program, but the actual tedious, hard work of overcoming handicaps can be done only by the patient himself. {The New York Times 1946) Successful rehabilitation demands an overcoming story. Critique of the overcoming narrative, therefore, is largely dismissed. Nonetheless, there are effects of compulsive heroism that are not so benign. These also need to be acknowledged and addressed, and will be in the subsequent seetions of this essay. It is my aim, following Samantha King, to demonstrate that, "such renderings rely on the erasure of power relations that undergird charitable works" and, in this way, I hope "to confront the deeply class-structured, racialized, and gendered deployment" of the overcoming story (2006, p. xxx). Third, heroism is compulsory because it is an effect and strategy of normalization. While at first this may seem contradictory (aren't heroes supposed to be extraordinary?), it reveals the contradiction inherent in positioning individuals as "everyday heroes." In essence, a person is deemed heroic "by virtue of ~~his or her~~ (their) ability to perform feats normally not considered possible for people [like them] or by virtue of the person living a 'regular' life in spite of [their disability, gender, class, race]" (Silva & Howe 2012, p. 175; substitutions mine).^ Heroism is compulsory in the sense that there is only an illusion of choice: Nearly everyone wants to be normal. And who can blame them, if the alternative is being abnormal, or deviant, or not being one ofthe rest of us? Put in those terms, there doesn't seem to be a choice at all. (Michael Warner cited in Mcruer 2006, p. 7) Compulsory heroism, then, like compulsory heterosexism and compulsory ablebodiedness, is intimately related to the construction of the "normal." I understand compulsory **heroism**, in the present context, as the main social role available, not only to persons with disability, but also to anyone facing "adversity." As such, it **serves as a standard**; a dividing practice that determines who has the courage to come "back," and who, by extension, remains outside.^ This has implications for us all. Fourth, compulsory heroism as the climax of the overcoming narrative displaces other stories. Gilmore's comments regarding neoconfessional mémoires are germane here: Embedded within the neoconfessional form is an inegalitarian if dynamic relation of judgment that limits redemption to specific storylines, and thereby powerfully norms the voices that currently crowd the public sphere despite the appearance of diversity and multiplicity. (2010, p. 660) I want to underline that I understand discourse as a site of struggle (Sara Mills 1997) and norms as ever-contested ground (Judith Butler 1993). Therefore, there are two issues in tension: one concerns the effects of homogenization (when stories are squeezed to fit the form and the norm), and the other addresses points of eruption (when individual stories in their complexity simply cannot be contained, and overflow the normative narrative template). Before I discuss homogenization, I want to stress that there are many times in the CTCB award winner stories, where despite^ the pressure to keep to form, instances of contestation, complexity and diversity seep out.\* While homogenization is at work, it is not always or completely successful. The effects of homogenization are numerous and are widely discussed by scholars who take up a critique of normalization. Suffice it here to offer a partial list. Compulsory heroism, in its normalizing work, strips persons of their individuality (Silva & Howe 2012). It erases complex experience (Ellen L Barton 2001), and simplifies complex social issues (Gilmore 2010). Therefore, knowledge is lost (Wendell 1996). The overcoming narrative is so entrenched in our collective cultural imaginary that many people cannot even imagine a different storyline. This limits and restricts the resources we could collectively draw upon and the possibilities we could collectively envision. "Blind hands see, deaf eyes listen, or mouths paint and write and touch-type" (Tobin Siebers 2008). Moreover, we need these possibilities because there are many times when overcoming is simply not possible (Rita Struhkamp 2005). Compulsory heroism robs us of a legitimized space to grieve, and to get mad, and to bear witness to stigma (which is discrimination) and institutional violence in all of its guises (Geoffrey Reaume 2012). Compulsory heroism obscures social contexts, social histories and material realities (Gilmore 2010), like the present realities of declining supports and differential access to resources (Douglas 2010). It co-opts discourses of empowerment (for instance, discourses of survivorship or recovery) (King 2006) for financial and/or political ends. And this is only a partial list. Fifth, and finally, there is a sense in which compulsory heroism can be considered compulsive heroism: we need to tell the story over and over again. Since the norm is always in danger of being disrupted, it has to be continually established, performed and reinforced (Butler 1993; Mcruer 2006). Complexity, lack of closure and fear of the unknown evoke crisis, and personal and cultural anxiety (see for example. Lisa Blackman 2010; Imogen Tyler 2008). Concerning disability specifically see Bill Hughes 2009; Margrit Shildrick 2005). Our challenge is to interrupt its iteration (Gilmore 2010), to work the weakness of the norm (Butler 1993) and to open up a space for an influx of stories, knowledges and perspectives that we cannot even begin to imagine.

#### The alternative is a cripistemology – we refuse the 1AC’s call to reach normalization and embrace failure as crip sucess

Mitchell 15 (David T Mitchell, “The Biopolitics of Disability: Neoliberalism, Ablenationalism, and Peripheral Embodiment”, University of Michigan Press, p. 78-83)

“Every Child Left Behind,” or the Crip/Queer Art of Failure

Most educational tracking indicators of success point to the fact that inclusionist practices have resulted in new kinds of exclusions for crip/queer participants as opposed to integration. For example, students with intellectual disabilities receive a diploma only 36.6 percent of the time, and 22 percent drop out. The rest (59 percent) finish their schooling but receive no diploma and, over the course of their educations, spend time with nondisabled peers only in art, gym, or music (Smith, Whatever Happened to Inclusion? 4–5). The statistics in higher education for students with disabilities are equally troubling: in a study of degree completion and postschool success researchers found that “two-thirds of all college freshmen with disabilities fail to obtain their degree within six years of enrollment” (Gugerty). In other words, inclusionism’s primary purpose of molding crip/queer bodies into tolerated neoliberal normativities scores a less than passing mark. This chapter may be understood, then, as a companion to recent critical disability studies in education (DSE) efforts regarding the ongoing critique of an inclusionist process that leaves all children behind. If one can be included only by passing as nondisabled, then much of the value of crip/ queer experiences evaporates in traditional pedagogical practices. In undertaking this exposure of pedagogical heteronomativity we seek to accomplish three specific tasks: (1) engage disability studies in a dialogue with Judith Halberstam’s important recent work on “the queer art of failure” (147); (2) draw out how queer theorizing of the last decade can be productive for disability studies even though, as Robert McRuer and Anna Mollow point out, a more direct engagement with disability has been slow in coming within queer studies (Sex and Disability 3); and (3) pursue what may seem, at first, to be a counter-intuitive argument on behalf of actively promoting a certain kind of failure for crip/queer students in the context of curricular cripistemologies. All of these objectives combine findings from our teacher training and scholarly research projects on disability pedagogy in higher education over the past fifteen years to more effectively address shortcomings foundational to inclusionist methodologies now operative in most public schools across the nation. To accomplish the alternative crip/queer goals of curricular cripistemologies we intend to explain why educational inclusion operates as an exclusionary undertaking in, perhaps, the most entrenched, neoliberal, and commonsense institution of all: public education. By neoliberal we mean to define education as part of an ongoing privatization scheme for selling off public institutions to for-profit interests (Hardt and Negri, Multitudes 302). Henry Giroux has chronicled this influx of corporate interests into schools through the arrival of product marketing campaigns of unhealthy foods in cafeterias, product tie-ins for lavish expenditures on high-end goods such as sneakers, technology-driven surveillance systems networks, and increased police presence as ever-present conduits in the school-to-prison pipeline particularly in lower-income racial communities (Disposable Youth 6-7). All of these initiatives advance the culture-wide neoliberal festishization of able-bodies that **leave under-consumptive, less capacitated bodies behind.** In addition, our critique centers on inclusionism as a neoliberal gloss on diversity initiatives that get some disabled students in the door while leaving the vast majority of crip/queer students behind. Contemporary education’s neoliberal practices cultivate further funding opportunities by **advancing claims of successful normalization** rather than drawing upon crip/queer differences as sources of alternative insight. Curricular cripistemologies, in contrast, openly advocate for the **productive potential of failing normalization practices** (if they were ever obtainable in the first place) because such goals entail erasing recognitions of the alternative blueprint of values, practices, and flexible living arrangements particular to crip/queer lives. Whereas the administrative platform of former president George W. Bush pushed for U.S. educational reforms around the promotion of standardized testing that would “leave no child behind,” we, in turn, present an argument for recognizing standardization of curricula as ultimately “leaving every child behind,” or, at least only promoting a certain type of norm fulfilling child in whose name most students turn up wanting. This curricular abandonment of difference in the name of assimilation occurs primarily through an incapacity (or, perhaps, unwillingness) to adapt the lessons of systemically in-built accommodations and crip/queer content designed to address the range of learning differences comprising today’s classroom demographics. The neoliberal school attempts to resolve accommodating disability through **downplaying rather than learning from** people’s differences. Through the abandonment of disability as difference, neoliberal standards guide educational reforms saturated in the questionable values of ableism, normalization, and rehabilitative masking. Thus, what appears on the surface as disabled students’ incapacity to keep up with their normative peers should be read as the exercise of an agentive form of resistance: a crip/queer art of purposeful failure to accomplish the unreal (and, perhaps, unrealizable) objectives of normalization. In The Queer Art of Failure Halberstam argues on behalf of a concept of “failure [that] allows us [queer people] to escape the punishing norms that discipline behavior and manage human development with the goal of delivering us from unruly childhoods to orderly and predictable adulthoods” (3). This queer studies inversion of ways to read non-normative lives as falling below standards of heteronormative expectations allows crip/queer people to pursue other modes of existence as alternates to sanctioned social roles. These alternative strategies of living pass by largely undetected because educational assessments measure only the degree to which students clear the bar of normalization. By applying this crip/queer deployment of “failure,” curricular cripistemologies undertake pedagogical practices suppressed (or, at least, devalued) within normative neoliberal educational contexts. In adopting a strategically counterintuitive slogan such as “every student left behind,” then, the cripistemological critique of inclusionism exposes the increasingly disciplinarian nature of public education’s normalizing objectives. Inclusion has taught teachers a dangerous lesson in what appears to be a failed model of adaptation: crip/queer students cannot effectively compete with their nondisabled peers. The pedagogical assessment of the distance that exists between crip/queer and normatively engendered student accomplishments through standardized testing regimes is now part and parcel of their wider cultural non-normativity. But what if a “failure to thrive” in predetermined educational roles is understood as the product of active refusals (that which Halberstam refers to as a “rejection of pragmatism” [Queer Art 89] and Herbert Kohl refers to as “willed not-learning” [“I Won’t Learn” 134]) to “fit” disability paradigms reductively dictated by normative institutional expectations? We could take seriously the findings of DSE scholars such as Phil Smith, who points out in his book, Whatever Happened to Inclusion?, that education has actually lost ground in terms of including students with more significant learning needs in recent years (28). Within this context, the objectives accomplished by public relations driven educational “creaming practices”—those inclusionist claims to success wherein the normative accomplishments of the most “able-disabled students” eclipse the struggles of those left behind. Inclusionism, in other words, covers over an unethical promotion of the successes of the few based upon normative standards of achievement for the normative capitulations of the many. Within curricular cripistemologies disability metamorphoses from a failure of successful normalization of lesser versions of the ableist self into a meaningful alternative site for transforming pedagogical practices and devalued social identities. These insights come from the application of nonnormative positivist surfacings in a pedagogical project wherein productive failure sets significantly higher goals than mere tolerance within neoliberalism will generally allow. What does curricular cripistemology look like if the subterfuge of normalcy does not dictate the socially anemic goals of inclusion—or that which Linda Ware has provocatively termed “(in)exclusion” (2)? Perhaps these reformist efforts have come on the heels of developments during the Clintonian era wherein previously inclusive legislation had to be revitalized and newly enforced. The implementation of more flexible accessibility features followed implementation of the Americans with Disabilities Act (1992) and the Individuals with Disabilities Education Act (1990). Both of these legislative reforms were necessary to update prior failures of inclusive legislation from two decades earlier, including the Education for All Handicapped Children Act (1975) and the Architectural Barriers Act (1968). These policy based efforts to mandate the inclusion of students with disabilities under neoliberal principles of integration opened up U.S. education to those with developmental disabilities and “multihandicaps” (sometimes also including those referred to as transgender) who had been actively segregated from public education with their peers since the early 1900s and into the early 1970s. One can witness this public segregation at work in Fred Wiseman’s documentary film and documentary series titled by the same name, Multihandicapped, where viewers are given access to the “education” provided for deaf and/or blind individuals at the Helen Keller School for the Deaf and Blind in Talladega, Alabama. What Wiseman’s films expose are the substitution of basic skills curricula in hygiene and severe sexual prohibitions in place of academic content when students with severe disabilities are concerned (Snyder and Mitchell, Cultural Locations 133–54). Curricular Cripistemologies In part, the results of inclusionism have been incomplete because neoliberal efforts evolve around beliefs that mainstreaming would largely require retrofitting architectural environments in order to bring students with disabilities into buildings outfitted for their able-bodied peers: “the word ‘access’ . . . has been largely left out of key disability rights laws such as the ADA and when used, access has been understood in its most physical and aesthetic sense” (Richter, “Ableliberalism”). Further, the political pressures of the disability rights movements to achieve meaningful integration ultimately rely on the neoliberal approaches they presumably critique. By advocating for the right to be included alongside able-bodied peer activists in the 1980s and 1990s, the U.S. disability rights movement used a normalizing framework to give weight to their critique of exclusion. They argued that disabled people were like everyone else and wanted the right to pursue normative values in tandem with their nondisabled peers. In other words, a disability rights-based model of policy intervention relies upon assimilationist claims in order to gain access to key neoliberal institutions such as education. As a corrective to inclusionist objectives that began wholeheartedly in the mid-1990s, scholars in DSE such as ourselves have pursued the development of a curricular cripistemology. Curricular cripistemologies imagine another kind of inclusion as that which entails a multitiered approach to making crip/queer lives not just integrated but **integral to the contemporary pedagogical knowledge base** (Stiker, History of Disability 32). As an alternative engagement with existing inclusionist methodologies that largely pursue inclusion as an outcome of assistive technology applications—the formalization of a “failed technological fix” to the integration of disabled students that we discuss below—we argue that curriculum needs to contextualize the lives of crip/queer people in order to create a context of receptivity for a more productive interaction with the embodied differences of crip/ queer lives in school. A functioning curricular cripistemology entails teasing out and making visible otherwise latent crip/queer themes in educational materials as a primary ordinal in a multitiered approach. Based on our experiences in a variety of pedagogical training settings, curricular cripistemologies involve the development of a systemic, even replicable, disability pedagogy and content in combination with the active participation of crip/ queer subjects.

## 1NC – Reps

#### Ableist rhetoric, even as a metaphor, perpetuates exclusion and ableist ideology

Ben-Moshe, 5 (Liat Ben-Moshe is an associate professor of Disability Studies at the University of Toledo, she has a PhD in Sociology, her research specializes in social theory, incarceration and decarceration; Prison Studies, Sociology of disability, Disability culture, Activism and resistance, 4-1-05,“Building Pedagogical Curb Cuts: Incorporating Disability in the University Classroom and Curriculum,” http://www.syr.edu/gradschool/pdf/resourcebooksvideos/Pedagogical%20Curb%20Cuts.pdf, p.107, CAS)

In the English language, using disability as a metaphor, an analogy and a derogatory term is common. Examples of such phrases and terms include: lame idea, blind justice, dumb luck, felt paralyzed, argument fell on deaf ears, crippling, crazy, insane, idiotic and retarded. One might argue that using these words without relating them to particular individuals is not offensive. However, using disability as an analogy not only offends certain individuals, but it also impedes clear communication, perpetuates false beliefs about disability and creates an environment of unease and exclusion.

#### Ableism must be challenged in rhetoric

Cherney, 11 (James L. Cherney, 2011, "The Rhetoric of Ableism," Disability Studies Quarterly, <http://dsq-sds.org/article/view/1665/1606)>

\*edited

In this essay I analyze ableism as a rhetorical problem for three reasons. First, ableist culture sustains and perpetuates itself via rhetoric; the ways of interpreting disability and assumptions about bodies that produce ableism are learned. The previous generation teaches it to the next and cultures spread it to each other through modes of intercultural exchange. Adopting a rhetorical perspective to the problem of ableism thus exposes the social systems that keep it alive. This informs my second reason for viewing ableism as rhetoric, as revealing how it thrives suggests ways of ~~curtailing~~ [dimishing] its growth and promoting its demise. Many of the strategies already adopted by disability rights activists to confront ableism explicitly or implicitly address it as rhetoric. Public demonstrations, countercultural performances, autobiography, transformative histories of disability and disabling practices, and critiques of ableist films and novels all apply rhetorical solutions to the problem. Identifying ableism as rhetoric and exploring its systems dynamic reveals how these corrective practices work. We can use such information to refine the successful techniques, reinvent those that fail, and realize new tactics. Third, I contend that any means of challenging ableism must eventually encounter its rhetorical power. As I explain below, ableism is that most insidious form of rhetoric that has become reified and so widely accepted as common sense that it denies its own rhetoricity—it "goes without saying." To fully address it we must name its presence, for cultural assumptions accepted uncritically adopt the mantle of "simple truth" and become extremely difficult to rebut. As the neologism "ableism" itself testifies, we need new words to reveal the places it resides and new language to describe how it feeds. Without doing so, ableist ways of thinking and interpreting will operate as the context for making sense of any acts challenging discrimination, which undermines their impact, reduces their symbolic potential, and can even transform them into superficial measures that give the appearance of change yet elide a recalcitrant ableist system.

## Links

### “Silence”

#### Metaphors of overcoming silence equate experiences of those unable to do so as inauthentic.

Chen 13 (Mel Y Chen, “Asian American Speech, Civic Place, and Future Nondisabled Bodies”, p. 91-92, http://uclajournals.org/doi/abs/10.17953/amer.39.1.n6t6477372245h46)

Following Piepzna-Samarasinha in her call to envision alternative methods of organizing and activism, I am interested in how contemporary public protest and slogans—many of which are mobilized in community organizing—articulate themselves (sometimes in subtle ways) in terms of race and disability. I consider how these slogans both construct a certain audience of address and, as part of their less apparent consequences, erase or render impossible others. With a focus on Asian American constructs and disability politics, I look at the idealized future bodies implicated in protest slogans dependent on common political appeals to imagined able-bodiedness or nondisability. In particular, I am concerned with the well-known slogan “silent no more,” which is utilized in a host of contexts across the ideological spectrum, from domestic violence awareness campaigns to anti-choice, anti-abortion testimonials. “Silent no more” appeals are arguably constructed on ideals of white liberal civic (speechly) participation and political representation. These ideals have endured throughout decades of formation of what Wendy Brown calls “the collective insurrectionary subject.”7 For the “silent” in the activist engagements of “silent no more” to at once be a metaphor for a condition of disenfranchisement or oppression and to also always have the possibility of being literally interpreted suggests an implicit but generally unacknowledged effect of expelling and banishing all things “silent” to the past, and hence also from a possible future. As Brown writes, “the belief that silence and speech are opposites is a conceit underlying most contemporary discourse about censorship and silencing.”8 The use of “silence” in the context of protest speech also assumes that to speak—to “break the silence”—is to reverse or overcome a dynamic in which speechlessness is equated with powerlessness. In addition, the silence-speech bifurcation enables the assumption, according to Brown, that “when an enforced silence is broken, what emerges is truth borne by the vessel of authenticity or experience.”9 Thus when silence endures, the capacity for truth-telling or “authentic” experience is presumed to be absent, or at least muffled. What is meant by silence and speech, of course, is always an open question. Silence and speech are multiplicitous in meaning, as feminist writers such as Audre Lorde and Adrienne Rich have noted.10 If we begin with perhaps the most literal kind of silence, we assume it means no perceivable, differentiated sound—an absence of detectable frequencies. In linguistics and language studies, silence can certainly be understood as an absence of (meaningful) linguistic production, along the lines of what Brown glosses as negativity. It can also be understood as integral to speech, in the case of the phonetic class of plosives such as “t,” “p,” in which no auditory signal is produced until the short burst which completes the plosive articulation. Silence also operates integrally to speech, in the form of a pause, a demarcation of a turn, or the completion of an idea. Silence can also be understood as a positive linguistic entity in itself, a “communicative device” particular to a given cultural arena and serving a special function. Thus, silence can function as a refusal to participate, or as an observance or show of respect. However, such accounts seem still to focus on the structural significance of silence and hence they do not account for the many incidental silences that fall out of discomfort: the loss for words, the lack of authority to speak, the experience of risk, or the start-up time of making an effort in a new language. When non-English-speaking immigrants or those who have non-normative modes of speaking enter the consideration, silence itself necessarily becomes more complex. For instance, sign language users are frequently depicted as “silent,” but the auditory linguistic criterion of silence only applies to oral speech, not signing. Even the idea that signers are “soundless” is unfounded; the attribution of “silence” derives more from assumptions and audist ideology than from actual practice. There are many examples of both this stereotype and efforts to gainsay it. For instance, Karen Nakamura, in her anthropological study of the cultures and politics of deafness in postwar Japan, observes that “gatherings of deaf people are rarely silent. The deaf parties that I attended were just as raucous as any hearing gathering of Japanese people.”11

### “Stand”

Chen 13 (Mel Y Chen, “Asian American Speech, Civic Place, and Future Nondisabled Bodies”, p. 91-92, http://uclajournals.org/doi/abs/10.17953/amer.39.1.n6t6477372245h46)

By extending Piepzna-Samarasinha’s proposition to value acts and figurations of politics that are done “flat on our ass in bed,” this essay thus begins, not ends, with a reversal of the premise by which ability is attached to liberatory politics.2 I am less concerned with articulating an identitarian “we” of address than I am aware of the ways in which a reliance on historical identity can blockade intersectional contours as well as present contingencies, precluding a recognition of the multiple agencies and epistemologies necessary for a robust pursuit of justice. These concerns about identity’s limits have been articulated for both Disability Studies and Asian American Studies. The grammar of ableist liberatory fervor is succinctly captured, for instance, in the widespread use today of declamatory campaigns that urge one to metaphorically “stand with” various populations or politicians. Such a metaphor is constructed on the figurative imagining of a literal standing. The question becomes what might it mean to “stand with” a figural group, when standing for wheelchair users, or those chronically ill “flat on our ass in bed,” cannot readily invite such “politically aligned” embodied action.

### Academic Achievement

#### Academic standards prop up a seemingly objective meritocracy of education while pushing disability to the periphery

Erevelles 5 (Nirmala Erevelles, “Understanding curriculum as normalizing text: disability studies meet curriculum theory”, p. 433-434)

Disability studies theorists have used materialist analyses to argue that the category of disability has been employed by capitalism to justify the exploitation or exclusion of certain social groups from participating in economic activity (Farber 1968, Finkelstein 1980, Oliver 1990, Nibert 1995). For example, they have pointed out that capitalism needs a surplus labour market to minimize costs of production and is, therefore, required to maintain certain levels of unemployment. However, instead of describing unemployment as a necessary component of the economy, capitalist ideologies justify the exclusion of particular populations from the world of work by claiming that these individuals lack specific physical, social, or technical characteristics deemed desirable for the economy, and are, therefore, designated as the surplus population that has historically included disabled people, the aged, as well as the permanent racialized and gendered underclass. By certifying these populations as incapable of producing for exchange value (disabled), the members of this surplus population are, in turn, certified as eligible to receive monetary aid as well as social services, and are, consequently, subject to the regulatory and controlling benevolence of the welfare state (Stone 1984). In this context, it is possible to see how disability is used as an ideological category to justify a social division of labour along the axes of race, class, and gender. A similar logic can be observed in the context of education, especially its organization of the school curriculum (Erevelles 2000). This logic, central to the organization of both education and the school curriculum, is invested in the support of normalizing discourses that are continuously at work to efface any signs of deviance/disability that serve to threaten the social order. For example, the everyday functioning of public schooling is predicated on the institutionalization of a complex array of evaluation strategies **used to predict the productive capacity of future workers.** Using the results of these evaluative tests based on standardized norms, students are segregated on the basis of their ‘natural’ abilities and labelled ‘gifted’, ‘regular’, or ‘special’, and assigned to different curricula that educate them for their designated slot along the social division of labour. As Bowles and Gintis (1976) have pointed out, these tests have also been effective in compelling students to conform to the hierarchical organization of the social order that mimics the ‘normal’ development of the ego and super-ego of European-American males. What, then, happens to students like Peter, whose disabled body refuses to conform to these norms? Such students continue to remain in segregated public institutions conveniently described as ‘least restrictive environments’ in accordance with legislative regulations that require that they have equal access to educational opportunity. Thus, if observers followed Peter into his segregated classroom space, this is what they would find: [Peter] gets on an elevator in the morning and goes down two floors below the ward where he lives. Once there, he spends the day as much as he would had he stayed on the ward: sitting or lying in a corner, perhaps with a mirror placed in front of him, some Fisher-Price Toys arrayed before him, a radio or TV nearby, and large amounts of time with no human contact at all. Even if Peter lived in the community, in most states he would still be likely to attend school in a self-contained segregated building rather than the neighbourhood high school. … [In such circumstances] it is difficult to imagine how Peter would fit into a job market governed by productivity, even if it were barrier free. (Ferguson 1987: 51) While it is apparent that no amount of regular education would enable Peter to conform to the rigorous demands of ‘normal’ life, I understand Ferguson’s disappointment in the educational establishment that demonstrates its absolute disregard for Peter’s well-being by its unwillingness to open up the conversation where all the school participants can re-imagine alternative possibilities for him. In fact, most of the education theorists, administrators, practitioners, and consumers eager to have this conversation are often silenced and/or rendered invisible by the ‘educational institution’. At the same time, school curriculum materials and school practices collaborate to construct stereotypical images of disabled people—the most damaging of them being those that only reinforce the construction of the disabled student as ‘abject’ entity. Borrowing Castenell and Pinar’s (1993) strategy, I contend that, if the curriculum is read as ‘normalizing’ text, such a reading will also reveal the critical relationship between disability and the other social categories of difference. Sarason and Doris (1979) have documented that, with the rise of compulsory mass public education, the first special education classes in the USA housed the urban poor, new immigrants, Native Americans, and African Americans. The justification for this separation of public education into regular and special education classes was based on results of psychometric tests, like Binet’s intelligence scales, that supported a hereditary theory of IQ, and that drew relationships between mental illness, moral degeneracy, pauperism, and race, class, and gender (Gould 1981). Although these eugenic policies were no longer in vogue by the late 1960s, their influence continued in US public schools to the extent that as late as 1968 60–80% of pupils taught in special education classes were African American, Native American, Hispanics, non-English speakers, and children from non-middle class backgrounds (Dunn 1968). In recent years, despite the move to integrate more students with disabilities into regular classrooms, new labels, like ‘at-risk’, ‘learning-disabled’, ‘emotionally-handicapped’, and ‘gifted and talented’, continue to segregate children **in the name of upholding academic standards**. The bulk of these special classes continue to be populated by students who have been marked in oppressive ways by race, class, or gender. Thus, special education through the articulation of an ideology of disability appeals to **abstract notions of efficiency, rationality, and equity** rooted in a seemingly open, objective, and meritocratic science in order to reproduce in abstract form the dominant class relationships, divisions of labour, and cultural hegemony present in 20th-century USA. It is also possible to show how ‘disability’ has been used by US public education (and yet been rendered invisible) to support the oppressive functions of a ‘normalizing’ curriculum.

### Antiblackness

#### Black bodies are pathologized through the logic of disability. Along the Middle Passage, dismemberment was used to eradicate black subjectivity

Erevelles 14 (Nirmala Erevelles is a Professor in the Social Foundations of Education and Instructional Department of Education Leadership, Policy, and Technology Studies at the University of Alabama, “Crippin’ Jim Crow: Disability, Dis-Location, and the School-to-Prison Pipeline”, p. 85-89

Although Alexander claims that this group is defined largely by race, I argue that this group is defined at the crucial intersection of race, class, and disability. Interestingly, Alexander almost intuitively gestures toward such an analysis. In marking the historical continuities between Jim Crow laws and mass incarceration, she writes that, “the degraded status of Africans was justified on the grounds that Negroes, like the Indians, were an uncivilized lesser race, perhaps even more lacking in intelligence and laudable human qualities than the red-skinned natives” (25). Here, Alexander seems unaware that disability as deviant pathology is utilized to assign African slaves a degraded self-worth. This unawareness results in her nonrecognition of the constitutive relationship of race and disability where racialized bodies became disabled and disabled bodies became racialized within the specific historical conditions of a burgeoning capitalism (Erevelles 2011). In her essay “Mama’s Baby, Papa’s Maybe: Notes on an American Grammar,” Hortense Spillers (1987) locates the “origins” of African American subjectivity in the (trans)Atlantic slave trade that starts with the unimaginable violence during the Middle Passage, continues through the dehumanization of slavery, and finally concludes by exposing dominant conceptualizations of the contemporary “Black Family” as a tangle of pathology. However, just like Alexander’s book, Spillers’ essay, detailing the historical practices that enabled the black body to be pathologized, is as much about disability as it is about race, even though the word “disability” is not mentioned once in her essay. I find this startling because the “scene[s] of actual mutilation, dismemberment, and exile” (67) that Spillers’ describes in her essay produce disabled bodies—**black disabled bodies without gender, without genitalia, without subjectivity**—who in an ironic turn are transformed into commodities that are exchanged in the market for profit. I call it ironic because it is in this “becoming” disabled that the black body is at the height of its profitability for the slave masters and it is the historical, social, and economic context of this “becoming” that I foreground. But profitability in colonialist/protocapitalist contexts has its even darker side. If profits could not be realized from the enslaved body, then of what value is the body? In the introduction, Chapman, Ben-Moshe, and Carey draw on Sharon Snyder and David Mitchell’s work to argue that “both English and German sources during the eugenics era portrayed . . . the death of disabled people as a benefit to the nation” just as enslaved black bodies were deemed a benefit to the nation so long as they represented a valuable labor force. Thus, in a curious complication, although on the one hand “becoming disabled” as described in Spillers’ text rendered black bodies as profitable to slave masters, this profitability was only temporary because it “overlooks the mortality that always accompanies slave systems, particularly for human chattel who become disabled as a result of inhumane labor and living conditions or for those killed after being born with a disability on slave plantations” (Snyder and Mitchell 2006, 122). To the ship crew of mostly European men undertaking the Middle Passage, those bodies, “black as Ethiops, and so ugly, both in features and in body, as almost to appear (to those who saw them) the images of a lower hemisphere” (De Azurara as qtd. in Spillers 1987, 70) were nothing more than cargo to be transported to the New World by sea and to be traded for unimaginable profit because of their obvious “physical” impairments. Here, the conceptualization of black subjectivity as impaired subjectivity is neither accidental nor metaphorical. Rather it is precisely at that moment when one class of human beings was transformed into cargo that black bodies become disabled and disabled bodies become black. Further, it is also important to note that blackness itself does not stand in for skin color. Black and disabled are not just linguistic tropes used to delineate difference, but are, instead, materialist constructs produced for the appropriation of profit in an historical context where black disabled bodies were subjected to the most brutal violence. Spillers describes the brutal violation of black flesh with “eyes beaten out, arms, backs, skulls branded, a left jaw, a right ankle, punctured; teeth missing, as the calculated work of iron, whips, chains, knives, the canine patrol, the bullet” (67). Although Spillers (1987) describes these markings on the flesh as “the concentration of ethnicity” in a culture “whose state apparatus, including judges, attorneys, ‘owners,’ ‘soul drivers,’ ‘overseers,’ and ‘men of God,’ apparently colludes with a protocol of ‘search and destroy’” (67), I argue that these same markings on the flesh, quite simply, also produce impairment. Here, impairment is not just biological/natural, it is also produced in a historical, social, and economic context where the very embodiment of blackness and disability “bears in person the marks of a cultural text whose inside has been turned outside” (p. 67). Here, the historical conditions of a nascent colonialist transnational expansion of capitalism are responsible for the violent reconfiguration of the flesh such that **it becomes almost impossible to even imagine the sovereign subject**, now mutually constituted via race, disability, and gender as a dehumanized commodity. Thus, rather than posing a simple causal effect (viz. that slavery produces disability), I argue, on the other hand, that both disability/impairment and race are neither merely biological nor wholly discursive, but rather **are historical materialist constructs imbricated within the exploitative conditions of transnational capitalism.** A similar imbrication of race and disability can be observed in the historical context of Jim Crow. Interestingly enough, one story of the origin of the term “Jim Crow” describes how in 1830, a white, minstrel show performer, Thomas “Daddy” Rice, blackened his face with charcoal paste or burnt cork in imitation of a crippled, elderly black man dancing and singing the lyrics to the song, “Jump Jim Crow.” Here, yet again, is an often unremarked intimate association of race and disability that materialized into legal statutes that “enforce[d] and reinforce[d] the compulsory crippling and enfeeblement of entire ‘colored populations’” (Schweik 2009, 186). Here, yet again, black bodies and disabled bodies are inextricably intertwined in the punitive patrol of bodily boundaries. Alexander (2010) locates the origins of Jim Crow in the backlash against the gains earned by the former slaves during the Reconstruction Period enacted by the southern elite plantation class. Following the civil war, the dearth of social laws and customs to maintain white control gave rise to white elite fears of a possible insurrection by an angry mass of black men. It was in this context that vagrancy laws and other laws accusing African Americans of “mischief” and “insulting gestures” were utilized to incarcerate large numbers of African American men who then became part of the convict labor force and who thus reentered into yet another system of extreme repression and control. Moreover, the severe agrarian depression of the late 1880s and 1890s enabled an unlikely alliance between poor /working class whites and African Americans in the south. Thus, it was around this time that the white elite fearful of a possible challenge to its social and economic power proposed a slew of segregation laws intended to drive a wedge between poor whites and African Americans—laws that later came to be known as Jim Crow. Thus, by the turn of the century, every state in the South supported laws that sanctioned racial ostracism in virtually every aspect of social life that extended to schools, churches, hospitals, prisons, cemeteries, asylums, etc. (Alexander 2010). Jim Crow, therefore, enabled even lower class whites to maintain some sort of psychological superiority over African Americans. In many ways the vagrancy laws just described above appear to be the precursor to the “ugly laws”—public ordinances that were proposed in the late 1800s that barred any “person who is diseased, maimed, mutilated, or . . . deformed, so as to be an unsightly or disgusting object” (293) to remain in public view or else be to fined or imprisoned (Schweik 2009). Schweik argues that these unsightly beggar ordinances were used to define a certain form of despised whiteness—disabled white trash—and therefore functioned as an “allegory of identity” (185), fleetingly exposing the very real class antagonisms and ableist assumptions in an already racially stratified society. Recognizing “ugly laws” as part of the same project as Jim Crow, Schweik observes that such ordinances reveal an oppressive “investment in, the disciplining of, the anxious management of skin . . . loaded with social as well as medical significance” (187). Alexander (2010), in marking parallels between Jim Crow and mass incarceration, echoes Schweik’s observation when she argues that what it means to be a criminal in our collective consciousness has become conflated with what it means to be black (193) . . . For black youth, the experience of being “made black” often begins with the first police stop, interrogation, search, or arrest. The experience carries social meaning – this is what it means to be black (194) . . . For the [racial caste] system to succeed . . . black . . . [youth] must be labeled criminals before they are formally subject to control . . . This process of being made a criminal is, to a large extent, the process of “becoming” black. (195) Here, Alexander describes “becoming” black as a “‘body-based’ disqualification” (Snyder and Mitchell 2006, 400) that presumes an in-built inferiority/ deviance **that being biologically encoded would therefore be almost impossible to transcend.** What Alexander misses in her analysis is that disability serving as the “master trope of human disqualification” (Mitchell and Snyder 2001, 3) is deployed to give oppressive credence to this flawed equation: criminal = black youth. Here, remapping the historical continuities with earlier times, the simultaneous process of “becoming black” AND “becoming disabled” described uncritically as “natural” deviance foregrounds a complex intersectional politics of race, class, and disability that is used to justify the incarceration of “outlaw” bodies that eventually become profitable commodities in the neoliberal prison-industrial-complex of late capitalism. Furthermore, the historical continuities between Jim Crow, the ugly laws, and the contemporary context of mass incarceration mirror in many ways eugenic ideologies that imagined a “uniquely modern utopian fantasy of a future world **uncontaminated by defective bodies** — either disabled, racialised, or both at the same time” (Mitchell and Snyder 2003, 861).

#### Tropes of disability determine the pathology of blackness – the K is a prior question

Taylor 14 (Ashley Taylor, “The Discourse of Pathology: Reproducing the Able Mind through Bodies of Color”, 11/6/14, <http://onlinelibrary.wiley.com.proxy.lib.umich.edu/doi/10.1111/hypa.12123/full)>

Du Bois's distinction between these realms still resonates loudly with contemporary analyses of race consciousness and black subjectivity. The current criticism and oft-times rejection of race essentialism results from the acknowledgment that race is a social and discursive construction that marks some bodies as different, based, albeit contingently, on morphological differences (Alcoff 2006, 196). As Linda Martín Alcoff argues, race is something that exists “on the body itself,” as the act of interpretation of “visible” difference is made indistinguishable from the act of seeing (196–97). Racial designations are therefore always over-determined by visible differences. Further, racial classifications are always those of nonwhiteness. These discursive demarcations of nonwhiteness are normative to the extent that they are accompanied by a designation of some embodiments as lacking, as less than, as incomplete. In this binary the white subject is whole, stable, and healthy, whereas the nonwhite subject suffers an inchoate and unstable being-in-the-world; the latter is always a “dependent category” (Orosco 2002, 74). Thus Du Bois's original invocation shows that the black subject is one who is split between worlds, between ways of identifying and being identified that are beyond his control. This splitting is presented as the result of racist misrecognition, as the racial—black—subject is recognized only in relation to and as a negation of white subjectivity. Kelly Oliver describes this process of misrecognition: whereas the “normal”—white—subject develops his ego in seeing himself reflected back in the other, the black, racialized subject's experience is reversed, as he sees himself not in the other, but rather through the eyes of the other, to recall Du Bois's description. Oliver writes, “the racist mirror binds the black subject to an egoless body that is fragmented and powerless” (Oliver 2001, 33; emphasis added). I emphasize these key descriptors to remark on the disunity that is attributed to and that is used to describe black subjectivity; if, as Oliver contends, this “socially split subjectivity [is] inherent in racism” (33), then **the experience of racism is the experience of fragmentation and psychic instability.** Oddly, then, because of Harris's use of the tropes of madness and autism—tropes of the disabled mind—her framing of multiple consciousnesses invites us to **associate the described multiplicity of black subjectivity with pathology,** even while she works to reclaim multiple consciousnesses as an adaptation to a racist world. Of course, Harris's invocation of tropes of mental incompetence—the autistic and the madman—occurs in the theoretical context of acknowledging the socially patterned denigration of people of color. Her participation in the discourse of pathology is therefore different from that which was illustrated in my earlier examples from Frye or of Jeantel. Nevertheless, her perfunctory use of such tropes—and unexamined association between mental disability (madness, autism) and undesirable subjectivity—is an important example of the way in which mental ableism operates within academic theorizing aimed at challenging oppressive discourse, leaving intact the ideal of the able mind. Consider, further, María Lugones's iconic description of “world-traveling” as “a kind of ontological confusion about myself that we, women of color, refer to half-jokingly as ‘schizophrenia’” (Lugones 1987, 8–9). For Lugones this “traveling”—albeit imposed and compulsory as a matter of survival—has subversive potential; boundary-crossing can invite playfulness between dominant and nondominant worlds or subjectivities and amount to a more playful or embracing sense of “plurality in each of us.” She describes her experience, as a woman of color, as a “two-imaged self” (13), crossing between worlds in which she is characterized as either “playful” or as serious: it is possible to “take a hold of a double meaning” of oneself, to embrace and allow for internal contradiction and incompatibility (14). Finally, it is “an openness to being a fool… a combination of not worrying about competence, not being self-important, not taking norms as sacred and finding ambiguity and double edges as a source of wisdom and delight” (17). Playfulness is fundamentally not an expression of competence, an assertion of wholeness, stability, or completed subjectivity. Lugones therefore clearly affirms the normalcy of the perceived-as-inchoate subject. However, although her recommendations and her embracing of the “two-imaged self” seem to offer a way out of our binary of the able/disabled mind, her references to the “schizophrenic” movement of multiple consciousnesses and “openness to being a fool” fail to disrupt the trope of mental disability itself. She embraces incompleteness, but invites the association of psychiatric disability (schizophrenia) with ontological confusion, and cognitive disability (being a “fool”) with incompetence.3 **So long as the association of mental disability with incompetence is upheld, we cannot adequately confront the continuous maintenance of compulsory able-mindedness and, importantly, its easy association with people of color**. As Nicki reminds us, it is not (only) that we need to subvert the link between mental disability and incompetence, but, moreover, **we need to dispel the deeply ingrained assumption that our mind is ever under our complete control** (Nicki 2001, 93), indeed, that any of us ever meets the ideal of able-mindedness. Lugones's insights do take us halfway in questioning this myth of control, but nevertheless retain the association of mental disability with incompetence.

#### RC Card

Taylor 14 (Ashley Taylor, “The Discourse of Pathology: Reproducing the Able Mind through Bodies of Color”, 11/6/14, <http://onlinelibrary.wiley.com.proxy.lib.umich.edu/doi/10.1111/hypa.12123/full)>

Pathologizing the Mind and Marginalizing the Body

In this section, I show how the ideal of able-mindedness has its roots in racialized, gendered, classed, and sexualized ideas about bodily normalcy, beauty, intelligence, and competence, and how these norms continue to regulate bodies of color. Dominant cultural representations of disability together with active social policies, the material conditions of war, disease, famine, and so on work along the intersectional axes of gender, race, sexuality, class, and ability to condition who is thought to belong within the nation-state and who enjoys the entitlements of citizenship (Erevelles 2011). Complicating one's positioning as disabled and one's experience of disablement, moreover, is one's status within other social categories and identity markers. This internal multiplicity of identity and one's consequent material conditions of existence—financial resources, access to health care, protection and security, family and friendship—are complicated by racial norms of whiteness, normative gender, social class, and heterosexuality, which together condition who has access to public institutions and who is granted decision-making authority (Erevelles and Minear 2010).

Many disability scholars have explored the historical origins of ideas about disability and the social processes that have resulted in our current understanding of it, including the framing of persons with disabilities as objects of pity, social control, and eradication. Susan Schweik, for example, traces these historical processes to the so-called “ugly laws” of the late nineteenth century, developed in response to what was seen as the social problem of visible disability and its threat to the aesthetic sanctity of public city streets. These laws, enacted to repress diversity within public spaces, prevented or regulated a variety of street activities that people with disabilities engaged in, including begging, performing, and drawing gawking crowds, the latter because it created opportunity for such people to make political statements (Schweik 2009, 56–57). Interestingly, Schweik shows how the ugly laws not only introduced a regime of social control but also effectively named certain bodies—overwhelmingly those of the poor and new immigrants—as distasteful and unsightly, in contrast to those that were seen as healthful, attractive, and public. The policing of public spaces fed the development of segregated private spaces of institutions and asylums for those deemed threatening to social hygiene, understood not only in medical terms, but also in the rhetoric of social etiquette and aesthetics (Schweik 2009).

This sort of “out of sight, out of mind” response to disability found its counterpart in the eugenics movement that sought to prevent the birth of, and in some cases eradicate, apparently deviant individuals. Institutions provided a space that would house the socially “unfit” and allow them to be managed and subjected to medical interventions; they provided a remedy to the perceived “burden” and eventually “menace” of the so-called “feeble-minded,” a catch-all term for people perceived as mentally and often morally degenerate (see Trent 1994). Eugenics discourse developed out of ideas about human standards and normalcy rooted in—and justified by—scientific theory and investigation. The statistics concept of the norm, for example, informed early eugenicists’ thinking about the “average man,” which took on normative dimensions as applied to ideas about normalcy and nondeviance (Davis 2010, 7). With apparently scientific measurements about normalcy, eugenicists could identify and classify social deviance. Images of these cultural constructions of normalcy were widely disseminated as laypeople were encouraged to internalize this divide between normal and deviant (see Ferri and Connor 2006). The legalized practice of eugenic sterilization represented the pinnacle of the eugenics movement, rationalized as it was by the presumed progressive ideas of scientists.

Importantly, the social organizing processes enacted through eugenics and the ugly laws relied on highly racialized and gendered ideas about competence and morality (see Stubblefield 2007). Here, ability—specifically able-mindedness—interacted with the meaning attached to existing ideas about the value of women and people of color, and especially their bodies. As Anna Stubblefield has documented, “feeble-mindedness” was disproportionately attributed to women, especially poor women, and people of color, whether new immigrants, indigenous people, or black Americans. Stubblefield connects the construction of feeble-mindedness with the idea of “tainted whiteness,” which marked nonwhites as impure and reified whiteness as purity: “cognitive ability was constructed as the touchstone in a way that linked race to class and gender and created the tangled mess that we are still untangling today” (Stubblefield 2007, 179). In Stubblefield's analysis, then, we see that the entanglement of race and gender with intellect and mental competence produced a notion of able-mindedness out of putatively deviant embodiments (see also Stubblefield 2010). The physical embodiment of whiteness—that is, one's assessment as racially “white”—becomes synonymous with normalcy and stability, a model of beauty, intelligence, morality, and able-mindedness. The consequences of this social oppression and exclusion can be found in contemporary examples of denials of freedom and agency through institutionalization, lack of access to health care and employment, and poor quality of education experienced by those assessed as mentally ill and as intellectually impaired (see Artiles 2011; Price 2011; Sullivan 2014).

Unfortunately, these gendered and racialized assessments of feeble-mindedness continue. For women, the experience of having one's intelligence, competence, even credibility judged by bodily appearance is commonplace. The feminine body is one that is expected to resemble an impossible ideal of beauty, based on a body that is very unhealthy for most women to maintain. Women frequently spend a great deal of time, energy, and money conforming to this ideal—plucking, shaving, waxing, nipping, tucking, tightening, bleaching, and even starving. In fact, even as eating disorders are recognized as mental health conditions (Herper 2004), we continue to regard women who fail to fit into the bodily model of thinness and fitness as weak and lacking competence, whether it be lack of discipline, self-control, or motivation (Herndon 2011). Says April Herndon, “Physically discernible ‘imperfections’ such as fatness manifest as further evidence of women's pathologies” (Herndon 2011, 246). Aristotle's assessment that women are “mutilated males” takes on a rather grotesque meaning when we consider these contemporary norms of beauty and self-care (see Garland-Thomson 1997, 19–20).

(Sometimes imagined) experiences of bodily vulnerability, weakness, and dependency continue to be associated with undesirable gender, and they are equally central to the construction of race. Black bodies, for example, and disabled bodies are similarly cast as deviant within popular culture (Garland-Thomson 1997; Bailey and Zita 2007), with black women's bodies being represented as simultaneously lascivious and grotesque (Hobson 2003, 87). The persistent obsession with the black female form, exemplified in the display of Saarrtjie Baartman, the so-called Hottentot Venus in nineteenth-century London, and contemporarily in popular music, movies, and television, occurs both as a fetishization of bodily difference and a devaluation of it. Imani Perry argues that black women's bodies are used in hip-hop videos to conjure a connection between sex and consumerism: “the women are often presented as vacuous, doing nothing but swaying around seductively. Their eyes are averted from the camera, thereby allowing the viewer to have a voyeuristic relationship to them. Or they look at the camera, eyes fixed in seductive invitation, mouth slightly open. Extremely rare are any signs of thought, humor, irony, intelligence, anger, or any other emotion” (Perry 2003, 137). Male pornographic fantasies can therefore be written upon these women's minds and not simply their bodies. They are not so much lacking able-mindedness as they are lacking minds entirely.

At the same time, struggles for positive black female subjectivity—and celebration of the black body—“constantly grate against the distorted images of the dominant culture” (Hobson 2003, 89). Positive representations of the black female form require an “oppositional stance” (89) that places advocates in the position of having to argue against dominant ideals of beauty and the protectionist stance toward aesthetics. Yet in resisting this cultural reproduction, black women risk being written off as angry, disturbed, even crazy (Hobson 2003). In this way, the possibility of the oppositional, nonconforming black woman slides into the territory of pathological resistance, embodying a lack of self-control, an unwillingness to cooperate, or an inability to be reasonable. Thus, equally powerful as physical constructions of black femininity as deviant are prevailing attributions of weak or deviant mental characteristics—recalling feeble-mindedness—to women of color.

### Baudrillard

#### Baudrillard romanticizes disabled bodies

Campbell 9 (Fiona Kumari Campbell, “Contours of Ableism: The Production of Disability and Abledness”, 2009, https://www.freelists.org/archives/sig-dsu/08-2013/pdfyWdtytodrO.pdf)

In my discussion on internalised ableism in Chapter 2, I have already made mention of the numbers of disabled people standing in line to join the queue of the enhanced. These are the disabled people who live out their lives from an ableist standpoint where disability can only be viewed from the perspective of negative ontology. The anti-disabled disabled re at worst norm junkies and at best norm emulators. Jean Baudrillard rather discourteously in my opinion suggests that disabled people would make excellent candidates in the transhuman project:

Such are the blind, and the handicapped; mutant figures because mutilated and hence close to commutation, closer to this telepathic, telecommuniational universe than we others: humans all-too-human, condemned by our lack of disabilities to conventional forms of work. By the force of circumstance the disabled person is a potential expert in the motor or sensorial domain. And it is not by chance that the social is aligning itself more and more with the handicapped, and their operational advancement they can become wonderful instruments because of their handicap. They may precede us on the path towards mutation and dehumanization. (Baudrillard, 1988 cited Over boe, 1999, p. 21)

This romanticisation of suffering bodies (endemic to certain kinds of Christian theology) has been replaced by a new Baudrillardian transhuman romanticism, where disabled people are likened in closer proximity to the twilight zone of mutation. Some disabled people with a mindfulness towards their impairment gravitate to transhumanism in order to gain supra-abilities. We have to cast our minds beyond the dust of a mere instrumental argument about the attraction of post-human technologies for disabled people and focus on the discursive shifts in the overall meaning and positioning of abnormality. My interest is in the ‘lot’ of those able-bodied people – who may become the ‘new disabled’, the new aberrancy, and oppositional sentiency produced by the transhuman.

My hunch is that whilst the movement towards transhumanism may bring gifts for the movement towards transhumanism may bring gifts for the contemporary ‘needy’, the transhuman project, as it is founded on an unbridled form of ableism combined with an ‘obsessive technological compulsion’, will involve a meagre shuffling of the deckchairs – a rearranging of ‘bums in seats’. The rankings remain the same (albeit with new labels that tell us and others who we are). Transhumanism reasserts systems of ranking bodies; vertical and horizontal rankings creating global raced divides. Its appetite is fed by the moral panic of a world awash with disorders, enveloped by dementia as the population ages (Chatterjee, 2007).

The schema of Hughes (2001) further diminishes the ‘rights’ of people with intellectual disability (only having the right to life) and bears with it an inference that enhancement technologies can do ‘nothing’ for those deemed severely retarded [sic]. Little is said within this new ranking about the creation or broadening of new kinds of ‘intellectual’ disability because of the emergence of cognitively enhanced post-humans and the stripping or delimitation of characteristics deemed to be cognitive. The point being that not all cognitive enhancements will be valued. There may be a division between those enhancements that transcend or favour disembodied virtues, rather than enhancements geared towards the senses or emotions. Within this world of the transhuman ableism as an ethos is undisputed. ON first sight a transhumanist understanding of disability would appear to be progressive in its rejection of the disabled body as defective. However, since normalcy is under its logic quashed and the pathological is expanded, ALL human bodies are defective!

What do Extropian’s and other transhumanists think about human impairment, anomalous bodies regarded as disabled? It is hard to tell – explicit discussion about disability concerns in the literature has been limited (for exceptions, see Bostrom, 2006; Wolbring, 2006a, 2007). However, my intuition is that disability as a form of legitimate sensibility would be frowned upon. Stock (2002), for instance, appears ambivalent – he notes that deaf people who want deaf children can utilise new reproductive technologies to make that selection. Yet when it comes to any ethical consideration of these choices, Stock’s response is that these choices should be left to parents until these choices amount to child abuse or endanger society. Simplicity of the argument aside, Stock demonstrates little awareness of contested notions of child abuse and social

### Competitiveness

#### Competitiveness presents the facade that “every student can succeed” with enough effort while leveling all difference in favor of the productive worker

Dudley-Marling and Dippo 95 (Curt Dudley-Marling is a professor of education in the faculty of education at York University, Toronto, Ontario. Don Dippo is an associate professor in the faculty of education at York University, “What Learning Disability Does: Sustaining the Ideology of Schooling”, 8/1/1995, SAGE Journals, p. 410-412, http://journals.sagepub.com.proxy.lib.umich.edu/doi/abs/10.1177/002221949502800704)

One of the principal needs fulfilled by the category of learning disabilities is that it explains an anomaly in the discourse of schooling. One of the most powerful tenets of schooling that is taken for granted is that effort and capacity are what count. There is, however, a group of children who appear to have the potential (IQ) but do not succeed in school even with effort. The theory of learning disabilities— generally understood as a discrepancy between ability (IQ) and achievement presumed to be due to neurological factors—explains this anomaly by adding another factor, (dis)ability, to the achievement equation. Normally, capacity plus effort results in school success, unless a disability intervenes—in this case, a learning disability. Learning disability theory also functions to preserve conventional assumptions about the role of potential and effort in school achievement by placing responsibility for school failure within individual students. This enables schools to explain the anomaly of learning disabilities without having to consider more troubling explanations for school failure—for example, that factors such as race, class, culture, gender, and ethnicity are as important in school success as either effort or capacity. Stories that are part of learning disabilities folk wisdom about eminent men like Rodin, Einstein, and Edison who overcame their learning disabilities (Coles, 1987; Lerner, 1981) further reinforce the role of effort in school discourse by providing tangible evidence of the value of schooling and hard work. Learning disability theory also functions to sustain beliefs about the role of individual differences in schools. The very presence of school programs for students with learning disabilities understood in terms of both inter- and intra-individual differences—supports the belief that schools recognize, accept, and accommodate individual differences. However, contradictions in the discourse of learning disabilities— which mirror contradictions about individual differences in the discourse of schooling—reveal another meaning of "difference" in schools. Learning disabilities rhetoric may be about difference, but learning disabilities practice, which stresses (a) adaptive behavior; (b) coping strategies; and (c) right (i.e., normal) ways of thinking (abstract, not concrete; Carrier, 1986), talking, and interacting, has the effect of "normalizing" students while leaving unchallenged conventional notions of what is normal or natural. The assumption that learning disabilities persist throughout life (American Association for Children and Adults with LD, 1985) means that individuals labeled as learning disabled need to learn strategies to overcome their disabilities. But there is the sense that "overcoming" means minimizing or eliminating differences (i.e., "passing for normal"). So at the same time that the field of learning disabilities accommodates diversity by providing for the needs of individual children and adults, it limits diversity in the schools by reinforcing a rigid, narrow definition of what counts as normal behavior. Learning disability theory, at least the way it is constructed in schools, reveals the true meaning of difference and diversity in our schools: **Differences, in the name of education, are to be leveled. A key assumption in the discourse of schooling, that "competition is good," depends on the corollary, "competition is fair."** Presumably, competition is acceptable only if everyone has an equal opportunity to succeed. The behavioral, skills-based instruction that is the foundation of learning disability practice sustains the belief that school curricula are culturally neutral (i.e., fair) by limiting the discussion of teaching practice to "method." However, "disputes about . . . correct procedures, whether in medicine or in teaching, are never merely technical" (Fulcher, 1989, p. 263). They are located within a moral system of values and a political system that has established a hierarchy of values (Fulcher, 1989). But, if instruction equals method, then there is no reason to consider the cultural or moral content of what is being taught. From this perspective, the strong relationship between family income and school achievement (Edelsky, 1991) is seen not as a challenge to the cultural fairness of school curricula, but as an affirmation of the values of middle and upper-middle-class homes. Another contradiction in learning disability discourse further reinforces the myth that school curricula are unbiased. The behavioral technology that dominates learning disabilities practice acknowledges individual differences through its promise to "begin where the child is." However, the claim that behavioral laws are universal—applying to everyone, all the time—effaces individual differences based on factors such as race, class, culture, ethnicity, and gender. Behaviorism sustains assumptions of fairness by implying that, because we are all the same anyway, questions about cultural fairness do not really matter. Finally, learning disabilities provide a practical solution to a dilemma created within school discourse when provisions are made to offer humane alternatives to the rigorous competition of schooling. Historically, many middle- to upper-middle-class parents, who had certain aspirations for their children, were willing, even anxious, to accept extra support for their children when they struggled in school. However, these same parents were unwilling to accept the price of existing special education programs, which **included giving up any realistic chance of highpaying, prestigious, secure careers** for their children (Carrier, 1986; Sleeter, 1987). The field of learning disabilities, by constructing its clients as "normally intelligent," provides support for individual students without necessarily blocking either their own or their politically influential parents' aspirations (see Note 2). Assumptions about schooling do not exist, and cannot be understood, apart from the social context within which schools reside. In the next section we examine the ideological context that creates the need for such a category as learning disabilities by explicating the relationship between school-based discourse and dominant discourse outside of schools. Ideology of Schooling: The Context That Creates the Need The field of learning disabilities has arisen in a context in which discussions of schooling are increasingly limited to the role of schools in serving the needs of the economy. In this section we take up both the economic conception of schooling and the issue of who benefits from such a view. The Needs of the Economy Critics of public education who view schooling through the lens of economic competition conclude that schools are riot adequately preparing students for the rigors of the workplace. Education reforms emerging from governments and the business communities stress bringing schooling even more closely in line with society's economic needs. Historians of education in Canada and the United States have observed that the motivating forces behind compulsory schooling have always been some combination of social control and economic development (what the British liked to call "gentling the masses"; see Cremin, 1988; Houston & Prentice, 1988; Osborne, 1991). The **production of responsible citizens and productive workers** has long been touted as the only legitimate goal of compulsory public schooling. In current social, political, and economic contexts, there are certain versions of "the responsible citizen" and "the productive worker" that are more highly valued than others. Media pundits, politicians, and business leaders make daily pronouncements about the knowledges, skills, and attitudes needed to be responsible and productive in a postindustrial society. These authorities seem clear on the kinds of adults the future will require, and schools are very much implicated in the process of producing them. According to this vision, the responsible school citizen (and future productive worker) is one who has learned, among other things, to do homework on time, to not question the authority or expertise of the teacher, to compete for grades, and generally not to make trouble. It matters little in the long run (though one would never surmise this from the current debates) whether classrooms are organized around texts and workbooks or activity centers, as long as the expectations for students focus on obedience and conformity. To better serve the needs of the economy, promote productivity, and enhance international competitiveness, education institutions, from departments of education to classrooms, are increasingly expected to become more accountable, to ensure effectiveness of instruction, and to **enforce uniform standards of excellence**. Such "reform" measures, we are assured, will create a "win/win" situation both for society (through the economy) and the individual. The economy benefits by being continuously provided with a high-quality human resource, and the individual benefits by being provided with a learning environment that supports individual growth and achievement—"where everyone can be the best they can be and develop to their true potential." These images of good citizenship and productive workers, and the kinds of learning environments based on efficiency of instruction and individual achievement they require, both assume and promote an understanding of the person that Apple (1982), following MacPherson (1962), called "possessive individualism." From within this frame of reference, Apple (1982) noted that the mark of a good pupil is the possession and accumulation of vast quantities of skills in the service of technical interests. As an ideological mechanism in the maintenance of hegemony this is rather interesting. In the larger society, people consume as isolated individuals. Their worth is determined by the possession of material goods. . . . The accumulation of such goods or of the ' 'cultural capital'' of technical competence—here atomistic bits of knowledge and skills measured on pre-tests and post-tests—is a technical procedure, one which requires only the mastery of the prior necessary technical skills and enough time to follow the rules, at one's own pace, to their conclusion. (p. 262) Within this dominant discourse of schooling (based on the twin pillars of "normal distribution" and "meritocracy"), every student can achieve to ~~her or his full~~ (their) potential (not equal, but normally distributed) when placed in a competitive environment that supports and encourages each student to put forth her or his own best effort, while making allowances for individual differences in rate of accumulation (i.e., working at one's own pace). It is important to note how difference is acknowledged in this account. Difference in capacity (as determined by IQ) is recognized; hence equality of achievement or outcome is never expected. Rather, the claim is that schools can provide equality of opportunity for each student to achieve to her or his full potential. **Difference in ability is also recognized but is defined as a matter of pace**—some are fast and some are slow, but all can get there (to a uniform standard or to their true potential?), given sufficient time. Given differences in capacity and differences in ability, the determining factor in achieving to one's full potential is effort. And here is where **individualizing is most insidious: Best effort is required and best effort is expected, and a competitive environment is what really brings out best effort.** Those who do not achieve to their full potential, given sufficient time and the right learning environment, have only themselves to blame—they are lazy, unmotivated, not willing to put forth the effort, and, therefore, deserving of their fate (low academic achievement and the consequent lack of social and economic rewards).

### Climate

#### The embracement of disability is a prerequisite to effective climate change discourse that challenges the productive destruction of the environment

Wolbring, Gregor 2009 (Gregor is a ability governance researcher, a health researcher, a vari-ability//ability/disability studies scholar, a governance of science and technology researcher, a bioethicist and a biochemist., “A Culture of Neglect: Climate Discourse and Disabled People”, http://journal.media-culture.org.au/index.php/mcjournal/article/viewArticle/173/0)

Although climate change will disproportionately impact disabled people, despite the less than stellar record of disaster adaptation and mitigation efforts towards disabled people, and despite the fact that other social groups (such as women, children, „the poor‟, indigenous people, farmers and displaced people) are mentioned in climate-related reports such as the IPCC reports and the Human Development Report 2007/2008, the same reports do not mention disabled people. Even worse, the majority of the material generated by, and physically set up for, discourses on climate, is inaccessible for many disabled people (Australian Human Rights Commission). For instance, the IPCC report, Climate Change 2007: Impacts, Adaptation and Vulnerability, contains Box 8.2: Gender and natural disasters, makes the following points: (a) “men and women are affected differently in all phases of a disaster, from exposure to risk and risk perception; to preparedness behaviour, warning communication and response; physical, psychological, social and economic impacts; emergency response; and ultimately to recovery and reconstruction”; (b) “natural disasters have been shown to result in increased domestic violence against, and post-traumatic stress disorders in, women”; and (c) “women make an important contribution to disaster reduction, often informally through participating in disaster management and acting as agents of social change. Their resilience and their networks are critical in household and community recovery.” The content of Box 8.2 acknowledges the existence of different perspectives and contributions to the climate discourse, and that it is beneficial to explore these differences. It seems reasonable to assume that differences in perspectives, contributions and impact may well also exist between people with and without disabilities, and that it may be likewise beneficial to explore these differences. Disabled people are differently affected in all phases of a disaster, from exposure to risk and risk perception; to preparedness behaviour, warning communication and response; physical, psychological, social and economic impacts; emergency response; and ultimately to recovery and reconstruction. Disabled people could also make an important contribution to disaster reduction, often informally through participating in disaster management and acting as agents of social change. Their resilience and their networks are critical in household and community recovery, important as distributors of relief efforts and in reconstruction design. The Bonn Declaration from the 2007 international conference, Disasters are always Inclusive: Persons with Disabilities in Humanitarian Emergency Situations, highlighted many problems disabled people are facing and gives recommendations for inclusive disaster preparedness planning, for inclusive response in acute emergency situations and immediate rehabilitation measures, and for inclusive post-disaster reconstruction and development measures. Many workshops were initiated by disabled people groups, such as Rehabilitation International. However, the disabled people disaster adaptation and mitigation discourse is not mainstreamed. Advocacy by people with disability for accessible transport and universal or “life-cycle” housing (among other things) shows how they can contribute significantly to more effective social systems and public facilities. These benefit everyone and help to shift public expectations towards accessible and flexible amenities and services—for example, emergency response and evacuation procedures are much easier for all if such facilities are universally accessible. Most suggestions by disabled people for a more integrative, accessible physical environment and societal attitude benefit everyone, and gain special importance with the ever-increasing proportion of elderly people in society. The IPCC Fourth Assessment Report is intended to be a balanced assessment of current knowledge on climate change mitigation. However, none of the 2007 IPCC reports mention disabled people. Does that mean that disabled people are not impacted by, or impact, climate change? Does no knowledge of adaptation, mitigation and adaptation capacity from a disabled people lens exist, or does the knowledge not reach the IPCC, or does the IPCC judge this knowledge as irrelevant? This culture of neglect and unbalanced assessment of knowledge evident in the IPCC reports was recognised before for rise of a „global‟ climate discourse. For instance, a 2001 Canadian government document asked that research agendas be developed with the involvement of, among others, disabled people (Health Canada). The 2009 Nairobi Declaration on Africa‟s response to climate change (paragraph 36) also asks for the involvement of disabled people (African Ministerial Conference on the Environment). However, so far nothing has trickled up to the international bodies, like the IPCC, or leading conferences such as the United Nations Climate Change Conference Copenhagen 2009. Where Will It End? In his essay, “We do not need climate change apartheid in adaptation”, in the Human Development Report 2007/2008, Archbishop Desmond Tutu suggests that we are drifting into a situation of global adaptation apartheid—that adaptation becomes a euphemism for social injustice on a global scale (United Nations Development Programme). He uses the term “adaptation apartheid” to highlight the inequality of support for adaptation capacity between high and low income countries: “Inequality in capacity to adapt to climate change is emerging as a potential driver of wider disparities in wealth, security and opportunities for human development”. I submit that “adaptation apartheid” also exists in regard to disabled people, with the invisibility of disabled people in the climate discourse being just one facet. The unwillingness to accommodate, to help the “other,” is nothing new for disabled people. The ableism that favours species-typical bodily functioning (Wolbring, “Is there an end to out-able?”; Wolbring, “Why MBIC?”) and disablism (Miller, Parker, and Gillinson)—the lack of accommodation enthusiasm for the needs of people with „below‟ species-typical body abilities and the unwillingness to adapt to the needs of “others”—is a form of “adaptation apartheid,” of accommodation apartheid, of adaptation disablism that has been battled by disabled people for a long time. In a 2009 online survey of 2000 British people, 38 per cent believed that most people in British society see disabled people as a “drain on resources” (Scope). A majority of human geneticist concluded in a survey in 1999 that disabled people will never be given the support they need (Nippert and Wolff). Adaptation disablism is visible in the literature and studies around other disasters. The 1988 British Medical Association discussion document, Selection of casualties for treatment after nuclear attack, stated “casualties whose injuries were likely to lead to a permanent disability would receive lower priority than those expected to fully recover” (Sunday Morning Herald). Famine is seen to lead to increased infanticide, increased competitiveness and decreased collaboration (Participants of the Nuclear Winter: The Anthropology of Human Survival Session). Ableism and disablism notions experienced by disabled people can now be extended to include those challenges expected to arise from the need to adapt to climate change. It is reasonable to expect that ableism will prevail, expecting people to cope with certain forms of climate change, and that disablism will be extended, with the ones less affected being unwilling to accommodate the ones more affected beyond a certain point. This ableism/disablism will not only play itself out between high and low income countries, as Desmond Tutu described, but also within high income countries, as not every need will be accommodated. The disaster experience of disabled people is just one example. And there might be climate change consequences that one can only mitigate through high tech bodily adaptations that will not be available to many of the ones who are so far accommodated in high income countries. Desmond Tutu submits that adaptation apartheid might work for the fortunate ones in the short term, but will be destructive for them in the long term (United Nations Development Programme). Disability studies scholar Erik Leipoldt proposed that the disability perspective of interdependence is a practical guide from the margins for making new choices that may lead to a just and sustainable world—a concept that reduces the distance between each other and our environment (Leipoldt). This perspective rejects ableism and disablism as it plays itself out today, including adaptation apartheid. Planned adaptation involves four basic steps: information development and awareness-raising; planning and design; implementation; and monitoring and evaluation (Smit et al). Disabled people have important knowledge to contribute to these four basic steps that goes far beyond their community. Their understanding and acceptance of, for example, the concept of interdependence, is just one major contribution. Including the concept of interdependence within the set of tools that inform the four basic steps of adaptation and other facets of climate discourse has the potential to lead to a decrease of adaptation apartheid, and to increase the utility of the climate discourse for the global community as a whole.

### Desire

#### Celebration of desire makes emancipation impossible

Erevelles 2000 (Nirmala Erevelles is a Professor in the Social Foundations of Education and Instructional Department of Education Leadership, Policy, and Technology Studies at the University of Alabama, "Educating Unruly Bodies: Critical Pedagogy, Disability Studies, and the Politics of Schooling", p. 38-39)

Once again, even though none of the authors makes any reference to disability in their essays, I would still like to examine the implications of their critiques for the disabled subject. Drawing on the poststructuralist position especially advocated by Kohli, it could be argued that the disabled body, not withstanding its marginal status, can resist the disciplining discourses of schooling by producing disruptive narratives that will “blow apart the fictions” that have located it outside the scope of desire.

Thus, on exploring the transgressive possibilities of this poststructuralist position, it could be argued that the disabled subject could transform herself into a subject of desire by deploying subversive interventions inspired by Gilles Deleuze and Felix Guattari’s invention of the “Body-without-Organs,” Judith Butler’s theory of “performativity and citationality,” and Donna Haraway’s dreams of “cyborgean entities,” so as to read alterity inscribed on the body in muliple and transgressive ways.45 Here, desire is defined as both autonomous and productive in its own right such that “[desire] is not bolstered by needs, but rather the contrary; needs are derived from desire: they are counterproducts within the real that desire produces.”46 Based on these claims, this poststructuralist formulation severs the relation between desire and need, and in doing so, has (re)conceptualized consumption (desire) as the productive force within the social relations of capitalism, such that the social is now reconceptualized as ‘‘a scene of desire and enjoyment that is postneed, postclass, postlabor, and postproduction.”

However, I am going to argue here that, notwithstanding the poststructural emphasis on desire, **for most disabled people it is need** that is foregrounded in their struggle for social justice, and not desire. In fact, referring to the statistics I had reported earlier, even though the disabled subject has historically occupied unruly spaces where (ir)rationality, (in)coherency, (in)completeness,and contingencies abound, these ex-cessive embodied experiences have done little to alleviate other experiences of abject poverty and involuntary social and economic segregation. As a result, many disabled people are compelled to be dependent on state welfare for their daily survival and are therefore relegated to the role of consumer within the social order, while at the same time not making any observable contribution to economic production. However, unlike the wealthy bourgeois consumer whose separation from the world of production is, in fact, celebrated because of her independent access to capital, the disabled subject’s singular role as a consumer is deemed parasitic and is especially despised for her (non)location on the social division of labor. Therefore, in the specific historical context of capitalism, where it is individualism that is valued and not dependence, the disabled subject is seen to inhabit a “despised body” and is relegated to the zone of Terror in the social sphere.

Given this material reality, I argue here that this poststructuralist celebration of the excessive subject of desire (the consuming subject) actually renders as **immaterial** its daily struggles for immediate economic survival - struggles that are waged in order to preserve the viability of the disabled body, even before it can become the transgressive site for the play of desire. Because poststructuralists regard structural analyses with suspicion, they have no means of accounting for how and why only certain subjects are interpellated into the role of bourgeois consumer with few unfulfilled needs, which therefore enables them to posit desire as a self- propelling social force. Additionally, poststructuralists also fail to acknowledge that the very interpellation of subjects into the roles of (non)producerand (non)consumer necessitates a division of labor that consequently also necessitates the existence of a class hierarchy based on class divisions. However, poststructuralism attempts to blur these hierarchies by claiming that power is not confined to particular nodes like the economy; on the other hand, following Foucault, they claim that power is diffuse, it exists everywhere. However, we do know that everyone does not have “equal access” to this power, particularly when access to this power also means access to knowledges, technologies, and most importantly access to the means of production. For example, disabled people who face economic deprivation on a daily basis seldom have access to the technology that can offer their ”unlivable” bodies the cyborgean possibilities that poststructuralists extol. When only the bourgeois subject can have access to such emancipatory possibilities, emancipation itself becomes a divisive force, (re)inscribing the very class divisions it seeks to dismantle and therefore renders the emancipatory possibilities for the desiring subject ineffective.

### Gender

#### Feminist theory uses tropes of disability to reinforce stable categories of gender and hierarchization

Taylor 14 (Ashley Taylor, “The Discourse of Pathology: Reproducing the Able Mind through Bodies of Color”, 11/6/14, http://onlinelibrary.wiley.com.proxy.lib.umich.edu/doi/10.1111/hypa.12123/full)

Feminist theoretical resistance to the essentializing and solidifying of gendered and racialized identities and embodiments has produced a wealth of scholarship exploring the merits and pitfalls of strategic essentialism, calls for coalition-building, and the political embrace of categorization, as well as the subversive potential of claiming multiple and fluid identities and applying an intersectional lens to instances of complex oppression and marginalization. Interestingly, however, **theorizing identity multiplicity seems to invite associations with mental disability**, especially within feminists’ and critical race theorists’ descriptions of identity multiplicity (Caminaro-Santangelo 2005). Consider Angela Harris's “Race and Essentialism in Feminist Legal Theory.” In this paper, Harris describes what are in her view two equally problematic stances toward thinking about racial difference, which she contrasts to illustrate the tension between holding to strict, fixed, and essential categories of identity, on the one hand, and, on the other hand, falling into a chaotic mess of difference. The latter stance—that of difference as radical singularity—is exemplified for Harris in the image of Borges's fantasy character Ireneo Funes, whose refusal to categorize renders his communication unknowable to others. In contrast is the voice of the “majority” that claims unanimity, exemplified by “we the people” of the US Constitution. This latter voice is that of essentialism, which reduces and fixes subjectivity in response to the chaos and “mindless pluralism” of Funes. Although Harris treats both the essentialist strategy and that of Funes-like pluralism as mutually problematic, the former invites much less panic. Indeed, she recognizes that essentialism feels “safe,” offering a sense of solidarity not available in particularity (Harris 2000, 606). Of course, the alternative is significantly more worrisome: “abandoning mental categories completely would leave us as autistic as Funes the Memorious, terrorized by the sheer weight and particularity of experience” (607; emphasis in original). Although this argument is compelling in its simultaneous recognition and troubling of the need for categorization, it is important to note that Harris employs particular tropes of pathology and mental incompetence to illustrate the difficulty of these unstable categories and their potential slipperiness into nonsensical insularity. In Harris's essay, we see these tropes emerge as representations of the instability and untenability of identity without categorization. For example, **the evocation of the autistic mind appears meant to illustrate a sense of the danger and undesirability of eschewing categories** by expressing the insularity and loneliness that is regularly and wrongly attributed to autistic people (Biklen 2005). Further, the use of tropes of madness, mental chaos, and autism invites us to participate in nostalgia for mental wholeness and completeness, even as Harris means to problematize the very possibility of this for any subject (see also Caminaro-Santangelo 2005). In doing so, Harris perhaps inadvertently upholds the juxtaposition of the normal and abnormal mind. Harris offers an alternative stance on difference and identity by suggesting that “we are not born with a ‘self,’ but rather are composed of a welter of partial, sometimes contradictory, or even antithetical selves” (Harris 2000, 584). Multiple consciousnesses, Harris writes, the shifting between the abstract and the personal in an attempt to find balance, “produces sometimes madness, sometimes genius, sometimes both” (584). Although we see an equal emphasis on madness and genius, the association between multiple selves and madness nevertheless lingers. **The individual who experiences back and forth of identity, of being in multiple worlds, is ascribed the sort of instability and incompleteness** that we have seen in the previous section as a marker of nonwhiteness; she is an unstable subject simply as a nonwhite in a white-dominated world. Indeed, the alternative that Harris offers—the view of multiple consciousnesses—resonates with W. E. B. Du Bois's original description of double consciousness in The Souls of Black Folk, in which he famously described this experience as “this sense of always looking at one's self through the eyes of others” (Du Bois 1903/1989, 5): the black subject is split, torn between an identity defined by whiteness and characterized by opportunity, and one resistant to that world but lacking opportunity.

### Giroux

#### Giroux’s concept of a transformative consciousness is not accessible to the disabled subject

Erevelles 2000 (Nirmala Erevelles is a Professor in the Social Foundations of Education and Instructional Department of Education Leadership, Policy, and Technology Studies at the University of Alabama, "Educating Unruly Bodies: Critical Pedagogy, Disability Studies, and the Politics of Schooling", p. 31)

This conceptual shift by critical theorists of education has spawned a slew of studies that explore how the dynamics of class, race, gender, and sexuality find expression in the individual “[c]entral to Giroux’s discussion of ideology is his insistence that ideology also implies **the capacity for critical thinking and a transformative consciousness** [my emphasis].” While I understand the rationale for Giroux’s formulation of ideology on these terms, I would like to point out that his lack of consideration of disability makes his argument problematic, especially when imagining radical possibilities for students with moderate to severe disabilities. Since Giroux has never offered a critical analysis of disability, it is possible to read his silence as continuing to support traditional conceptions of disability as a medical condition - a concep- tion that has contributed to defining disabled people as passive clients dependent on medical and social services, rather than as a minority group with a political agenda. This could be because, unlike the other social categories of race, class, gender, and sexuality, where it has been possible to demonstrate that the deviance associated with their difference is actually a social construction, a similar argument has been very difficult to support when applied to students with multiple to severe disabili- ties. As Philip Ferguson explains,

### IDEA

#### IDEA has historically ignored the presence of ableism

Phuong 17 (Jennifer Phuong, “Disability and Language Ideologies in Education Policy”, p. 52-53, http://www.gse.upenn.edu/sites/gse.upenn.edu.wpel/files/phuong.pdf, Working Papers in Educational Linguistics, Volume 32, Number 1)

IDEA is the most recent reauthorization of the Education for All Handicapped Children Act of 1975, which guarantees funding for rights to education for students with disabilities (Beratan, 2008; Rothstein & Johnson, 2010). The 1975 act was the first federal law to mandate that children with disabilities be included and educated in public schools and mandated the principles of child find/zero reject, due process, free and appropriate education, individualized and appropriate education, least restrictive environment, and nondiscriminatory assessment.2 IDEA expanded upon these principles to include the right to education achievement, which is the idea that students with disabilities have a right to access the general education curriculum, including standardized assessments, with appropriate accommodations or alternative assessments. Furthermore, special education teachers must be properly trained and use research-based instructional practices (Rothstein & Johnson, 2010; Weishaar, 2008). Even though IDEA purports to support the inclusion of students with disabilities, scholars and activists have argued that its implementation has only served to further exacerbate inequities and segregation by race and language (Colker, 2013), such as the disproportionality described above. When IDEA was passed in 2004,3 it was designed to align with the tenets of the No Child Left Behind Act of 2001 (NCLB), which was the standing federal education legislation at the time (Colker, 2013; Kaufman, 2008; Peters, 2006; Rothstein & Johnson, 2010; Weishaar, 2007). However, education stakeholders differ in their assessment of the effectiveness or usefulness of this alignment for educating students with disabilities. Furthermore, a clause was added to address disproportionality of students of color, which IDEA attributes to an overidentification of “minority students” due to technical reasons that misidentify students of color in the evaluation process **instead of contextualizing the evaluation process in its history of segregation** (Artiles et al., 2010). Beratan (2006) ultimately argues: Disability and race are… conjoined in IDEA’s disproportionality clause. It is ableist in that students’ opportunities and experiences are being limited by mechanisms and structures built around constructions of disability, but it is also institutionally racist in the way it targets students by their membership in racial and ethnic minority groups. The racist outcomes could not be achieved without the ableist mechanisms. (para. 29) While IDEA offers legal protections and calls for high expectations and standards for schools, teachers, and students, its implementation at the local level may be impeded by social, economic, and political factors, as well as the ideological underpinnings of these protections that may undermine the policy’s good intentions. Even though IDEA does not explicitly address language, it serves as a de facto language education policy for students with disability. As IDEA relies on an ableist individualized and medical model of disability (Beratan, 2008), an analysis of language ideologies and language education policy through a disability studies lens can illuminate discursive practices in policy that reproduce ableism.

### Lunches

#### Obesity discourse constructs a normal body that blames individuals for their own shortcomings

Rail et al 10 (Genevieve Rail, Dave Holmes, Stuart J. Murray, “The politics of evidence on ‘domestic terrorists’: Obesity discourses and their effects”, p. 272-273, https://link.springer.com/article/10.1057/sth.2009.10)

In the present study, the participants’ narratives about health provided an understanding of how young people construct health using elements of dominant discourses about obesity, health, gender, race and dis/ability. Overall, the participants constructed health **in corporeal terms.** They emphasized being active, eating well and not being too fat, a re-articulation of obesity discourse and a finding similar to that of the New Zealand study by Burrows et al, (2003). The prevalence of corporeal themes in the discursive constructions of health is not surprising given their centrality within medical and mainstream messages about health. What is somewhat perplexing is the fact that the participants in our study knew well the school and public health messages about nutrition and physical activity, but that their behaviors did not necessarily reflect that knowledge. They generally constructed themselves as ‘healthy’ individuals, yet many reported not doing the things they understood to be part of health (for example, regular physical activity, good nutrition). In fact, the participants did not seem as concerned about health as they were about their bodily weight and shape. This finding confirms that of other studies where it has been established that achieving an ideal body weight and shape is one of the most important health issues among youth (Health Canada, 1999). This finding also speaks to the problematic dominance of obesity discourse.

The participants’ overemphasis on ‘not being fat’ and having a ‘normal’ body can be traced back to the obesity discourse that saturates their environment. **This discourse is particularly oppressive to people with larger bodies or physical disabilities, whose bodies are popularly constructed in opposition to ‘normality’ and ‘health.’** Not unrelated to this is the finding regarding the preponderance of the notion of individual responsibility for one’s health. Indeed, the participants very much constructed health as something one does (for example, being physically active, achieving a proper body shape, having muscles, eating well, avoiding bad habits, having a positive attitude). They attributed positive qualities to people who regularly take part in what they construe as health practices. Conversely, absence of participation in health practices was attributed to laziness, moral laxity and lack of discipline. Taken together, these results show the extent to which participants recycled healthist discourses, including the dominant discourse of obesity. Numerous scholars have criticized such a discourse insofar as it conceptualizes health as an individual and moral responsibility (Crawford, 1980; White et al, 1995; Howell and Ingham, 2001). Like them, we are concerned with the emphasis on the individual. Such emphasis overshadows socio-cultural and environmental factors that affect health and that reinforce the unequal distribution of health-related resources. In addition, the construction of health as a moral responsibility leads to the construction of illness and obesity as a personal failure in character, thus **blaming the individual who falls short of maintaining health or weight** (Crawford, 1980; Colquhoun, 1987; Brandt and Rozin, 1997). For so-called ‘obese’ youth or youth with a disability who are stereotyped and constructed as being ‘unhealthy,’ this is particularly problematic. This may be why, in the present study, youth with a disability resisted stereotypes of disability through ‘performative acts’ of the healthy body (for example, walking as much as they could, participating in mainstream sports that have been adapted).

The youth in our study strongly emphasized avoiding obesity or being overweight in their narratives on health. We can easily locate the popular discourse on the ‘epidemic of obesity’ in the narratives of the participants; repeatedly, they used stock phrases that are generated and that circulate in obesity discourse. Perhaps the most significant consequence of equating health with ‘being thin,’ ‘having a normal body’ or ‘not being fat’ is the fact that our society has very restrictive and narrow ideas of ‘normality’ and ‘normal weight’ and that such ideas are grounded in sexist, racist and ableist views. Although most participants mocked the notion of the importance of physical appearance and expressed their frustration with masculine and feminine ideals, they ultimately felt trapped and reluctantly strove for an ‘ideal appearance’ nonetheless. For marginalized youth (for example, overweight and disabled youth, skinny young men, youth who are racialized), drawing on the dominant discourses to construct their own ideas of ‘health’ may ultimately lead to uneasiness, shame or guilt since their being part of a marginalized group sets them up for ‘failure’ in that all may strive, but few will ever achieve the ‘ideal’ body.

#### Obesity discourse justifies biopolitical regulation of deviant bodies

Rail et al 10 (Genevieve Rail, Dave Holmes, Stuart J. Murray, “The politics of evidence on ‘domestic terrorists’: Obesity discourses and their effects”, p. 260-263, https://link.springer.com/article/10.1057/sth.2009.10)

In academic circles, ‘obesity science’ has recently been submitted to critique from a number of angles. Both social scientists and biomedical researchers have challenged the use of the term ‘epidemic’ (Gard, 2004; Campos et al, 2006; Saguy and Almeling, 2007), the notion of obesity as a ‘disease’ (Frank and Gaesser, 2003; Oliver, 2006), the burden of disease due to obesity (Gaesser, 2003a, b; Mark, 2005), and the attribution of deaths to obesity (Farrell et al, 2002; Flegal et al, 2005; Mark, 2005). These authors have also noted salient contradictions in the ways in which obesity is measured, in the so-called causes of obesity, and in the proposed solutions, including the medicalization of those deemed to be ‘at-risk’ for obesity (Herrick, 2007; Holm, 2007; Komesaroff and Thomas, 2007; Murray, 2007, 2008a). While these debates raise significant questions, for the most part they have taken place away from the public and media stories feeding the obesity ‘panic’ have continued to flourish. Researchers have documented the explosion of scientific and media reports on obesity in the United States (Campos, 2004; Oliver, 2005; Orbach, 2006), Australia (Gard and Wright, 2005), and England (Evans et al, 2004; Evans et al, 2008). These authors have invariably recognized a dominant ‘obesity discourse.’ This discourse offers a mechanistic view of the body and focuses on the presumed relationship between inactivity, poor diet, obesity and health; in the same breath, it presents obesity in moral and economic terms. Obese and ‘atrisk’ bodies are constructed as lazy and expensive bodies that should be controlled (read disciplined) and submitted to expert investigation (Groskopf, 2005; Monaghan, 2007, 2008). This dominant obesity discourse has generated new forms of normalizing practices which some have termed ‘biopedagogies’ (see Harwood, 2009). Informed by Foucault’s (1978, 1979) notion of biopower, they have argued that biopedagogies form part of an apparatus of governmentality that centers upon **controlling and regulating bodies** to reduce obesity or to protect populations from the ‘risks’ of obesity. Biopedagogies place individuals under constant literature on obesity, which is now massive (see an excellent overview in Gard and Wright, 2005), and its recuperation by the media, educational institutions, health and fitness practitioners, and public health officials. This crisis, so the general argument goes, ‘afflicts’ an increasing number of countries in the world where physical activity and dietary restraint are lacking, and threatens a global health catastrophe (WHO, 2000). Indeed, the World Health Organization has even declared obesity a ‘disease’ and has recommended methods to limit the ‘global obesity epidemic’ (WHO, 2006). In the United States alone, over 600 obesity-related bills were introduced in state legislatures in the last few years. And in March 2006, the Surgeon General called fat a form of domestic terrorism, insisting that obesity constitutes a greater threat to the USA than terrorism (Tumulty, 2006). A Foucauldian approach helps us make sense of the ways in which obesity discourse circulates. First, we could say that obesity discourse represents an awesome political power that ‘works[s] to incite, reinforce, control, monitor, optimize, and organize the forces under it’ (Foucault, 1978, p. 136). This power is fueled by the deployment of a discursive formation centered on the notion of an ‘epidemic.’ Indeed, the epidemic of obesity has emerged as a product of a socially authoritative discourse – obesity science – in light of which bodies may be mobilized, resources may be dispensed, and tactics of surveillance and regulation may appear to be justified. As a discursive effect of obesity discourse and biopedagogies, obesity scientists and clinicians are presumed to know the ‘truth’ of obesity and to have the moral and intellectual authority to label it a disease and to prescribe treatment. We could describe such power using Foucault’s (1973) concept of the ‘clinical gaze’ – a panoptic kind of ‘expert seeing’ that determines in advance what will appear. The authority of the obesity scientist’s gaze must be understood as a discursive power that shapes the realm of the possible. This realm is in turn configured by obesity science, which is itself territorialized by an all-encompassing scientific research paradigm – a ‘regime of truth’ – that ostracizes those with contradictory, and hence ‘deviant,’ forms of knowledge, labeling them as rebels and rejecting their work as ideologically laden and scientifically unsound. Obesity science qualifies as ‘state science,’ to use Foucault’s term: it is a tangled web of government lobbies, academia and its research sponsors, service industries from the human genome sciences to multinational pharmaceutical and agribusiness complexes, the legal-juridical complex, and the insurance industry. Obesity science and its hegemonic norms have instituted a hidden political agenda through the very language and technologies deployed in the name of ‘truth.’ Obesity science and its dominant discourse act as a ‘fascist structure’ (Holmes et al, 2006), in the sense that they rely on a process that is saturated by ideology and intolerance regarding certain types of evidence, alternative discourses, and non-normative knowledge and ways of knowing (for example, qualitative research). The process at play operates hand-in-hand with prevailing power structures that sustain scientific assertions in the same direction: that of the dominant ideology regarding the physical and the social body. The most powerfully ideological practices are those that claim that their ‘facts’ are non-ideological because they are ‘scientific.’ Such practices have certainly prevailed in obesity science. In this paper, our objective is not to get the ideology out of obesity science but to get ideology out of hiding, to expose it for what it is. In that line of thinking, we should thus see obesity as a construct that is forcibly materialized through time. It is not a simple scientific fact or the static condition of a body, but a process whereby regulatory norms materialize obesity and achieve this materialization through a forcible reiteration of those norms. Granted, the fiction of obesity has material effects and we will offer an example below, drawing on some empirical materials. As a linguistic construction, **obesity is not stable, working as it does by always re-establishing boundaries and a zone of abjection** – a zone often established through the Body Mass Index (BMI). Obesity also works through the endlessly repeated performative acts that mark individuals as obese or not obese. Obesity can thus be unveiled not only as the violation of an artificial norm but also in reference to a norm that is subject to change. In brief, most epidemiology- and physiology-based obesity studies have been part of state science while they present themselves as apolitical and non-ideological. At the same time, they have widely circulated an obesity discourse that constitutes a good example of micro-fascism at play in the contemporary scientific arena because they rely on ideological norms of the good, responsible, and thus healthy, citizen. If we were to contrast this state science with the work of feminist theorists, we could say that the latter have made explicit their epistemological commitments and have championed an understanding of the body that is social and political. Their writings on weight and obesity have generally considered the ways in which women negotiate social and cultural ideals of femininity associated with bodily appearance (for example, Bartky, 1990; Bordo, 1993; Orbach, 1988; Smith, 1988). A number of feminist, queer, and disability theorists have also addressed the social constructions of fatness and have challenged the power relations and oppressive practices associated with such constructions (for example, Sedgwick, 1990, 1993; Butler, 1993; Grosz, 1994; Braziel and Lebesco, 2001; Garland-Thomson, 2005; Murray, 2008b). In sum, feminist scholars have presented a good number of theoretical writings on weight and obesity and these have led to a number of critical social questions that have rarely been answered empirically. Much research is needed to fill this gap and, more generally, to inject contemporary feminist debates concerning ‘obesity’ with more grounded material.

### Model Minority

#### Asian Americans are applied the qualities the supercrip to construct the Model Minority – able to reach normalization while remaining silent and powerless

Chen 13 (Mel Y Chen, “Asian American Speech, Civic Place, and Future Nondisabled Bodies”, p. 93-95, http://uclajournals.org/doi/abs/10.17953/amer.39.1.n6t6477372245h46)

Following Piepzna-Samarasinha in her call to envision alternative methods of organizing and activism, I am interested in how contemporary public protest and slogans—many of which are mobilized in community organizing—articulate themselves (sometimes in subtle ways) in terms of race and disability. I consider how these slogans both construct a certain audience of address and, as part of their less apparent consequences, erase or render impossible others. With a focus on Asian American constructs and disability politics, I look at the idealized future bodies implicated in protest slogans dependent on common political appeals to imagined able-bodiedness or nondisability. In particular, I am concerned with the well-known slogan “silent no more,” which is utilized in a host of contexts across the ideological spectrum, from domestic violence awareness campaigns to anti-choice, anti-abortion testimonials. “Silent no more” appeals are arguably constructed on ideals of white liberal civic (speechly) participation and political representation. These ideals have endured throughout decades of formation of what Wendy Brown calls “the collective insurrectionary subject.”7 For the “silent” in the activist engagements of “silent no more” to at once be a metaphor for a condition of disenfranchisement or oppression and to also always have the possibility of being literally interpreted suggests an implicit but generally unacknowledged effect of expelling and banishing all things “silent” to the past, and hence also from a possible future. As Brown writes, “the belief that silence and speech are opposites is a conceit underlying most contemporary discourse about censorship and silencing.”8 The use of “silence” in the context of protest speech also assumes that to speak—to “break the silence”—is to reverse or overcome a dynamic in which speechlessness is equated with powerlessness. In addition, the silence-speech bifurcation enables the assumption, according to Brown, that “when an enforced silence is broken, what emerges is truth borne by the vessel of authenticity or experience.”9 Thus when silence endures, the capacity for truth-telling or “authentic” experience is presumed to be absent, or at least muffled. What is meant by silence and speech, of course, is always an open question. Silence and speech are multiplicitous in meaning, as feminist writers such as Audre Lorde and Adrienne Rich have noted.10 If we begin with perhaps the most literal kind of silence, we assume it means no perceivable, differentiated sound—an absence of detectable frequencies. In linguistics and language studies, silence can certainly be understood as an absence of (meaningful) linguistic production, along the lines of what Brown glosses as negativity. It can also be understood as integral to speech, in the case of the phonetic class of plosives such as “t,” “p,” in which no auditory signal is produced until the short burst which completes the plosive articulation. Silence also operates integrally to speech, in the form of a pause, a demarcation of a turn, or the completion of an idea. Silence can also be understood as a positive linguistic entity in itself, a “communicative device” particular to a given cultural arena and serving a special function. Thus, silence can function as a refusal to participate, or as an observance or show of respect. However, such accounts seem still to focus on the structural significance of silence and hence they do not account for the many incidental silences that fall out of discomfort: the loss for words, the lack of authority to speak, the experience of risk, or the start-up time of making an effort in a new language. When non-English-speaking immigrants or those who have non-normative modes of speaking enter the consideration, silence itself necessarily becomes more complex. For instance, sign language users are frequently depicted as “silent,” but the auditory linguistic criterion of silence only applies to oral speech, not signing. Even the idea that signers are “soundless” is unfounded; the attribution of “silence” derives more from assumptions and audist ideology than from actual practice. There are many examples of both this stereotype and efforts to gainsay it. For instance, Karen Nakamura, in her anthropological study of the cultures and politics of deafness in postwar Japan, observes that “gatherings of deaf people are rarely silent. The deaf parties that I attended were just as raucous as any hearing gathering of Japanese people.”11 Within the context of Asian American Studies, silence has also been taken up because of the interaction between perceived cul- tural norms and the racist stereotyping of Asians as silent within United States cultural imagination. Traise Yamamoto and KingKok Cheung, in particular, have pointed to the protective, strategic, or otherwise purposeful roles that silence can play in the lives of Asian American women in literature.12 Yamamoto distinguishes “oppressed” silence from willed silence: “Nikkei women have long been perceived by dominant culture as either perpetual foreigners or exotic others, both masks of ‘oriental’ difference. In response, they have deployed the very surface whose opacity has denied them particularity and humanity in order to claim and preserve both.”13 I wish to add to this dialogue a sense of a possible reading of silence as not so much one by design, intent, or even strategy, but more one characterized by struggle—neither clearly oppression nor clearly will. Such struggle is characteristic, in my view, of the possibilities offered by racialized uncertainty. Though the threat of erasure as a form of collective silence applies to many racialized groups within the U.S., particularly along the lines of an inverse relationship to labor hierarchies and class, the ontological position of Asian Americanness has a peculiar relationship to the threat of silence-as-erasure: this broad population continues to be constructed and produced as marginally silent, quiet, invisible, to the point that still today it can become part of one’s perceived phenomenological skin. As Asian American Studies scholarship has made clear, the ontological instability of “silence” as a symbolic space or as a linguistic device fits all too neatly with the racial politics surrounding Asian Americans and the multiply duplicitous fiction of the “model minority.”14

### Protest

#### Their mode of public protest silences the voices of crips who are tucked away in the private

Hedva 16 (Johanna Hedva, “Sick Woman Theory” 19 Jan 2016. http://www.maskmagazine.com/not-again/struggle/sick-woman-theory)

In late 2014, I was sick with a chronic condition that, about every 12 to 18 months, gets bad enough to render me, for about five months each time, unable to walk, drive, do my job, sometimes speak or understand language, take a bath without assistance, and leave the bed. This particular flare coincided with the Black Lives Matter protests, which I would have attended unremittingly, had I been able to. I live one block away from MacArthur Park in Los Angeles, a predominantly Latino neighborhood and one colloquially understood to be the place where many immigrants begin their American lives. The park, then, is not surprisingly one of the most active places of protest in the city. I listened to the sounds of the marches as they drifted up to my window. Attached to the bed, I rose up my sick woman fist, in solidarity. I started to think about what modes of protest are afforded to sick people – it seemed to me that many for whom Black Lives Matter is especially in service, might not be able to be present for the marches because they were imprisoned by a job, the threat of being fired from their job if they marched, or literal incarceration, and of course the threat of violence and police brutality – but also because of illness or disability, or because they were caring for someone with an illness or disability. I thought of all the other invisible bodies, with their fists up, tucked away and out of sight. If we take Hannah Arendt’s definition of the political – which is still one of the most dominant in mainstream discourse – as being any action that is performed in public, we must contend with the implications of what that excludes. If being present in public is what is required to be political, then whole swathes of the population can be deemed a-political – simply because they are not physically able to get their bodies into the street. In my graduate program, Arendt was a kind of god, and so I was trained to think that her definition of the political was radically liberating. Of course, I can see that it was, in its own way, in its time (the late 1950s): in one fell swoop she got rid of the need for infrastructures of law, the democratic process of voting, the reliance on individuals who’ve accumulated the power to affect policy – she got rid of the need for policy at all. All of these had been required for an action to be considered political and visible as such. No, Arendt said, just get your body into the street, and bam: political. There are two failures here, though. The first is her reliance on a “public” – which requires a private, a binary between visible and invisible space. This meant that whatever takes place in private is not political. So, you can beat your wife in private and it doesn’t matter, for instance. You can send private emails containing racial slurs, but since they weren’t “meant for the public,” you are somehow not racist. Arendt was worried that if everything can be considered political, then nothing will be, which is why she divided the space into one that is political and one that is not. But for the sake of this anxiety, she chose to sacrifice whole groups of people, to continue to banish them to invisibility and political irrelevance. She chose to keep them out of the public sphere. I’m not the first to take Arendt to task for this. The failure of Arendt’s political was immediately exposed in the civil rights activism and feminism of the 1960s and 70s. “The personal is political” can also be read as saying “the private is political.” Because of course, everything you do in private is political: who you have sex with, how long your showers are, if you have access to clean water for a shower at all, and so on. There is another problem too. As Judith Butler put it in her 2015 lecture, “Vulnerability and Resistance,” Arendt failed to account for who is allowed in to the public space, of who’s in charge of the public. Or, more specifically, who’s in charge of who gets in. Butler says that there is always one thing true about a public demonstration: the police are already there, or they are coming. This resonates with frightening force when considering the context of Black Lives Matter. The inevitability of violence at a demonstration – especially a demonstration that emerged to insist upon the importance of bodies who’ve been violently un-cared for – ensures that a certain amount of people won’t, because they can’t, show up. Couple this with physical and mental illnesses and disabilities that keep people in bed and at home, and we must contend with the fact that many whom these protests are for, are not able to participate in them – which means they are not able to be visible as political activists. There was a Tumblr post that came across my dash during these weeks of protest, that said something to the effect of: “shout out to all the disabled people, sick people, people with PTSD, anxiety, etc., who can’t protest in the streets with us tonight. Your voices are heard and valued, and with us.” Heart. Reblog. So, as I lay there, unable to march, hold up a sign, shout a slogan that would be heard, or be visible in any traditional capacity as a political being, the central question of Sick Woman Theory formed: How do you throw a brick through the window of a bank if you can’t get out of bed?

### Psychoanalysis

#### Psychoanalysis can’t apply to disability – never able to find its coherence, the disabled subject never emerges into the Symbolic.

Erevelles 2000 (Nirmala Erevelles is a Professor in the Social Foundations of Education and Instructional Department of Education Leadership, Policy, and Technology Studies at the University of Alabama, "Educating Unruly Bodies: Critical Pedagogy, Disability Studies, and the Politics of Schooling", p. 36-37)

The above argument that foregrounds the radical possibilities of desire when enacted through practices of transgression is based on a simple assumption that, notwithstanding its oppressive locations within the social hierarchy, the Other can, in fact, desire and be desired. But **this assumption falls apart when confronted by the disabled subject** and thereby marks once again the theoretical limits of this perspective. For example, unlike Stephen Haymes’s argument that black popular culture has been used to signify an exoticized site of pleasure and desire for the Euro-American subject, the significance of disability in the popular imagination has historically been one of **horror and tragedy** - one that has been dramatically immortalized in the biographical sketch, novel, and film, The Elephant Man.35All three accounts vividly depict John Merrick also know as the Elephant Man via what Paul Darke calls a “menacing motif” that is intimately associated with ”the metaphysical and moral arena of In fact, the film opens with surreal scenes of a woman’s rape by an elephant in the jungles of “‘bad,’ ‘dark,’‘Other,’Africa” - a mythical explanation that is offered as explanation for the birth of a man ”trapped in the ugliest body imaginable.”37In fact, when Frederick Treves, his future benefactor, first spies a painted canvas of Merrick in a storefront advertising this human exhibit, this is how he describes him:

This frightful creature...could only have been possible in a nightmare....This fact- that it was still human - was the most repellant attribute of the creature. There was nothing about it of the pitiableness of the mis-shapened or the deformed,nothing of the grotesqueness of the freak, but merely the loathing insinuation of a man being turned into an animal.

Now, while both the novel and the film go on to portray the humanity of John Merrick in spite of his disability, this realization of humanness is portrayed as being dependent on the benevolence of Treves who almost implicitly becomes the “real” hero in these accounts. Moreover, even though the novel and the biographical account do report the incredibly ordinary circumstances of Merrick’s birth and the onset of his disability, the film version instead prefers to constitute horrifying images of disability that at the same time also invoke the terror of racial and class differences when brought together in the consummation of a “depraved” desire. In fact, it is the discursive representation of The Elephant Man that is so indelibly marked in our unconscious that it serves to mediate in invisible ways almost all our interactions with the “disabled” Other.

What then happens to the disabled subject when it arrives at Lacan’s Mirror Stage? It is because of these hegemonic images of disability that unlike subjects marked by race, class, gender, and sexuality, the disabled subject is **unable to sustain even the illusion of being an autonomous and coherent entity since its reflection during the Lacanaian Mirror Stage continues to mirror its own lack**. As a result, the disabled subject does not experience that moment of self-alienation that is crucial to its emergence into the symbolic order as the desiring subject. At the same time, already constituted as the subject-of-lack, the disabled Other cannot be recognized as the lost complement that will complete the subject/self, since rather than promising some form of coherent stability, the disabled Other represents a constant threat to the autonomy and coherency of the subject/self and therefore does not even enjoy the dubious privilege of being an object of desire. Given this context, even though poststructural pedagogies exhort students to think beyond the limits of normative thought (in other words, to look behind the Mirror) and propose methods of “imagining difference on its own terms: as eros, as desire, as the grounds of politicality,” disabled subjects continue to be excluded from participating“in[this] erotics of power, in the power of the erotic, in economies of transgression.’’ This is because behind the Mirror lies Terror, not Desire. And this Terror is the Disabled Subject.

### Special Education Reform

#### Special education policies are rooted in ableism

Phuong 17 (Jennifer Phuong, “Disability and Language Ideologies in Education Policy”, p. 49, http://www.gse.upenn.edu/sites/gse.upenn.edu.wpel/files/phuong.pdf, Working Papers in Educational Linguistics, Volume 32, Number 1)

A foundational concept of DSE is the social model of disability, in which disability is not seen as fixed or inherent to an individual, but is concerned with how the social and physical environments disable an individual (Adams, Reiss, & Serlin, 2015). This is contrasted with a medical model of disability, in which disability is seen as an inherent impairment of an individual that should be fixed or cured (Adams et al., 2015; Gabel, 2016). For example, with a medical model of disability, a student with a disability is understood to struggle in school because of an inherent impairment, whether psychological, neurological, or biological, that is individual to the student. With a social model of disability, the focus of analysis moves from a student to the institutional mechanisms of the school that would lead to a student being classified as having a disability, such as standardized testing, classroom expectations, or other aspects of educational contexts and how they may contribute to processes of disablement (Mehan, 1996). **A medical model of disability struggles to account for disproportionality in special education**, in which contexts create disabling situations that are mediated by space, race, socioeconomic status, and other circumstances. In problematizing a medical model of disability, DSE argues that special education policy and practices rely on a deficitizing medical model of disability that stems from systems of oppression and marginalization, one of which is ableism (Beratan, 2008; Valle & Connor, 2011). Ableism is an ideological system with material effects that relies on “social biases against people whose bodies function differently than what is considered ‘normal,’ and beliefs and practices resulting from interacting with the biases that serve to discriminate” (Gabel, 2005, p. 4). This contributes to policies and practices that perpetuate ableist thinking in well-meaning attempts to address the needs of people with disabilities in ways that rely on a medical model of disability. Beratan (2006) argues that institutional ableism is at the core of special education legislation, contending that “discriminatory structures and practices, as well as uninterrogated beliefs about disability deeply ingrained within educational systems, subvert even the most well intentioned policies by maintaining the substantive oppression of existing hierarchies” (para. 3). Adopting the social model of disability for analysis allows for a reading of how special education policy emerges from and contributes to oppressive structures, but also how to reform and reimagine this special education legislation.

### STEM

#### STEM relies on a disciplined disembodiment that ignores difference

Riley 13 (Donna M Riley, “The Island of Other: Making space for embodiment of difference in engineering”, ASSE, 6/23/13, p. 9-11, https://peer.asee.org/the-island-of-other-making-space-for-embodiment-of-difference-in-engineering)

By the end of the 20th century, engineering no longer adhered to the rugged outdoorsman ideal, and engineering masculinity had shifted toward an ideal grounded in abstraction and disembodiment. As Sally Hacker18 put it, The new work was soft, clean, and required mental skills alone. Now masculinity had to be redefined, its source abstract knowledge. At least this knowledge kept them superior to the mechanic, the semi-skilled, the unskilled, and especially to women. (45) Hacker applied Foucault’s theories of the body to engineering education, drawing on similar themes as contemporary and subsequent queer theorists. In her participant observation of engineering undergraduates, she described a **disciplined denial of the body**: everything we learned to value, the lifestyle we came to desire, the prestige, income, and status over others, all were perceived possible only by passing the tests. This daily experience required control of sensuality, the emotions, passion, one’s very physical rhythms. As Foucault would say, it is indeed inscribed on the body. (56) Like Frehill, Hacker goes on to articulate the linkages between the kinds of discipline required in engineering and military culture. Gary Downey and Juan Lucena19 also describe the toll of rigid narrow discipline in engineering on a student who forsakes her love of dance in order to pursue her degree. In their ethnography of three engineering students, they reveal how each one expresses a sense that engineering demands a kind of abandonment of certain aspects of who they are. However, this forsaking the self is required of subaltern identities, not of dominant ones. Students do not report leaving whiteness or maleness at the door, heterosexuality, able-bodiedness, or middle-class values. Wendy Faulkner20 describes a type of engineering masculinity that links the technical with the masculine and the social with the feminine: “For example, the nerd stereotype is of men who are passionate about technology but a-social; the fact that these two are posited as mutually exclusive – to be technical is to be not-social – is one of the more powerful symbolic ways in which engineering appears gender inauthentic for women, given the strong association of women/femininities with caring about people.” Faulkner goes on to describe this technical component as very hands on or in the words of one of her participants, “nuts and bolts.” While these “nuts and bolts” (a heteronormative coupling) are physically real, not abstract, they nonetheless are disembodied, located in opposition to “people” oriented tasks. LGBT people transgress gender norms; some claim their gender identity contrary to that dictated by society, while others refuse to conform completely to one set of gender norms and expectations (same-sex attraction being one type of gender transgression for LGB people). Overlaying this dynamic on the technical-social dualism in engineering produces a complex array of possible power relations, places of fit and places of discord, that would merit study on its own, far beyond the scope of this paper. The disruption of gendered dualisms and the insertion of queer bodies both set a path of possibility for queering engineering and help explain the strong will in engineering to deny queer bodies’ existence. Disembodiment of science and engineering takes a different shape when it comes to disabled scientists and engineers. Hélène Mialet21 analyzed representations of physicist Stephen Hawking and showed how these render him disembodied: We glorify him because he has transcended the conditions imposed on him by his own body, while the prevailing ideology promotes a scientist without a body or self-awareness. For the epistemologist, Stephen Hawking is not disabled: he has become a perfect scientist, a man without a voice, a machine, an angel. Similarly, references to Hawking as “a great mind” seek to separate one body part of value from the rest of his body, devalued for its disability. **All science needs is his mind.** And so it is that when a recent science PhD I know, who has a spinal cord injury, made a decision to work for an adaptive sports equipment company, a professor he worked with told colleagues that he had “left science.” By attending even obliquely to his bodily state, even via an organization steeped in science and technology, discovery and invention, he was perceived to have crossed a disciplinary boundary with permanence and irreversibility. The response to disability, sexual orientation, and gender identity in science and engineering is to render the body insignificant: it does not matter. The instinct to look away, to pretend it isn’t there, to make it invisible (imperceptible), is a goal that many people mistakenly perceive as inherently welcoming. And yet, this denial of the body has serious consequences for both queer and disabled engineers. The notion of ignoring bodies in order to presume a level playing field reinforces able-bodied heteronormativity; if you do not acknowledge different bodies you can not account for them and create meaningful access. Thus the very presences of queer and disabled bodies constitute an act of transgression by disrupting the narrative of disembodiment. This produces the reaction to NOGLSTP on the Island of Other (you are sex and there is no place for sex here), or the reaction to the recent PhD (if you do not transcend your body a la Hawking you are not doing science).

### Set Col

#### Wrong starting point

Greensmith 12 (“Pathologizing Indigeneity in the Caledonia ‘crisis’”, http://cjds.uwaterloo.ca/index.php/cjds/article/view/41/44)

Producing the Pathologized Indian and the Rational Settler Subject

Irrationalizing claims to land and bodily control is a central theme in the Caledonia "crisis" within the Canadian news media. Disability is made to enter as that which can produce Indigenous peoples as pathological – "mad," irrational and "crazy." Wilderson (2010) finds a relevant connection to Indigineity and madness when discussing an encounter with a Native American man as he was attending university. Wilderson (2010: 1) writes "On the ground in front of him was an upside-down hat and a sign informing pedestrians that here they could settle the "Land Lease Accounts" that they had neglected to settle all of their lives. He too, was 'crazy'" . The Native American man is calling upon settlers to take responsibility for their colonization of Indigenous territory and by doing so is perceived by onlookers (and by Wilderson?) as "crazy." Leaving the politics of recognition aside, the Native American is pathologized as "crazy" by ensuring that settler colonialism enters into the consciousness of settlers he encounters. Yet, the disabling trope of "crazy" is put to work here to devalue and marginalize the Native American man who is speaking about land. In bringing land and conquest into the consciousness of settlers, the Native American man is understood to be "mad." Madness is constructed to be irrationality and much is stripped from anyone's historical connection to the land. "Mad" -- as an unquestioned bad state of affairs -- is thus both produced as such and used as such to delegitimize any form of questioning regarding whose land it really is.

Wilderson (2010: 2) continues, "Thus, [the Native American man] would have to be crazy, crazy enough to call not merely the actions of the world but the world itself to account, and to account for [him] no less!". When Indigenous people speak out against settler colonialism, why is it that their actions are understood as being "crazy?" In Caledonia, the term "wacko" is used to belittle the activism and rioting done by Indigenous peoples. "Crazy" or "wacko" also does a particular form of work, as Wilderson (2010) suggests when pathologizing terms are used to depict Indigenous peoples, Indigeneity is brought into consciousness. "Crazy" as an identity marker produces certain people labeled with "mental illness" or "psychiatric diagnoses" as "ill." By using "crazy," pathology is naturalized in/on the body and does not take into account the normalizing conditions and everyday cultural representations that produce Indigenous peoples as different in North America.

"Crazy" also creates division between rationality and irrationality, those who can blend into regimes of normalcy, that is, regulate their own bodies and minds, can pass as normal. "Crazy" then, is a production of a deviation from bodily control within a Eurocentric ideology that associates rationality and reason with those who can come to control and regulate their bodies and minds. As Fernando (2003) argues, pathology is also written on non-Eurocentric peoples, traditions and beliefs on a global scale. Indigenous and colonized peoples' cultural ways of knowing and healing are understood as inferior and abnormal to Eurocentric forms of knowledge and healing.

By casting Indigenous peoples as pathology, settlers can continue to conceptualize Canada as a nation with no genocidal past. Therefore, land claims are merely a result of Indigenous pathology, for who else wants to "screw" with normalcy? The pathologization of Indigenous peoples cannot and will not be understood a result of settler colonialism. Thus, locating pathology in the bodies and minds of Indigenous peoples renders their behaviours, actions and discussions around land disingenuous.

Razack (2011) writes about the disavowal of colonial violence in the medicalization of the deaths of Indigenous men in police custody in British Columbia. Razack (2011: 21) addresses the imbrication of disability and Indigeneity and writes "Aboriginality disturbs, as does disability, and Aboriginality reminds settlers of something they know but would rather not, and indeed cannot know if they are to continue a colonial relationship." As Razack (2011) suggests, Indigenous bodies and minds are pathologized and cannot be understood as having the ability to proclaim sovereignty and self-determination. The pathologization of Indigenous peoples is enacted through multiple regimes of violence: through the ability to cast Indigenous peoples as abnormal, misrecognizing Indigenous claims to land, and the use of disability tropes that place people with disabilities within places of marginality and lack. Therefore, echoing Razack (2011; 2002b) and Edmonds (2010), Indigenous peoples are assumed to naturally belong to spaces of pathology.

The disability tropes used within the Caledonia news media places settlers into positions of power over Indigenous peoples, where they can understand themselves as rightful owners of the land. While Cowlishaw (2003: 119) does not explicitly speak to issues of disability, she does speak to the relationship between activism and violence: "The riot defines the good liberal citizen's internalization of the legal notion that violent settlement of disputes is wrong because it breaches the principles of rationality and purpose." Therefore, Indigenous peoples are constructed as irrational and dangerous due to the perceived violence they are engaged in against the DCEs in Caledonia, Ontario. As a result, pathology is pinned onto Indigenous bodies and minds. Conversely, through the use of disability tropes settlers are understood to be rational, legitimizing the violence done to Indigenous peoples, cultures and lands.

Whether the violence done by Indigenous peoples was justifiable or extreme, that is not a discussion I want to have. Instead, the representations of Indigenous activism in the Canadian news media in the Caledonia "crisis" lends itself to inquiry, precisely through the collision between discursive constructions of Indigeneity, pathology and violence. Violence is typically acceptable when the aim is to control, scare and regulate (Cowlishaw, 2003). The continual violence done by settlers is rationalized as a means of control and regulation. Here volatile, disabled, and pathologized bodies and minds "can also seem dangerous because they are perceived as out of control" (Garland-Thomson, 1997: 37).

## FW

#### Challenging ableism in educational spaces is an ethical responsibility

McLean 8 (Margaret McLean, “Teaching about disability: an ethical responsibility?”, International Journal of Inclusive Education, Vol. 12, Nos. 5-6, p. 605-606)

This paper claims that identifying, confronting, and changing ableist and oppressive views of disability through adult education is an ethical responsibility for educators. This can be construed as requiring changes to the kind of in-service education currently provided for professionals in the fields of special education and disability support. It requires a context for both adult educators and students to examine and challenge their assumptions and participate in a process of change leading to the disestablishment of beliefs in ableist superiority. The paper illustrates the effect of some prac- tices, which enable reflection and critique on ableist assumptions while promoting opportunities for disabled and non-disabled people to get to know one another as both teachers and learners. Introduction For more than a decade, disability-related discrimination has been one of the nine legal grounds in New Zealand for making a complaint to the Human Rights Commission. Yet a recent comprehensive assessment of the status of human rights in New Zealand identified disabled people as remaining ‘among the most disadvantaged citizens’ who continue to experience the ‘greatest barriers’ in attaining full and equal social partic- ipation in education, income and employment (Human Rights Commission, 2004a, p. 29; 2004b, p. 3). Access to full citizenship status continues to be impeded by conflicting political and social understandings of the meaning and experience of disablement. Similar confusions have been documented in other developed nations influenced by theories of rights and equality on the one hand and those of neo- liberalism on the other (Rioux & Valentine, 2006). Shaped by the views expressed by international organisations such as the World Bank and the Organisation for Economic Co-operation and Development (OECD), the political view of education is instrumental and economic; the stated means to achieve the political goals of sustain- able economic and social development (Dale, 2008; Ministry of Education, 2007). In contrast, **education can also be viewed as an ethical undertaking** that seeks to enhance human dignity and potential. As Freire (1997) noted, ‘The ethical require- ments are becoming more and more critical in a world that is becoming less and less ethical’ (p. 313). His argument is that teaching has a dimension beyond means-end instrumentality and a role in the promotion of social justice. Related views are expressed in recent philosophical writing examining understandings of disability and considerations of teaching as an ethical endeavour, a craft or activity with ‘moral’ importance (Applebaum, 2004; Baglieri & Knopf, 2004; Hansen, 2004; MacIntyre, 1999; Tom, 1980). Similarly the understandings offered by critical social science about how power works may assist educators to recognise the ways in which their teaching may unintentionally support systemic oppression by maintaining narrow criteria of normalcy (Young, 1990).

Ben-Moshe 5 (Liat, Ph.D. student in Sociology, Disability Studies and Women Studies at Syracuse University. ““Lame Idea”: Disabling Language in the Classroom,” in Building Pedagogical Curb Cuts: Incorporating Disability into the University Classroom and Curriculum, http://www.syr.edu/gradschool/pdf/resourcebooksvideos/Pedagogical%20Curb%20Cuts.pdf)

When we use terms like “retarded,” “lame” or “blind”— even if we are referring to acts or ideas and not to people at all— we perpetuate the stigma associated with disability. By using a label which is commonly associated with disabled people to denote a deficiency, a lack or an ill-conceived notion, we reproduce the oppression of people with disabilities. As educators, we must be aware of the oppressive power of “everyday” language and try to change it. False Beliefs Contained in Disabling Phrases We learn about disability through everyday use of language. In the same way that racist or sexist attitudes, whether implicit or explicit, are acquired through the “normal” learning process, so too are negative assumptions about disabilities and the people who are labeled as having them. Our notions of people who are blind, deaf or labeled as mentally retarded come into play when we use disabling phrases, and these notions are usually far from accurate. They do not convey the complexity of living in a society that regards people with disabilities as the Other on the basis of perceived mentally or bodily difference. The use of disability as a metaphor perpetuates false beliefs about the nature of impairment and disability. People who are blind, for example, do not lack in knowledge; they simply have different ways of obtaining it. Paralysis does not necessarily imply lack of mobility, stagnancy or dependence since there are augmentative instruments, such as wheelchairs and personal aids, that secure independence and mobility. The continued use of disabling language in the classroom perpetuates ignorance and misconceptions in regards to the lived experience of people with disabilities. Power Relations in the Classroom As Marxists, feminists and anti-racist activists and scholars have claimed for decades, the world is viewed mostly from the perspective of the rulers, and language is created in their image as well. Therefore, we must not be surprised that the use of disabling language not only persists, but is neither contested nor acknowledged. Disabling language is language that accepts the assumption that disabilities are bad, unfortunate or denote lack/deficiency; that they are invisible and insignificant to society as a whole; and that disabilities belong to the Other and are distinct from what we would term as normal. What this language hides is that there is a power struggle of definitions, that normalcy is culturally determined and ever-changing, and that there are more people who are defined as having disabilities than we acknowledge. The question that disability activists and scholars are asking is not who is disabled, but who gets to be defined as blind, mentally retarded or crippled and under what power relations? Using an oppressive abelist language to denote deficiency reproduces the same hierarchy and power relations in the classroom, and renders these phrases unproblematic. Disability is not a metaphor. It is an identity. Using disability as a metaphor to represent only negative aspects of a situation is problematic. It is made worse by the fact that blindness, deafness, paralysis, etc., are not floating signifiers, but have real referents behind them—people with disabilities. When using disabling language, we do not only de-value the lived experience of people with disabilities, but we also appropriate these lived experiences for our own use.

## Impact

### Achievement

#### Their academic standards fall apart – schools just move low-performing students to special-ed classrooms

Figlio & Getzler 2 (David N. Figlio and Lawrence S. Getzler, “Accountability, Ability and Disability: Gaming the System?, p. 1-4, April 2002)

Education is currently at the forefront of the nation’s political agenda: everyone, regardless of political persuasion, wants to see an improvement in the performance of U.S. schools. This consensus ends abruptly, however, when it comes to determining how to effect such a change in performance. One popular approach is to increase the accountability of schools to the public, by assessing schools on the basis of improvements in students’ performance on standardized examinations and by offering remedies, such as increased choice (either within the public sector or through vouchers for private schools), reconstitution, or closure, in the event of persistent identified failure of a school to improve. Accountability measures have been proposed or implemented in dozens of states and going forward will be required in all states. On January 8, 2002, President Bush signed into law the reauthorization of the Elementary and Secondary Education Act, also known as the No Child Left Behind Act of 2001 (NCLB). A centerpiece of this education reform involves implementing a system of school accountability. States must design systems of school report cards based on the fraction of students demonstrating proficiency in reading and mathematics. Under NCLB, if students do not make adequate yearly progress, schools and districts face consequences such as mandatory public school choice and the possibility of complete school restructuring; states risk the loss of federal administrative dollars. Additionally, the classifications or grades formally assigned to schools may affect the attractiveness of the local area to potential and current residents and the perceptions of local officials by the public. Figlio and Lucas (2000) provide evidence that housing markets are highly responsive to introduction of government-provided school report cards. Thus, the grading of schools using student test data provides numerous incentives for schools to “game the system.” Schools may react to these incentives by increasing class time spent on subjects and topics that are emphasized in the accountability exams, while decreasing class time on subjects and topics either not in or not emphasized in the exams. It should be noted that this type of strategy may be perceived by policy-makers as precisely the desired response to the accountability system, rather than as a “gaming” of this system. Significant class time may also be taken on test-taking strategies. Schools may even be less inclined to discourage poorer students from dropping out. For example, a Virginia school district superintendent said that the state’s accountability exam system “actually encourages higher dropout rates … It is actually to the school’s advantage to drop slow learners and borderline students from the school, because they are usually poor test-takers.” (Borja, 1999) In part because of the newness of school accountability systems, we know of few attempts to seriously quantify school responses to these incentives.1 Another potential reaction to the incentives created by accountability systems involves the classification of students into special education categories exempt from taking the tests used for school grading.2 Schools could potentially improve their state-assigned grade or classification by taking their poorest performing students out of the testing pool by classifying them into the special education categories exempt from taking the tests.3 Additionally, the schools could potentially improve their state-assigned grade or classification by refraining from classifying better-performing students into the special education categories exempt from taking the tests. The American Institutes for Research’s (AIR) new national study on special education costs helps demonstrate the potential flexibility and opportunity that school decision makers have in determining which, if any, special education category to place students in. AIR finds very wide variation in costs and services within single special education categories. In fact they find less than ten percent of the variation in special education costs in carrying out Individualized Education Plans can be explained by the exceptionality categories in the federal/state indicator record (Chambers et al, 2002). This implies that there may be significant discretion in how to classify individuals with specifically identifiable needs.

### School-Prison Pipeline

#### The logic of disability segregates underprivileged students and places them on a fast track to the school-prison pipeline

Erevelles 14 (Nirmala Ervelles, “Reading the School-to-Prison Pipeline via Crip Politics” from “Disability Incarcerated”, p. 91-95)

The overrepresentation of black and Latino students in the school-to-prison pipeline is justified by invoking Jim Crow ideologies of black men as innately dangerous and depraved. For example, even though school security and zero-tolerance was beefed up in the wake of the mass shootings in April 1999, perpetrated by four suburban white male students at a high school in Columbine, Colorado, the excessive policing and punishment as a result of these policies has been directed mostly at inner city African-American and Latino youth. This is because echoing Jim Crow laws of an earlier time, African American and Latino youth continue to be represented as dangerously depraved and mentally imbalanced **as a result of their “aberrant biology.”** Michelle Jarman (2012) has drawn conceptual yet contrary connections between the violent practices of white-on-black lynchings and eugenic castration during Jim Crow. Although both lynchings and castrations enacted similar barbaric mutilations that operated outside the law, white-on-black lynching was the murderous public spectacle consumed as a communal cultural event, whereas eugenic castration was administered by white medical doctors to white “feebleminded” inmates behind institutional walls. Jarman, argues that notwithstanding their differences, both modes of sexualized violence had the collective effect of normalizing and legitimizing each other because “each responded to . . . a culturally produced fear . . . of a threat animalistic and sexual, to the sanctity of normative white heterosexuality” (100). Thus, the logic of disability (feebleminded) as dangerous pathology also implicated in the construction of black men as dangerous (sexual) predators justified the most violent practices of Jim Crow and eugenic criminology. Similarly, Ferri (2010) explores the “the entangled histories of racism and ableism embedded in the construction of mental deficiency” (134) that continued to place African American students in segregated special education classrooms because they were perceived as **threats to the “normal” practices of schooling** (Erevelles, Kanga, and Middleton 2006). A similar logic operates with the New Jim Crow. One example in contemporary contexts is represented in this quote from The Weekly Standard: On the horizon, therefore, are tens of thousands of severely morally impoverished juvenile super-predators. They are perfectly capable of committing the most heinous acts of physical violence for the most trivial [reasons] . . . They fear neither the stigma of arrest nor the pain of imprisonment. They live by the meanest code of the meanest streets, a code that reinforces rather than restrains their violent, hand-trigger mentality. In prison or out, the things that superpredators get by their criminal behavior – sex, drugs, money – are their own immediate rewards. Nothing else matters to them. (DiIulio qtd in Farmer 2010, 371) Here, the intersecting discourses of race and disability as pathological deviance are deployed to create “moral panic . . . the means of orchestrating consent by actively intervening in the space of public opinion and social consciousness through the use of highly rhetorical and emotive language, which has the effect of requiring that ‘something be done about it’” (Farmer 2010, 372). Margaret Price (2010) describes a similar “moral panic” around people diagnosed with mental illness in the aftermath of recent mass shootings. So pervasive is this pathological rhetoric that in November 2003, in the racially diverse Stratford High School in Goose Creek, South Carolina, officers in SWAT team uniforms and bulletproof vests raided the school and forced students as young as 14 years old to the ground in handcuffs at gunpoint while their bags were searched with gun sniffing dogs. No drugs or guns were found and the most noteworthy fact regarding this raid was that the children who were searched were all black. I was surprised how easily discourses of moral panic drawing on the rhetoric of black pathology and the practices of compulsory able-bodiedness were the part of everyday conversations of liberal middle class parents at my daughter’s elementary school with students from diverse race and class backgrounds. In a recent conversation with some of these parents, moral panic ruled the day in the obvious terror the parents felt about sending their children (especially their young daughters) to the same middle school with low-income pre-teens of color—the very same students their daughters were friends with in elementary school. When I asked the parents how it was that we could promptly transform these inquisitive, gentle, fun-loving children into potential criminals within the brief moments of a conversation without any proof of their potential for violent notoriety, they assured me that this was inevitable because of the presumed pathological deviance in their families and their communities. Furthermore, many parents assured me that the effectiveness of the tracking systems (ability grouping) in public education would prove to be the first line of defense in separating “us” from “them.” Perhaps, especially telling is that the parents showed no reticence in this conversation with me (a woman of color)—a situation that painfully demonstrates that these parents assumed that our class alliances (us) would trump any and all racial alliances (them) that I might have claimed with the racialized other. Thus, in this way, discourses of racism and ableism intersect within the broader social logic of class antagonisms to segregate even within a presumably free, equitable, and democratic public education. Additionally, La Paperson’s (2010) conceptualization of the postcolonial ghetto is especially critical to describe how outlaw bodies are excluded, contained, and controlled in special education, alternative schooling, and the school-to-prison pipeline. Unlike the overseas colony that served as “imperialism’s outpost,” the postcolonial ghetto serves “as imperialism’s outcast: the alley and the underground of imperial outlaw” (21). In these “ghettoized zones in schools . . . the rights of students are suspended, and state agents are allowed free reign to implement any set of neocolonial educational and disciplinary tactics . . . violence that would never be permitted in their privileged counterparts” (18). Here the shift to the ghetto is not an “accident of discrimination” (8), but rather a deliberate act of dis-location by the school system. It is easy to see how self-contained special education classrooms and alternative schools in US public education serve as postcolonial ghettoes. Here, definitions of **disability as intransigent pathology are used to justify segregation along the axes of race and class under the questionable guise of “special” education and rehabilitation**. Claiming or passing as normal while maintaining a distance from the “real” aberrancy of disability is amply rewarded in educational contexts. Put simply, “we” MUST try really hard not to be like “them.” To all those who cannot pass for normal, there is always quarantine—the condition of temporary enforced isolation. To quarantine requires space, preferably secluded, but also one that can easily be patrolled to protect the outside from those on the inside. In the moral geography of schooling, one such quarantined space is the alternative school where students who are deemed at risk for school failure are forced to attend (Lehr, Tan, and Ysseldyke 2009). It is a little terrifying to note that according to 2001–2002 data, the numbers of students isolated in these quarantined spaces exceeded more than 613,000. Students are banished from regular classrooms because they are perceived to be at a higher risk of substance abuse, suicide, sexual activity and teen pregnancy. Nearly twelve percent of the students who attend alternative school are identified with emotional and behavioral disabilities and have IEPs (Individualized Educational Plans). Yet, many of these alternative schools privilege the punitive over the pedagogical or the therapeutic, becoming the dumping ground of at-risk students whom teachers are too terrified to teach. In this way, disability serves as an “outlaw ontology” used to justify the exclusion of individuals in the postcolonial ghettoes of public schooling. Additionally, I argue that “becoming” black and “becoming” disabled are not merely discursive events but are material constructs shaped by the political economy of educational opportunity and social segregation that frame the lives of those students on the fast track to the school-to-prison pipeline. The harsh reality is that most of these low-income students of color are caught in what Fine and Ruglis (2009) have referred to as “circuits of dispossession” fueled by economic practices that systematically funnel public education funding to private enterprises; swell the profits of testing companies, private vendors, and textbook publisher professionals; increase the police-in-school and military recruitment budgets. As a result, lowincome youth of color slowly disappear from educational spaces that could offer them an alternative to the numbing promise of lifelong incarceration. This sorting process is further exacerbated by housing policies that ghettoize those perceived as deviant, rampant racial and class segregation in public education fueled by regressive economic policies of school funding through property taxes, and through the pedagogical practices of tracking that disproportionately place minority students in underachieving schools and classrooms (Smith 2009). Most significantly, these low-income schools are also organized via a prisonlike atmosphere with little motivation to build and sustain relationships among students and their peers or between students and teachers or school staff—all of which are becoming secondary to budget line items assigned for the management of Black and Brown bodies (Smith 2009; Winn and Behizadeh 2011). I argued earlier that “becoming disabled” is an historical event mediated via the political economy of the social. This is also true in schools. Steele and Aronson (1995) have argued that low-income students of color wrestle with the historically derogatory threats of being viewed as innately deviant and constantly live in the fear of doing something that would inadvertently confirm that stereotype. They call it stereotype threat. In the specific context of zero-tolerance policies and its associative practices, the very act of surveillance serves as a physical representation of a threat whether or not students are actively conscious of it (Farmer 2010). And contrary to popular belief, the threat of constant surveillance does very little to reform the soul or normalize conduct; rather it has led to increased raids, confiscation of student property, interrogations, zero-tolerance suspensions, and ultimately juvenile detention centers and prison. Additionally, many incarcerated juveniles are often diagnosed with questionable labels such as disruptive behavior disorders (e.g., conduct disorder, oppositional defiant disorder), substance abuse disorders, schizophrenia, psychosis, and selfinjurious behavior. Conservative estimates claim that about ten percent of juvenile detainees have recently thought about suicide, with ten percent having attempted suicide over their lifetimes (Abram et al. 2008). Moreover, as many as many as 79 percent of juveniles labeled as mentally ill are thought to meet the criteria for multiple disorders, with 60 percent believed to be displaying symptoms of three or more disorders. Most of these children receive little or no interventions with the likelihood of treatment increasing if the juvenile is a non-Hispanic white, younger detainee, processed as a juvenile rather than an adult, and with a past history of treatment. In a case study of the New Orleans schools, it was reported that both pre- and post-Katrina, students of color with disabilities lacked resources for intervention programs that should have been illegal under IDEA—The Individual with Disabilities’ Education Act (Tuzzolo and Hewitt 2006/2007). I note here that members of the psychiatric survivor movement have protested the excessive control medical practitioners have on the lives of people diagnosed “mentally ill” and have argued that many of the treatments used have deprived them of their autonomy, respect, and human rights (Mollow 2006). This perspective, however, is challenged when brought to bear on those living at the intersections of race, class, and disability. For example, Anna Mollow’s (2006) insightful analysis of Meri Nana-Ama Danquah’s memoir, Willow Weep for Me: A Black Woman’s Journey through Depression foregrounds how this memoir complicates disabled people’s critiques of the psychiatric model of mental illness because, for African American women with depression, the problem does not lie in the involuntary administration of questionable treatments, but the lack of access to any form of treatment at all. In school contexts, McWilliams and Fancher (2010) point out that the failure to evaluate for disabilities while in school, contributes to a demonstrated racial “suspension gap” that negatively impacts communities of color—the black community in particular. They describe what they call a manifestation review where a team of school officials are required to decide (1) whether the conduct in question was caused by or had a direct and substantial relationship to the child’s disability; or (2) that the conduct in question was the direct result of the school’s failure to implement the IEP (Individualized Education Plan). McWilliam and Fancher report that in affluent school districts black students, often poor, are denied the support that an individual behavior plan can provide because the predominantly white administration assumes these students are choosing to act out. The matter is further complicated by the tendency of teachers and school officials to define disruptive white youth as in need of medical intervention rather than suspension under zero tolerance policies. This occurs in a context where social class, insurance coverage, and race are key indicators of who receives treatment and who is disciplined. In this way, it is the reality of political and economic factors that deny low-income students of color with disabilities not only corrective and educational supports but also enable schools to refuse to reinstate students expelled due to zero tolerance policies. Thus, when youth get in trouble and the school refers them to alternative schools or the juvenile criminal system, they experience a kind of “civic death” (Wacquant 2005), where they are made unable to fully participate in school processes (Farmer 2010, 376) and also in civic life later on.

### Prison-Industrial Complex

#### The prison-industrial complex is an extension of disciplinary power used to isolate those marked as deviant

Rembis 14 (Michael Rembis, “The New Asylums: Madness and Mass Incarceration in the Neoliberal Era” from “Disability Incarcerated”, p. 139-141)

In a revealing article in the December 2010 issue of the Journal of American History, historian Heather Ann Thompson argues that “focusing new historical attention . . . on the advent of mass incarceration after the 1960s, helps us understand some of the most dramatic political, economic, and social transformations of the postwar period” (734). After reading Thompson’s account, there is little doubt that this is indeed the case. Yet in an otherwise comprehensive and incisive analysis of the rise of mass incarceration and the prison industrial complex in the postwar United States, Thompson unsurprisingly fails to account for perhaps one of the most critical social transformations in this process; the so-called deinstitutionalization of well over 550,000 Americans who had been living incarcerated lives in mental hospitals (Palermo, Smith, and Liska 1991; Penrose 1939).1 Recent researchers in various fields have referred to what they call the criminalization of mental illness (Slate and Johnson 2008). Yet those historians who engage in a critical assessment of mass incarceration in the late twentieth century do not consider the important relationships among the rise of the prison industrial complex and the increasing psychiatrization of both socially “deviant” behavior and incarcerated populations, as well as the psychic trauma associated with incarceration. In 2007, the Council of State Governments declared that, “The three largest inpatient psychiatric facilities in the country are jails, with the Los Angeles County Jail, Rikers Island Jail in New York City, and the Cook County Jail in Chicago each individually housing more persons with mental illnesses than any psychiatric institution in the United States.” (Slate and Johnson 2008, 59) In this chapter, I engage in a critical assessment of the relevant literature in an effort to outline the growing connections among “deinstitutionalization” and the rise of mass incarceration from the 1960s to the early twenty-first century. In the process, I point toward the critical importance of including this analysis in the larger history of mass incarceration in the postwar United States and make an argument for the centrality of disability studies (or mad studies) in any examination of United States history. The omission of madness and mad prisoners from the recent historical record is pervasive in the literature on incarceration. For decades, activists and academics like Angela Davis (2005) have done the vital work of helping us “think about the possibility that punishment may be a consequence of other forces and not an inevitable consequence of the commission of crime” (40–41). Yet many scholars and activists who engage in a critical assessment of the rise of the prison industrial complex do not interrogate (in any systematic way) the links between madness and incarceration (Alexander 2010; Thompson 2010). Instead, they focus on race and poverty. Davis, for example, argues that, “Regardless of who has or has not committed crimes, punishment, in brief, can be seen more as a consequence of racialized surveillance . . . Those communities that are subject to police surveillance are much more likely to produce more bodies for the punishment industry.” According to Davis (2005), incarceration has become a powerful means of “disappearing . . . dispensable populations from society . . . in the false hope of disappearing the underlying social problems they represent.” She contends that “imprisonment is the punitive solution to a whole range of social problems that are not being addressed by those social institutions that might help people lead better, more satisfying lives” (40–41). Davis is certainly (and rightly) not alone in her focus on the social, cultural, and economic forces that produce the surveillance and incarceration of racialized bodies, which is extremely important. The vast majority of incarcerated Americans are poor men, women, and children of color. While recognizing the essential work that has been done in this area, I would like to propose that **race alone is inadequate** to explain the rise of mass incarceration in the United States since the 1960s. We cannot begin to grasp the complex and powerful role that mass incarceration has taken on in the era of neoliberalism without making serious consideration of the extent to which our modern lives have become embedded within and dependent on a medicalized, psychiatrized, and ultimately punitive, discourse of madness (Foucault and Senellart 2008; Harvey 2005; Phillips-Fein 2009). First, a Word on Madness, Foucault, and the “Carceral System” Foucault (1995) first referred to the power-knowledge regime that undergirds mass incarceration as the carceral network or carceral system. According to Foucault, a vast carceral network that developed gradually from what he refers to as the “classical age” (ca. 1600–1700s) down through the end of the nineteenth century, linked, through “innumerable relations,” the punitive and the abnormal, transforming the “social enemy” into the “deviant” or “delinquent” and making the power to punish both “natural” and “legitimate.” Once embedded in this system, which is still with us today and extends well beyond the prison, one is capable of moving through a “slow, continuous, imperceptible gradation that [makes] it possible to pass naturally from disorder to offence and back from a transgression of the law to a slight departure from a rule, an average, a demand, a norm” (Foucault 1995, 298). “We are in the society,” Foucault argues, “of the teacher–judge, the doctor–judge, the educator–judge, the ‘social worker’–judge; it is on them that the universal reign of the normative is based; and each individual, wherever he may find himself, subjects to it his body, his gestures, his behavior, his aptitudes, his achievements.” In the end, Foucault (1995) concludes that, “the carceral network, in its compact or disseminated forms, with its systems of insertion, distribution, surveillance, observation, has been the greatest support, in modern society, of the normalizing power” (304). The prison is merely an extension of the disciplinary power that governs us all.

### Warming

#### People with disabilities are always already relegated to toxic environments, their bodies to be researched for neoliberalism. Their risk calculations inherently devalue disabled bodies.

Mitchell 15 (David T Mitchell, “The Biopolitics of Disability: Neoliberalism, Ablenationalism, and Peripheral Embodiment”, University of Michigan Press, p. 155-158)

Namely, the activities under scrutiny here are (1) those practiced by crip/queer participants on social media forums among single condition user groups; (2) late twentieth-century antinormative novels of embodiment that turn on revelations of disability as unexpected creative capacity in order to expose cultural investments in normative conceptions of aesthetics, cognition, and functionality; and (3) the radical underpinnings of disability at the foundation of Hardt and Negri’s concept of multitudes (the spontaneous eruptions of global networks of resistance to late capitalist forms of exploi- tation) in the afterword. Our closing remarks regard the potentiality of approaching disability as “nonproductive labor”—an alternative to capitalist overdeterminations of the ability to sell one’s labor power on the market as the nexus of productivity, and thus, a normative baseline of human value. Further they chart avoidance of crip/queer people living under the radar of late capitalism and struggling against consignments to consumer-directed identities. In some respects we might think of these domains of bounded disability participation as akin to other semi-permeable universes such as the Biosphere 2 (Biosphere 1 is the planet Earth). Biosphere 2 was a project undertaken in fall 1991 to create a completely controlled, “natural” environment within one contained structure in the desert of Arizona (Winerip, “A Second Act”). The biosphere is a 3.14 acre all-glass arboretum-like Earth systems scientific research center intended to operate as an enclosed ecological space. The structure was built in the town of Oracle and was intended to make the interdependencies of life systems available to researchers for study and measurement (“Biosphere 2”). Two different human research groups inhabited the biosphere during mission 1 from 1988 to 1991 and mission 2 from 1993 to 1995 (“Biosphere 2”). The first mission was characterized by animosities that developed between two divided encampments based on arguments over methodological research practices (Winerip, “A Second Act”). The second mission was prematurely aborted when financial disputes over the management of the environment and the mounting costs of the experiment led to mission 2’s premature abandonment (“Biosphere 2”). While the experiment was largely undertaken to understand the interdependencies of hermetically sealed off ecosystems, the invention of something akin to a human-scale control group, the work came to reveal the antinomies cultivated by human actors operating under a twenty-four-hour surveillance camera more akin to the contemporary reality show “Big Brother” than a display of scientific exercise of dominion over nature. Perhaps, ironically, the fate of the naturally simulated interdependencies of ecosystems in the biosphere gave way, after its sale to Columbia University, to a test tank for observing the destructive effects of greenhouse gasses and global warming trends (“Biosphere 2”). All of these intensities operate in the bio(political)sphere for people with disabilities under neoliberalism. Disabled people represent excessively supervised, researched populations prone to being positioned as canaries in the coal mine of environmental and social exposures. Mel Y. Chen writes in her book Animacies that disabled people share intensive affinities with other marginalized populations (largely people of color) “shaped by what or who counts as human, and what or who does not” (30). In this section we want to underscore how the toxic environments of for-profit health care research networks participate in this neoliberal social annexation of those peripheral embodiments. Such research networks promote normalization schemes based on the emptying out of disability-based differences and active exclusions from competitive labor environments. Nearly all efforts in the domain of for-profit medicine serve as components of the bio(political)sphere of disability influencing global interactions among marginalized forms of citizenship. If biopolitics is most distinctively characterized by Foucault’s formulation in The History of Sexuality as “the right of death and power over life” (157), then these collaborative disability domains are seeking to survive experiments of exclusionary (sometimes death-making) environments **manufactured for the maintenance of some privileged lives** over others—those who embody lives that cannot be effectively accommodated within the human-made toxicity (of attitudes, structures, environments, and practices) of the neoliberal built biopolitical sphere. In particular we analyze how the rarity of some impairments that require extraordinary medical care (such as multiple surgeries to reconstruct unviable organs) fail to galvanize enough promise as lucrative interventions for medical practitioners, pharmaceutical research corporations, and health care systems alike. In neoliberal for-profit medicine **a premium is placed upon the numbers of people who might benefit from a particular treatment** regimen in the risk calculations of viability for future medical research, the procurement of financial backing for the development of treatment technologies and protocols, and the training of sufficient expertise in medicine to improve viability for those in peripheral embodiments. In these economically generated measures of who is worth saving, one is left with the immoral quandaries of which bodies should receive treatment and which ones should not. Often lack of treatment results from the fact that no research organization has identified a sufficient market-based demand for promoting profit-based research and development (R & D) explorations. Those who exist under the classification of “letting die” have been increasingly subject to participating in the economic press of funding generation schemes to underwrite necessary treatment, pleading with surgeons and researchers to undertake skills training in necessary interventions, and, most recently, purchasing in the neoliberal for-profit medical markets to underwrite potential “cures,” treatments, and medications.

### Oppression

#### Normality structures all forms of oppression

Baynton 1

The metaphor of the natural versus the monstrous was a fundamental way of constructing social reality in Burke's time. By the late nineteenth and early twentieth centuries, however, the concept of the natural was to a great extent displaced or subsumed by the concept of normality.3 Since then, normality has been deployed in all aspects of modern life as a means of measuring, categorizing, and managing populations (and resisting such management). Normality is a complex concept, with an etiology that includes the rise of the social sciences, the science of statistics, and industrialization with its need for interchangeable parts and interchangeable workers. It has been used in a remarkable range of contexts and with a bewildering variety of connotations. The natural and the normal both are ways of establishing the universal, unquestionable good and right. Both are also ways of establishing social hierarchies that justify the denial of legitimacy and certain rights to individuals or groups. Both are constituted in large part by being set in opposition to culturally variable notions of disability-just as the natural was meaningful in relation to the monstrous and the deformed, so are the cultural meanings of the normal produced in tandem with disability.4 The concept of normality in its modern sense arose in the mid-nineteenth century in the context of a pervasive belief in progress. It became a culturally powerful idea with the advent of evolutionary theory. The ideal of the natural had been a static concept for what was seen as an essentially unchanging world, dominant at a time when "the book of nature" was represented as the guidebook of God. The natural was good and right because it conformed to the intent or design of Nature or the Creator of nature. Normality, in contrast, was an empirical and dynamic concept for a changing and progressing world, the premise of which was that one could discern in human behavior the direction of human evolution and progress and use that as a guide. The ascendance of normality signaled a shift in the locus of faith from a God-centered to a human-centered world, from a culture that looked within to a core and backward to lost Edenic origins toward one that looked outward to behavior and forward to a perfected future. Just as the counterpart to the natural was the monstrous, so the opposite of the normal person was the defective. Although normality ostensibly denoted the average, the usual, and the ordinary, in actual usage it functioned as an ideal and excluded only those defined as below average. "Is the child normal?" was never a question that expressed fear about whether a child had above-average intelligence, motor skills, or beauty. Abnormal signified the subnormal. In the context of a pervasive belief that the tendency of the human race was to improve itself constantly, that barring something out of the ordinary humanity moved ever upward away from its animal origins and toward greater perfection, normality was implicitly defined as that which advanced progress (or at least did not impede it). Abnormality, conversely, was that which pulled humanity back toward its past, toward its animal origins. As an evolutionary concept, normality was intimately connected to the western notion of progress. By the mid-nineteenth century, nonwhite races were routinely connected to people with disabilities, both of whom were depicted as evolutionary laggards or throwbacks. As a consequence, the concept of disability, intertwined with the concept of race, was also caught up in ideas of evolutionary progress. Physical or mental abnormalities were commonly depicted as instances of atavism, reversions to earlier stages of evolutionary development. Down's syndrome, for example, was called Mongolism by the doctor who first identified it in 1866 because he believed the syndrome to be the result of a biological reversion by Caucasians to the Mongol racial type. Teachers of the deaf at the end of the century spoke of making deaf children more like "normal" people and less like savages by forbidding them the use of sign language, and they opposed deaf marriages with a rhetoric of evolutionary progress and decline. Recent work on late-nineteenth century freak shows has highlighted how disability and race intersected with an ideology of evolutionary hierarchy. James W. Trent argued in a recent article that at the 1904 World's Fair, displays of "defectives" alongside displays of "primitives" signaled similar and interconnected classification schemes for both defective individuals and defective races. Both were placed in hierarchies constructed on the basis of whether they were seen as “improvable" or not-capable of being educated, cured, or civilized. Whether it was individual atavism or a group's lack of evolutionary development, the common element in all was the presence or attribution of disability.6

## Alt

### Alt – Conviviality

#### Conviviality solves

Puar 9 (Jasbir K Puar, Associate Professor of Women’s and Gender Studies at Rutgers University, “Prognosis time: Towards a geopolitics of affect, debility and capacity”, p. 168-169)

Out of the numerous possibilities that ‘‘assemblage theory’’ offers, much of it has already begun to transform queer theory, from Elizabeth Grosz’s crucial re-reading of the relations between bodies and prosthetics (which complicates not only the contours of bodies in relation to forms of bodily discharge, but also complicates the relationships to objects, such as cell phones, cars, wheelchairs, and the distinctions between them as capacity-enabling devices) (1994), to Donna Haraway’s cyborgs (1991), to Deleuze and Guattari’s ‘‘BwO’’ (Bodies without Organs – organs, loosely defined, rearranged against the presumed natural ordering of bodily capacity) (1987). I want to close by foregrounding the analytic power of conviviality that may further complicate how subjects are positioned, underscoring instead more fluid relations between capacity and debility. Conviviality, unlike notions of resistance, oppositionality, subversion or transgression (facets of queer exceptionalism that unwittingly dovetail with modern narratives of progress in modernity), foregrounds categories such as race, gender, and sexuality as events – as encounters – **rather than as entities or attributes** of the subject. Surrendering certain notions of revolution, identity politics, and social change – the ‘‘big utopian picture’’ that Massumi complicates in the opening epigraph of this essay – conviviality instead always entails an ‘‘experimental step.’’ Why the destabilization of the subject of identity and a turn to affect matters is because affect – as a bodily matter – makes identity politics both possible and yet impossible. In its conventional usage, conviviality means relating to, occupied with, or fond of feasting, drinking, and good company – to be merry, festive, together at a table, with companions and guests, and hence, to live with. As an attribute and function of assembling, however, conviviality does not lead to a politics of the universal or inclusive common, nor an ethics of individuatedness, rather the futurity enabled through the open materiality of bodies as a Place to Meet. We could usefully invoke Donna Haraway’s notion of ‘‘encounter value’’ here, a ‘‘becoming with’’ companionate (and I would also add, incompanionate) species, whereby actors are the products of relating, not pre-formed before the encounter (2008, 16). Conviviality is an ethical orientation that rewrites a Levinasian taking up of the ontology of the Other by arguing that **there is no absolute self or other**,15 rather bodies that come together and dissipate through intensifications and vulnerabilities, insistently rendering bare the instability of the divisions between capacity-endowed and debility-laden bodies. These encounters are rarely comfortable mergers but rather entail forms of eventness that could potentially unravel oneself but just as quickly be recuperated through a restabilized self, so that the political transformation is invited, as Arun Saldhana writes, through ‘‘letting yourself be destabilized by the radical alterity of the other, in seeing his or her difference not as a threat but as a resource to question your own position in the world’’ (2007, 118). Conviviality is thus open to its own dissolution and self-annihilation and less interested in a mandate to reproduce its terms of creation or sustenance, recognizing that political critique must be open to the possibility that it might disrupt and alter the conditions of its own emergence such that it is no longer needed – an openness to something other than what we might have hoped for. This is my alternative approach to Lee Edelman’s No Future, then, one that is not driven by rejecting the figure of the child as the overdetermined outcome of ‘‘reproductive futurism’’ (2004),16 but rather complicates the very terms of the regeneration of queer critique itself. Thus the challenge before us is how to craft convivial political praxis that does not demand a continual reinvestment in its form and content, its genesis or its outcome, the literalism of its object nor the direction of its drive.

### Alt – Cripistemology

#### Curricular cripistemologies allows for the failure of normalization

Mitchell et al ’14— (David T. and Sharon L. Snyder are co-researchers in the fields of disability studies, cultural studies, and literary studies. Linda Ware is an Associate Professor in Education at the State University of New York in Geneseo, New York, where she teaches disability studies in education, Women’s Studies, and a disability studies writing seminar, “‘Every Child Left Behind’ Curricular Cripistemologies and the Crip/Queer Art of Failure” Journal of Literary and Cultural Disability Studies, Vol. 8, Issue 3, 2014.)

“Every Child Left Behind,” or the Crip/Queer Art of Failure

Most indicators point to the fact that inclusionist practices have resulted in new kinds of exclusion as opposed to integration. For example, while students with disabilities make up 13% of student populations, those labeled with intellectual disabilities receive a diploma only 36.6% of the time; 22% drop out. The rest (59%) finish their schooling but receive no diploma and, over the course of their education, spend time with non-disabled peers only in art, gym, or music classes (Smith 4–5). In other words, inclusionism’s primary purpose of molding crip/queer bodies into tolerated neoliberal normativities scores a less than passing mark. This article may be understood, then, as a companion to recent disability studies in education (DSE) efforts regarding the ongoing critique of inclusionist practices that leave all children behind. If one can be included only by passing as non-disabled then much of the value of crip/queer experiences is lost in traditional pedagogical practices. In undertaking this exposure of pedagogical heteronormativities we seek to accomplish three specific tasks: 1) engage disability studies in a dialogue with Judith Halberstam’s important recent work on “the queer art of failure” (147); 2) draw out how queer theorizing of the last decade can be productive for disability studies even though, as Robert McRuer and Anna Mollow point out, a more direct engagement with disability has been slow in coming within queer studies (3); and 3) pursue what may seem, at first, to be a counter-intuitive argument in the best interests of actively promoting a certain kind of failure in the context of curricular cripistemologies. All of these objectives emerge in our recent teacher training projects to more effectively address shortcomings foundational to inclusionist methodologies now operative in most public schools across the U.S. To accomplish the alternative crip/queer goals of curricular cripistemologies we intend to explain why failure is necessary when educational inclusion operates as an exclusionary undertaking in, perhaps, the most entrenched, neoliberal, and common sense institution of all: public education. By neoliberal we mean to define education as part of a newly emergent “tolerance” of multicultural differences. In particular, our critique centers on inclusionism as a neoliberal gloss of diversity initiatives that get some disabled students in the door while leaving the vast majority of crip/queer students behind. Neoliberal educational practices cultivate further funding opportunities by **advancing claims of successful normalization** rather than drawing upon crip/queer differences as sources of alternative insight. Curricular cripistemologies, in contrast, openly advocate for the productive potential of failing normalization practices (if they were ever obtainable in the first place) because such goals entail erasing recognitions of the alternative values, practices, and flexible living arrangements particular to crip/queer lives. Whereas the administrative platform of former President George W. Bush pushed for U.S. educational reforms around the promotion of standardized testing to “leave no child behind,” we, in turn, present an argument for recognizing standardization of curricula as ultimately “leaving every child behind,” or at least promoting a certain type of norm-fulfilling child in whose name most students turn up wanting. This curricular abandonment of difference in the name of assimilation occurs primarily through an incapacity (or, perhaps, unwillingness) to adapt the lessons of systemically in-built accommo- dations and crip/queer content designed to address the range of learning differences comprising today’s classroom demographics. The neoliberal school attempts to resolve the accommodation of disability through downplaying rather than drawing from people’s differences. Through the promotion of active abandonment of crip/queer differences, neoliberal standards guide educational reforms saturated in the questionable values of ableism and normalization. In order to double back on this process, practitioners of curricular cripiste- mologies undertake critical examinations of “compulsory able-bodiedness” (McRuer 31) and “compulsory able-mindedness” (Kafer 16). Thus, what appears on the surface as disabled students’ incapacity to keep up with their normative peers, turns out to be a purposeful failure to accomplish the unreal (and, perhaps, unrealizable) objectives of normalization. Within the multiplying paradoxes of neoliberal inclusionism, crip success is, paradox- ically, to fail to become normate. In The Queer Art of Failure Halberstam advocates a concept of “failure [that] allows us [crip/queer people] to escape the punishing norms that discipline behavior and manage human development with the goal of delivering us from unruly childhoods to orderly and predictable adulthoods” (3). This queer studies inversion of ways to read non-normative lives as failing standards of heteronormative expectations enables crip/queer people to pursue other modes of existence as alternates to sanctioned social roles. These alternative strategies of living pass by largely undetected because educational assessments measure only the degree to which students clear the bar of normalization. By applying this crip/queer deployment of “failure,” curricular cripistemologies undertake pedagogical practices suppressed (or, at least, devalued) by normative neoliberal educational contexts. In adopting a strategically counter-intuitive slogan such as “every student left behind,” then, the critique of inclusionism acknowledges the increasingly disciplinarian nature of public education’s normalizing objectives. Inclusion has taught teachers a dangerous lesson in what appears to be a failed model of adaptation: crip/queer students cannot effectively compete with their non-disabled peers. The pedagogical assessment of the distance that exists between crip/queer and normal students by standardized testing regimes is now part and parcel of the wider **cultural abandonment of non-normativity.** But what if a “failure to thrive” in pre-determined educational roles is understood as the product of active refusal (that which Halberstam refers to as a “rejection of pragmatism” [89] and Herbert Kohl terms “willed not-learning” [134]) to “fit” disability paradigms reductively dictated by normative institu- tional expectations? We could take seriously the findings of DSE scholars such as Phil Smith, who points out in Whatever Happened to Inclusion? that education has actually lost ground in terms of including students with more significant disabilities in recent years (28). Within this context, the objectives accomplished by public relations-driven educational “creaming practices” proliferate. They operationalize inclusionist claims to success wherein the normative accomplishments of the most “able disabled students” eclipse the struggles of those left behind.1 Inclusionism, in other words, covers over an unethical promotion of the successes of the few based upon normative standards of achievement for the inadequacies of the many. Within curricular cripistemologies disability metamorphoses from successful normalization into lesser versions of the ableist self into a meaningful alternative site for transforming pedagogical practices and failed social identities. A productive failure whose sites are set significantly higher than neoliberal tolerance allows. What does a curricular cripistemology look like if the subterfuge of normalcy does not dictate the socially anemic goals of inclusionism—or that which Linda Ware has provocatively termed “(in)exclusion” (Ideology, 2)? Perhaps these reformist efforts have come on the heels of developments during the Clintonian era wherein previously inclusive legislation had to be revitalized and newly enforced. The implementation of more flexible accessibility followed implemen- tation of the Americans with Disabilities Act (1992) and the Individuals with Disabilities Education Act (2004). Both of these legislative reforms were necessary to update prior failures of inclusive legislation from two decades earlier, including the Education for All Handicapped Children Act (1975) and the Architectural Barriers Act (1968). These policy-based efforts to mandate the inclusion of students with disabilities under neoliberal principles of integration opened up U.S. education to those with developmental disabilities and “multi- handicaps” who had been actively segregated from public education with their peers since the early 1900s and continuing into the early 1970s. Nevertheless, the results of inclusionism have been incomplete because neoliberal efforts evolve around beliefs that mainstreaming would largely require retrofitting architectural environments in order to bring crip/queer students into buildings outfitted for their able-bodied peers. Further, the political pressures of the disability rights movements to achieve meaningful integration ultimately rely on the neoliberal approaches they professedly critique. By advocating for the right to be included alongside their able-bodied peers, activists in the 1980s and 1990s used a normalizing framework to give weight to their critique of exclusion. They argue that disabled people are like everyone else and, therefore, deserve the right to pursue normative practices in tandem with their non-disabled peers. In other words, **a disability rights-based model of policy intervention relies upon assimilationist claims in order to gain access to key neoliberal institutions such as education.** As a corrective to inclusionist objectives that began whole-heartedly in the mid-1990s, scholars in DSE such as ourselves have pursued the development of an alternative curricular cripistemology. **Curricular cripistemologies imagine another kind of inclusion that entails an approach to making crip/ queer subjects not just integrated but integral to the contemporary curricular knowledge base** (Stiker 32). As an alternative to engaging existing inclusionist methodologies as largely an application of assistive technology—the formali- zation of “technology’s fix” to the integration of disabled students, discussed later—we argue that curricula need to contextualize the lives of crip/queer people in order to create a receptive atmosphere for productive engagements with embodied differences in school. A functioning curricular cripistemology entails teasing out and making visible otherwise latent crip/queer themes as a primary ordinal in a multi-tiered approach.

### Alt Solves

p. 216-219

Let us bring The Biopolitics of Disability to a close with a laundry list of ways in which contemporary crip/queer collectivities produce a viable counternarrative of biopolitics extant in Hardt and Negri’s formulation of multitudes.

Disabled persons are made, willingly or not, into the legitimate “nonworkers”—those who are actively excluded from, but who also consciously refuse, productivity as a basis for an adequate measure of human worth. They strain at entrapment in the productive net of neoliberal capitalism that ensnares all in the seemingly benign, inexhaustible practice of consumption as synonymous with life. Many of the disabled people we know prove to be some of the worst consumers on the planet because they have neither the means nor the interest of mistaking meaning with market. For instance, disabled artists and activists in Chicago and London with whom we have worked live sparing, nonconsumptive lives and, yet, this is what we admire about them.

Those who identify as nondisabled also strain to occupy the increasingly common forms of prosthetization that supplement debilitated bodies trying to navigate inaccessible, or, at most, minimally accessible, neoliberal environments. At least to the great degree that this prosthetic discomfort surfaces for those still inhabiting narratives of the natural, organic, and unsupplemented body. As the autistic narrator, Christopher, argues of his neighbors in The Curious Incident of the Dog in the Night-Time, “everyone has special needs, like Father, who has to carry a little packet of artificial sweetening tablets around with him to put in his coffee to stop him from getting fat, or Mrs. Peters, who wears a beige-colored hearing aid, or Siobhan, who has glasses so thick that they give you a headache if you borrow them, and none of these people are Special Needs, even if they have special needs” (43–44). As in Christopher’s case, disabled people, in turn and by necessity, have surrendered this artificial nostalgia for a version of their bodies as definitively normative, natural, pure, and unsupplemented. In this manner they become one instance of a recalcitrant remainder within the body-rehabilitating and mind-altering augmentative projects of neoliberal biopolitics. Global capitalist networks increasingly rely on the development of workforces that can manipulate immaterial data across an expanding array of communication networks. Such labor often involves a variety of skills, such as (1) the ability to sit in a stale room with others for hours on end; (2) the capacity to performatively represent oneself as hyperbolically enabled through digital forms of communication; (3) the ability, and even willingness, to function in cybernetic locations completely bereft of the aesthetic body-based criteria that so often result in exclusions of disabled people from service-based and productivity-driven manufacturing employability; (4) substantial amounts of leisure time that go relatively uninterrupted by the nuisance of caring support networks supplied for most by family, friends, or love interests; and (5) a willingness to be devoted to one’s job because so much of what counts as an “outside life” has already been rendered unavailable. This catalog of nonnormative capacities of incapacity are meant as only partially tongue in cheek. As denizens of neoliberal historical contexts, we are increasingly approaching a paradoxical time that Hardt and Negri and other post-operaist theorists “prefer to designate as ‘altermodern’” (Mouffe 66). In the altermodern, some of what passed as the undesirability of life in a disabled body ironically translates into vaguely apprehended examples of survival within the deprivative workplace atmospheres that govern “immaterial forms of production” within neoliberalism (Hardt and Negri, Declaration 65).

However, and perhaps more importantly, even outside of the formal workforce crip/queer people find themselves manipulating data of a political nature across national boundaries. As we cataloged earlier, disabled people’s organizations and disabled individuals now routinely exchange survival strategies and political tactics with other nonproductive bodies in formerly unreachable locations. The international participation of eugenics discourse in the earlier part of the last century has been met by an increasingly globalizing discourse of countereugenic efforts. Thus, disability rights movement leaders now exchange political insurrection strategies with each other in order to pressure their own legislatures into adopting “human-rights-based platforms” and principles of universal design through comparisons with other policy- and rights-based action movements. These efforts effectively turn eugenics-based strategies on their head and can be fueled by immaterial commerce across global cybernetic networks.

However, aside from rights-based strategies that inevitably reify heteronormative forms of participation, we want to encourage the option of following out the logic of nonproductive bodies in order to conceive of disability as a potentially effective political foundation for new forms of resistance, particularly in that disability (as the advocates of TAB [the temporarily able-bodied] remind us) potentially cuts across all socio-economic categories of experience. Yet the founding recognition of crip/queer political unity based in difference—that which we have called the politics of atypicality or, in Hardt and Negri’s terms, the “intensive singularities of resistance” that cannot be neatly collapsed in a coherent identity. This is one of the primary lessons of crip/queer embodiments participating in the alternative resistance practices offered by the politics of atypicality. Such nebulous en- actments of politics have been critiqued as unworkable—particularly based on an unwillingness to “acknowledg[e] the pro-active role played by capital in this transition” and the continuous social pressure to make marginalities controllable because recognizable (Mouffe 72).

For instance, Chantal Mouffe, one of the most influential theorists of the competing interests of hegemony as central to political identity formation, argues in favor of the necessity of an identity-based approach to difference within a more openly acknowledged agonistics of competing tribes. Without the consolidation of identity camps, argues Mouffe, there is no viable way of conceiving how the post-operaist multitudes will come into being with respect to more spontaneous forms of collective action. Throughout this book we have addressed this critique (and also believe it implicit in Hardt and Negri’s formulation of multitudes) by showing how a limited implementation of “inclusionism” on behalf of formerly excluded nonnormative identities opens the door to a more robust engagement with an alternative ethics of crip/queer being. Rather than posit a space outside of neoliberal capitalism, the biopolitics of disability explores how forms of dissent evolve within limiting rubrics of neoliberal diversity. Mouffe would diminish the significance of these counterhegemonic developments by arguing for their status as “‘passive revolution,’ a situation where demands which challenge the hegemonic order are appropriated by the existing system so as to satisfy them in a way that neutralizes their subversive potential” (Agonistics 73). In contrast, we are arguing for an alternative political evolution of disability collectivities: those who consciously operationalize the marginally “proactive” practices of neoliberalism in order to advance a more radical agenda of collectivity across dissimilarities.

Of course, as we explored in chapter 4 regarding the agonistic identity exchanges of film festival participation, we don’t mean to overlook the fact that disability collectivities have discovered creative ways of fracturing their own collaborative potential. Particularly on the basis of less productive debates over whose “disabled” and whose “not-disabled,” disability hierarchies, tokenism, marginalization of expressive modes (i.e., putting the pragmatics of policy over arts), the neglect of the experiences of disabled people of color, disabled old boys and old girls networks of power brokering, and so on. But there are also a series of productive ways to organize political constituencies that we owe to the creativity of disability rights movements around the world. Namely, since disability movements continue to operate simultaneously at the local and meta-national levels.

p. 220-221

Marketing Imperfect Identities

Thus, postindustrial, neoliberal capitalism as discussed in chapter 1 now finds itself pitched toward imperfection as the standard of vulnerable embodiment and the hawking of product supplementations as the solution— diuretics, impotency, indigestion, mobility aids, depression, manias, hearing loss, vision correction, and so on. The body has become a multisectional market; whereas Fordist capitalism cultivated divided worker populations by hierarchicalizing the assembly line based on the functional demands of production, neoliberalism divides us within our own bodies. We are now perpetual members of an audience encouraged to experience our bodies in pieces—as fractured terrains where the “bad” parts of ourselves are ever multiplying. Whereas disabled people were trained to recognize their disabled parts as definitively inferior, the biopolitics of late capitalism trains everyone to separate their good from bad—a form of alienation that feeds the market’s penchant for “treating” our parts separately in order to partition further for resource exploitation. The body becomes a terrain of definable localities each colonized by its particular pathologies as dictated by the marketplace. This late capitalist litany of bodily frailties, imperfections, and incapacities gluts advertising networks as the hegemonic product pitch strategy of today. Within this treatment-based environment disability rapidly becomes synonymous with a humanity that we are all seeking to overcome. The imperfect is becoming a standard formula of reference for alternative late liberal marketplace profit extraction.

The rise to legitimacy of the therapies as new “comfort industries” results as the twenty-first century opens. We are all subject to the disciplinary regi- mens of the therapies that have now transcended their medically subordinate position within the health sciences to become our mainstream training gurus for improving on bodily imperfections writ large. Therapies have now gone “cultural” and encourage our mass dedication not to perfection but to the infinite pursuit of embodied “improvement.” Once relatively isolated disability rehabilitation regimens are now applicable to all citizens; just as all citizens grow increasingly responsible for policing their own bodies as a foundational aspect of their well-being. Forms of therapy are increasingly becoming the market solution to ever-expanding ideas of debility, and to the degree that one resists therapy one also further resists greasing the neoliberal market skids. Refusal of our crip/queer bodies as perpetual objects of professional labors provides a model of resistance wherein the ways our bodies function does not lead us to fall prey to regimes of standardization. We now find ourselves encouraged not to conform to a general norm but rather condition-based norms that others who presumably share our disability group establish. This is really nothing but a move from a medical model based on an elusive average body to a therapy-based norm of an elusive average disabled body.

Today, as we have argued throughout The Biopolitics of Disability, neoliberalism thrives on the production of “new spaces” for exploitation, the promotion of the exotic as a strategy of consumption rather than the promise of the homogeneity amid locales of difference. The body itself has become an outpost for this strategy. An “intensive interior” is now cannibalized as new “erogenous zones” of intervention unfold. To combat this tendency crip/queer subcultures rise as a countervaluing mechanism: collectivities that cannot afford to mistake their own artificial productions as more “natural,” but rather, following Hardt and Negri, as a self-acknowledged product that seizes the biopolitical terrain as revisable. “Nonproductive bodies” work a revolution within the conception of worker subjectivity. The nonproductive body is not simply a body incapable of working within the narrow standardization efforts of capitalism, but rather, as Hardt and Negri explain, “the way some deviants perform differently and break the norms” in doing so (Multitudes 200). These differences may result in a rigid exclusion from dominant economic networks, but they continue to produce and, in turn, be produced: thus, late liberalism may be generally described as a culture of manufactured sentience; one that wires the life of feeling and flesh directly into the circuitry of prosthetic supplementation (i.e., prosthetics from sip ’n puff wheelchair control systems to voice synthesizers to Xbox superhero cyber realities).

## AT

### AT: Legal Change

#### Legal solutions fail – legal structures are predicated on the negative ontology of disability

Campbell 5 (“Legislating Disability: Negative Ontologies and the Government of Legal Identities” in “Foucault and Government of Disability” edited by Shelley Termain, p. 118-120)

With respect to disability, it would seem that such “legal fictions” give rise to a false or distorted ontology, which is formulated on the basis of bio- medical realism, and in whose terms disability is construed as a lack or negative valence. The “fiction” in this case is the suggestion that a negative ontology of disability coupled with a biomedical orientation toward dis- ability prescriptions and evaluative rankings is necessary (i.e., a prerequisite) for the efficient administrative management and legal delimitation of “disability.” A poignant example of the continuing recitation of this kind of legal fiction of disability can be found in the introduction to a special journal issue guest-edited by Melinda Jones and Lee Ann Basser Marks (2000). According to these authors, Most people with disabilities would share the view that being disabled is not a desirable state to be in, and even agree that disability should, where possible, be prevented. However, the suggestion that this carries negative implications about the entitlement to rights, or the values, respect and dignity of people with disabilities, should be resisted. While it may seem paradoxical, it is essential to meet the challenge of truly valuing those who are disabled at the same time as taking action to prevent or limit dis- ability. (2000, 2; emphasis added) The pursuit of legal liberal rights discourse that Jones and Basser Marks encourage **is deployed within the context of a negative ontological frame- work** of disability and an assumed permissibility to performatively enact injurious speech. Insofar as Jones and Basser Marks ground their arguments in this context on an a priori assumption that disability is not to be countenanced, they bear testimony to the pervasive and normalizing effects of such negative formulations as key to the maintenance of ableist rationalities; in addition, these authors reveal the recuperative and totalizing tendencies and tensions in the flawed logic of ableist liberalism (see Foucault 1980a, 98). This logic allows the rhetoric of rights to “have it both ways,” that is, to simultaneously hold out the promise of equalization and to rein- scribe negative ontologies of disability that continually produce and effect subordination. The very inclusiveness of the neoliberal conception of “citizenship” hinges upon governing disability according to an ethics of normalization and minimization. The individual of Western neoliberalism is an increasingly commodified entity. Within neoliberal societies, individuals are increasingly packaged and marketed (like inanimate objects) in terms of their respective “use-values” that become a measure of their respective worth.10 Recent technological “advancements” hold out the possibilities of “elevating” the bodies (and minds) of individuals designated as disabled to the level of “nearly able.” Thus, we could argue that “enhancing” and “perfecting” technologies are really means with which to assimilate by way of morphing ableism.11 A technological dynamic of morphing creates the illusion (that is, an appearance) that the “disabled” body transmogrifies into the “normal” body, effecting a corporeal recomposition and re-formation of subjectivity. Though this sort of fantastic reimaging occurs at an onto- logical level, the violence of some technological applications is profoundly direct and immediate. Robert Carver writes: Footbinding was a method to attract a good husband and secure a hap- pier life. At the speech and hearing clinic, I was trained to bind the mind of my daughter. Like the twisting of feet into lotus hooks, I was encouraged to force her deaf mind into a hearing shape. I must withhold recognition of her most eloquent gestures until she makes a sound, any sound. I must force her to wear hearing aids no matter how she struggles against them. The shape of a hearing mind is so much more attractive. (1990, n.p.) In fact, an inducement to cooperate with treatments, surgery, and fittings may not be necessary due to the enduring hegemonic compulsion toward ableist normativity. Individuals with disabilities (and, in many cases, their families) develop a sense of responsibilization, a sense of correct ethical con- duct, that is, a “regime of truth” about what it is to be a “proper” citizen. These judgments about the “correct” way in which to conduct oneself are often shaped by (or, despite) one’s awareness of the ontological, epistemological, and political effects of resistance or transgression against such prescriptions (cf. Foucault 1988, 1997). In this regard, let us briefly consider a juridical move made within the U.S. context, but which could easily be replicated in the Australian context in which I am writing, namely, the introduction of the legal category of voluntary/elective/chosen disability.

### AT: Social/Crip Model Bad

#### Reject their framing of disability – it is impossible for the other to become normal

Titchkosky & Michalko 12 (Tanya Titchkosky and Rod Michalko, “The Body as the Problem of Individuality: A Phenomenological Disability Studies Approach”, pp. 128-129)

Framing disability as a problem in need of a solution takes many different forms. The biomedical world view, for example, conceives of disability as the ‘body-gone-wrong’ (Michalko, 2002: 120) and, if living a life of disability is to be achieved at all, this body should be treated in a way that permits it to ‘look’ and act as ‘normal’ as possible. This treatment, or better, this interpretive work, is achieved through such contemporary ideologies as medicine, rehabilitation and education, especially that of the ‘special’ kind. Still another form of the disability-as-problem frame is the erasure of disability through the privileging of personhood – a framing of disabled people as ‘like everyone else’ but only like and not as everyone else since, within this frame, personhood is not located in disability but against it (Titchkosky, 2001). This frame suggests that disabled people can ‘resemble’ non-disabled others even though they are other to non-disability regardless of the fidelity of the resemblance. **Disability may participate in normalcy, but it can never be normal, let alone be valuable, enjoyable or necessary.** Framed in these ways disability is represented and experienced as a kind of partially protected liability precariously perched on the edge of liveable life (Butler, 2009: 9, 43). The disciplinary infrastructures and technologies engaged in these ways of framing disability are powerful and global in their character and reach (Titchkosky and Aubrecht, 2009). The disciplinary research-based regimes, such as medicine and education, do not typically address what it means to constitute the phenomenon of disability in this singular and unified way. The sociopolitical act of framing disability as a problem in need of a solution does not engage itself, it does not question what it makes when it makes disability a problem – **this way of framing disability is not reflexive** and this now becomes our problem. Phenomenology is a way to frame disability as a scene (Butler, 1993: 23) where the meaning of the human condition of embodiment can be brought into consciousness for reflective consideration – a task we regard as essential to any political possibility of forging something new since the new is tied to rethinking our most basic ways of framing embodiment. The desire for something ‘new’ is grounded in the sense of the unexpected potentiality that resides in all forms of human action as well as in the politicalised sense that disabled people face extreme forms of devaluation within cultures animated by limited and limiting conceptions of embodiment that themselves leave much to be desired. The possibility of forging something new is intimately interwoven with questioning what is typically assumed to be beyond question; questioning what is otherwise taken as a given serves as a reflexive reframing of our lives together as bodied beings. We turn our analysis towards a fuller discussion of the phenomenological conception of the ‘frame’ and of framing with regard to disability.

# AFF

Add any other generic cards you want from other files

## Apology

#### <Make an apology>

#### Apology solves

**Tavuchis 91.** (Nicholas. Senior Scholar in the Department of Sociology @ University of Manitoba. *Meet Culpa: A Sociology of 'Apolog}' and Reconciliation* pg. 8)

In these admittedly general terms, then, apology expresses itself as the exigency of a painful re­membering, literally of being mindful again, of what we were and bad as members and, at the same time, what we have jeopardized or lost by virtue of our offensive speech or action. And it is only by personally acknowledging ultimate responsibility, expressing genuine sorrow and regret, and pledging henceforth (implicitly or explicitlv)to abide by the rules, that the offender simultaneously recalls and is re-called to that which binds. As shared mementos, apologies require much more than admission or confession of the unadorned facts of wrongdoing or deviance. Thev constitute—in their most responsible, authentic, and. hence, vulnerable expression—a form of self-punishment that cuts deeply because we are obliged to retell, relive, and seek forgiveness for sorrowful events that have rendered our claims to membership in a moral community suspect or defeasible. So it is that the call for an apology always demands and promises more than it seems to. As anyone who has ever apologized in these circumstances well knows, the act is always arduous and painful, whether done voluntarily or at the urging of others. And yet. when this secular rite of expiation is punctiliously performed, and the remorseful admission of wrongdoing is convened into a gift that is accepted and reciprocated by forgiveness, our world is transformed in a way that can only be described as miraculous. All the more so because the gesture itself reiterates the reality of the offense while superseding it.

## Alt Fails

#### Alt fails – doesn’t account for neoliberal exploitation and categorization is key to activism

Vehmas & Watson 13 (Simo Vehmas & Nick Watson, “Moral wrongs, disadvantages, and disability: a critique of critical disability studies”, p. 646-648)

Critical disability studies and justice

The influence of CDS and its challenge to the assumption that disability is a uniform condition have enabled the emergence of new ideas on disability. In particular, this has enabled the development of a theory that can take account of not only impairment effects but also can include class, ethnicity, sexual orientation or cultural identities. It has also argued for the re-emergence of a new political identity, one where a solidarity that was previously built on a common single identity is replaced by one that incorporates multiple voices including representatives from across the range of constituencies. The politics that it seeks to develop will be the ending of the single interest group identity of the disability movement to be replaced by single-issue groups campaigning for different social issues. To paraphrase Lister (1998, 74), if disability and impairment are simply to be ‘deconstructed into a kaleidoscope of shifting identities’ and ableist discourses, **there will be no disabled people left to either fight for the right to be, or to be a citizen.** If the principles of CDS are evaluated critically in the light of disadvantage, its analytical and political value becomes questionable. Its relativism and its suggestions that impairments are ethically and politically merely neutral differences are false. Impairments often have very tangible effects on people’s well-being, many of which cannot be explained away by deconstruction (for example, Shakespeare 2006; Thomas 1999). Recognizing impairment effects is necessary in order to secure proper treatment and social arrangements that enhance disabled people’s well-being and social participation. CDS runs the risk of dismissing not only the personal experiences of living with impairment, but also the significance of the differences between socially created disadvantages. These disadvantages that often result from oppressive social arrangements, are very much real and take place in different ways for different disadvantaged groups. Disabled people typically experience disadvantage in relation to the market and capitalism, and they have to a large extent been excluded from employment and from equal social participation, respect and wealth (Wolff and De-Shalit 2007, 26). On top of these materialist disadvantages, disabled people are stigmatized as deviant and undesirable, and also subordinated to various oppressive hierarchical relations. For disabled people to achieve participatory parity, they require more than recognition; **they need material help, targeted resource enhancement, and personal enhancement** (Wolff and De-Shalit 2007). Disability is rooted in the economic structures of society and demands redistribution of goods and wealth. In contrast to some other oppressed groups, disabled people require more than the removal of barriers if they are to achieve social justice. This extra help might be small – for example, allowing a student with dyslexia extra time in an examination – through to complex interventions such as facilitated communication, a job support worker or 24-hour personal assistance. Whatever the size, it is an extra cost both to employers and to the state. These are real needs and represent real differences. Without an acceptance of these differences it is hard to see how we could move forward. Whilst these ‘real differences’ can be presented as the result of dominant ableist discourses where disabled people’s needs are regarded as extra cost, this does not solve the problem. The problems disabled people face require **more than ideological change**, and ideological change is of little use if it does not result in material change. CDS **fails to account for the economic basis of disability** and offers only the tools of deconstruction and the abolishment of cultural hierarchies to eradicate economic injustice. This, as Fraser (2000) has argued, would be possible in a society where there were no relatively autonomous markets and the distribution of goods were regulated through cultural values. In such a society, oppression based on identity would translate perfectly into economic injustice and maldistribution. This is far from the current reality where ‘marketization has pervaded all societies to some degree, at least partially decoupling economic mechanisms of distribution from cultural patterns of value and prestige’ (Fraser 2000, 111). Markets are not controlled by nor are they subsidiary to culture; ‘as a result they generate economic inequalities that are not mere expressions of identity hierarchies’ (Fraser 2000, 111–112). The disadvantage related to disability is to a great extent a matter of economic injustice, and before this injustice can be corrected we have to be able to identify those individuals and social groups that have been disadvantaged by social arrangements. Whilst this does create and foster categories and binaries between groups of people, it also requires some sort of categories to start with; namely, the various categories of disadvantage. Both the social and physical mechanisms that produce human diversity are real, and they produce tangible differences that cannot be challenged, let alone abolished, merely by pointing out the wanton nature of difference, and deconstructing the meanings attached to disability. Changing the social conditions that disadvantage and disable some people demands that the diverse, sometimes dualistic, reality of social advantage and disadvantage between different groups of people is recognized. This is exactly why group identities based on, for example, impairment, gender, or sexuality have been invaluable tools in the resistance against discrimination and oppression – in the fight against socially produced disadvantage. Confident, positive disability identity has enabled many disabled people to actively challenge the status quo that disadvantages them and to claim rights and power and participation in dominant institutions. Being different from the so-called normal majority is no longer considered to conflict with a good life, equality and respect. Quite the opposite, positive realization of one’s difference has been liberating and empowering to many disabled people (Shakespeare 2006; Morris 1991). For a radical and active disability movement to emerge and for disabled people to take action on their own account, they have to see themselves as an unfairly marginalized or disadvantaged constituency and a minority group (Shakespeare and Watson 2001). The category disabled/ non-disabled is a good abstraction that can **enable the development of communities of resistance**, and without it is hard to see how these could develop. CDS is premised on the idea that difference acts as a precursor to the normalizing of behaviour and a requirement to treat people differently and, importantly, less favourably. There is, however, no evidence to suggest that the categories that are applied to disabled people create an unnecessary divide between disabled and nondisabled people. You could equally make the point that without these categories we would not know what it is we have to do, what actions we have to take or what services we have to put in place to include disabled people. Indeed, for many disabled people the disadvantages they are subjected to arise not as the result of domination but through neglect and the denial of services and through society failing to take responsibility for those in need. As Wolff (2009, 114) points out: ‘anti-discrimination policy needs to identify a group to be protected.’ In other words, it is impossible to fight the oppression of a group of people that does not exist. Recognition of impairment is also crucial regarding legislation and policy that aim to protect disabled people against discrimination. The point of anti-discrimination legislation is to protect people from discrimination on the basis of their physical and mental properties, not on their opportunity to achieve equal participation and respect. Thus, ‘the parallel to race and gender is not disability but impairment’ (Wolff 2009, 135).

#### Alt can’t change society’s worldview and only marginalizes material experiences

Vehmas & Watson 13 (Simo Vehmas & Nick Watson, “Moral wrongs, disadvantages, and disability: a critique of critical disability studies”, p. 648-649)

Further, deconstructing differences will not in and of itself produce respect and equality between all people with various characteristics. Neither will it result in a social order free from a sense of difference. It is simply unrealistic to assume that a society could exist were people would not see some other people as different, and their lives or characteristics as representing a deviation from some norm considered important regarding good human life. This is because some of the individual characteristics that define disabled people are, sometimes with good reason, undesirable, even in a utopia where all differences would have been queered. **Disability is not the same** as many other group identities and we need to explore both morally and socially disability and difference rather than simply use difference as a concept through which to critique the disability identity. There are no rational reasons to consider homosexuality or gender undesirable characteristics whatever the social context, but there are many impairments that can reasonably be seen as undesirable (Shakespeare 2006). Motor neuron disease, depression or spinal cord injury are the kinds of conditions that we would prefer not to have, and this is not merely because of the cultural representations attached to them but because **these conditions are the kinds of predicaments that cause suffering irrespective of one’s cultural environment.** In acknowledging that impairments can include an undesirable dimension **does not imply devaluing people with impairments** nor their positive group identity (Shakespeare and Watson 2010). As long as people are genuinely free to decide for themselves and feel about themselves however they wish to feel, we are pretty close to relational justice, free from hierarchical evils. Imposing on people ableist or disablist assumptions is certainly wrong, but so would be the denial of the personal experiences of fearing the loss of one’s physical and mental capacities, or the fear of dying (Carel 2008). To explain the psychological anguish related to conditions such as motor neurone disease or depression merely in terms of internalized oppression and ableism would be insensitive, disrespectful and simply nonsensical.

## Perm

#### Perm solves – challenging ableist assumptions must be coupled with evaluative judgement

Vehmas & Watson 13 (Simo Vehmas & Nick Watson, “Moral wrongs, disadvantages, and disability: a critique of critical disability studies”, p. 642-643)

\*CDS = Critical Disability Studies

CDS does not engage with ethical issues to do with the role of impairment and disability in people’s well-being and the pragmatic and mundane issues of day-today living. Imagine, for example, a pregnant woman who has agreed, possibly with very little thought, to the routine of prenatal diagnostics, and who has been informed that the fetus she is carrying has Tay-Sachs disease. She now has to make the decision over whether to terminate the pregnancy or carry it to term. The value judgements that surround Tay-Sachs include the fact that it will cause pain and suffering to the child and he or she will probably die before the age of four. These are morally relevant considerations to the mother. Whilst CDS would probably guide her to confront ableist assumptions and challenge her beliefs about the condition, **considerations having to do with pain and suffering are nevertheless morally significant.** The way people see things, and the language that is used to describe certain conditions, can affect how they react to them, but freeing oneself from ableist assumptions **may not in some cases be enough.** There may be insurmountable realities attached to some impairments where parents feel that their personal and social circumstances would not enable them to provide the child or themselves with a satisfactory life (Vehmas 2003). Impairment sometimes produces practical, difficult ethical choices and we need more concrete viewpoints than the ideas provided through ableism, which offers very little practical moral guidance. It is questionable whether the notion of ableism would help the parents in deciding whether to have a child who has a degenerative condition that results in early death. Campbell (2009a, 39, 149 and 159), for example, discusses arguments about impairments as harmful conditions, the ethics of external bodily transplants as well as wrongful birth and life court cases (whether life with an impairment is preferable to non-existence), and how ableism impacts on discourse around these issues. Whilst her analysis of such ableist discourses suggests ethical judgements, she provides no arguments or conclusions as to whether, for example, external bodily transplants are ethically wrong or whether impairment may or may not constitute a moral harm. Under the anti-dualistic stance adopted by CDS, even the well-being/ill-being dualism becomes an arbitrary and nonsensical construct. Under ableism it can be constructed as merely maintaining the dominance of those seemingly faring well (supposedly, ‘non-disabled’ people), and labels those faring less well as having lesser value. There may not be a clear answer to what constitutes human well-being or flourishing, but in general we can and we need to agree about some necessary elements required for well-being. Also, as moral agents we have an obligation to make judgements about people’s well-being and act in ways that their well-being is enhanced (Eshleman 2009). This is why we have, for example, coronary heart disease prevention programmes because the possible death or associated health problems are seen as harms. Possibly these policies are based on ableist perspective, but if that is the case then the normative use of ableism is null; eradicating supposedly ableist enterprises such as coronary heart disease prevention would be an example of reductio ad absurdum. Denying some aspects of well-being are so clear that their denial would be absurd, and simply morally wrong. CDS raises ethical issues and insinuates normative judgements but does not provide supporting ethical arguments. This is a way of shirking from intellectual and ethical responsibility to provide sound arguments and conceptual tools for ethical decision-making that would benefit disabled people. If we are to describe disability, disablism, and oppression properly, we have to explicate the moral and political wrong related to these phenomena. Whilst CDS has produced useful analyses, for example, of the cultural reproduction of disability, **it needs to engage more closely with the evaluative issues** inherently related to disability. As Sayer has argued (against Foucault): while one could hardly disagree that we should seek to uncover the hidden and unconsidered ideas on which practices are based, I would argue that critique is indeed exactly about identifying what things ‘are not right as they are’, and why. (Sayer 2011, 244)

#### Permutation solves – can do aaff and incorporate disability issues

Ho 5 (Anita,The College of St. Catherine, Assistant professor of philosophy and a cocoordinator of the Center for Women, Economic Justice and Public Policy, “Mainstreaming Disability: A Case in Bioethics,” 2005, <http://www.syr.edu/gradschool/pdf/resourcebooksvideos/Pedagogical%20Curb%20Cuts.pdf>, Page 21-22)

In promoting diverse perspectives, we also need to pay attention to how we incorporate disability issues. It is not enough that instructors include materials about disabilities. As previously mentioned, some textbooks do discuss disability issues, but they do so from an able-bodied bias, which can perpetuate various stereotypes regarding disability. An inclusive course must balance various perspectives and incorporate the voices of people with disabilities. Students need to critically examine how and why the existing structure may affect individuals of various characteristics and experiences differently. Some may worry that incorporation of disability issues will distract students from the most important topics. Some instructors have told me that, just as it is often impossible to add an extra course to the curriculum, they have no time for a disability topic in their already-full schedules. I challenge the uncritical assumption that the current able-bodied curriculum is best, such that any change would compromise the quality of the learning. Some instructors mistakenly assume that incorporation of disability issues means that we must replace the mainstream topics with disability topics. However, as previously mentioned, disability is not an additional “topic” that is separate from other issues. It is not enough to spend a week “tackling” disability issues. Rather, disability perspectives are an important part of most topics. Many issues have important implications for people with and without disabilities. The strategy is not to replace 6 mainstreaming disability “traditional topics” with “disability topics.” Instead, the strategy is to examine or incorporate the disability perspective in these “traditional” topics.

## Social Model Bad

#### The social model denies development

Farrell 12 (Michael Farrell, Private special education consultant with a Master’s Degree in Education and Psychology from London University and head lecturer at London University, “New Perspectives in Special Education”, Routledge, p. 79-80)

Limited application

Other criticisms of the social model concern its limited application. Oliver defines disabled people to whom the social model might apply as having an impairment, experiencing oppression as a result, and identifying themselves as disabled persons (p. 83). This is problematic for children with cognitive impairment who may have little understanding of themselves and none of such an abstract concept as ‘disabled person’. The idea that ‘disability as social restriction’ experienced by disabled people is similar for all restrictions - however they arise - fails to address this difficulty. It is hard to equate restrictions occurring owing to ‘inaccessible built environments’ and restrictions arising from ‘questionable notions of intelligence and social competence’ (Oliver, 1990, p. xiv). Indeed it is hard to grasp what Oliver means by ‘questionable notions of intelligence and social competence in relation to children who require lifelong support and care because of profound cognitive impairment related to brain damage, and severe functional limitations. When these notions are ‘questioned’, what is the outcome for these children in terms of the social model? Goodley (2001, p.. 211) maintains that ‘social structures practices and relationships continue to naturalise the subjectivities of people with “learning difficulties”, conceptualizing them in terms of some a-priori notion of “mentally impaired”’. This may have relevance to some children with mild cognitive impairment (Farrell, 2008, ch. 4). However, a teacher and others may be working with a child with profound cognitive impairment who experienced brain damage at birth and who at the age of sixteen is functioning largely at a level of a child under the age of one year. It is difficult to know what the teacher would make of the apparent criticism that she is conceptualising the child in terms of an ‘a-priori notion’. Also, it is not apparent what barriers of ‘social structures, practices and relationships’ society (and the teacher and parents as representatives of it) has put in the way of the child that they should now remove. Similarly, for a child with autism, it is difficult to see what the removal of barriers might mean in daily living (Singer, 1999) or how the community could be changed to enable ~~him~~(them) to be accommodated with other people. Also, both the social model and the individual (or medical) model, it is suggested, ‘seek to explain disability universally, and end up creating totalizing meta historical narratives that exclude important dimensions of disabled people's lives and of their knowledge' (Corker and Shakespeare (2002b, p. 15). It is argued that work on the social model (because it has given insufficient attention to experiential perspectives) tends to privilege the **'restrictions on doing' dimensions** of disability **over the 'restrictions on being dimensions** (Thomas and Corker, 2002, p. 19). Negative practical consequences The social model can lead to negative practical consequences for special children. Social model arguments for mainstreaming special children can lead to the unhappy placement of children in the mainstream on grounds lacking empirical justification. 'Oppression' and the quest for greater equity' may be cited as the reason why special children should be mainstreamed. But these can become accepted positions from which analysis begins, relegating empirical enquiry to a merely illustrative role (Clarke, Dyson and Millward, 1998). Attempts have been made to relate a socially constructed view of 'learning difficulty' to the supposed oppression of those so labelled and link this to emancipatory resistance, drawing on experiences of special schooling decades previously (Armstrong, 2003). However, it has been pointed out (Warnock, 2005) that **special children in mainstream schools can be isolated, unhappy, marginalised and disaffected.** The social model is considered 'incompatible with an impairment-specific approach to disabled people' (Oliver, 2004, p. 30). On the other hand, `people with different impairments experience **specific issues and problems**' (Shakespeare, 2006, p. 32). Also, evidence-based practice suggests that for different types of disabilities and disorders, different types of provision are effective in encouraging educational progress and psychosocial development (Farrell, 2008, passim). A social perspective sees 'difference' as being at the level of the individual. It criticises the construction of categories of pupils because these may ignore individual complexity and lead to arbitrary or oppressive responses. Responses to individual pupils are therefore ad hoc, **hindering the development of an explanatory theory of difference** and any formalisation of pedagogy. Socially informed attempts at developing pedagogy concentrate on problem solving and adhocracy, from which it is expected structures and practices that will deliver inclusion and equity will emerge. But this overlooks that once a curriculum is determined, some pupils will always learn within it better than others, perpetuating pupil differences whether categories are constructed or not (Clarke, Dyson and Millward, 1998, p. 166).

## Pragmatism

#### Abstract critique keeps us from forefronting political reform

Ruckelshaus 17 (Jay, Rhodes Scholar and graduate student in political theory at the University of Oxford, and the founder and president of Ramp Less Traveled, a nonprofit organization that helps students with spinal cord injuries pursue higher education, "The Non-Politics of Disability”, 1/18/17, https://www.nytimes.com/2017/01/18/opinion/denouncing-trump-wont-help-disability-rights.html)

Disability rights enjoy a seemingly ironclad moral consensus, an ostensible unanimity that is striking given America’s entrenched polarization and the antagonism surrounding other identity movements. Many are wary of L.G.B.T. rights or the Black Lives Matter movement, but it seems beyond the pale — almost cruel — to oppose disability rights. Nobody wants to be anti-disability. Initially, this harmony would seem helpful. Free from partisan discord, advancements for the approximately 57 million Americans with disabilities should be easier to achieve, borne aloft by the wings of certain progress. Why, then, do rampant unemployment and educational disparities endure, and why does success remain the exception? I think part of the reason is the insulation of our pro-disabled political consensus. Its logic is rooted not in any deep belief in the equal worth of citizens with disabilities, but rather in a general aversion to disability. This is related to the charity impulse that has always surrounded disability — and has constrained liberation efforts by assuming that inequities are unfortunate but natural realities to be mitigated through compassion, **rather than politically structured injustices**. There is also a profound lack of disabled people in the public sphere, meaning any substantive discussion that does occur is extremely rare. I suspect many people I talk to about disability maintain an implicit hope that, if they nod as vigorously as possible, the issue will simply go away. In this way, support for disability rights is similar to the act of expressing perfunctory thanks to military veterans. It temporarily absolves us of the responsibility to address the heart of the matter. Moreover, the apparent moral consensus may be mostly superficial. In trying to enact accessibility, disability advocates encounter increasing resistance as the effort and costs involved in proposals come closer to being realized. (Consider the neighborhood store that decides it’s just too costly to install a ramp, or the community lecture that excludes deaf attendees by refusing to hire a sign-language interpreter.) Instead of facilitating change, false unity actually restrains change. It stifles the more substantive conversations true progress requires. And our inability to speak honestly — and contentiously — about disability shows how the politics of disability is in this sense non-political. We are the worse for it. In addition to greater participation in the public sphere, true progress for citizens with disabilities will require a willingness to confront the issues head-on, even when — especially when — citizens disagree on competing solutions. **We must politicize disability** — not in the cable-news, grandstanding kind of way, but in the term’s more formal sense. The work of the Belgian political theorist Chantal Mouffe can help illuminate what’s at stake. Mouffe begins with the premise that human relations are inherently antagonistic: Political change always requires controversial transfers in power or prestige, and it is an illusion to imagine politics without confrontation. Per this “agonistic” conception of democracy, a healthy political order is one that prefers vigorous, good-faith argumentation to complacent consensus. Until we publicly recognize real disagreements surrounding disability and accessibility, Mouffe would insist, we are doomed to a vacuous, empty debate that is neither political nor productive. Recall the Kovaleski incident. I’m not suggesting that the abhorrence of Mr. Trump’s actions is open to legitimate questioning. But in their forcefully reassuring comments and messages, my friends prevented any serious discussion of disability at the level where reasonable disagreement does exist. Where will the money come from to fund disability employment schemes? **How do we even define “disability”?** Despite — and, I would argue, partly because of — the broad condemnation of Mr. Trump for his insensitivity, there was no substantive public discussion of such issues. You may be thinking, haven’t we had enough politics lately? Maybe it’s a blessing that disability isn’t as political as it might be; it avoids the drama and messiness that now seem to define our common life. Avoiding politics might be possible if disability were an exclusively private affair. But it is fundamentally a public concern, affecting everyone directly or indirectly and revealing our obligations to one another as members of a democratic society. Issues of accessibility can be fully addressed only through public institutions and collective effort. For the disability community, there is no answer but politics. But politics need not be repulsive. That’s the beauty of Mouffe’s agonism: By legitimating clashing arguments and welcoming them into the political fold, unproductive antagonism becomes constructive, and compromises emerge.

#### Even if political liberalism currently excludes the disabled, discussing questions of implementation can revise it

Badano 13 (Gabriele – PhD candidate at the Centre for Philosophy, Justice and Health at University College London – “Political liberalism and the justice claims of the disabled: a reconciliation,” Critical Review of International Social and Political Philosophy, April 2013, http://www.tandfonline.com/eprint/tHKkbrxhGYIWAxTcJrAW/full#.UxyV-PldX-4)

I argue that any proposal abandoning the language of political justice would not seem to do enough for those individuals with disabilities who fall outside the basic idea of persons as depicted by Rawls. In fact, the intuitions supporting the idea that concepts like rights and opportunities are indispensable are very strong.11 Let us go back to the examples of individuals falling outside Rawls’s idea of persons because their disabilities prevent them from being a net beneﬁt to social cooperation. They are individuals who need multiple carers to work, or whose disabilities prevent them from providing a beneﬁt to social cooperation that is large enough. To put the point more sharply, it is worth noticing that the disabilities in question are compatible with being in full possession of one’s logical and moral powers. Now, should we accept that those individuals ought to be given no rights or opportunities? An afﬁrmative answer would strike us as implausible, and for a good reason. In a liberal society, having one’s rights, opportunities and basic distributive entitlements acknowledged is one and the same as being recognized as an equal. And what is missing from Rawls’s political liberalism is precisely the idea that falling below a threshold of full cooperation should not be enough to prevent the disabled from being regarded as persons on an equal footing with anyone else. In sum, Rawls’s political liberalism is not amenable to any extension that, keeping the basic ideas of society and persons intact, is able to include a concern with the status of individuals with disabilities. In addition, the proposal that the interests of the disabled are not for public reason to protect is not satisfactory. Consequently, a substantial revision is the only way to reconcile political liberalism with our intuitions concerning what is due to the disabled. 5. Revising political liberalism I: beyond Hartley’s contractualism The aim of this section and the next is to propose a substantial revision of Rawls’s theory that accommodates the justice claims of the disabled while upholding the project of political liberalism. A question that needs to be answered at this point is: why should we uphold the project of political liberalism, rather than endorsing a different model that more neatly ﬁts with our intuitions concerning what is due to the disabled? First, the general project of political liberalism is compelling. Rawls’s political liberalism aims to identify a common ground of political ideas that can work as the basis on which the most important political decisions should be made. This project is of the greatest importance because, if successful, it creates legitimacy by building institutions on the basis of concepts that are acceptable to each reasonable individual. Moreover, it promotes stability in societies that are characterized by deep pluralism. Second, despite Rawls’s failure to take the interests of the disabled into consideration, political liberalism is well suited to support the justice claims of individuals with disabilities. This is because the idea that the disabled are citizens who deserve our respect is part of the common culture of our societies. In other words, there is an overlapping consensus on the idea that rights, opportunities and distributive shares must be granted to individuals who are not fully cooperating members of society, including those who fall below full moral powers. It is widely believed that those with physical disabilities should have the same rights as their fellow citizens, live in a social environment that does not excessively limit their opportunities and receive beneﬁts that help meet their special needs. Besides, although the state or third parties are given exceptional rights to interfere with the autonomy of individuals with severe cognitive disabilities, it is widely recognized that the mentally disabled are citizens whose basic interests must be protected by the law.12 In the public space, any proposal that individuals who are not fully cooperating members of society should have their basic interests neglected would be widely received with outrage. Such proposal would be said to ﬁt a fascist society, not a decent one. Among other legal documents, the United Nations Convention on the Rights of Persons with Disabilities (UN General Assembly, A/61/611) can be taken as the epitome of this widespread attitude. Adopted in 2006, the Convention requires that all individuals with disabilities should share in the enjoyment of equal fundamental rights.