**Neg**

**Case**

**1NC --- Presumption**

**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.

**1NC --- Cyborg Bad**

**Cyborg theorizing is rooted in ableist and Anti-Black logics that ensure it’s failure.**

**Knadler 19 -**  ( Stephen Knadler; Stephen Knadler is an associate professor of English at Spelman College, where he teaches US literature and cultural studies. He has been published in American Literature, American Literary History, American Quarterly, Minnesota Review, and Modern Fiction Studies.; Originally published: August 6, 2019; “Vitality politics : health, debility, and the limits of black emancipation”; http://link.umsl.edu/portal/Vitality-politics--health-debility-and-the/n6SXiAQq3ac<http://library.lol/main/D8D265377A8F7623EB4F5A75223D22AB>) Dōgen

What I am also unwilling to take with the theory of assemblage is the freighted territory of the cyborg: the feminist materialist theory of becoming developed by Donna Haraway that combines human, animal, and machine as a radical political enterprise that ushers in the future both theoretically and practically. I have found it useful as a thought exercise that complicates the relationship of the body to itself and to others and deals with our very real reliance on machines and kinship with animals. Since the cyborg opens up the conversation about futurity—which usually elides madness and Blackness—it also becomes a useful space to consider who we are becoming.60 Certainly, to think through our kinship with machines is apropos for discussions of disability given the medicalization of certain bodies, and remains so given my emphasis on speculative fiction. But the cyborg is an incomplete, politically fraught, and ethically suspicious answer to a series of questions about raced and disabled futurity. Material reality must reckon with what others have pointed out are the lived experiences of the Black and disabled body, what amount to (in this project, at least) the gaps and folds within Black speculative fiction. Read in alignment with Tobin Siebers’s theory of complex embodiment and Alison Kafer’s questioning of spatial, cultural, and temporal logics, the emphasis on the cyborg and the desire to supersede the body has an antagonistic relationship with concerns at the heart of disability studies: pain, fiscal access, and the validity of embodied experience, to name a few.61 What happens when one does not desire cyborgian intervention as cure? What of those for whom material cyborgian realities are more painful than useful or pleasurable? As much as cyborgian futures promise a radical set of possibilities for considering disability, we ought to be wary of them because they are also reliant on a set of middleclass (or rich) realities. I have elsewhere pointed out the way the cyborg’s promise of radical potential hinges on an original white Western subject.62 Leaning on Donna Haraway’s original definition, João Costa Vargas and Joy A. James understand the Black cyborg as a postbellum construction that requires Black degradation: “A Black cyborg: a modified, improved human whose increased ethical, spiritual, and physical capabilities generate unusual strength, omniscience, and boundless love.”63 They invoke Haraway’s understanding of the cyborg as both real and fictive to pinpoint how the Black cyborg relies on a set of interracial dynamics that extend from a history steeped in anti-Blackness. The Black cyborg is required to participate in its own self abnegation since it is built on top of the foundations of American democratic and imperial projects reliant on phobic understandings of Blackness. The Black cyborg, then, in Vargas and James’s formulation, echoes that of the disabled cyborg: neither can escape the desire for normalcy that erases Blackness and madness both. Alison Kafer reads in the gaps of Haraway’s work and its intellectual genealogy to reinsert the oft-overlooked contributions of women of color—among them Octavia E. Butler and Chela Sandoval—to the definition of the cyborg. She pinpoints that the cyborg as transgressive figure has limited potential precisely because of how it has been developed and mobilized in ways that erase women of color and reify the virgule between disabled and able-bodied. Though the cyborg asks for blasphemous interpretation—a promise and proposition Kafer, Vargas, and James readily champion—as part of its political transgression, I question how much the cyborg can map a future of any kind when it relies on a past and path of erasure. What the cyborg ushers in—that I’d prefer to leave aside for this discussion—is an assemblage yoked to anti-Blackness and ableism, a method of becoming that requires theoretical overcoming since the theories rely on but refuse disabled and Black embodiment.

**The Aff is an ableist cyborg hoax**

**Ellcessor 16** (Elizabeth Ellcessor is an associate professor of media studies at the University of Virginia, “Cyborg hoaxes: Disability, deception, and critical studies of digital media”, <https://journals.sagepub.com/doi/10.1177/1461444816642754>, 4/19/16, Buck)

**Cyborg hoaxes, deceptive forms of identity presentation that articulate gender, disability, and technology, have been persistent** but unremarked upon elements of online culture. By identifying, contextualizing, and deconstructing them, this article has highlighted the persistence of an ideology of ability in online culture and in cyberculture and Internet studies. An ideology of ability is at work in the pitiable presentation of a digital sweet innocent and in the excuses offered by cancer. Identifying these themes reveals that online cultures remain closely connected to larger ideologies and norms. Far from offering a “liberation technology” (Coombs, 1991**), online spaces may reproduce and amplify the prejudices and normative assumptions of a broader cultural context. These deceptive assemblages deploy disability strategically for an able-bodied audience, taking advantage of existing hierarchies. Yet, they may also challenge the very ideologies upon which they depend**. For instance, the prominence of romance and sexuality in these hoaxes counters very real tendencies to desexualize people with disabilities. **Such contradictions, and the blurring of identity and technology, are indicative of the “cyborg” component of these hoaxes.** While I retained this language in order to highlight the possibility of such provocations, it is in the experiences of people with disabilities using online media that a richer form of cyborg can be found. These experiences reflect a variety of possible linkages of gender and sexuality, disability, and technology. In these formations, people with disabilities can be understood “as cyborgs not because of [their] bodies (e.g. our use of prosthetics, ventilators, or attendants), but because of [their] political practices” (Kafer, 2013: 120**). In claiming disability identity and engaging in community formation, by reconfiguring default settings of computer hardware and software, and by speaking back to dominant narratives of disability and gender, these individuals and communities are producing disability technocultures that are seditious and, too often, invisible.** Disability is a necessary and theoretically rich addition to the forms of identity, community, and material technology that have dominated critical and cultural studies of digital media. Present since the earliest cyberculture work, but rendered invisible or metaphorical, disability offers important critical resources for the nuanced and complex study of the digital networked media that increasingly permeate daily life. Not a metaphor, and not invisible, but ever-present and meaningful, disability offers a lens through which to examine theoretical assumptions and exclusions and with which to critically interrogate normative forms of digital media and the ideological structures that maintain and challenge them.

**1NC --- Liberalism**

**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.

**1NC --- State Good**

**The bidirectionality of this topic allows for state action for info sharing which resolves the securitization of collective trauma that caused the War on drugs, terror, and poverty**

Jonathon P. **Whooley 21** [San Francisco State University, International Relations, Ontological (In)visibility and Cyber Conflict: The Problem of Sight and Vision in Establishing Threat, Global, Local, Political 2021, Vol. 46(2) 47–51, <https://journals.sagepub.com/doi/abs/10.1177/03043754211024583?journalCode=alta>, -ekh-]

International Relations (**IR**) is a field of vision. Elements traditional to IR like nuclear deterrence, armed conflict, terrorism, or great power balancing, all **require states to** interpret the behavior and posture of other actors to **define** the menu of **options** that are available to them. Ontological security theorists in general agree with this position, arguing that feelings and interpretations of their security are required for states to understand their position in relation to others in the international system. Thus, a state’s identity is defined as much by its relationship and feeling of threat toward and among other states. But **what happens if the linchpin of defining a state’s security is covert**, what if the mechanisms by which a state understands its security standing is accomplished not in the light, but rather in the shadows, around computer networks, non-state actors, disinformation campaigns, hacking, and at least for democratic states like the US through electoral manipulation?

At a recent conference panel with intelligent scholars of various stripe I was asked ‘when was the last cyber attack?’ They noted the presence of Stuxnet (a US-Israeli produced computer virus targeting the Iranian nuclear refining infrastructure at the Natanz plant) but hinted in confusion that there had not been much since. And my colleague was not alone, polling on the threat of cyber-attack routinely finds that these actions among the lowest of concerns for most Americans,1 The problem inherent in the disconnect between the assumptions of my informed colleagues and the reality of the cyber landscape is vision and sight. **Cyberthreats** often **fall in between** and within the context of our **blindspots, hackers and non-state actors use the fact** that much of what they do, be it malware or ransomware toward a hospital, misinformation or disinformation online, or direct attacks on networks or individuals, all too often are relegated to page A7 instead of the front page and largely away from public vision. However, **if** say, **a series of bombs were exploded** paralyzing the financial sector of a major American city the focus would immediately be apprehended and **the eyeballs of** many **Americans would be glued** to said attack.

This approach is both normative and theoretical in that it is directed at a central question: why do people misconstrue or fail to take seriously cyber threats? We argue that **for democracies to thrive** with well-informed voters making decisions in their elections and transmit their policy preferences to their elected leaders. But this **requires the referential Self to effectively understand and develop their own identities relative to the national or effective assessments of threat must be possible**. Placing OST in the conversation helps us to organize how publics conceive of their security and organize it into preferential voting behaviors. This folds in notions of threat and visibility, as well as the presumption that to properly ascertain how threatening an action may be is entirely relative to the perception that the problem is something tractable enough to apprehend, and cognizable enough to properly fold into an existing structuration of concern. Voters in an overwhelming information environment may fail to properly aggregate potential threats to their governments or persons, but this does not mean those threats do not exists. It only means we (as the public) may fail to properly tabulate and understand how those threats relate to our lived experience.

Ontological security theory as a set of practical and empirical assumptions about state and individual behavior is an important tool for heuristically constructing how preferences are sorted in an atmosphere of threat and contestation. Huysmans’s (1998) study is particularly important for this work because it situates how states come to view internal/external others as threats to the self/identity both in terms of space and vision. Because, as Huysmans argues, OST is founded upon relational security practices and the ability to perceive which are and are not manifest security threats is hotly in contention and is driven “by ‘securitizing’ the unknown into an identifiable threat” (Steele, 2017). The unknown in this case can be typified, though not flippantly, by the “half a billion cyber security breaches in first semester of 2014” (Oltramari et al., 2014) or the “16,555 vulnerabilities between January 1, 2018, and December 31, 2018” (Syed, 2020). This picture of the cyber horizon is made even more chaotic when one recognizes that “65% of the victims of intrusion and information theft in the private sector are notified by third parties and that the detection process usually takes up to 13 months” (quoted in Syed, 2020).

To effectively evaluate threat in the realm of cyber security means being able to effectively adjudicate how and where threats occur. For Huysmans (1998) in the practical realm of OST, this means identifying the other or securitizing the problematic party. For those in the cyber security community (computer scientists, data systems managers, and cyber security analysts) this means creating a common language to describe threats and to properly allocate culpability. They describe the problem as “cognizance” or the ability to create a “reliable perception of the elements of the environment and…the explicit representation of their semantics” (Syed, 2020, p. 54). The promotion of a shared conceptualization of chaotic and often covert threat attempts to, “shape that chaos into a framework of meaningful chunks of knowledge, turning the operational disarray into a systematic model” that gives practitioners and theorists purchase on dealing with cyber threats. To understand cyber is to adapt or adopt a common language to create a landscape of cyberthreats. Thus, the realm of threat is not hard to understand as even those closest to the problem are aware that lacking a basic knowledge of common elements has created chaos. How then are normal people meant to understand the cyber realm as a position of threat?

In this regard Kinvall’s work is helpful because it organizes the terminology and language of threat around a common source of loss. For example, the election hacking and disinformation around the 2020 election. Kinvall employed **the use of ‘chosen traumas’** from (Volkan 1998) which **are folded into** broader **group identities**. Defined from here as the “collective memory of a calamity that once befell a group’s ancestors” (Volkan 1998). **Securitizing the Self**, here it seems’ **requires a collective trauma**, which in the realm of terrorism is easily understood. The **terrorist attacks** on the Pentagon and World Trade Center, as well as the tragedy of Flight 93, on September 11, 2001 for example **provided** a necessary site for **collective trauma** and the torture (Steele, 2017) **and** then **the** Global **War on Terror emerged as a result** (Updegraff et al., 2008). **The role of this trauma in** creating the permission structure for **conflict** and bloodletting **is manifest in** the recent history of American **Foreign Policy** (Resende and Budryte, 2013). This, as opposed to say election hacking, or the sheer volume of cyber threats and conflicts as noted above, defies the mind to create known or unknown enemies precisely because vision is deterred and the necessary creation around anxiety is upended. Political life and the establishment of norms and routines around threat is dynamic and shifting, even as the human drive for certainty remains (Onuf, 1998). Societies are driven by a sense that a coherent picture of personal security is possible and preferable even if the notion of how that world outside is created is problematic and fractured. As researchers we desire things as well, including, a “coherent Self” (Steele, 2017) but paradoxically these may be those that are most capable and likely to commit acts of violence (Steele, 2017). Again, though, this requires a construction of the Self relative to a manifest threat and a creation of a sphere of safety around a perceived possible security or insecurity. Krahmann argues that just such a security sphere exists in the marketing of cyber-security to European Union (EU) communities. The promotion by the state of anxieties around threat first appears in notion of terrorism and migration in the EU. But migrates, one might feel, inevitably, to the realm of cyber security. Krahmann argues that while “Fear can be addressed by eliminating a threat, anxiety cannot” (2018: 358).

This is precisely the problem: **anxiety without vision is lost** on voters and policymakers not directly focused on the issue of cybersecurity. Because the cyber realm is largely opaque to the outside world and because individuals, corporations, public utilities, hospitals, or governments who suffer from cyber attacks often hide these attacks out of shame, embarrassment, or for security concerns no trauma is effectively transmitted and thus no concerted popular response is generated. **This** piece **is not opining for another** global **war on terror,** nor is it seeking some sight of popular trauma to serve as a benchmark for the dangers of cyber warfare, what it is fundamentally concerned about is the dramatic uptick in cyberattacks (the Russian attack on the Ukrainian2 and Georgian3 power grids, the ongoing Solar Winds hacks4 , the Russian theft of State Department emails5 , or the constant barrage of Chinese attempts to obtain intellectual property6 ) and the failure of the public to cognize that there are no redlines in cyber.

Other than the ICANN framework7 which is at this point not codified into international law or recognized by the UN, there are no established rules of the road, proportionate responses in terms of Just War Theory, or mitigative efforts short of backroom diplomacy. **What a just response to an attack** on a power grid or to the targeting of nuclear enrichment **is** often **made on the fly among a close network of parties in the know**, without the **overview of policy makers or voters**. This is a highly combustible situation, and it is made all the more dangerous by the potential for miscalculations, made broadly out of the view of the voting public, to result in magnified or outsized results.

**2NC --- State Good**

**State action can be good for people with disabilities – ADA proves**

**Mckeever 20** (Amy Mckeever, JULY 30, 2020, "How the Americans with Disabilities Act transformed a country," History, <https://www.nationalgeographic.com/history/article/americans-disabilities-act-transformed-united-states> ) //RB

More than 2,000 disability rights advocates gathered on the South Lawn of the White House in Washington, D.C., on a hot summer day. It was July 26, 1990, and they’d come together to witness one of the most momentous civil rights victories in decades: President George H.W. Bush signing the Americans with Disabilities Act (ADA) into law.

During the signing ceremony—days after the Fourth of July—Bush admitted that the United States hadn’t always lived up to its founding principles of freedom and equality. “[T]ragically, for too many Americans, the blessings of liberty have been limited or even denied,” he said. “Today’s legislation brings us closer to that day when no Americans will ever again be deprived of their basic guarantee of life, liberty, and the pursuit of happiness.”

**The ADA not only provided comprehensive civil rights protections for people with disabilities for the first time in the nation’s history, but it also marked a sea change in the nation’s attitudes toward disability rights. Here’s how the landmark statute came to be, and how it transformed the country.**

The disability rights movement gains steam

Throughout history, people with disabilities were feared and ridiculed for their perceived defects and pushed to the margins of society. By the 1960s, that discrimination had been codified. People with disabilities were excluded from public schools, involuntarily sterilized, sent to live in state-run institutions, and even denied the right to vote. Some U.S. municipalities even had so-called “ugly laws” prohibiting people with “unsightly or disgusting” deformities in public places. It was a world designed not to include people with disabilities. Government buildings and private businesses alike lacked ramps and elevators, while public transportation rarely provided accommodations for people with mobility or visual impairments. Having a disability was considered a medical problem to be solved rather than an identity to be protected under non-discrimination laws. But things began to change in the 1970s. Inspired by the civil rights movement of the 1960s, disability rights advocates became more vocal in their demands that their rights ought to be guaranteed as well. Disability had also become more noticeable as wars in Vietnam and Korea returned thousands of soldiers with lasting injuries. In 1973, advocates won the passage of Section 504 of the Rehabilitation Act, which prohibited programs receiving federal funding from discriminating against people with disabilities. It was the first piece of legislation to use the term “discrimination” to describe the limitations that these Americans face.

For the law to go into effect, the government would have to issue regulations defining who qualifies as a person with a disability and what constitutes discrimination in the disability context. The Department of Health, Education, and Welfare put off issuing those regulations for four years as they wrestled over the terms. Impatient with the delay—and worried it meant the regulations would be weakened—advocates organized protests around the country. In April 1977 they launched a sit-in at a federal building in San Francisco that would last for 28 days—the longest peaceful occupation of a federal building in U.S. history—and **result in victory**.

The need for a comprehensive civil rights law

With Section 504, the American public began to understand that making accommodations for people with disabilities was a civil right rather than a welfare benefit. It also galvanized a growing disability rights movement that won several other important victories in the 1970s and 1980s—including legislation that guaranteed a free public education to children with impairments and prohibited housing discrimination on the basis of disabilities. Yet discrimination persisted. In 1979, the Supreme Court ruled that the nursing school at Southeastern Community College in Whiteville, North Carolina, was not required by Section 504 to accommodate a hearing-impaired applicant. In other circumstances, regulations were simply not well enforced. For example, transit authorities were left to decide for themselves how accessible they needed to be. (A skull discovered in Spain suggests that early humans cared for disabled children.) In the mid-1980s, advocates came to the conclusion that the critical next step was to push for comprehensive civil rights legislation for people with disabilities. The National Council on Disability commissioned a report on the need for such a law, while its vice chair Justin Dart—who would later become known as the “Godfather of the ADA”—embarked on a national tour to discuss disability policy with local officials and gather stories of the discrimination people with disabilities faced. These advocacy efforts made an impression on both sides of the political aisle. Disability rights had become a bipartisan issue thanks to years of changing public perceptions. In 1988, Senators Lowell Weicker, a Republican from Connecticut, and Tom Harkin, a Democrat from Iowa, introduced the Americans with Disabilities Act. After years of revisions, amendments, and negotiations, the bill was passed, and on that July day Bush—who had made civil rights legislation for people with disabilities a campaign promise in 1988—signed it into law with Dart by his side.

Why the ADA matters

The Americans with Disabilities Act was a sweeping piece of legislation that banned discrimination on the basis of disability in employment, public accommodations, public services, transportation, and telecommunication. It finally afforded people with disabilities the same protections that the Civil Rights Act of 1964 had provided on the basis of race, color, religion, sex, and national origin.

"**It is the world’s first declaration of equality for people with disabilities,"** Dart wrote after the ADA was passed. "It will proclaim to America and to the world that people with disabilities are fully human; that paternalistic, discriminatory, segregationist attitudes are no longer acceptable; and that henceforth people with disabilities must be accorded the same personal respect and the same social and economic opportunities as other people."

The ADA launched the process of building a more accessible world by ensuring that buildings, schools, and public spaces were equipped with ramps, elevators, and curb cuts. It made travel easier by requiring operators to make accommodations, such as offering wheelchair lifts, airport shuttle service, and rental cars with hand controls. It also led to the rise of interpreters and closed captioning in public communications. (These five coastal areas have made accessibility a priority.)

After a tragic accident ended her dance career, Kitty Lunn taught herself how to dance again in her wheelchair. Today, Lunn empowers her students to "dance in the body you have" in this film by Qingzi Fan. The Short Film Showcase spotlights exceptional short videos create...Read More

Crucially, this legislation has also become a model for lawmakers and activists around the world seeking to end discrimination against people with disabilities in their countries. Since 2000, more than 180 countries have passed legislation inspired by the ADA. The law is limited, however. The ADA has been criticized for failing to increase employment among people with disabilities—only 19 percent are in the workforce today compared with 66 percent of those without disabilities. People with disabilities are still disenfranchised. Accommodations at polling places across the nation are inadequate; in 2016, a government report found that 60 percent of the polling places it examined had one or more potential impediments, such as ramps that were dangerously steep or paths in poor condition. Meanwhile, 39 states and Washington, D.C., have incompetence laws that allow judges to strip the vote from people they deem incapable of participating in the democratic process, such as people with mental impairments. Stigma and discrimination persist throughout society too. The ADA may not be perfect, but as Dart wrote in 1990, it “is only the beginning. It is not a solution. Rather, it is an essential foundation on which solutions will be constructed.”

**1NC --- Progress**

**The aff’s theory is contingent on institutions and their engagement with language in debate can’t achive any success. Only political engagement can solve.**

**Brock 22** – Brian Brock holds a personal Chair in Moral and Practical Theology. He joined the University of Aberdeen in 2004, following postdoctoral studies at the Friedrich Alexander University Erlangen-Nurnberg and a doctorate in Christian ethics at King's College London. (Brian Brock, “On the limits of justice as eradicating ‘isms’”, Taylor and Francis Online, 23 Feb 2022, Vol. 22, Issue: 1, pgs. 75-85, <https://doi.org/10.1080/1474225X.2022.2038017>) || PZ

\*\*Edited for language\*\*

Are all biases equal? What is more idolatrous than ableism? Just as **racism is a set of cultural** **attitudes and** sociopolitical **structures that privilege** the **dominant race over** ethnic **minorities, and** just as sexism is a similar set of cultural presuppositions and sociopolitical structures that perpetuate male domination over women, so **ableism names** the discriminatory attitudes, negative stereotypes, and sociopolitical and **economic structures and institutions that** together **function to exclude people with disabilities from** full participation in **society.** Ableism thus identifies the normate bigotry, evaluative chauvinism, and structural injustice that people with disabilities have to endure at the hands of the dominant (read: nondisabled) culture.[1](https://www.tandfonline.com/doi/full/10.1080/1474225X.2022.2038017) With this articulation of the injustices suffered by people with disabilities, the Pentecostal disability theologian Amos Yong channels the zeitgeist, a widely shared sensibility about how equality is to be achieved. The contemporary version of this Enlightenment **quest to achieve justice** – understood **as universal equality – takes** the form of a hunt **to root out** all pernicious -isms: not only **racism, ableism**, evaluative chauvinism but also patriarchalism, heterosexism **and** gender **essentialism.** Put in the terms of this special issue, it is almost universally assumed in the modern democratic liberal space that when we (late-modern westerners) ask whether disability is a ‘driving force for change,’ we understand change as a process progressive of eliminating injustices. This paper probes the limits and blind spots of moral change so defined in order to raise one theological note of caution. Understanding moral change in progressivist terms carries a momentum – psychological and linguistically embedded – that that can carry the moral drive for justice into a superficial and so problematic **policing of language that can become unmoored from** the **more concrete work of investigating** the mechanics of **specific forms of lived justice.** It is important to ask whether it is possible that well-meaning quests for justice can take forms that are idolatrous because **they** in fact **excuse people from making real** and costly **concrete ventures to serve lived, actual justice.** When Yong highlights ableism as idolatrous, he rightly draws attention to an important set of injustices, and in a way that makes common cause with people of all faiths and none who find ableism morally repugnant. The question I want to ask is whether saying something is idolatry (a theological description) is wholly equivalent to saying that it is a pernicious ‘ism’ (a linguistic and moral description). This distinction matters because one fights idolatry primarily by confession and repentance, whereas the common **liberal understanding** is that one **fights bias and prejudice by education and institutional reform.** Yong holds these two sorts of response together by marrying idolatry and ableism, but it may be that the list of aspects of ableism that he lists (‘discriminatory attitudes, negative stereotypes, and sociopolitical and economic structures and institutions’) are very differently understood if taken to be signs of worship of a false power rather than as **institutional structures** and mental attitudes which **make** **life harder for** some **people** than others. There may well be forms of being educated about discrimination which exacerbate the spiritual pride that assumes people do not really need to change. If so, it is important to ask what is lost if we simply equate the very different descriptive registers of idolatry and discrimination. These questions matter if **the final aim of justice is effective social change. It is dangerous to assume that linguistic change alone can do this**, a claim Yong would certainly reject. No one should doubt that we often find our way to real injustices by querying the behaviour of people who speak disparagingly of others, in this case, those with disabilities. **Yet** it is crucial not to lose **the question of how** successful or **unsuccessful** the work of **rooting out discriminatory linguistic expressions has been in achieving** changes to **unjust practices on the ground.** There are very practical differences in what it takes to combat ‘discriminatory attitudes and negative stereotypes’ in contrast to changing ‘sociopolitical and economic structures and institutions.’ If we call both sorts of work ‘combatting ableism’ we are lumping together very different sorts of activity, from the crafting of policy, to the analysis of cultural tropes to the revising of formulaic public speech to the investigation of people’s own identity structures. Distinguishing idolatry and discrimination Distinguishing between idolatry and discrimination matters because **real change demands** self-examination and repentance. It also **demands personal investment in** a very different sort of work, sociological research, **policy formulation, legal clarification, engagement in the political process, forging alliances between different power blocks, and so on. It** will **always** be **tempting to reduce** one’s **investment in** **fighting injustice to** the easiest of all these activities, the **policing of language. What is dangerous** **about this** narrowing of the **quest for** change to **linguistic policing** alone **is that it can push** some forms of **injustice underground and so entrench them.** It is fair to call the drift into **linguistic** **policing alone** intellectually ~~lazy~~ because it **foregoes** the **hard and** necessarily **constant work of** **asking what is** actually **happening on the ground, what is the real injustice people are suffering** right now**, and what we** might **concretely do about it** if we are serious about bringing about a genuinely more just society**?** The modern liberal quest to root out -isms can sometimes proceed in ways that make it difficult to see if these investigative questions are being seriously asked. Language policing undermines its own moral authority if this more concrete and fine-grained analysis is not obviously being pursued. For example, since the police killing of George Floyd in 2020 there has been an exponential rise in interest in rooting out racial bias among American white liberals. Yet despite this increase in intellectual comprehension of the implications of white privilege, those who think of themselves as white might still buy houses in places where they know racism gives them an unfair economic advantage, not challenge racism among family members and find reasons to resist sharing schools. Given the structural inequalities involved in racism and the personal costs of remaking these infrastructural barriers, crafting a ‘woke’ online profile and voting for progressive causes may seem like a reasonable and low-cost way of being an ally of victims of racial injustice while in fact being one of the more stable ways that racism is perpetuated.[2](https://www.tandfonline.com/doi/full/10.1080/1474225X.2022.2038017) As early as 1965 Martin Luther King himself had highlighted this dynamic in the American populace. The ‘silence of friends’ he pointed out, is a longstanding feature of American racism, and is held in place as the majority of enlightened liberals denounce racism elsewhere but explain it away in their own back yards, where admitting it would demand costly change. As he put it in 1967: ‘most whites in America, including many of goodwill, proceed from the premise that equality is a loose expression for improvement. White America is not even psychologically organized to close the gap – essentially, it seeks only to make it less painful and less obvious but in most respects retain it.’[3](https://www.tandfonline.com/doi/full/10.1080/1474225X.2022.2038017) Stated philosophically: the danger of calling a concrete injustice, against disabled people, for instance, an ‘ism’ – in this case, ableism, is to insinuate that the basic motor of justice is our work of classifying new sets of language and thought as pernicious -isms. The illusion is that moral change in society is essentially driven by the reclassification of specific acts from being morally neutral, to being morally problematic. Once something has been labelled a problematic -ism it is then subsumed within a general class of illiberal -isms that those who want to achieve a just society must now fight to eradicate or defend themselves from accusations of being morally suspect. But as the case of racism makes clear, this linguistic reclassification can blind us to our own culpability if we are not able to name concrete ways in which we are participants in ableism. Those who have become content to denounce unjust -isms can often be spotted by the ease with which they compare and implicitly equate injustices. **People who have developed the habit of verbally denouncing unjust -isms often find it hard to explain the details of concrete injustices.** There is a symmetry between the equation of injustices and the superficiality of one’s emotional and intellectual engagement with them. For instance: are the indubitable injustices associated with the labels racism and ableism in fact morally or phenomenologically equivalent? There are a wide range of questions that would need to be asked here to even begin to answer the question of what it would mean to stamp out these two -isms. Is the racism of one society equivalent to that of all others? In a society that had chattel slavery in living memory, should we prioritise the fight to eradicate racism, or should we acknowledge that disabled people have been disparaged and mocked for most of human history, and so deserve to receive priority in formulating our campaigns for justice and our calls for better social policies? Should we even ask whether some injustices are more severe than others? If we cannot ask this question, how will we focus our efforts in fighting injustice? I am not taking a position on any of these questions, but raise them in order to highlight how the classing of all injustices under labels that appear to set injustices in a single conceptual cluster may produce false equivalences that make it difficult to investigate and admit morally important differences between disparaging language and actually enacted injustices.

**1NC --- Reform**

**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.

**2NC --- Reform**

**Disability must be politicized---this is the only way to secure collective rights---the retreat from politics reifies ableist tropes of charity politics and naively tries to wish problems away**

**Ruckelshaus 17**, (Jay Ruckelshaus is a 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, https://www.nytimes.com/2017/01/18/opinion/denouncing-trump-wont-help-disability-rights.html)

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**2NC --- A2: Mollow**

**The aff cannot solve – violence against the disabled is inevitable and attempting to reconcile creates more violence**

**Mollow, 15** [Anna Mollow, University of California, Berkeley; Ph.D. in English, Tufts University; B.A. in English & French, Minor in Women’s Studies, has written countless books in disability studies, Spring 2015, Berkeley, “The Disability Drive” -ekh- + jmk]

Afterword: Done with the Drive?

Four years into writing about the disability drive, and three days before this dissertation is due, I have a thought: **maybe it’s time to be done with the drive. That** thought, of course, **contradicts everything I have written in this thesis:** one does not get done with the drive, check it off a to-do list, and go on to do other things. **The disability drive is unmasterable**; it is a force that cannot be overcome. Much as one might want to be done with the drive, the drive, it seems, is never done undoing us. Worse (or perhaps better), although we may say that we want the disability drive to stop its self-rupturings, the very notion of “wanting” is fundamentally destabilized by the drive, a compulsion that pushes us beyond pleasure and beyond desire, forcing us to wonder exactly what those concepts mean. The drive goes, does, and undoes. Recall the words of Jacques Alain Miller: “The drive…always has its keys in hand.” This line stays with me; whenever I drop something (for example, my keys), it repeats in my mind.

Always with its keys in hand, the drive pushes this project to go further. Among the most pressing questions now driving my inquiry are Jewish ones. In the previous chapter, I critiqued the ways in which Freud‟s developmental model of sexuality, reliant upon the theory that ontogeny recapitulates phylogeny, reinforces racialized social hierarchies. Yet we can’t label Freud as racist—or even dub him a “dead white European man”—and leave it at that. For in the context of the early twentieth century, Freud was not exactly European, and he was not exactly white. In the preface to the Hebrew translation of Totem and Taboo, Freud‟s anthropological analysis of people to whom he refers as “savages,” Freud distances himself from his Jewishness (noting his ignorance of “the language of holy writ” and his estrangement from “the religion of his fathers”) but nevertheless emphasizes that he “has yet never repudiated his people” (4, xxxi). Avowing that he “feels that he is in his essential nature a Jew,” Freud writes that he “has no desire to alter that nature” (xxxi). What is this essential nature? Freud cannot express the essence of Jewishness “clearly in words; but some day, no doubt, it will become accessible to the scientific mind” (xxxi).

Freud made these remarks in December of 1930, an era in which so-called scientific minds were attempting to pin down, and to eradicate, whatever that essence of being a Jew might be. Before the end of that decade, the Nazi invasion of Austria forced Freud to flee Vienna; he spent the final year of his life in London. Although Freud could not have known about the genocide to come, the threat of anti-Semitic violence forms a crucial part of the historical context in which he developed his concept of the death drive. “A Jew awaiting a pogrom”: that haunting line in Civilization and Its Discontents, a text published in 1933, is offered by Freud as an example of the impossibility of imagining what it is like to endure extreme suffering (62). The image is quickly left behind (“It seems to me unprofitable to pursue this aspect of the problem any further,” Freud writes), but it invokes questions that keep coming. Most saliently: why? “The Disability Drive” has perhaps taken us in the direction of this impossible question. My project’s central claim is that repressing the drive leads to violence. Hostility toward disabled people, women, fat people, racialized others, poor and working-class people, and queers has been the focus of my analysis. My future work will take these inquiries further, asking about the drive’s relation to systemic racial violence.

In doing so, I will ask: **when the drive**, as repressed, **keeps** **returning, what does this do?** As we saw in Chapter 1, Freud raised this question at the beginning of Beyond the Pleasure Principle. Why, he wondered, did traumatized soldiers repeatedly return to the scenes of violence that had made them ill? Building on Freud’s theorization of **the drive** as an aspect of the psyche that **may help the organism sustain trauma**, I will ask whether theorizing the disability drive as a way of living through, or with, trauma might lead to deeper understandings of lived experiences of, and social reactions to, mental and physical disabilities that are brought on by trauma.

What connections exist between trauma and tragedy? In Chapter 2, I argued that disability scholars might productively reclaim the trope of “the tragedy of disability.” This phrase, I suggested, calls up not only the colloquial signification of tragedy (as devastating loss or pointless suffering) but also the term‟s generic denotation. Further exploring the relation between the disability drive and the genre of tragedy will open up questions about the status of literature in cultural analyses of the disability drive. I have performed literary readings in this dissertation because **the drive, an unrepresentable force, can come to us only by means of the figural**. For this reason, literary texts provide particularly rich sources for theorizing the complexities and the obliquities of the drive. But at the same time, I have sought to destabilize binaries between literary and nonliterary texts. By highlighting Freud‟s linguistic choices in his medical case history Dora; by analyzing Charles Dickens‟s and Lee Edelman‟s respective portrayals of the character of Tiny Tim as both literary and political productions; and by juxtaposing Freud‟s model of sexual development, Jane Austen‟s depictions of fatness and eating, and contemporary US American culture‟s citations of the figure of the compulsive eater, I have drawn attention to the ways in which the literary and the ideological structure, and are structured by, each other. In doing so, my intention has not been to use the political to master the literary, or to employ the literary to exert control over the political; instead, I have hoped to provoke and sustain potentially jarring confrontations between the two.

Such confrontations can produce experiences of epistemological disablement, rendering readers of cultural texts uncertain as to what counts as literature, what counts as politics, and to what extent such divides can be upheld. As we discussed in Chapter 1, epistemological disablement can be an effect of coming into contact with the disability drive. Stimulating uncertainties and doubts, the disability drive may disable us all; yet this ubiquitous psychic disablement also specifically evokes particular aspects of many disabled people‟s lived experiences. Disabled people live ongoing contradictions between our embodied realities and the structure of overcoming narratives, stories that are presented to us not as fictions but as normative prescriptions. We feel the effects of the drive when we suffer the breakages and breakdowns that occur when bodymind and overcoming narrative (the weight loss diet, the getting better with exercise and meditation, or even the claiming of a proud disability consciousness) clash and contradict—and when, for worse or for better, some parts of our selves like these crashes. In Chapter 2, I said that sometimes, despite our selves, we do like the disability toward which we are driven. **But when it comes to the drive, perhaps it does not matter much whether we do, or don‟t, think that we like it. Either way, the drive is not done undoing us.**

It undoes us through pity, we saw in Chapter 3. That affect that self-respecting crips are supposed to shun, I argued, could instead be conceived as a feeling that we might wish to solicit. If pity is regarded as a feminizing emotion, and if the abjection of pity has been effected through the culture‟s use of Tiny Tim as a trope not only for disability‟s pitiability but also, obliquely, for the clitoris as sign for an intrinsic feminine disability, then perhaps we should reconsider the impetus to take Tiny Tim out of the cultural text. We could take our analysis of pity further by asking whether primary pity—which I defined as a concept that lies on the threshold between, on the one hand, the complete erasure of the concepts of “self” and “other” that characterizes primary narcissism and, on the other hand, the solidification of the self in which secondary narcissism is grounded—could be conceived as a quintessentially queercrip concept. My concept of primary pity is construable as “queer” because its unsettling of the categories of self and other poses a threat to identity formations. At the same time, the concept is readable as “crip” because, insofar as it maintains an attachment to the construction of the self, it is indebted to the disability rights movement‟s claiming of “crip” as a politically subversive identity. My queer cripping (or crip queering) of primary pity will thus draw on the interventions in queer theory and disability studies that I made in Chapter 1: it will depart from queer theory‟s strategy of claiming postidentitarianism as a transcendent solution to the disabling effects of claiming, and being claimed by, culturally minoritized identities; and it will simultaneously challenge disability studies‟ positing of proud, nonsuffering crip identities as foundational to political activism.

**Questions about activism press us further, too. In using the lenses of psychoanalysis and literary theory to delineate aspects of the cultural politics of disability, I have not laid out a guideline or program for resisting ableist social structures**. I have sought instead to show how developing an understanding of the disability drive—and, in particular, attending to the violences that result from individuals‟ and cultures‟ misrecognitions of the drive—may facilitate transformations in how we conceive of our subjectivities. Such transformations, deeply indebted to the feminist maxim that the personal is political, are not individual solutions akin to the overcoming narrative. Rather, by changing how we understand our “insides,” we may contribute to changing the ways that, “outside,” on the level of the social, we relate to each other. As we saw in Chapter 4, something as seemingly personal as an individual‟s “relationship to food” can raise vexing questions that, when we deny that within ourselves that drives these questions, become the basis of damaging social structures of fatphobia, racism, classism, misogyny, and anti-queer prejudice.

**If the drive won’t stop doing us, is it possible that we can allow it to do us differently?** In the last paragraph of this dissertation, on the day that it is due, I feel as if I should leave you with a message to take home: **perhaps a user‟s guide to the drive, a method for learning to love this thing that won‟t leave us**. If I were a queer antisocial theorist, I might propose that we shout out, loud and proud, something like this: “We‟re here! We‟re queer! We are the drive! And you‟ll never get used to us!” But **such a call**, we saw in Chapter 1, **performs a fantasy of overcoming** the drive **by identifying** with it (if you can‟t beat it, join it); and **the drive is not a force that can be overcome**. Were I to articulate my own version of a saying evoking the feeling of the drive, it would go more like this: “Come on; we‟re late; let‟s go—oh no, where are my keys!?” To be clear, I am the last person who should offer advice about handling the loss of one‟s keys. I know the recommendations—stay calm; breathe; retrace your steps—but rarely do I heed them. For me, it‟s closer to: Panic! Berate self! Look for someone to blame! I have no guide for getting over this set of reactions, but I do want to say this: “The Disability Drive” has been an invitation to think collectively about the ways that, when we feel we cannot bear the psychic or social equivalents of losing our keys (keys potentially serving as metaphors for other objects, the loss of which might be more devastating), the impetus to blame someone else can harden into a fixed idea, a truth that one refuses to relinquish. We have analyzed multiple examples of this process: fat people stigmatized as “compulsive eaters,” feminists caricatured as anti-sex identitarians, and chronically ill people dismissed as “hysterical.” **If this dissertation has a moral, it is this: the intolerable feeling that arises when we lose keys, control, or other objects that we think we need in order to believe in our selves, originates not from outside us but from within. This is the drive: it always has its keys in hand. We are not done with the drive.**

**Afropess**

**1NC --- Link**

**Their attempt to refuse ableism within the structures of civil society is only the upending of a conflict that mystifies the fundamental antagonism that structures civil society and the world writ large: The non-being of blackness – Anti-blackness provides coherence to the “human” subject.**

**Kim 13,[** Hyo K. Kim, an assistant professor of English at Medgar Evers College, City University of New York, where he teaches Asian American literature and literary theory. He is currently involved in two research projects; one editing a collection of critical essays on Theresa Cha’s Dictee; another is a book-length study exploring the connections between minor affects and the aesthetics of minority literatures in the United States, Published in Penumbra: An Interdisciplinary Journal of Critical and Creative Inquiry, <http://unionpenumbra.org/article/the-ruse-of-analogy-blackness-in-asian-american-and-disability-studies/>, JMH]

For instance, what at first glance seems merely naïve―that is **the observation that in the U.S. “[b]eing disabled is just like being black”―actually does index how disability cannot be synonymous with Whiteness.** For what is suggested through the forced parity between the construction of blackness and disability is that the disabled body or mind cannot properly embody Whiteness in toto. And that is what Anna Stubblefield demonstrates in “‘Beyond the Pale’: Tainted Whiteness, Cognitive Disability and Eugenic Sterilization,” which iterates how disabled white persons have historically been categorized as embodying a tainted form of whiteness. She convincingly argues that beginning from the 1800s in the U.S. those who were considered feebleminded, a form of cognitive disability, lost the full privileges attendant with white citizenship. As she writes, “… to grasp feeblemindedness fully as a signifier of tainted whiteness, it is important to understand that the state-sponsored, involuntary sterilization of tainted whites meant that they had, in effect, lost the full protection that whiteness conferred in a white supremacist society” (178; emphasis added). Not only did the so-called feebleminded whites come to embody a compromised form of whiteness but also the “ … white men [and women] labeled as criminal, sexually deviate, homosexual, … or insane … ” (Stubblefield 178). What Stubblefield emphasizes is that **disability as a social construct cannot easily be detached from its imbricated positioning within a network of material forces that include not only race but sexuality, class, and gender.** Her study foregrounds **the need for Disability studies to attend to racialization as not a tangential focus but central to its overall theoretical and political project.** Interestingly Stubblefield’s study of how disability can dispossess whites of their “full personhood” under U.S. law seemingly lends support to what “Dismodernism” authorizes, which is **the idea that the suffering of blacks can be made equivalent to not only what disabled whites come to embody but also to all those other Others represented under the category of “people of color.” In short, disability has the potential to democratize civil society by recalling how all citizens are common in their humanity―that is, equally exposed to disability.** Yet, if we read between the lines of Stubblefield’s summary of how “feebleminded whites” can become “tainted,” the singularity of “blackness’s grammar of suffering” emerges. For **what distinguishes “blackness grammar of suffering” is how it does not operate according to the assumptive logic of capability. In other words, to approach “blackness’s grammar of suffering,” Wilderson insists that one must be able to imagine “an ethicality … so terrifying that, as a space to be inhabited and terror to be embraced” (41), it resists language. It is a “grammar of suffering” based not upon the logic of a “lost” capacity but that of a deontologized property, the Slave that is not “exploited and alienated” but rather “accumulated and fungible.” The effect of this singular grammar on Asian American and Disability studies is significant, but the impact of Wilderson’s critique on the “scholarly and aesthetic production” of the “Black theorist” is radical by comparison.** As he writes: This [“blackness’s grammar suffering”] makes the labor of disavowal in Black scholarly and aesthetic production doubly burdensome, for it is triggered by a dread of both being ‘discovered,’ and of discovering oneself, as ontological incapacity. Thus, through borrowed institutionality―the feigned capacity to be essentially exploited and alienated (rather than accumulated and fungible) in the first ontological instance (in other words, a fantasy to be just like everyone else, which is a fantasy to be)―the work of Black film theory [and by extension Black studies] operates through a myriad of compensatory gestures in which the Black theorists assumes subjective capacity to be universal and thus ‘finds’ it everywhere. (42) Placed within the frame of “blackness’s grammar of suffering,” I want to examine the consequences of Davis’s attempt to render disability cosmopolitan. While the move has the virtual effect of equalizing all bodies around human capacity to suffer―such an ethical cum political strategy requires the disavowal of how concepts such as “human” and “civil society” in the U.S. have structurally depended on the production of social death, i.e. the Black (and the Red). As it should be obvious by now, what **is therefore unthinkable in Davis’s attempt to make civil society cohere around the universality of human suffering is the contingent nature of the term human itself.** This in fact is what Bells intuits but cannot name in his influential essay entitled “Introducing White Disability Studies: A Modest Proposal.” Bell’s hesitation is partly attributable to how pain or suffering is both social (that is communicable, sharable by all humans in equal measure) and incommunicable within Disability studies. That is, **Disability studies’ uneven attention to the incommunicability of suffering is seemingly capable of accommodating the unrepresentability that is constituent of “blackness’s grammar of suffering.”** As Siebers insists, “[i]ndividuality derived from the incommunicability of pain easily enforces a myth of hyperindividuality, a sense that each individual is locked in solitary confinement where suffering is the only object of contemplation. People with disabilities are already too politically isolated for this myth to be attractive” (176). Yet in an attempt to intervene in the poststructuralist tendency to idealize “physical pain” as site of either transcendent power or pleasure, Siebers also adds, “… [p]hysical pain is [at once] highly individualistic, unpredictable, and raw as reality. Pain is not a resource of political change. It is not a well of delight for the individual” (178). What is directly pertinent to the present essay is how the universal figure of the “individual”- human marks the critical horizon of Disability theory. Or, to put a finer point to it via Widerson’s reading of Frantz Fanon’s Black Skin, White Mask, “… the Negro … ‘is comparison,’ nothing more and certainly nothing less, for what is less than comparison? … [And as such] ‘No one knows yet who [the Negro] is, but he knows that fear will fill the world when the world finds out’” (42). We find in the most sophisticated Asian Americanist deployment of poststructuralist strategies of reading―such as the one advanced in the influential work by Kandice Chuh―a similar call to abandon politics based on social identity.6 While I am in agreement with both Davis’s and Chuh’s overarching critique of uniform identity, I find troubling their wholesale critique of all identity formation as a priori essentialist. For such framing of social identity as necessarily restrictive can only lead to the return of the repressed in our present era of colorblindness―the ideal of abstract citizenship. As she writes: “**‘Asian American’ … connotes the violence**, exclusion, dislocation, and disenfranchisement that has **attended the codification of certain bodies** as variously, Oriental, yellow, sometimes brown, inscrutable, devious, always alien. It speaks to the active denial of personhood to the individuals inhabiting those bodies” (Chuh 27). In this, **Chuh**―along with Davis and Siebers―unwittingly **announces the displacement and the erasure of “blackness’s grammar of suffering,”** as their strategies of reading the presence or absence of justice within U.S. civil society is predicated upon exploitation and alienation of the a priori human subject. Nevertheless, by embodying the self―Disability studies helps to shift (though only slightly) critical theory toward an alternative ethicality that does not programmatically endorse the idea and ideals of abstract citizenship. For contrary to the liberal model of the political subject that achieves “hyperindividuality” through social and material detachment, the alternative model of subjectivity that is afforded through the disabled body is a self that is always already in the process of negotiating complex relations to the materiality of the social. Thus, the embodied model of subjectivity helps to re-imagine “personhood” as relation itself, leading not to the reification or essentialization of self, this relational model of subjectivity demands that any identity whatsoever be thought not as autonomous substance but rather as a site, comprising of unfinished, mobile, heterogeneously constituted relations across an embodied hermeneutic horizon. It bears mentioning here that it is this interconnected and radically open vision of “personhood” as relation that is foreclosed in the liberal model of abstract citizenship. For in the liberal model of the self, the ideal is to attain singular indeterminacy through the negation of such social relations, without which no self can hope to attain intelligibility. As Alcoff’s important work suggests: Social identities … are more properly understood as sites from which we perceive, act, and engage with others. These sites are not simply locations or positions, but also hermeneutic horizons comprised of experiences, basic beliefs, and communal values […] . We are not boxed in by them, constrained, restricted, or held captive―unless … it makes sense to say that we are boxed in by the fact that we have bodies . … (287) Interestingly **it is by attending to how the self is embodied and embedded in social reality that clarifies the radical singularity of the Black’s structural non-relationality, which in turn helps to bring into focus not only what Wilderson calls the “structural antagonisms” that contour U.S. civil society but also unexplored ethico-political limits and possibilities of sub-fields such as Disability and Asian American studies.** For according to Wilderson’s Red, White & Black what gives internal coherence to such terms as “human” and “civil society” in the U.S. is the disavowal of the structural (historical) relation blacks have with what is essentially non-human, a form of social death known as slavery. As he summarizes: During the emergence of new ontological relations in the modern world, from the late Middle Ages through the 1500s, many different kinds of people experienced slavery. … But African, or more precisely **Blackness, refers to an individual who is by definition always already void of relationality. Thus modernity marks the emergence of a new ontology because it is an era in which an entire race appears, people who, a priori, that is prior to the contingency of the ‘transgressive act’** (such as losing a war or being convicted of a crime), **stand as socially dead in relation to the rest of the world.** (17-8) Wilderson’s intervention therefore hinges on isolating and exposing this dual operation by which civil society makes sense of itself to itself―the simultaneous disavowal of and parasitic dependency on the Black. In other words, **the desire to make blackness an analogue of disability amounts to denying the structural relevancy of slavery to the formation of U.S. civil society. Wilderson’s reading of Fanon helps to articulate the radical singularity of “blackness’s grammar of suffering,” as it emphasizes how “… the gratuitous violence of the Black’s first ontological instance, the Middle Passage, ‘wiped out [his or her] metaphysics … his [or her] customs and sources on which they are based.’ Jews went into Auschwitz and came out as Jews. Africans went into the ships and came out as Blacks” (38). What Wilderson calls the “blackness’s grammar of suffering,” consequently, has no analogue in either the assumptive figure of the “individual” that subtends Disability studies and those other Others within U.S. civil society that have become included within the frame known as “people of color.” In this, “blackness’s grammar of suffering” gestures toward what is unnamable, a form of suffering that is in excess of any ethical language which is based upon the universal figure of the human. This is how Wilderson radically undermines the desire to transpose “blackness’s grammar of suffering” into the ethico-political language upon which civil society’s depends to make suffering (physical, psychic or otherwise) intelligible.** As he writes: The ruse of analogy erroneously locates Blacks in the world―a place where they have not been since the dawn of Blackness. This attempt to position the Black in the world by way of analogy is not only a mystification, and often erasure, of Blackness’s grammar of suffering (accumulation and fungibility or the status of being non-Human) but simultaneously also a provision for civil society, promising an enabling modality for Human ethical dilemmas. It is a mystification and an erasure because … their grammars of suffering are irreconcilable. (37) Such is the logic that animates Bell’s critique of Disability studies but it does not, cannot obtain the force of Wilderson’s intervention because Bell cannot or dare not disarticulate the Black from the world. Nevertheless both Wilderson and Bell help foreground the important fact that even suffering obtains a “grammar,” that is, has a way of indexing―whether positively in the form of identification or negatively through dis- or even through non-identification, the presence or absence of a world. What Bell’s and especially Wilderson’s critique bring into sharp relief is that anti-blackness is part and parcel of the episteme that gives internal coherence to U.S. civil society. To approach “blackness’s grammar suffering” is therefore to contemplate, albeit always indirectly, not the paradigm of disability which is always already predicated on agency but a radical non-capacity. Wilderson’s illumination of how the **“antagonism” that obtains around blackness is structural to the formation of U.S. civil society has the effect of clarifying the positioning of sub-fields such as Disability and Asian American studies, especially when their protocols aim toward establishing some form of political justice based upon “exploitation and alienation,” which is at odds with “blackness’s grammar of suffering.” As previously mentioned, Wilderson draws a sharp distinction between “conflict” and “antagonism.” And this is key, as it is only when anti-blackness is positioned as an “antagonism” that the residual and structural effects of the Slave (the non-human) can be allowed to erupt into the living present of U.S. civil society.** As such, though by comparison far more optimistic than Wilderson’s study, Alexander’s The New Jim Crow (2010) gives powerful evidence to Wilderson’s theory of the “structural antagonisms” that contour U.S. civil society. This is how a critical theory based upon advancing a colorblind world or an ethicality based upon the universal human effectively silences the suffering of the Black. As Alexander argues: Far from being a worthy goal … colorblindness has proved catastrophic for African Americans. It is not an overstatement to say that the systematic mass incarceration of people of color in the United States would not have been possible in the post-civil rights era if the nation had not fallen under the spell of a callous colorblindness. … Saying that one does not care about race is offered as an exculpatory virtue, when in fact it can be a form of cruelty. … Our blindness also prevents us from seeing the racial and structural divisions that persist in society: the segregated, unequal schools, the segregated, jobless ghettos, and the segregated public discourse―a public conversation that excludes the current pariah of caste [the incarcerated black males in U.S. civil society]. (228) In this, Wilderson’s Red, White, & Black and Alexander’s The New Jim Crow bring into sharp focus why the **framing of blackness within U.S. civil society cannot do without the ruse of analogy which effectively puts under erasure a “… violence which turns a body into flesh, ripped apart literally and imaginatively, destroy[ing] the possibility of ontology because it positions the Black in an infinite and indeterminately horrifying and open vulnerability, an object made available** (which is to say fungible) for any subject” (Wilderson, 38). Put otherwise, **this “violence” which is in excess of that ideologically saturated term called Humanity demands the infinitely difficult yet necessary encountering with what gives U.S. civil society the simulacrum of ethical and political decency.**

**2NC --- Root Cause**

**The white body becomes the center of disability, creating a savage degeneracy at the heart of disabled blackness**

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On September 23, 2015, Mr. Jeremy McDole was executed by Wilmington, Delaware police officers. Mr. McDole was allegedly a threat to himself and suicidal. The police were responding to a “911 call reporting that [Mr. McDole] had shot himself.”1 The 911 caller can be heard yelling: “A man just shot himself in the AutoZone parking lot ... he’s fallen out of a wheelchair.”2 Mr. **McDole was reported to the police as a victim, not a criminal**. He was described as a disabled man with injury. A man who was suicidal; in need of help. **His need, his victimhood, was not seen**. He was not recognized by the police as a vulnerable person. **He was seen as a Black man; a threat**—a body marked for death by the danger he posed to others. This stereotype applied to his body, **despite** him being **confined to a wheelchair**. Like the deaths of hundreds of other Black males in America, his execution was recorded and subsequently released to the American public for summary judgment—just or unjust killing of a Black man. Unlike the hundreds of Black men killed every year in America, however, Mr. McDole was paralyzed from the waist down from an injury he sustained after being shot at the age of 18. **What threat did this disabled Black man pose to anyone? Was he armed? Did he have a gun? These** are the **questions** that **define Black male death** in this country, and despite Mr. McDole’s disability, they now define him. Why is it so easy to frame the lives of Black men and boys by one act, that same moment all the public sees where it is almost willed in unison that these Black males are in fact yearning for death? What was it about him being Black-male-disabled that resists consideration—did not diffuse the presumed danger—and convey that he was not a threat?

Like many academic fields, **disability studies has been confronted with its raced, classed, and gendered assumptions about the body which lies at the center of conceptualizations of disability**. Over a decade ago, Phil Smith argued in “Whiteness, Normal Theory, and Disability Studies,” that “whiteness is a **normative**, **dominating**, **unexamined** power that underlies the rationality of **Eurocentric culture and thought**. It serves to **push to the margins** not only those defined as **not-white**, but also those defined as **not-Able.”**3 Similarly, Chris Bell’s “Introducing White Disability Studies: A Modest Proposal,” argues that disability studies functions to commodify Blackness as synonymous with disability. Reflecting on the Queer disability conference held in 2002, he writes many disabled non-whites “could not understand the overarching mentality of many of the attendees, perhaps best expressed by a remark made in a breakout session: ‘Being disabled is just like being black, so society should stop hating us and give us our rights.’ ”4 Bell clarifies in a footnote that **disability studies normalizes disability such that the white disabled body is the conceptual/anthropological origin of disabledness.** Far from excluding people of color, “White Disability Studies treats people of color as if they were white people; as if there are **no critical exigencies** involved in being people of color that might necessitate these individuals understanding and negotiating disability in a different way from their white counterparts.”5

The white body, being **the ideal type**, is then the **basis of distortion or disfiguration** which defines the disabled other. **The racial designation of whiteness exceeds the borders of what is often meant by identity;** who identifies or can be identified as a white person. In actuality, whiteness speaks to something more fundamental in the West that has come to define what it is to be human or nonhuman. **To be non-white is to be abnormal—evolutionarily behind—in the phylogenetic order of human development.** Those who are raced have historically been constructed as the degenerate/inferior/nonhuman opposite to the rational prototype of the human/superior/(Western) (abled) human.6 An outgrowth of nineteenth-century eugenics, “**degeneration** became a compelling **racial metaphor** such that the colonized races were assumed to be **intrinsically degenerate**, and as a result could never be improved.”7 Degeneracy suggested **biological weakness and disease**, often translating “into an attribution of diminished cognitive and rational capacities of nonwhite populations.”8

In the West, **these colonial accounts of abnormality became dichotomizing anthropological designations separating those who are human from those who are not human.** Those bodies whose origin are thought to share a phylogenic distance from European man have been thought to be the embodiment of pathology, degeneracy, and racial inferiority. As a kind of abnormality, **disability** was considered to be **unnatural and detestable**, while **normality became synonymous with** that which was natural and a means “of establishing the **universal, unquestionable good and right.”**9 The moral constitution of the self, the interior character one possesses, became associated with the physical and mental formation of the body. Oye`ronke Oyewumı argues that under Western epistemology, “The body is given a logic all its own. It is believed that just by looking at it one can tell a person’s beliefs and social position or lack thereof.”10 Because “**the body is** the **bedrock** on which **social order** **is founded**, **the body is always in view and on view**,”11 so the somatological becomes intuitive; that which is obvious when gazed upon. In the West, sight analyzes the body, and becomes the instrument used to identify biological deficiency which is thought to indicate degeneracy and inferiority. In this circuitous epistemology, the **deformity of the body** is a **reflection** upon the supposed **distortion** of the mind, just as the distortion of the mind suggests the **savage degeneracy** of the body.

In “Pathology to Power: Rethinking Race, Poverty and Disability,” Pamela Block, Fabricio Balcazar, and Christopher Keys explain that, even in the twenty-first century, “the concept of disability, when applied as a medical or psychological diagnosis, can subsume the culturally, socially, and historically derived identity of an individual beneath a label of pathology.”12 Despite the supposedly progressive social conscience of the American public, and the seemingly infinite theoretical nuances in identity theory, there is an anthropological, and dare I say, **ontological problem**, which continues to re-emerge as the basis of engaging those bodies perceived as disabled. **This risk of being reduced to the perception and anxieties of others is only amplified by the vulnerabilities racial groups have in mainstream society**. Whereas “**white individuals** **with disabilities** can **recognize** that their **disability** is the main reason why they are **discriminated against, segregated, and oppressed**, [disabled minority groups] have a harder time separating or consolidating their **multiple identities**.”13 **Non-whites experience “segregation and discrimination independent of their disability.** If we also consider the fact that poverty is a major source of marginalization and that most individuals of color with disabilities are poor, then the experience of disability is only one more factor in an already oppressed existence.”14

But what of Black males? Despite over a decade of work identifying the whiteness and bourgeois assumptions in disability theory, there has not been any attempt to create specific theories of Black male disability which engages the vulnerabilities his body has to death, hyper-sexualization, and super-humanism in America. Even Nirmala Erevelles’s work, which does an excellent job articulating the link between colonial concepts of inferiority, be they racial or cultural, misses the opportunity to fully articulate the vulnerabilities racialized maleness has within her transnational feminist disability studies perspective.15 This is not to suggest Erevelles does not engage the disabled Black male body. The concern she conveys for her husband Robert who was suffering with a grade IV brain tumor is a startling reminder of how the Black male body is perceived as a danger regardless of its actual physical state. As a Black male, I understand her relief when she tells the reader how lucky they both felt that most of Robert’s seizures occurred in the privacy of their own home.16 I know her fear, the repetitive terror she experienced imagining her husband being shot or killed because the public did not know how to react to a Black male body seizing. Erevelles is correct: “**The Black male body** ... is a source of **terror** in white patriarchal society, and when transformed during a **grand mal seizure**—with rolled back eyes, harsh grunting sounds, mouth drooling bloody foam, and the occasional loss of control of bodily function with its associated putrid smell—could become an even more **terrifying spectacle** as a result of the now lethal triple combination of **race, gender, and disability.”**17 But what conditions the maleness of this Black disabled body? What is the role Black man plays in Erevelles’s knowledge that “to be perceived as a dangerous black man in the wrong place at the wrong time ... could result in death,”18 and the public’s fear that even a disabled Black man is Black and male enough to pose a threat?

There is an asserted claim in gender theory holding that maleness need not have a separate theoretical account as an attribute of the racial body, as it represents privilege, domination, and hegemony in its relation to femaleness.19 For many, acknowledging the horror the Black male body conveys is enough, but the lack of an explanatory account as to why **the Black male body is peculiarly dehumanized within patriarchal racial logics leaves the multiple levels of vulnerability Black males experience unexplored and untheorized**. While it is obvious to many that Black males are seen as dangerous, it is often unacknowledged that Black men and boys have a long history of being **victims of rape, sexual violence, and cannibalism**.20 Black maleness is easily **acknowledged** as being the cause of **white aggression and violence**, but these **ignored violence**(s), **which exist in the sexual register**, are thought to be of no consequence to how Black men and boys are perceived, desired, and feared.21 This essay attempts to remedy this deficit in theory how the Black male body generally, and the disabled Black male body more specifically, is engaged as a phobia-inspiring entity. Because the Black male body is confined to the realm of terror—a living corporeal horror—I argue the recognition of physical or mental disability by white onlookers is subsumed by white fear. In other words, disability in the Black male is unrecognizable by whites because of a very real racial anxiety.

**Capitalism**

**2NC --- Cap Links**

**Only our critical analysis of capital at the level of labor functions can explain lived, material realities of disabled bodies as the surplus population.**

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Capitalism, Disability, and the relative surplus population I would like to start by establishing the grounds on which I shall build my reflections. My first and final argument is that **disability in capitalism is a social product of the contradictions produced by the clash between forces of exploitation and forces of labour.** It is rather important to clarify, perhaps to the despair of postmodern perspectives (Eagleton 1998; 2016; Harvey 1990), that I shall focus my considerations on **what we could call a materialist universalising view of the body and the mind, a body and mind that are expected by capitalism, the labour body/mind. The body/mind that is able to work and to sell its labour force in the market, so that it may extract surplus value from this abled-to-work body/mind. The contrast of the abled labour body/mind is the disabled body/mind, which is a term “used to classify persons deemed less exploitable or not exploitable by the owning class who control the means of production in a capitalist economy”** (Russel 2019, p. 42). **Those “deemed** less exploitable or **not exploitable**”, deviant from the ideal labour body/mind, may **be considered** part of what Karl Marx calls **a** Stagnant **Surplus Population** (Figure 1), or the third category of the Relative Surplus Population (floating, latent, and stagnant) or Industrial Reserve Army (Marx 1990) – discussed in chapter 25 “The General Law of Capitalist Accumulation” of the first volume of the Capital. Although a famous quotation amongst Marxists is commonly used to summarise the author’s arguments3 , I would like to linger a little longer on his discussion of the Relative Surplus Population in order to establish **a** theoretical **connection between** a stagnant **surplus population and the materiality of the lives of people labelled disabled in the capitalist society** of the 21st century. Marx (1990, p. 794) argues that The relative surplus population exists in all kinds of forms. Every worker belongs to it during the time when he is only partially employed or wholly employed. Leaving aside the large-scale and periodically recovering forms that the changing phases of the industrial cycle impress on it, so that it sometimes appears acute, in times of crisis, and sometimes chronic, in times when business is slack, we can identify three forms which it always possesses: the floating, the latent, and the stagnant. David Harvey (2010, p. 145) clarifies that **the surplus population is what “permits capitalists to super-exploit their workers without regard for their health or wellbeing”.** Marx understands that there is a relation between the growth and accumulation of capital and the demand for a labour force, as capital expands so does the need for more workers - “[a]ccumulation of capital is therefore multiplication of the proletariat” (Marx 1990, p. 764). However, if the number of workers employed increases, so does the price of labour - an increase on wages - which means “a reduction in the unpaid labour the worker has to supply” (Marx 1990, p. 770). Despite its apparent simplicity, this movement is nevertheless more complex than it appears to be4 , but it can be summarised as follows: it is capitalistic accumulation itself that constantly produces, and produces in the direct ratio of its own energy and extent, a relativity redundant population of labourers, i.e., a population of greater extent than suffices for the average needs of the self-expansion of capital, and therefore a surplus-population. (Marx 1990, p. 782, my highlights). For starters, we should not forget that the sole aim of the capitalist is to produce profit5 . Capitalists are ruled by what Harvey calls “the coercive laws of competition” (2010, p. 146), in Marx’s words: “a coercive force external to him” (1990, p. 381). When wages rise, they become an obstacle between capitalists and the maximum amount of profit that can be extracted. More elements will then come into place, among others, the intensification of the exploitation of the work force and the use of technology to increase productivity and profitability (Harvey 2010; 2011; Marx 1990). One example that may be useful to illustrate such an abstract relation is that of bank workers in Brazil in the last 30 years. In the 1990s, bank employees in Brazil created influential labour unions to exert pressure on banks, therefore demanding higher quality jobs - higher salaries, less working hours, more job places, amongst others. When going on strikes, until the early 2000s, those unions would still have some influence in the decision-making process in the organisation of banks. In 2020, the widespread use of the new technology, which allows users to solve most of their needs using their smartphones, has caused demands for higher productivity, wage drops, more working hours, and an increase in unemployment in the sector - industrial reserve army. While strikes of the sector in the 1990s were catastrophic (crowds of employees on the streets, freezing of banks, very little or no money available, the support of the population), a strike in 2020 gathers a few dozen with signs in the streets that are usually ignored by most passerby, looking down at their smartphones. Leading us then to an important hallmark of capitalist labour exploitation practices: The Industrial Reserve Army as a regulator of the tensions between the exploiters and the exploited. As capital multiplies and grows, it also tends to follow two internal movements, namely concentration and centralisation. Respectively, the augmentation of capital and control of this capital in the hands of fewer people. At the other pole, it also produces what Marx called in the previous quote “a relatively redundant working population”, that is, the surplus population (Marx 1990, p. 782). This surplus population forms an army of workers who may at times be absorbed or rejected by the capital, according to the capital’s own needs (variation in the number of workers in a certain area), requirements (level of education, expertise, and/or experience), rules (wages/salaries, working hours, holidays, health insurance). In other words, “the working population therefore produces both the accumulation of capital and the means by which it is itself made relatively superfluous; and it does this to an extent to which is always increasing” (Marx 1990, p. 783). In the case of Brazilian bank clerks, the introduction of new technological machinery, as Marx calls it, allowed banks to dispose of thousands of employees and change the rules of the game, it developed new needs and new requirements. The first category of the relative surplus population characterises workers that are “sometimes repelled, sometimes attracted again in greater masses” by the job markets (Marx 1990, p. 794). A modern example may be the situation of engineering workers in Brazil - when the economy is growing, they are the first ones to be absorbed and to get higher salaries and better conditions of work. However, as the economy slows, they are repelled by the companies, made redundant, and will be unemployed again. The latent category represents those with potential to be part of the capitalist labour force but are in agricultural areas still struggling to survive with their own practices against massive capitalist companies; it is the representation of the death of a rural lifestyle. As cities and companies grow, they swallow small family farms and ranches, leaving those families with no other option but to sell their properties to the big companies, move to the cities, and sell their labour force. It is a situation portrayed in literature by Theodore Dreiser in The Lost Phoebe (1918) and by Graciliano Ramos in Vidas Secas (1938), and more recently in the American sitcom The Ranch (2016-2020), and vastly discussed in the works of Raymond Williams. The last category, the stagnant, is formed by those who must subject themselves to the lowest conditions of work, to the most irregular forms of employment, and to “a maximum of working time and a minimum of wages” (Marx 1990, p. 796) - a sediment of the working class that lives in the poorest conditions of life. Now that we have reached the stagnant category, we should remember that when Marx is discussing the three forms of relative surplus population, he is categorising workers, in other words, those who are forced to sell their workforce because they do not own any means of production – der Arbeitsmensch. They are those who are able to sell their workforce; those who are at their full capacity in body and mind to create surplus value at the lowest cost, with the lowest adaptation possible, as it is remarked by Marx (1990) and by Engels (1987). In contrast, **when dealing with disability**, we are considering **those** who have been **labelled by capitalist practices**, symbols, and meanings **as disabled, unproductive, and as a burden to the rest of the working class. A burden to the** rest of the **working class because** “what becomes of the operative…, in case **he cannot work, is no concern of the employer**” (Engels 1987, p. 543). Engels here sheds light on an important element of our discussion: **the class condition is a fundamental aspect of analysis when we are discussing disability.** Marx (1990, p.797, my highlights) enumerates three categories of those who dwell in pauperism – the lowest sediment of the relative surplus population’, (1) those who are able to work but who are not working; (2) orphans and pauper children; and, finally, (3) ‘the demoralized (sic), the ragged, and those unable to work, chiefly people who succumb to their incapacity for adaptation, an incapacity which results from the division of labour… Note that here he is dealing with the incapacity of adaptation. And he goes on to identify these workers as those “who have lived beyond the worker’s average lifespan; and the victims of industry… the mutilated, the sick…” (1990, p. 797, my highlights). **Marx approaches** both the issues of ageism and **ableism** in the same category **to indicate that those who are deemed useless by capitalist practices and excluded from the labour market will dwell in pauperism.** To clarify, pauperism is The hospital of the active labour-army and the dead weight of the industrial reserve army. Its production is included in that of the relative surplus population, its necessity is implied by their necessity; along with the surplus population, pauperism forms a condition of capitalist production, and of the capitalist development of wealth. It forms part of the faux frais of capitalist production: but capital usually knows how to transfer these from its own shoulders to those of the working-class and the petty bourgeoisie. (Marx 1990, p. 797). It seems to be implied that he differentiates the surplus population and pauperism. They are both conditioned to the ontological structure of the capitalist system and its ongoing wealth-making process. When Marx brings them together, he binds them, stating that one will be responsible for the other (the dead weight of the industrial reserve army), he is providing arguments against the traditional categorisation of disability as a personal and individual problem. Once again, **disability is approached as a** social, cultural, historical, and **class-related issue.** In a recent study, Santos (2020) scrutinised data on the living conditions of the Brazilian population comparing and contrasting the categories of race, gender, and disability with class condition. The author identifies how these elements come together to derail people’s access to a flourishing life in a racist, sexist/ patriarchal ableism, neoliberal Brazilian society. According to her, 30,06% of the population with a disability live with within the range of 0-1 minimum wage (R$ 1,100 reais) – in Brazil this means deprivation from a wide variety of essential goods and services, i.e., living in pauperism or close to pauperism. From another geographical perspective, in the United States, according to Erevelles (2011, p. 56), “[…] “one out of every four disabled people lives below the poverty line, and more than 75 percent have an individual income of less than $20,000.” In the Economic and Philosophic Manuscripts of 1844, Marx discusses the existence (Dasein) of the Arbeitsmensch in the labour-capital relationship. He points out that “[**p]olitical economy… does not recognise the unoccupied worker**, den Arbeitsmenschen, in so far **as he happens to be outside** [the] **labourrelationship”** (1988, p. 86), that is, **it does not recognise their** Dasein, their **existence.** According to Marx, “they are figures (Gestalten)…, specters(sic) (Gespenster) outside the domain of political economy” (1988, p. 86). Those deemed less exploitable or not exploitable are ghosts to a system that values profit over anything else. As I pointed out, when we consider **the “class-disability” relationship in the working class**, we are **deal**ing **with** the sphere of pauperism – **those on the lowest, poorest, most degrading conditions of life. These are** either **those who** refuse to follow the system of discipline imposed by the capital or those who **deviate from the ideal labour body/mind.** Harvey (2010, p.149) points out that: there is the problem of what to do with people who don't conform and are therefore dubbed odd or even deviant. And this is Foucault's as well as Marx's point: they are called mad or antisocial and incarcerated in insane asylums or prisons; or as Marx notes, they get put in the stocks, mocked and punished. **To be a "normal" person**, therefore, **is to accept a certain kind of spatiotemporal discipline convenient to a capitalist mode of production.** What **Marx** **demonstrates** is that this isn't normal at all - **it's a social construct that arose during this historical** **period** in this particular way and **for these particular reasons.** According to Harvey, to be normal is to conform. **Those who deviate will be labelled as abnormal**, irrelevant, will be deemed useless, **and set aside. So, normality does exist for capitalism** – and it is very specific. On the one hand, it does not mean that we should simply accept it as a universal truth. On the other hand, we should not deny normality either but address it and question it. **Theoretical and methodological perspectives that aim to refuse the existence of these antagonistic forces – normality and abnormality – in capitalist practices**, symbols, and meanings, in an attempt **to promote equality and** the so-called **inclusion**, **contribute to the ontological reproduction of the system that created** **the antagonism in the first place. Labelled as** irrelevant and **disposable to the** political and **economic structure, disabled people** may be allocated in the Stagnant category of the Relative Surplus Population. In fact, even when they are absorbed by the system in times of need or when the system is forced to absorb them by affirmative action policies, those in the stagnant category “**can be rendered superfluous at the slightest downturn** of the business cycle” (Russel 2019, p. 76). Barnes (1992, p. 55) defines disability as “a diverse system of social constraints imposed on people with impairments by a highly discriminatory society — to be a disabled person means to be discriminated against”. A social approach to disability, therefore, does not deny the impairment, but understands that there is a socio-historical difference between impairment, disability, and disabled: the impairment is biological, the disability is social, and disabled is the end result of disabling a person with an impairment6 . Vygotsky (1993, p. 36) argues that “[i]n the final analysis, what decides the fate of a personality is not the defect [impairment in today’s terminology] itself, but its social consequences”. And it is this socio-psychological realisation that may or may not be a disabling one. In their development, disabled children will only require processes that will stimulate them in other ways rather than those traditionally applied at home, school, and any other social situation. As deviants of the patterns of normality, however, disabled people are many times completely or partially deprived of social participation. Deviant bodies and minds are expected to either follow the stabilised rules of society or not be part of it at all. Let us take a scene in Jack Nicholson’s One Flew over the Cuckoo’s Nest as an example. His character, Randle P. McMurphy, is in the swimming pool of a total institution for those considered mentally ill and/or intellectually disabled and tells one of guards that within six days he is going to leave the institution. To his surprise, according to the guard, he will only leave the institution when allowed to, when the doctors and nurses consider that he is able to adjust to social order. Randle is only pretending to have a disability to dodge prison, but to many of his companions it means never leaving the institution, because **according to** the rules, requirements, and needs of the **capital they have already been deemed deviant and disposable** or, as Harvey put it, they are “incarcerated in insane asylums or prisons […] they get put in the stocks, mocked and punished” (2010, p. 149).

**2NC --- Root Cause**

**The political economy is the best analytic to explain forms of ableist violence that lead to material impacts that disabled populations must face. Only understanding “competence” as indebted to the structures of productivity and labor relations can reshape WHAT society values.**

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Disability and the Ideology of Competence As stated, I am not going to analyse **the disabling** **phenomena** beyond the sphere of capitalism, but rather to understand them **as part of the** complex **system of ontological maintenance of** the **capital** (Mészáros 2011). One way (not the only way) to do that is to **approach, from a materialist perspective, the ideological discourse of** **competence. It unveils** not only **what is expected** from the working class but **also what is** to be **discarded. Competence is** a concept that is **in dialectical relation with** the concepts of **class, exploitation, and individual. Social class**, one’s position in the economic and political structure of capitalism, will **have a direct impact on** the limits imposed on and **possibilities** opened up **to individuals.** That is, humans make their history, but they are determined by sociohistorical forces beyond their control (Marx & Engels 1968). Therefore, **a materialist reading of disability** may **largely contribute to** deepen and **expand** the scientific **knowledge around the disabling phenomena. Social class,** albeit a commonly forgotten category **in** the analyses of **disability, is** an **essential** aspect of it. There are complex divergencies between facing an impairment in the higher classes, in the middle-classes, or in the lower-classes7 (See Erevelles 2011; Cabral 2021; Russel 2019; Santos 2020). Wright (1998) argues that **exploitation** is a grounding concept when it comes to class analysis because it **creates a fissure between** the **higher classes** (the owners of the capital, land, and means of production), **who exploit, and** the rest **who are exploited.** The development of capitalist relations, however, engendered new classes, a class that originates from the social and technical divisions of labour (Wayne 2020; Wright 1998). The middle-classes are constituted by those in the working class who perform jobs that require more complex skills in contrast to those who are working in manual jobs - and thus tendentiously share contrasting interests with them. These are also called in sociological works primary and secondary sector jobs, which respectively represent “those with high wages, high skill levels, good working conditions, job security, and ample opportunities for promotion” in contrast to “low wages, low skill levels, poor working conditions, little job security, and few if any possibilities for advancement.” (Barnes 1992b, p. 57). Wayne (2020, p. 5) keenly highlights that The social division of labour is linked to class formation because across the various branches of productive activity designed to meet variable social needs, the same social types in control of those branches have more in common with each other than they do with their immediate workers, who have the least control, least power and lowest remuneration in the production process. The **maintenance of class structure and** the inducement of competition and **individualism in** the **working-class**es **is a** fundamental **trait to the ontological continuation of capitalism.** The social division of labour focuses on the formation of an un-critical, individualist, and indebted working-middle class with no sense of unity or class consciousness (Marx & Engels 2008; Mészáros 2008; 2011). The spread of meritocratic values amongst the professional and managerial strata of the working-class gives them a glamorous look and the false impression that they are closer to the top than to the bottom, that they share more with those in power than with those in classes below them (Wayne & Cabral 2021). The relevance of the discussion of class lies in the fact that when we talk about inclusion without questioning capitalism, we are usually referring to the right to enter the labour force and be exploited. **Disability in** the **working-class demands** the **absence of** one of the **non-disabled members** of the family from the labour market **to provide care for the disabled** member. This care may also be relegated to a philanthropic special institution - in the latter, allowing all working members of the families to be absorbed by the capital (Russel 2019). It may be argued, however, that the concepts and definitions of what it means “to be able to work” are variable (Stone 1984). Indeed they are, but those are regulated by the State and by the capitalists themselves, and they vary not only influenced directly by pressures of society, but by the demands of the capital (Russel 2019). In other words, it means to say that their jobs and **the place they occupy are** both **part of** a **regulatory system of the capital**, as Russel (2019) argues, and a special kind of charity - in either case **their workforce is easily disposable**. If we consider here Robert Young’s (2009) analyses of **Marx’s concept of use** of **value**, we may in**dicate that: in the** Capital’s **commodity structure** when **those deemed disabled are exchanged, they are exchanged for less.** Erevelles (2011, p. 252) argues that “[…] “**becoming disabled is** also **a historical event where disability** also **has a use value that is deployed** simultaneously **with race to justify** the **creation of the enslaved** un-gendered **body**. ” and that the “[…] actual act of impairment that is used both to create and at the same time to justify this construction.” Proof of that have also been the recent changes in the Brazilian legislation regarding the regulations for the mandatory employment of disabled people. Advancements in laws and legal regulations are indeed an important part of the struggles of the working class, but they “are ‘solutions’ which promote conflict between groups of disadvantaged workers, rather than making it a right of every citizen to have a living-wage job and health care” (Russel 2019, p. 77). They are part of what Mészáros (2008; 2011) regards as corrections in the structure of the capital. They play a fundamental role in the ontological conservation of capital when softening the tensions between the owners of the capital and the working class. Barnes (1992) advocated in favour of anti-discrimination legislation as a solution to improve the participation of disabled workers in the labour market, as we all should. No one would deny that even within the limits of the capital one should always fight against discrimination, prejudice, and deprivation of access to better living conditions. Notwithstanding, the market finds its ways to ‘dodge’ the legislation. When it comes to disabled workers that usually happens through what Samuels (2014) calls biocertification. **Biocertification is** the process companies and industries use to certify that a new employee will follow their not-so-secret internal rules, using medical reports, exams, and tests. By **means of** biocertification **processes individuals** are **reduced to** their **biological characteristics and are erased as social subjects**, “[b]iocertification materializes the modern belief that only science can reliably determine the truths of identity and generally claims to offer a simple, verifiable, and concrete solution to questions of identity” (Samuels 2014, p. 122). The structure of capital and its relations of material and cultural production, distribution, and exchange convey ideological models of individuals, social relations, and patterns of social behaviour that must be assimilated to guarantee the right to actively participate in everyday life, from the most trivial activities to the most complex forms of social participation. These representations will revolve around the notions of gender, race, age, ethnicity, sexual orientation, and, in the case of the working classes, labour skills. They carry labels of non-deviant and deviant. **The archetype of an ideal individual is linked to** the project of society: Hence, **the oppression that disabled people** face is **rooted in the economic and social structures of capitalism.** And this **oppression is structured by racism**, sexism, homophobia, ageism, **and disablism, which is endemic to** all **capitalist societies and cannot be explained away as a universal cognitive process.** (Oliver 1990, p. 165). Oliver is arguing that the **foundations of prejudice are in fact part of the ideological structure of capitalism.** It a structure founded on an ideological and hegemonic set of “ideas, values, belief systems, habits and practices that defend and legitimise the interests of groups at the expense of other groups in relationships of inequality” (Wayne 2020, p. 136, author’s highlights). Hence, it is important here to clarify my understanding of five concepts that are usually **present in discussions of** inequality, prejudice, and **disability: oppression**, segregation, **exploitation, and** inclusion/**exclusion**. It is my understanding that, **from a materialist perspective, they are all class-related issues.** Oppression derives from the idea that due to one or more deviant characteristics one is deprived from access to some or all material, cultural, and social conditions that would allow them to carry on a fulfilling life or, as Wright (2019) calls it, a flourishing life. Oppression represents an image of someone being crushed, smashed, held (socially) against their own will and despite their own efforts to change. **Oppression is a product of ideologies embedded in** the social structure of **capitalism** and it is related to inequality. Segregation revolves around marginalisation. The social process in which those who are unable to follow one or more social expectations are centrifuged, sent to the borders of society. They are not welcomed to participate in everyday life. Segregation comes as an alternative to the idea of social exclusion, as we shall see below. Exploitation, in turn, is the essential concept that sustains capital every day. The act of extracting surplus value out of those who own nothing else but their labour power (Marx 2012). Stripped of all properties and material conditions, workers have no way to sustain life other than by selling their labour power to those who own those material conditions. Modern capitalism, however, has become even more complex than it used to be when Marx’s wrote Das Kapital (Wright 2019). In order to guarantee its own survival, the structure of class conditions was reshaped based on the social and technical divisions of labour. Different class interests will clash between those who own the capital, those in positions that require higher qualification and more sophisticated skills (the modern middle-classes), and the ones performing jobs that are socially characterised as lower jobs (Wayne 2020). A material approach to these concepts understands that the condition of class will determine - imposing starting points, limits, and ends, as Williams (1988) and Wright (2019) define it - their extensions and impacts on an individual’s life. It means to say that one may be segregated but not so much oppressed. So, the extent of the processes of oppression, segregation, and exploitation is class-determined. Going back to Wayne’s definition of ideology, he understands that: there is **capitalism itself** which **has a** built-in cultural **tendency to decontextualise** social phenomena, **individualise** social phenomena **and de-historicise social phenomena.** We may also add that **capitalism** prematurely or **falsely universalises capitalist culture and value systems (e.g., the only way to live**) (Wayne 2020, p. 137). Therefore, **there is a** paramount **comprehension of capitalist practices** when it comes **to** the **analysis of** the **disabling** phenomena. When we look at Marx’s exposition of the sphere of pauperism, we were in fact targeting how this process of decontextualisation, individualisation, and de-historicisation affect those who are considered unable to adapt. Historically and traditionally, **capitalist ideologies have treated disability as a personal, individual tragedy, which is** brought **out of context and history**, in an attempt **to exempt society** from any obligations it might have. Against this, Russel (2019, p. 51) argues that: Our **institutions** (particularly medical and social welfare institutions) have **historically held disablement to be** an **individual** problem, **not** the **result of economic** or social **forces**. They have equated disability with physiological, anatomical, or mental “defects” and hegemonically held these conditions responsible for the disabled person’s lack of full participation in the economic life of our society. This approach presumed a biological inferiority of disabled persons. Their deviation from social models of adaptation to everyday life and productivity in the cycle of the capital, established by social standards of normality, promotes processes of social marginalisation, from institutionalising policies of discrimination to deprivation of social participation (Barnes 2012; Bueno 2001; Ferreira 1994; Vygotski 2004). It is in and from everyday life that the concepts, values, and norms that represent, regulate and organise a concrete social formation are executed (Heller 2016). Daily life is the expression of the real life of the subjects that are part of it, it is the immediate unity of action and thought and expression of concepts, values and norms formed from the hegemonic ideology conveyed and foisted upon individuals (Chauí 2016; Heller 2016). Everyday life is ordinary thinking, common sense, and the expression of uncritical thinking. It is the embodiment of men's life, and it is from it that they express their truth, build their beliefs, and guide their lives (Heller 2016). Everyday thought, the common sense, is based on experience in the complex ideological network that maintains the socio-metabolic functioning of capital and aims at the “orientation towards stability and relatively quiet social reproduction” (Mészáros 2004, p. 486- 487). The process of stigmatisation in the case of disabled people permeates the complex social construction of everyday life. The distancing of adaptation to the **patterns of normality** established in everyday life **crystallise**s the **stigma and removes** from the **person with** an **impairment** the condition of ‘human’ **and projects it** socially **as** the ‘**non-human’** – as Marx’s pointed out a spectre **to political economy.** The representation of the stigma occurs by a reduction of the subject to only one of its characteristics - usually that which is downgraded or socially overvalued (Goffman 1963). The possible overcoming of these conditions, or even the performance of more basic daily actions, can raise the stigmatised subject to the condition of superhuman, keeping them still in a non-human status. A stigmatised person may, however, reformulate the rules when they reach a position a social prestige. They are taken to the level of representation of their group and will be considered the example of self-determination, meritocracy, and success (Goffman 1963; McNamee & Miller 2009; Wayne & Cabral 2021). Leonard Kriegel (1987) scrutinised the images of representation of disabled characters reproduced in literature and narrowed them down to four categories, namely: Demonic ~~cripple~~, Charity ~~cripple~~, Realistic ~~cripple~~, and Survivor ~~Cripple~~. I will not discuss all of these categories, but the last one may be useful here to illustrate my previous arguments. The Survivor ~~Cripple~~ “[…] is the man who endures and, in his endurance, discovers survival as a cause in itself […]. His endurance is attractive, both to himself and to the audience, for it is constructed around his understanding of the limitations it has imposed on him.” (KRIEGEL, 1987, p. 38). The survivor ~~cripple~~ is the counterpart of the disabled person as pitiable and pathetic, as an object of pity, it is the representation of meritocratic values - the one who fights against all odds and thrives. The bridge between class conditions and **the** idea of a (**disabled**) survivor **relies on capitalist** **meritocracy that** seems to be **reproduce**d in the image of the survivor, both in the **lower and** in the **middle classes.** The image of the disabled person has been used as a motivational strategy, to trigger feelings of determination, and has been associated with struggle and the power to overcome difficulties, usually followed by the question “What is your excuse?”. This may be perceived in the real-life based cinematic representations of disability, as they may imprint more credibility and cause a greater effect on the audiences. The Survivor ~~Cripple~~ makes the impairment a tragedy and overcoming it the objective or the solution to the problem. The use of disability in motivational campaigns and films projects the disabled person as an object of ridicule and as their own worst and only enemy – “if they wanted, they could.” – and cement meritocratic values – “if they did, what’s your excuse?”. As examples, I could mention the biographical films based on the lives of Christy Brown (Sheridan 2008), Gabriela Brimmer (Mandoki 1987), and Stephen Hawking (Marsh 2014). The decades after 1990 have been marked by various events and political and social reviews on the role and place of disabled people in society (Jannuzzi 2004). However, the system of justification and ideological reproduction of stereotypes in the categorisation of the socially conceived human body, the labour body and mind, as perfect permeates concrete social relationships in everyday life and triggers processes of stigmatisation of the deviants (Samuels 2014; Stone 1984). Stigma is thus very much in constant relation with the ideologies that are working through culture – as I have demonstrated with some examples in the previous paragraph. Competence, structured by bourgeois ideological pillars, conveyed by the media, and absorbed by the cultural industry, sells signs and images of youth, health and happiness (Chauí 2016). It is a powerful method of manipulation that “inoculate[s] individuals with the bourgeois appetite for personal success” (Freire 1970, p. 147). The social process of constructing the discourse of the competent produces its dialectical counterpart, the incompetent. The social and ideological role of the competent, valued by the social power of science, as an unquestionable source of knowledge, underlies and justifies the domination and economic exploitation of one class, considered superior in material and cultural capital, over the other, expropriated from the whole (Chauí 2016; Samuels 2014). The analysis of **perfection, based on a neoliberal ideology**, established mainly after the 1980s (Harvey 2011), **subjugates disability** in the working class mainly **to spaces of** pauperism, **marginalisation and segregation** and is marked by the sociopolitical order and the power of science. **The** ideological **projection of** the perfection of **productivity**, **sociability, independence, meritocracy characterises** in the opposite pole the lack and the insufficiency, emphasising **the defect and erasing individuals** beyond their **disability** and making the construction of their social relations unfeasible (Barnes 2012; Heller 2016; Soldatic & Meekosha 2012a; 2012b; Vygotski 1993). The naturalising element of capital is propagated and foisted upon individuals that reproduce the social structure through complex ideological systems of conservation, keeping individuals locked in the relationships of everyday life. Everyday life is, therefore, the life of every social subject, without being able to be totally out of it or completely trapped by it. It is in everyday life that the dominant metabolic ideological processes are emptied and reified as absolute and natural truths (Heller 2016; Mészáros 2004; 2016). Mészáros (2005, p. 401) argues that the dominant ideology of capitalism is “[…] sustained by the practical evidence of the established material structures within which people have to reproduce the material and cultural conditions of their existence and ‘feel at home as a fish in water’”. Most of the population is conditioned by the ideological standards set by the ruling class. Its ideological structure is: a logical, systematic, and coherent set of representations (ideas and values) and norms or rules (of conduct) that indicate and prescribe to the members of a society what they should think and how they should think about it, what they should value and how they should value it, what they should feel and how they should feel it, what they should do and how they should do it. (Chauí 2016, p. 53). The dominating force of ideology lies in pacification, naturalisation of the hegemonic social organisation and unity of interests, although they are conflicting (Mészáros 2008; Wayne 2020; Zizek 2012). Ideology, in its hegemonic sense, structures life lived and represents “a sense of reality for most people in the society, a sense of absolute because experienced reality beyond which it is very difficult for most members of the society to move, in most areas of their lives” (Williams 1980, p. 38). It is in the everyday life that the ideological patterns of normality are executed. Heller (2016, p. 37) indicates that [t]he maturation of man means, in any society, that the individual acquires all the essential skills for the daily life of the society (social layer) in question. It is an adult who is able to live his daily life for himself. Ideological patterns of normality are socially and historically established attributes and characteristics that are reproduced as natural and ordinary and that categorise subjects as normal and abnormal deviant. They establish the norms that define what it means to be a socially desired human (Amaral 1995; Everlles 2011; Heller 2011). Stigma disqualifies the individual due to a singular characteristic that deviates from the ideological norms and standards imposed and determines the limits of their social participation. Lastly, I would like to go back to inclusion. **Inclusion is** part of **the ideological process of self-correctness and self-preservation of the bourgeois society.** It is an attempt to lessen the weight of structural injustices, inequalities, segregations/exclusions that are part of the ontological foundations of the capital. Marx’s thought elucidates how contradictory the concept is: when analysing the production of relative surplus-value, that within the capitalist system all methods for raising the social productivity of labour are put into effect at the cost of the individual worker; that all means for the development of production undergo a dialectical inversion so that they become means of domination and exploitation of the producers. (Marx 1990, p. 799). Some lines below, he famously concludes that: Accumulation of wealth at one pole is, therefore, at the same time accumulation of misery, the torment of labour, slavery, ignorance, brutalization and moral degradation at the opposite pole, i.e., on the side of the class that produces its own product as capital. (Marx 1990, p. 799). Inclusion, therefore, is the movement of opening opportunities to share material and cultural capital with (some of) those who were deprived from access to them. It does so without questioning or challenging the very essence of the society that created deprivation in the first place. Inclusion and exclusion are part of the same dialects. One is the dialectical inversion of the other. The need to include only exists because of a society that engenders exclusion. Thus, as I suggested, exclusion might not be a real thing, in immediate cultural and material access perhaps it does, but not as part of the structure of the system itself, i.e., the individual is not excluded from the system, they are a product of it. Inclusion and exclusion were uncritically adopted by all postmodern studies of identity, and inclusion became a motto to be fought for - as Wayne suggested (2020, p. 39), “change without real change”. In other words, these changes are constrained within the limits of capitalism and do not represent a threat to the structure of the system. Notwithstanding its core contradictions, it is something we shall all fight for. If within the limits and contradictions of the capital this is the only possibility - or the closest possibility - some individuals will have to access a flourishing life - meaning access to education, health, cultural expressions, housing, food - then until the whole system changes, perhaps it is what one should fight for. In the case of disabled people, it applies even to the access or opportunity of access to be exploited – as cruel as this may sound; that is what the “inclusion for disabled people” is in fact fighting for. In that sense, “[**b]asic changes must be made in the economic,** social, and political **structure** in order **to advance economic solutions that** reach beyond capitalism’s instability. The reserve army, itself, must be made a disposable concept” (Russel 2019, p. 77). Despite the limitations of what Wayne calls (following Gramsci) passive revolution – “the paradox of massive change within the social relations of capitalism: change without real change” (Wayne 2020 p. 39, author's highlights) -, these seem to represent a possibility to **improve the lives of** those who are now in need, not only focusing on **disabled people**, but also on other forms of discrimination as well. My favourite and paramount argument in that regard is that Every reasonable and reasoned action proposed in an attempt to accelerate the social and political inclusion of the poor in the process of economic development in order to bring equality to social development is historically welcomed. As much within the scope of the State and its public policies as within civil society. It would be equally wicked to deny the diversity of the aspirations and intervention actions in the problematic reality. (Martins 2012, p. 1). Nonetheless, we should not be satisfied with them, for they do not interrupt the flow and the logics of the capital.

**Capitalism’s drive for productivity forms the basis for Modern ableism by bracketing out those deemed as “un-productive”. Only resolving capitalism makes it possible to fracture and resolve existing ableist structures.**

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Capitalism prioritizes productivity: your value and worth lie in how much you can produce for profit. The idea of constantly striving toward production is interwoven at the individual level, as evidenced by the urge to ask kids what job they want when they grow up — as if we dream about labor — and at the societal level, where a price tag is put on everything we do. This productivity-driven mindset permeates everything in a capitalist society. I grew up idolizing certain jobs: doctors, lawyers and scientists. But, my admiration wasn’t based on how these professions helped people. It was mostly because I was taught to prioritize their salary, recognition and prestige. In turn, people who didn’t choose a traditional corporate job were knocked to the bottom and unfairly branded as lazy, useless and undeserving of respect. I’m still working to dismantle this mindset that has become ingrained in me, but I’ve realized it’s even more important to do so when capitalism is integral to modern day ableism. So, what does capitalism have to do with ableism? Ableism is a product of capitalism. Simply put, the system isn’t made for people who are different. This includes people who have different ambitions, prioritize happiness or family over work, or have a different scope of ability. The ableist-capitalist relationship means that even if not explicitly, society makes it unnecessarily difficult for disabled people to find work. Non-manual labor jobs often tack on extraneous physical requirements that are inherently discriminatory, despite claiming to hire regardless of disability. Especially in academia, when jobs listings require “walking, talking and hearing,” for example, it sends a very clear message. When a disabled person secures a job, the employer might have to shift the functions of their role, or spend small sums of money to comply with requirements set by the Americans with Disabilities Act. So, the net profit exploited from a disabled worker may be less than that from an able-bodied worker. To compensate, many businesses use a loophole in the Fair Labor Standards Act to justify paying disabled workers subminimum wage. It’s worse than it sounds — disabled workers often earn pennies, or even gift cards, and are labeled as “substandard” because their disability can affect productivity. Before 2014, disabled people who received benefits such as Medicaid payments or Social Security Disability Insurance were disqualified if they had assets totaling more than $2,000 or if their monthly earnings exceeded $700. The job hunt is very discouraging when you know you’re going to face these obstacles and could eventually be forced to forfeit your benefits. If you were to lose your job, you would have to reapply for these programs, which often have waitlists a mile long. The Achieving a Better Life Experience Act was passed in December of 2014, allowing disabled individuals to open savings accounts for certain disability costs such as education, housing, transportation, health and basic living expenses. But the limitations of the ABLE Act still put disabled people at a disadvantage — the annual gift tax exclusion, which was $15,000 in 2020, is the limit for account contributions, and individuals must be diagnosed with a disability before turning 26 to be eligible. As if that’s not enough, the ableist-capitalist treatment extends beyond the workplace into daily life. Social Security rules create penalties for disabled people who want to get married. Sure, they’re legally allowed to marry. But if they do so, they’re faced with the possibility of losing their health insurance, earning a lower monthly income or losing their benefits altogether. Why do people have to choose between basic necessities and love? Able-bodied, heterosexual people can joke about getting married for the “tax benefits” while disabled people are forced to forfeit their right to marry so they can survive. By only rewarding those who are able-bodied, capitalism feeds into ableism. It produces and then exacerbates inequalities between the “normal bodies” and those who are disabled. It seems obvious a system that relies on the exploitation of individuals would in turn enable the devaluing of disabled people because they may require more accommodations and aren’t as easily exploited. During the pandemic, it’s also become obvious that accessibility is possible. Remote work is possible. But until a global pandemic struck, our capitalist society has not considered it a possibility — even for disabled people who could greatly benefit from these accommodations. It certainly makes one thing very clear: capitalism deems disabled people unworthy of the time and effort it takes to dismantle the barriers it is responsible for. If we able-bodied people want to be allies for those who are disabled, we need to take on an anti-capitalistic lens. You can’t separate the two. If you want to fight ableism, you must be able to recognize that it is, and has been for a long time, rooted in capitalism.

**2NC --- Alt solves**

**Crip theorizations are currently organized around material change to cut back against capitalism.**

**Hamraie and Fritsch 19**  – Aimi Hamraie (they/them) is Associate Professor of Medicine, Health, & Society and American Studies at Vanderbilt University, and director of the [Critical Design Lab](https://nam04.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.mapping-access.com%2F&data=04%7C01%7Cm.potts%40vanderbilt.edu%7Cf09928c5480a414ccff808d92f712515%7Cba5a7f39e3be4ab3b45067fa80faecad%7C0%7C0%7C637592985283552686%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=CrxT6KEX9CXcvxkANQLiJ0PgkXu4cydUk7KSvCtUs4M%3D&reserved=0). Trained as a feminist scholar, Hamraie’s interdisciplinary research spans critical disability studies, science and technology studies, critical design and urbanism, critical race theory, and the environmental humanities. They are author of [*Building Access: Universal Design and the Politics of Disability*](https://nam04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.upress.umn.edu%2Fbook-division%2Fbooks%2Fbuilding-access&data=04%7C01%7Cm.potts%40vanderbilt.edu%7Cf09928c5480a414ccff808d92f712515%7Cba5a7f39e3be4ab3b45067fa80faecad%7C0%7C0%7C637592985283562642%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=eE3rV5Mn2%2Bb3gTZRjR03ahDezHWFSHuGLUwlbrjCzzA%3D&reserved=0)(University of Minnesota Press, 2017) and host of the [Contra\* podcast](https://nam04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.mapping-access.com%2Fpodcast&data=04%7C01%7Cm.potts%40vanderbilt.edu%7Cf09928c5480a414ccff808d92f712515%7Cba5a7f39e3be4ab3b45067fa80faecad%7C0%7C0%7C637592985283572601%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=oN2wvGFKfghJtWHQyCbrRxJTznJb6cqrtImUDSTIOwM%3D&reserved=0)on disability and design. With Kelly Fritsch, Mara Mills, and David Serlin, Hamraie co-edited a special issue of *Catalyst: feminism theory technoscience*on “[Crip Technoscience.](https://nam04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcatalystjournal.org%2Findex.php%2Fcatalyst%2Fissue%2Fview%2F2199&data=04%7C01%7Cm.potts%40vanderbilt.edu%7Cf09928c5480a414ccff808d92f712515%7Cba5a7f39e3be4ab3b45067fa80faecad%7C0%7C0%7C637592985283572601%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=wQ12Mx6yNMjDf2xcxxzt5z3ykU0lKkS%2FS%2F%2BSCYeG59g%3D&reserved=0)” Hamraie’s research is funded by the Social Science Research Council, the Smithsonian Institution, the Mellon Foundation, the Graham Foundation for Advanced Studies in the Arts, and the National Humanities Alliance; Prior to joining the Department of Sociology and Anthropology, Kelly Fritsch earned her Ph.D. in Social and Political Thought at York University (2015) and was a Banting Postdoctoral Fellow at the Women & Gender Studies Institute and Technoscience Research Unit, University of Toronto (2015-2018). Her research broadly mobilizes crip, queer, and feminist theory to engage disability, health, technology, risk, accessibility, and social justice. Fritsch is also cross-appointed to the Pauline Jewett Institute of Women’s and Gender Studies and the Institute of Political Economy.  , [“Catalyst: Feminism, Theory, Technoscience”, Crip Technoscience Manifesto, Volume 5 Section 1, 7-8, SGH]

Crip technoscience centers the work of disabled people as knowers and makers. Crip technoscience privileges disabled people as designers and world-builders, as knowing what will work best and developing the skills, capacities, and relationships to make something from our knowledge. Unlike typical approaches to disability that objectify disabled people and situate expertise in medical professionals and non-disabled designers or engineers, crip technoscience posits that disabled people are active participants in the design of everyday life. Not only do disabled people make access in our everyday lives in ways that do not get recognized as design, but the lived experience of disability, and the shared experience of disability community creates specific expertise and knowledge that informs technoscientific practices.

We call for greater acknowledgement of the lived experiences and material design practices of disabled people in the work of technoscientific intervention. There is a widespread perception that access technologies are made for us by non-disabled experts, but there is little recognition of our own practices of remaking the material world. Yet the field of disability scholarship grew out of activism against rehabilitative models of medical expertise and intervention (UPIAS, 1976), crafting a materialist politics with anti-capitalism at its center (Oliver, 1990; Russell, 1998), and continues to struggle against “compulsory ablebodiedness” (McRuer, 2006). Crip knowing-making forms the basis of political slogans such as Nothing About Us Without Us (Charlton, 2000), framing disabled people not just as design experts but also as epistemic activists whose politicized ways of knowing the material world also situate us to produce the material conditions that allow disability to thrive, in addition to remaking how disability is known and experienced. Without glorifying do-it-yourself design practices, crip technoscience recognizes that disabled peoples’ world-dismantling and world-building labors stem from situated experiences of “misfitting” in the world (Garland-Thomson, 2011). Crips are not merely formed or acted on by the world—we are engaged agents of remaking.

**2NC --- Perm Fails**

**Aff 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).

**Ballot K**

**1NC---Ballot K**

**Radical care work is impossible within the paradigm of competition. Their call for the ballot individualizes and neoliberalizes care relationships, turning the case.**

Laurence **Simard-Gagnon 16**, Department of Geography, Queen’s University, “Everyone is fed, bathed, asleep, and I have made it through another day: **Problematizing** accommodation, resilience, and **care in the neoliberal academy**,” April 2016, https://onlinelibrary.wiley.com/doi/10.1111/cag.12274

Following the principle of **competition**, **if some are to succeed it is necessary that some fail**. Neoliberalism entails **letting die**, **smothering** even, the **casualties** of marketization. It entails **individualization** of **life circumstances**, including needs and, importantly, struggles and failures that occur when needs come in the way of an individual’s capacity to **compete**. **Neoliberalism entails exhaustion.**

As I am making the final revisions on this paper, I have been experiencing partial deafness for over a year, related to an untreated inner ear infection which will now result in permanent hearing loss. I did not attend to it sooner—it was not urgent, and time and energy are so scarce. They have been made even more so this year as my son has not been attending school full-time: some weeks he won’t go for more than two or three half days. The recent neoliberal cuts to public services in the province of Québec—where I reside—have translated into losses here and there, from removal of school transportation services to cuts in hours of specialized education, effectively reducing the amount of time an autistic child can spend at school. It is now late at night, and I write these lines on an old and very slow netbook as my computer broke down: when I bought it I had very limited financial resources, so I got a cheap model with no guarantee. I could have had it fixed sooner, instead I was striving to pass my PhD comprehensive examination these last months. There is nothing extraordinary in these circumstances, no one trait that could be neatly identified and removed, no one issue that could be adjusted or fixed, so that I could at last perform as a competitive and unencumbered individual.

The liberal normative prescription of atomic independence, combined with the **neoliberal imperative of competition**, have **~~debilitating~~ [massive] implications** for **mental health,** particularly for those who are, like me, struggling to meet their needs and those of the ones they **care for**. Their overlapping actions **individualize** and **decontextualize** not only our needs and the circumstances in which needs arise, but also our personal failures to meet both these needs and the demands of individuated functionality.

Academia, **care**, and resilience

One of the ways in which liberal and neoliberal versions of independence and needs are most debilitating is through the idea of resilience. Resilience is often used as a term to celebrate the ongoing efforts of those who continue to perform despite difficulties and struggles related to their particular circumstances (see Jackson et al. 2007). When thinking in terms of care, the idea of resilience is problematic because, as Cindy Katz points out, social reproduction, almost by definition, must be accomplished (Katz 2001). No matter how difficult our circumstances or how bare our resources get, we, and the persons we care for, need to eat, sleep, be clothed, warmed, and loved, at least at a minimal level, in order to go on. Thus people will go to great lengths (of resilience) to perform care. Resilience, therefore, cannot be taken as an indicator that people are thriving despite the obstacles they encounter, despite the inhumane and unjust expectations they face, particularly in this moment of increasingly harsh neoliberalism (Diprose 2015). Resilience is in fact incredibly stressful. Beyond the financial and logistical stress associated with both pursuing an academic path and caring for others, being resilient implies sustaining the ever underlying stress of feeling that one is never adequately filling their own needs and those of their dependents.

In this context, resilience implies a projection into the future perfect (see Povinelli 2011 for a discussion on tenses in late liberal capitalist economies). It is the idea that there will be a future moment when the unsustainability of (poor) caring practices will abate. “When this article is written, this presentation done, this chapter completed—these hardships that I am inflicting on myself and the ones I care for will be over, and it will all have been worth it.” Except that this moment never comes. Within an increasingly competitive academic context, demands are ever emerging and there is no final moment of grace. As I am writing these lines, everyone in my house is finally fed, bathed, asleep, and I have made it through another day. It is an exhausting victory, yet nothing has been achieved that will not have to be recommenced tomorrow. I have made it through another day, yet the days of ‘another day’ are endless.

As problematic as it is, however, there are not many alternatives to being resilient, to reconcile as well as we can the ever emerging needs of existence and caring with the expectations for independent and competitive accomplishments, while waiting for an ever elusive future perfect. Resilience is indeed fuelled by the fear of breaking down, or, of falling behind.

Centering our vision of productive contributions as engagements of atomic and individuated individuals fosters a logic of “if you can’t take the heat, you had better get out of the kitchen.” In that context, asking for help is complicated or hindered by the apprehension that responses, even from compassionate and concerned peers and superiors, will be grounded in that logic: “It might be better for you to stop or take a break at this point,” or “Maybe later when your circumstances are better…”. This, however, is not going to happen; these circumstances will not get better, because once again they are not a punctual and discrete appendage of a self—or a cohort—that can be circumscribed or cut out. They are embedded in one’s very subjectivity, relationships, and existence.

Meanwhile the ways we care for one another within the context of academia are grounded in the dominant logic of independence and resilience. Our paths as academics are tightly woven in an institution fuelled by individualism and its correlate ideal of independence, and the ways in which we care for one another most often fail to radically challenge this, and to acknowledge the infinity and relationality of our needs. Caring others—people who care about struggling individuals, about inequalities in general—will attempt to facilitate academic paths, but often their actions are limited to more or less punctual accommodations, such as being a sympathetic listener, providing tissues in which to cry, and granting extensions. This entails, for the person receiving this type of support, the stress of navigating academic life through often last minute actions of generosity that are entirely dependent on the good will of others, and of knowing that this path of navigation is unsustainable. In my case it also entails a dissonant feeling of gratitude for this generosity and trust—it somehow entails being in the position where I am genuinely grateful for being allowed to continue maintaining my own existence and that of those who depend on me.

Punctual acts of generosity and trust are also costly for those who bestow them. Unsurprisingly in a liberal institution, and particularly in these neoliberal times, the burden of it rests on individuals. In addition to the logistical complications that supporting struggling individuals can entail, there is also the anxiety and dangers of venturing out of the current academic logic of individualism and competition. Watching struggling individuals struggle, and attempting to care for them, generates strain—I have seen it in the faces of compassionate peers and professors, I have felt it in my face when confronted by the needs of struggling peers. There again, future perfect is often our false and cold comfort: “I know it’s hard, but just get this thing done, give a good hard push this time around, and then it’ll be done”.

**Caring**, however, is necessary as a way to **escape** the debilitating effects of liberal and neoliberal paradigms of individualism and **competition in the academy**. On every university campus there are officially designated **places of care**. **Although necessary**, these services tend to respond to punctual and neatly delineated needs—such as discrete episodes of illness or mental distress. **But** the **type** of caring that **truly facilitates** my **existence** is one that does not seek out the independent and functional person within the grounded, slow, and encumbered mess that I am. **Places of care** are indeed those places that resist this sort of surgical violence.

In my institution one such place is found at a centre offering services for students who are older women and/or women with children. There, one can find a free meal, a bed to rest on, companionship, or silence. The centre is open everyday, to anyone, as the needs it addresses are understood to be universal, rather than punctual traits or shortcomings of a subjectivity that is dysfunctional in one (or a few) specific ways. Where needs are not failures, one does not have to identify as such. And so every moment spent in this place of care preserves for a little while longer the possibilities of my sustained presence in the academia—the possibilities of an alternative social project (see Povinelli 2011).

Although it may seem unsatisfactory and insufficient, maintaining **possibilities** in the face of exhaustion is **critical**—it is the basis of everything, including change (Katz 2001; Povinelli 2011). The **type of caring** that **sustains** my **continued existence** as an academic implies inserting a logic of **relationality**, **responsibility**, and **inter-dependency** within a structure grounded on individualism and independence—it implies inserting a transgressive current within an institution which doesn’t have the eyes to recognize it. Caring, then, is very much like Certeau’s perruque (Certeau 1991): a wig made from scrap material by a factory worker, who opportunistically appropriates glimpses of company resources to create something unseen and unforeseen by the power in place—to serve a subversive purpose. Like making a wig, caring within the academy is a creative diversion—of time, of attention, of affection, of academic positions designed to foster individual achievements and competition. It is a wink of recognition to other meanings within a totalizing space. It is an act of resistance.

**The 1AC’s value stands on its own---responding to it with judgement and the ballot is a hollow validation that draws them into the oppressive gaze of the academy---vote Negative to decline affirmation.**

Dr. Kendall R. **Phillips 99**, Professor of Communication at Central Missouri State University, PhD in Speech Communication from Pennsylvania State University, MA in Speech Communication from Central Missouri State University, BS in Psychology and Sociology from Southwest Baptist University, “Rhetoric, Resistance, and Criticism: A Response to Sloop and Ono”, Philosophy & Rhetoric, Volume 32, Number 1, p. 96-101

My concern with this movement centers around an issue that Sloop and Ono seem to take as a given, namely, the **role of the critic**. On one hand, calling for the systematic investigation of existing marginalized discourses is a natural extension both of critical rhetoric (see McKerrow 1989, 1991) and of the general ideological turn in criticism (see Wander 1983). On the other hand, the ease of transition from criticism in the service of resistance to criticism of resistance may obscure the need to address some fundamental issues regarding the general function of rhetorical criticism in an uncertain and contentious world. Beyond licensing the critic to engage in political struggle, Sloop and Ono advocate the pursuit of covert resistant discourses.

Such a move not only stretches our understanding of rhetoric and criticism, but also alters significantly the relationship between critic and out- law. Critical interrogation of dominant discursive practices in the service of political/cultural reform is supplanted in favor of positioning covert out- law communities as **objects of investigation**. Invited to seek out subversive discourses, **the critic** is positioned as the **active agent of change** and the out-law discourse becomes **merely instrumental**. Rather than academic criticism acting in service of everyday acts of resistance, everyday acts of resistance are put into the service of academic criticism.

Rhetorical resistance

That we are "caught within conflicting logics of justice that are culturally struggled over" (Sloop and Ono 1997, 50) and that rhetoric is employed in these struggles seems an uncontroversial statement. Despite the theoretical miasma surrounding judgment, Sloop and Ono accurately note, the material process of rendering judgments (and of disputing the logics of litigation) continues in the world of actually practiced discourse. In the materially contested world, rhetoric is utilized both by those seeking to secure the grounds of dominant judgment and by those seeking to undermine or supplant dominant cultural logics with some out-law notion of justice.

The distinction between these two cultural groups, "in-law" and out- law, however, deserves some consideration prior to any discussion of the role of the critic as implied in the out-law discourse project. The discourse of the dominant or those within the bounds of superordinate logics of litigation is reminiscent of Michel De Certeau's (1984) strategic discourse. For De Certeau, strategies are utilized by those who have authority by virtue of their proper position. Strategies exploit the institutionally guaranteed background consensus by which power relations (and litigations) are maintained and advanced. In contrast, tactics are utilized by those having no proper place of authority within the discursive economy who must seek opportunities whereby the discourse of the dominant might be undermined and contested. To extend Sloop and Ono's definition, out-law discourses are those that can (and, by their analysis, do) take advantage of situations (e.g., race riots) to disrupt the regularity of dominant cultural groups.

The ongoing struggle between strategically instituted cultural dominants and the "out-law always lurk[ing] in the distance" (66) is acknowledged, even celebrated, by Sloop and Ono. What their acknowledgment fails to provide, however, is a clear need for critical intervention. Indeed, quite the reverse is presented: It is the critic (particularly the left-leaning critic) who needs out-law discourse. While the struggles over justice, equality, and freedom have gone on, the left-leaning critics are those who have theoretically excluded themselves from the disputes. The study of out-law dis- courses, then, provides a means to reinvigorate the intellectual and re-institute (academic) leftist thinking into popular political struggles (53-54). Thus, Sloop and Ono's project incorporates three types of rhetoric: the rhetoric of the in-law, presumably the traditional object of critical attention; the rhetoric of the out-law, the study of which may transform our understanding of judgment as well as reinvigorate leftist democratic critiques; and the rhetoric of the critics who, having lost their political po- tency, can exploit the discourse of the out-law to promote ideological struggles. It is to this critical rhetoric that I now turn.

Resistance criticism

Sloop and Ono (1997) clearly state the relationship they envision between the rhetorical critic and out-law discourse: "Ultimately, we will argue that the role of critical rhetoricians is to produce 'materialist conceptions of judgment,' using out-law judgments to disrupt dominant logics of judgment" (54; emphasis added). Here the critic seeks out vernacular discourse (60), focuses on the methods and values embodied in these communities (62), listens to and evaluates the out-law community (62-63), and chooses appropriate discourses for the purpose of disrupting dominant practices (63). Essentially, it is the critic who seeks out marginalized discourses and returns them to the center for the purpose of provoking dominant cultural groups (63).

Despite acknowledging the efficacy of out-law discourses, Sloop and Ono assume that the critiques generated and presented by the out-law community have only minimal effect. The irony, and indeed arrogance, of this assumption is evident when they claim: "There are cases, however, when, without the prompting of academic critics, out-law discourses serve local purposes at times and at others resonate within dominant discourses, disrupting sedimented ways of thinking, transforming dominant forms of judgment" (60; emphasis added). Sloop and Ono seem to suggest that such locally generated critiques are the exception, whereas the political efficacy of the academic critic is the rule. This seems an odd claim, given that the justification for their out-law discourse project is the lack of politically viable academic critique and the perceived potency of out-law conceptions of judgment. Their suggestion that out-law communities are in need of the academic critic **contradicts** not only the already disruptive nature of existing out-law discourses (the grounds for using out-law discourse), but also the impotence of contemporary critical discourse (the warrant for studying out-law discourse).

By this I do not mean that the critiques and theories generated by academically instituted intellectuals have not been incorporated into subversive discourses. Just as out-law discourses inevitably mount critiques of dominant logics, so, too, the perspectives on rhetoric and criticism generated by academics are used in resistance movements. Feminist critiques of patriarchy, queer theories of homophobia, postcolonial interrogations of race have found their way into the service of resistant groups. The key distinction I wish to make is that the existence of criticism (academic or self-generated) in resistance does not necessitate Sloop and Ono's move to a criticism of resistance.

What Sloop and Ono fail to offer is an adequate argument for "**taking public speaking out of the streets** and **studying it in the classroom**, for treating it less as an **expression of protest**" (Wander 1983, 3) and more as an **object for analysis** and **reproduction** within the **political economy of the academy**. Philip Wander made a similar charge against Herbert Wicheln's early critical project, and this concern should remain at the forefront of any discussion aimed at expanding the scope and function of criticism. Sloop and Ono offer numerous directives for the critic without addressing **whether the critic should be examining out-law discourses in the first place**. While it is too early to suggest any definitive answer to the question of criticism of resistance, some preliminary arguments as to why critics should not pursue out-law discourses can be offered:

(1) Hidden out-law discourses may have **good reasons to stay hidden**. Sloop and Ono specifically instruct us that "the logic of the out-law must constantly be searched for, brought forth" (66) and used to disrupt dominant practices. But are we to believe that all out-law discourses are prepared to mount such a challenge to the dominant cultural logic? Or, indeed, that the members of out-law communities are prepared to be **brought into the arena of public surveillance** in the service of reconstituting logics of litigation? It seems highly unlikely that all divergent cultural groups have developed equally, or that all members of these groups share Sloop and Ono's "imperial impulse" (51) to promote their conceptions and practices of justice.

(2) Academic critical discourse is not transparent. Here I allude to the overall problem of translation (see Foucault 1994; Lyotard 1988; Lyotard and Thebaud 1985; Zabus 1995) as an extension of the previous concern. Critical discourse cannot become the medium of commensurability for divergent language games. Are we to believe that the "use" of out-law dis- course by critics to disrupt dominant practices can fail to do violence to these diverse/divergent logics? Are out-law discourses merely tools to be exploited and discarded in the pursuit of returning leftist academic dis- course to the center?

(3) Perhaps the academic translation of out-law discourse could be true to the internal logic of the out-law community. And, perhaps the re-presentation of out-law logic within the academic community will bestow a degree of **legitimacy** on the out-law community. **Nonetheless**, the effect of legitimizing out-law discourse is unknown and potentially **destructive**. In an effort to **siphon the political energy** of out-law discourse into academic practice, we may ultimately **destroy** the dissatisfaction that serves as a **cathexis** for these out-law discourses. It seems possible that academic recognition might **take the place** of struggle for material opportunities (see Fraser 1997). But, will academic legitimation create **any material changes** in the conditions of out-law communities? I mean to suggest, not that it is better to allow the out-law community to suffer for its cause, but rather that incorporating the struggle into an (admittedly) impotent academic critique does not offer a prima facie alternative.

(4) Criticism of resistance denies the practical and theoretical importance of opportunity. Returning to De Certeau's notion of tactics, the crucial element of these discursive moves is their use of opportunity to disrupt the proper authority of the dominant. The kairos of intervention provides the key to undermining "in-law" discourses. But when is the "right moment in time" for the academic reproduction of out-law discourse? Mapping the points of resistance (ala Foucault and Biesecker) entails interrogating "in-law" discourses for their incongruities and contradictions, not turning the academic gaze upon those communities waiting for an opportunity. Out-laws do not lurk in the forefront (66), hoping to be exposed by academic critics; they wait for the right moment for their disruption. Rhetoricians can provide rhetorical instructions for seeking opportunities and for exploiting these opportunities (literally making the culturally weaker argument the stronger), but this does not justify interrogating (intervening in) the cultural logics of the marginalized.

The concerns raised here are not designed to dismiss Sloop and Ono's provocative essay. The divergent critical logic they outline deserves careful consideration within the critical community, and it is my hope that the concerns I raise may help to further problematize the relationship between

resistance and rhetorical criticism.

Rhetorical criticism

As I have suggested, my purpose is to use the provocative nature of Sloop and Ono's project to extend disputes regarding the ends of rhetorical criticism. Diverging perspectives on the ends of criticism have been categorized by Barbara Warnick (1992) as falling along four general lines: artist, analyst, audience, and advocate. Leah Ceccarelli (1997) discerns similar categories around the aesthetic, epistemic, and political ends of rhetorical criticism.

The out-law discourse project presents clear ties to the notion of critic as advocate. For Sloop and Ono, the critic is an **interested party**, discerning (and at times disputing) the underlying values and forces contained within a discourse. Additionally, however, the out-law discourse critic is an analyst focusing on the **hidden**, aberrant texts of the out-law and **"rendering] an incoherent or esoteric text comprehensible"** (Warnick 1992, 233). Now, I am not suggesting that a critic must serve only one function or that the roles of advocate and analyst are mutually exclusive; rather, these entanglings of power (political ends) and knowledge (epistemic ends) are inevitable. My concern is that we not neglect the complexity of these entanglements. **Turning covert out-law discourses into objects of our analyses runs the risk of subjecting them both to the gaze of the dominant and to the power relations of the academy**. As the works of Michel Foucault (especially 1979, 1980) aptly illustrate, practices presented as extending such noble goals as emancipation and humanity may endow institutions of confinement and objectification. Any justification for studying out-law dis- course because doing so may extend our political usefulness in the pursuit of emancipatory goals must not obscure the already existing power relations authorizing such studies. Our attempts to extend our domains of knowledge and expertise (authority) must not be pursued unreflexively.

**2NC---Care Turn**

**C---The radical care ethic of the 1ac gets weaponized against black and brown folks—history is on our side—prefer methods which break down structural inequality**

**Hobart & Kneese, 20**

Hi‘ilei Julia Kawehipuaakahaopulani Hobart and Tamara Kneese, Radical Care Survival Strategies for Uncertain Times, Social Text 142 • Vol. 38, No. 1 • March 2020

Finally, because **care can be mobilized as a way to privilege some groups at the expense of others, the “radical” aspect of care can bleed into right-wing and white supremacist politics** as much as it upholds leftist utopian visions. In describing her current book project on machine learning and segregation, Discriminating Data: Neighborhoods, Individuals, Proxies, media theorist Wendy Hui Kyong Chun argues that social networking platforms rely on a logic of homophily: birds of a feather flock together, so you will want to date, love, and be neighborly with those who are just like you, who share your fundamental values and interests.33 **The problem with care** attached to fellow feeling or sympathy **is that** all too often it means that **care is reserved for those deemed worthy**. As Cotten Seiler’s article in this issue underscores, **radical care is** also potentially **dangerous: affective feelings of compassion and empathy toward poor whites during the Great Depression, for instance, could be used as justifi­cation for caring for fellow whites over others,** despite the state-backed care offered by the New Deal. **What happens when images of suffering or violence fail to inspire warm feelings and subsequent charitable action? Care is unevenly distributed and *cannot be disentangled* *from structural racism and inequality*.** In addition to the kind of commercialized co-optation of neoliberal self-care we describe above, political leaders also take advantage of stereotypes about caregiving to extract unpaid labor from citizens. Care is a collective capacity to build an alternative to colonialism and capitalism, **but those in power** can also **instrumentalize empathy and care to their own ends.** For example, Andrea Muehlebach has shown how the post-Fordist Italian state valorizes **and manipulates compassion in order to absolve itself of responsibility to its most marginalized citizens**.34 In the context of the **U**nited **S**tates, the American health care and childcare systems are kept afloat by a vast corpus of unpaid or devalued domestic work performed by poor immigrant women and kin members.35 Domestic workers are some of the most exploited workers, not just in the United States but globally; in Saudi Arabia, Indonesia, and Bangladesh they are often poor migrant women and are without labor unions or other protections, often subjected to sexual assault and other forms of violence.36 To be clear, the problems that radical care seeks to remedy are not just a product of neoliberal policy or the election of Donald Trump and other authoritarian leaders. Older histories of settler colonialism and centuries of exploitation inform the inequalities entangled with care today. As Leanne Betasamosake Simpson and Dionne Brand put it, **“The monster has arrived, and the monster was always here.”**3

**Environmental Justice CP**

**1NC --- Solvency**

**Creating intersectional movements and policy is the only way to address ableist and discriminatory policy**

**Jampel, 18** (Catherine Jampel), “Intersections of disability justice, racial justice and environmental justice.” Environmental Sociology. <https://par.nsf.gov/servlets/purl/10058562>. Accessed 7-22-2021. ALS

Philosopher Anna Carastathis (2013) recuperates one of Crenshaw’s early metaphors in order to illustrate this point. Crenshaw’s (1989) metaphor of a basement with a trap door illustrates how single-axis or limited-axis movements may fail people facing multiple systems of oppression. By system of oppression, I mean historical and institutionalized patterns that disadvantage a particular group of people based on their social identity. Systems of oppression include racism, sexism, heterosexism, ableism and so forth. In the ‘basement’ metaphor, ‘all people who are disadvantaged on the basis of race, sex, class, sexual preference, age, and/or physical ability’ occupy a basement with ‘those on the bottom being disadvantaged by the full array of factors, up to the very top, where the heads of those disadvantaged by a singular factor brush up against the ceiling’ (Crenshaw 1989, 151). In Crenshaw’s initial work on intersectionality, which examined why Black women facing discrimination did not have legal recourse, White women and Black men could say they would be out of the basement ‘but for’ the ceiling. However, Black women faced two ‘but fors’ – racism and sexism – and became legally invisible. Truly intersectional work aims to address all of the systems of oppression that might leave someone in the metaphorical basement. The ‘Applications: bringing intersectionality and disability justice to EJ work’ section of this paper will include examples of how EJ work can avoid perpetuating ableism, the system that oppresses people with nonnormative bodies and minds.

**Understandings ableism in environmental justice is a precursor to policy action**

**Jampel, 18** (Catherine Jampel), “Intersections of disability justice, racial justice and environmental justice.” Environmental Sociology. <https://par.nsf.gov/servlets/purl/10058562>. Accessed 7-22-2021. ALS

Analytical strategy for explanation: deepening understanding of EJ issues by critically attending to disability Attention to multiple systems of oppression and axes of social difference also **enhances the capacity for explaining a phenomenon**, in this case environmental injustice. Here, I **turn to three ways in which thinking about ableism and disablement can enrich explanations of environmental injustice**. Differential exposure and vulnerability – the traffic crash Exposure. People with disabilities are specifically exposed to and vulnerable to environmental injustice **as a result of ableism**. Just as people occupying marginalized race and class positions are geographically segregated, so are people with disabilities more likely than those without to be geographically segregated, unemployed or underemployed, and poor (Russell 1998; Hemingway and Priestley 2006). This makes people with disabilities more likely to live in areas with disproportionate burden of environmental bads, such as near current or legacy factory sites. Moreover, those most likely to be subject to and bear the greatest burdens of environmental injustice often occupy multiple marginalized social locations. Scholars have demonstrated this with respect to disability, gender and race in the case of Hurricane Katrina. Hurricane Katrina, established in the academic literature as an issue of EJ (Sze 2006), climate justice (Schlosberg and Collins 2014) and racial justice (Elliott and Pais 2006), illustrates how disability status contributed to the lived experiences of people in New Orleans, and why Hurricane Katrina also presented issues of disability justice (Finger 2005; NCD 2005). Public health researchers found that those, who did not evacuate ‘lacked public transportation, misjudged the storm, were limited by their own or a family member’s physical disability, and were more likely to be lifetime New Orleans residents’ (Brodie et al. 2006, 1407). Among those who were evacuated, 27,000 people moved from the Superdome in New Orleans to the Astrodome in Houston, Texas. Some of the arrivals had lost their mobility devices and, until donated wheelchairs arrived, had difficultly accessing the restrooms in the large arena, while other arrivals who see and hear with different strategies than typically seeing and hearing people had to adapt to the new environment until accessibility was addressed after several days (Bloodworth et al. 2007). Lack of access to disability-aware spaces and underestimation of disability-specific supplies meant that evacuees were further harmed even after leaving the hurricane area. Evacuation exacerbated previous chronic health conditions as well given the extent to which lowincome people relied on public hospitals decimated by the storm (Brodie et al. 2006). **A disability justice framework understands that it is not people with disabilities who are ‘unprepared’** but rather ableism that has contributed to a larger system that has failed them and their families (Fenney Salkeld 2016; Kim 2016, 198–212). Likewise, Hurricane Katrina created conditions for further disablement. For example, demographer Narayan Sastry and economist Jesse Gregory (2013) explicitly focus on disability as an ‘effect’ of Hurricane Katrina – making disability the dependent variable and accounting for age, race and sex as independent variables. Their analysis of data from the American Community Survey revealed that the increase in disability in New Orleans was disproportionately concentrated among young and middle-aged Black women, with the young faring the worst. Sastry and Gregory draw on the extant literature to review the potential factors contributing to multiple marginalization – young black women were caught at the intersection of race, gender and age in such a way that adverse outcomes compounded. As Black people, they were more likely to live in dwellings and communities that suffered the most damage, leading to loss of property and neighborhood ties. As women, they were more likely to be left with children after households broke up, and the difficulties children in their care faced post-hurricane may have been sources of stress and consequent mental health effects. As young people, new mental and physical impairments were more 6 C. JAMPEL Downloaded by [66.189.72.133] at 06:07 11 January 2018 disabling, the researchers speculated, because of their effects on ability to work, having younger children not as easily able to help with daily tasks such as shopping, and more limited access to financial resources. In their explanation, the researchers imply a contextual model of disablement as a result of historical processes.

**Environmental impacts are uniquely magnified against disabled bodies – only a critical intersectional lens towards political processes can identify vulnerability**

**Jampel, 18** (Catherine Jampel), “Intersections of disability justice, racial justice and environmental justice.” Environmental Sociology. <https://par.nsf.gov/servlets/purl/10058562>. Accessed 7-22-2021. ALS

Vulnerability. People whose bodies diverge from the ‘normal’ or ‘standard’ may face greater exposure to environmental injustice than other people. For some people, their bodily differences may also make them especially vulnerable to the effects of certain environmentally unjust conditions. For example, people who are immunosuppressed or have biological variations such as ‘slow acetylation’ bear a greater burden when exposed to **air pollution, pesticides, industrial chemicals** and a host of other toxic trespasses, a phrase Sandra Steingraber (2010, 279) uses to describe involuntary human exposure to a pollutant. As she explains, people who are slow acetylators have low levels of the enzymes that detoxify aromatic amines, a class of organic compounds used in pesticides and strongly associated with bladder cancer (2010, 268). Slow(er) acetylation becomes a disability when high level of aromatic amine exposure is part of society and culture. **Biological variation compounded with racialized, classed and gendered exposures to toxics demonstrates how disability status ends up being created and then exacerbated through a political– economic context**. As mainstream discourses shape an understanding through which the most ‘vulnerable populations’ are ‘expected’ to be further impaired or harmed (Fjord 2007), a **critical and intersectional EJ lens can direct attention toward the political processes** that lead to unnecessary occupational and everyday exposures to compounds such as the aromatic amines used in dyes, pesticides and plastics.

**Framework**

**2NC --- Fairness**

**Disability justice can only be achieved through attempts to promote fairness through policy engagement. Only policy can engage the algorithms of AI and correct ableist notions behind AI.**

**Tilmes 22** – Nicholas Tilmes is in the field of bioethics and researches the intersection of philosophy, psychology, and biology at Cornell University. He is passionate about applying philosophical insights to concrete ethical dilemmas posed by emerging technologies, such as genetic engineering and functional brain imaging, and the relationship between official medical knowledge and the lived experiences of patients. (Nicholas Tilmes, “Disability, fairness, and algorithmic bias in AI recruitment”, Ethics of Information Technology, Springer Link, Article No. 21, 19 April 2022, <https://doi-org.proxy.lib.umich.edu/10.1007/s10676-022-09633-2> ) || PZ

Disability justice **Rather than attempting to promote fairness** solely **through technical adjustments** to training data and input–output relations, data **scientists should take up a disability justice approach. This view acknowledges that** factors such as error rates and **accuracy are necessary but insufficient to understand, identify, and address algorithmic bias. Disability justice serves as a framework for reasoning about how ableist structures and norms subtly configure and restrict the ostensibly objective aspects of AI** design. A deeper **analysis of disability** and capacity not only draws attention to the value-laden nature of design processes but **illuminates how** data **analytics and machine learning** help to **define and redefine** those **concepts.** Instead, a **disability justice** approach **suggests drawing** a **wider** circle of **considerations relevant to AI ethics; centering analysis of assumptions and values in design**; closing gaps between stakeholders; **and pursuing policies that empower further activism. Disability justice** calls into **question** fair-ML’s dogged quest for objectivity and **failure to confront broader socio-political norms, demanding** that data **scientists attend to the subjective choices intrinsic to algorithm design.** This shifts from a sole focus on technical aspects of design—such as input–output relations and training data—and expands the problem space to include the social responses and outcomes that algorithms generate. **While data scientists need not abandon technical considerations**, these **decisions** must **follow** from **an analysis of the normative choices** that go into, e.g., generating classifications, formulating problems, labelling data, and selecting proxy variables. That is, **designers should take a broader socio-technical perspective, which considers systems as not merely technological but enmeshed with embodied, organizational, social, and political factors** (Simon et al., [2020](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR92); van der Bijl-Brouwer & Malcom, [2020](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR100)**). By considering how these** dynamics interact and **affect AI** design together instead of assessing them in isolation, **data scientists can better conceptualize, identify, and respond to biased algorithms.** For instance, by reflecting on values woven into targets like ‘fit,’ one can parse out legitimate indicators of employability, such as word choice, from ones steeped in ableist norms and unrelated to performance, such as speech patterns and tone. **Widening the circle of factors** considered **relevant to ethical AI** design beyond data and input–output relations not only alters design processes but also **renders thinkable a wider range of alternatives. Looking beyond** the optimization of technical fairness criteria intervenes in solutionism and **reveals** a variety of other **mechanisms for combatting bias and promoting social transformation.** Notably, this gives us the tools to situate algorithms in a socio-technical context and raise the question of whether algorithms are appropriate instruments to measure and shape certain domains in the first place. For instance, given concerns about algorithms’ ability to capture shifting, contextual aspects of disability, what amount of discretion should they have over disabled people’s hiring outcomes, if any? While simply omitting groups from algorithmic models would exacerbate inequality, there may be reason to be much more skeptical of their inferences. Already, **protests by Google employees about collaboration with the Departments of Defense and Homeland Security on Projects** JEDI and MAVEN (Wakabayashi & Shane, [2018](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR102)) **and** **pledges by computer science students to refuse work at Palantir in light of its cooperation with Immigrations and Customs Enforcement** (Birnbaum, [2019](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR10)) **point to the ways in which data scientists can affect change beyond the algorithm itself.** As such, **disability justice indicates that we ought to expand the scope of AI ethics and situate algorithms in their socio-technical context.** Moreover, **a disability justice approach suggests that data scientists should critically analyze the ways in which disability is defined, measured, and labelled.** Given that most data about disability are medical, inferences from them typically are limited to the medical model, reducing disability to a biological dysfunction. Yet, **by drawing on disability scholarship, we** can **uncover** the **ways** in which **these categories shift and trace their roots to ableist assumptions.** For instance, consider proposals to increase the amount and quality of disability data by drawing from people’s electronic health records. While well-intentioned, these efforts would further entrench the medical model of disability, leave little room for self-identification, and underrepresent disabled people who lack access to health care. Making explicit the ways in which algorithms model disability creates space to imagine it differently through methods like value-sensitive design (Friedman & Hendry, [2019](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR35); Simon et al., [2020](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR92)). Such an approach melds conceptual, empirical, and technical elements, e.g., assessing models of disability in terms of their assumptions, impact on data gathering, relationship to outcomes, and so on. In so doing, data scientists could better attend to the ways that different models influence people’s claims about their disabilities and how those claims are mediated by intersecting hierarchies of class, race, and gender. By **investigating how different definitions and measures of disability shape who ‘counts’ as disabled, data scientists can intervene in these ongoing omissions. This requires altering how disabilities are operationalized so they are defined not solely as medical diagnoses but also in terms of how people navigate institutions, norms, and each other.** While fair-ML idealizes abstraction so that data can be applied across contexts, (in)capacities emerge from a multitude of contextual factors like competing values and built environments. Instead, a disability justice framework suggests that **an algorithm’s accuracy does not always trade off with its ability to accommodate contingency because many disabilities are intrinsically situational and resist quantification.** Implementing this approach might involve, e.g., assigning more weight to contextual factors, assessing how aspects of a given disability shift over time, and designing scales that are sensitive to social values and attitudes. For example, some researchers have demonstrated that disability data can be disaggregated to more easily study the variables that cooccur with certain disabilities or contexts (Brown & Broido, [2020](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR15); Peña et al., [2018](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR77)). Others have called for analyzing how people’s capacities expand and contract in relation to built accessibility, office culture, and the type of labor at hand (Bennett et al., [2020](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR9)). This suggests that data scientists could model disability differently by altering processes of data collection, label generation, and proxy selection so as not to abstract away its context. In addition, disability justice demands more fundamental shifts in access, communication, and ownership across the AI design pipeline. Indeed, the biases that hiring algorithms exhibit are inseparable from developers’ sole focus on employer values and widening asymmetries between firms and applicants. Although applicants’ ability to secure jobs is shaped by these AI, they cannot examine or offer input on them easily, if at all. **Expanding opportunities for these engagements and removing barriers to access is essential to designing more equitable algorithms**. Already, initiatives like Access Computing offer accessible training in computer science (Trewin et al., [2019](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR99)) and groups like (Dis)Ability in AI provide support to disabled people at conferences about AI (Whittaker et al., [2019](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR104)). Despite efforts to increase disability representation at design forums and in training datasets, **the mere** **presence of disability is not enough to transform existing institutions and restore trust.** That is, **vendors must design with disabled people**, not merely for them. As the scope of design expands, data scientists ought to draw insights from other disciplines, including disability studies and socio-technical design, and team up with a wider range of stakeholders. This process cannot simply tack on these perspectives but must integrate and consult with them throughout the design pipeline. By collaborating with a diverse array of disciplines and voices, data scientists could better identify stakeholders in AI hiring, explore their values and needs, study how AI might implicate them, and involve them in design processes. This bears similarities to a participatory design perspective, in which workers are empowered by directly influencing the design of technologies they will take up (Korsgaard et al., [2016](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR54)). Using a variety of techniques—from prototyping and mock-ups to future-oriented workshops and scenarios—stakeholders reflect on the situation, imagine innovative solutions, and transform those speculative approaches into realistic, concrete alternatives. This might involve, to give an example, asking stakeholders to evaluate whether automated interviews that assess affect and gestures align with their values, what they communicate about disabled applicants, and how they might be navigated. In parallel, insights from disability studies suggest granting disabled people’s perspectives significant weight in debates about, e.g., generating labels and selecting proxies for disability status. For instance, developers might look to data platform co-ops operated by people with rare disabilities, in which they oversee the use of their data and share profits (Scholz, [2016](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR86); Treviranus, [2018](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR97)), to inform their own decisions about responsible data use. By working alongside these other disciplines and voices from the start of the design process, data scientists could help bridge gaps in knowledge, foster a common conceptual language, and develop new research methods. **Beyond expanding** the scope of **AI ethics concerns**, redefining design values, and changing stakeholder dynamics, a **disability justice approach suggests pursuing policy measures that can empower data activism. While legislation often lags behind advances in computing, existing regulatory uncertainty allows AI vendors to selectively endorse transparency and fairness criteria in ways that preserve existing arrangements. Greater transparency could help promote the conditions necessary for activists and data scientists alike to study, uncover, and contest algorithmic bias.** Despite the explanatory difficulties associated with the black box, **policies ought to be introduced mandating that AI developers regularly audit and disclose** the purview, inputs and outputs, and **limitations of their algorithms.** For example, some have suggested requiring employers to make public the automated inferences they make about applicants (Hoffman, [2019a](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR72)) and tasking them with retaining detailed records of their bias mitigation procedures (Hoffman, [2019b](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR71)). **Developing legislation to establish minimum standards for data transparency and disclosure of bias mitigation measures—even for opaque machine learning AI—is necessary to identify and make claims against discriminatory algorithms.** In addition to setting baselines for transparent design and implementation, **recognizing how ableist structures can affect people’s identification with and disclosure of disability status highlights the importance of more robust privacy regulations.** Existing protections are ill-equipped to grapple with the ethical risks posed by automated hiring tools or predictions of disability status. The ADA (1990) only shields those who are disabled, treated as disabled, or were disabled, while GINA (2008) and HIPAA (OCR, [2021](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR73)) protect health data while it is being stored, transferred, and analyzed by certain classes of covered entities. However, since these laws neither cover AI vendors and data brokers nor explicitly forbid discrimination based on inferred risk factors for disabilities, AI can circumvent them (Givens & Morris, [2020](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR38)). Similarly, while the ADA prohibits discrimination in places of public accommodation, it does not explicitly include algorithms, social media platforms, and so on (Rothstein, [2020](https://link-springer-com.proxy.lib.umich.edu/article/10.1007/s10676-022-09633-2#ref-CR82)). Expanding existing privacy protections would help make disability disclosure less precarious and, in so doing, assist efforts to gather more representative datasets.