

## Philosophy & Disability an overview

**Anita Silvers** describes a booming area of philosophical enquiry and explains how considering the perspectives of the disabled can help philosophy in general.

Philosophers analyze and assess those ideas they believe to be at the core of everyday thinking. Often they do this by testing commonplace views against counterexamples involving anomalous or uncommon kinds of cases, and then by revising those views accordingly. Michel Foucault referred to this process in his Introduction to Georges Canguilhem's *The Normal and the Pathological*, commenting that philosophical questions are addressed through "a rationality which ... proceeds ... by means of partial modification when not by general recasting." (p.xii)

Views based on so-called normal individuals may neglect or occlude rare, anomalous or under-represented kinds of people. Furthermore, views biased toward the typical or normal instance are unlikely to be general enough to resolve fundamental philosophical questions. Thinking clearly about disability can advance philosophy as a whole, by identifying and correcting such biases. This helps ensure both the neutrality and the generality of philosophical views.

What philosophy has therefore considered most important about people with disabilities is the test posed by their differences. Thinking about the natural and socially-imposed limitations attendant on impairments of body or mind tests the extent to which any theory of knowledge or of ethics is insufficiently general or is exclusionary. Exploring whether theories of empirical knowledge equally embrace both blind and seeing knowers, or theories about democratic dialogue extend equally to deaf and hearing participants, or theories of feminist value reflect the experiences of women with and without disabilities equally well, helps establish their adequacy as theories.

### Normalizing: Sighting disability on the fringe

Considering what individuals without sight understand about visual properties is a familiar philosophical device for distinguishing *a priori* from empirical aspects of knowledge. For example, in order to examine the role direct observation plays in our understanding of the world, and the extent to which understanding the meanings of visual terms is independent of experiencing the properties to which they refer, philosophers ask whether those visual terms have the same meaning when used by congenitally blind instead of sighted individuals.

In *On Blindness*, an exchange between philosophers Bryan Magee and Martin Milligan, disability elucidates how we know what we know. Magee initiates the conversation to explore how much someone like Milligan, blind nearly from birth and with no memory of seeing, can understand from other people's

descriptions of visual experience. Magee hypothesizes that blindness must be a major drawback in acquiring certain kinds of knowledge, but is countered by Milligan's demonstrations that he can understand what is involved in, or is the product of, visual judgment.

Milligan describes himself as an empiricist who does not count being able to see as essential to empirical knowledge, although he readily acknowledges it to be a useful proficiency. Milligan's thoughtful response to Magee is worth quoting at length:

You seem to have found my claims that born-blind people can understand, at the very least, a major part of the meaning of visual terms, and that many sighted people grossly exaggerate the importance of sight, somewhat exasperating in their presumption. (B)ecause the sense of which they make overwhelmingly the greatest use is sight, sighted people just cannot imagine how blind people can manage without it. (W)hereas most sighted people will have known few if any blind people, and (if any) will often not have known them very well, born-blind people will usually have known a lot of other blind people, including blind people who have had sight, and also a lot of sighted people, and will have known some of both groups very well. (B)lind people are apt to know a good deal more about sight and sighted people than the latter can know about blindness and blind people. (pp.42, 43, 49)

Despite Milligan's strong arguments, Magee continues to insist that whoever considers blindness a difference rather than a handicap is "refusing to face the reality of his situation" (p.99). In this discussion, rhetorical convention clearly privileges the sighted over the blind interlocutor, since Milligan is expected to bear the burden of convincing Magee that being blind is not a significant drawback in acquiring knowledge of the world. This rhetorical assumption prevails even though, as Milligan argues, blind people enjoy a more comprehensive standpoint on the subject than sighted people.

In the dialogue, Magee seems to be 'normalizing' – that is, he seems to be assuming that whatever kinds of human functioning are typical or 'normal' must thereby set the standard. But this ignores David Hume's famous warning that you can't show what 'ought' to be the case merely by showing what 'is' the case. In other words one mustn't confuse what is typical with what is desirable. The dialogue reveals the grave inequality in the heaviness of the burden of proof imposed on those who, like Milligan, approach being disabled nonjudgmentally, when compared with the light burden of proof placed on those who, like Magee, assume that being deaf or blind or crippled is intrinsically bad.

Counterexemplification is a powerful philosophical tool that, used properly, neutralizes normalizing. Milligan's mastery of visual concepts counters the bias inherent in identifying these concepts with the visual learning that is typically, but not always and therefore not necessarily, involved in understanding them. One clear and cleanly-targeted counterexample trumps a multitude of compliant instances in assessing the adequacy of a philosophical claim. For instance, take the commonplace belief that equal treatment means same treatment; the economist Amartya Sen disproves this by pointing out that allocating the same resources to all individuals does not lead to equal capability if most can mobilize without spending their share of those resources, but one individual needs to buy a wheelchair to do so.

Although logically powerful, the philosophical practice of presenting the disabled as counterexamples does have the unfortunate rhetorical effect of marginalizing them.

Counterexamples do not center significance; they lie at its edges. By probing repeatedly at the extremities, but almost never evoking the central experiences, of living with a disability, philosophical discussion of disability has tended to portray living this way as a fringe existence. Recently, however, discussions of disability in philosophical writing have assumed additional roles.

Denied the opportunity to serve as a juror on account of his blindness, D. Nolan Kaiser has constructed an epistemology for 'the juror function' that assumes not all knowers are sighted. Kaiser grants that the blind juror must rely on others for reports and verification of some facts, but points out that so do all the other jurors – they rely on the reports of witnesses. The perfectly autonomous juror is not just a myth, he is not even an ideal that regulates juror conduct in the current justice system. Following Plato, Descartes and other rationalists, Kaiser argues that seeing is not only unnecessary to good reasoning but, on occasion, deflects it. Incidentally, Kaiser's elaborated rationalist paradigm is startlingly similar to the epistemic principles that shaped Ernest Bramah's early 20th century mystery stories featuring the blind detective Max Carrodos. Bramah, no less than Plato and Kaiser, urged that our commonplace confidence in the epistemic privilege of vision is misplaced.

### Socializing: Bringing disability to the center

Like the epistemology of disability, the ethics of disability enlarges well-known theories so as to address the situations of disabled people. Philosophers like Elizabeth Anderson, Iris Marion Young and myself, who take justice to be about inclusive interpersonal respect and social participation, think the moral challenge of disability is to reshape practices so they no longer exclude people with corporeal or cognitive

anomalies. From a disability perspective, physical or cognitive limitations are not absences of talent, but instead are constraints upon the ways in which talents are exercised. Social arrangements that offer equivalent prospects of success to people of similar talent and ambition provide fair equality of opportunity. Fair equality of opportunity requires that people with similar talents should enjoy equitable access to the necessary social conditions for realizing their talents, regardless of whether their functional modes are normal or anomalous.

For, as Ron Amundson points out, the idea of normal function has no foundation in objective biological fact. Very large amounts of inheritable variation occur in natural species, and in modern biology dogmas about determinate species design have given way to appreciation of rich ranges of variation. There is no

nature-based justification for making social advantages conditional upon normality (or upon what is typical for a species, which often is confused with normality). There thus is no justice in linking opportunity to normality. In this regard, I propose to test the justice of specific social practices by 'historically counterfactualizing', which involves asking whether the practice would be the same if the disabled individuals it marginalizes were the majority, not a powerless minority, of people. This test indicates whether, by broadening our assumptions about the variety of ways in which people get things done, we can and should redesign a practice so that anomalous individuals can partake of the collective good it secures. For

instance, the usual practice of storing data solely in visual rather than aural or tactile media disregards the ways in which blind and dyslexic individuals retrieve information. This exclusionary practice doesn't matter to sighted users, who happen to be the majority. If, however, individuals for whom looking at texts is dysfunctional were the majority, the relative ease of storing information in a variety of media would make alternative storage formats the rule rather than the exception.

Other philosophers, who take justice as being about fair allocation of resources, think that disability poses another philosophical challenge, namely, to understand whether the disabled can receive greater portions of goods than other people do without being unfairly privileged by the allocation scheme. Richard Arneson, Jerome Bickenbach, Dan Brock, Allen Buchanan, Thomas Pogge, Amartya Sen and David Wasserman are among the well-known contributors to this literature. Sen urges taking natural differences, including impairments, into account in formulating just distributive arrangements because these affect quality of life. Brock thinks that some of the differences caused by impairments irretrievably decrease quality of life and therefore holds that resource



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allocation to people with these differences may be neither cost-effective nor otherwise beneficial.

Wasserman offers illuminating critiques of various accounts of the good(s) that a society must allocate fairly if it is to be just. He says that we must find a way of measuring well-being that respects the multiplicity of ways in which people can live well. Then, he says, we must decide how much inequality in the distribution of well-being is just. Wasserman thoughtfully searches for arguments meeting these criteria that justify extra public expenditure to enhance the function of disabled people.

Jonathan Wolff crafts a position that combines the fair opportunity and fair allocation approaches. Drawing on the work of Ronald Dworkin to propose how a society of equals should treat the disabled, Wolff identifies three acceptable responses: medical treatment remedying impairments that cause disability, resource allocations compensating for disadvantages associated with disability, and changes in social practice to nullify disadvantages imposed on disability. The objective is to help each disabled individual find a place in the world.

Regardless of which strategies we emphasize, Wolff reminds us, we must decide what amount of effort and resources to expend on doing so. He recommends imagining people behind a veil of ignorance, aware of the disadvantages of disability, its general prevalence, and the costs of remedial strategies, but unaware of their own disability status. Following Dworkin, he suggests we consider how well, in what ways, and at what cost people who don't know whether they are or will be disabled would insure themselves against suffering exclusion should they become so. Tax revenues generated on this basis would be assigned to a government agency charged with pursuing the most effective combination of strategies – medical repairs, compensatory allocations and services, or reform of exclusionary social practices – both for individuals and for the general public.

Moral theories centred on justice typically focus on the goal of securing equality for all alike. For example, Mary Mahowald advocates an approach to 'gender justice' which would minimize inequalities between the dominant group of nondisabled males and nondominant groups such as women and the disabled, and also between the members of each nondominant group. Mahowald believes it is possible to do justice both to the disabled, who sometimes are confined to other people's care, and to women, who often are confined by their duties as caregivers. Justice involves a dialectical process mediating between these standpoints, which are of equal importance though irreducible to one another.

On the other hand, several philosophers argue that giving justice the preeminent moral role disregards the realities of disability and especially of the dependency associated with it. Susan Wendell thinks feminist ethics that stress care more than justice, and interdependence rather than autonomy, give disabled people a better role. Within the embrace of an ethics of care, Wendell urges, disabled people will be free to acknowledge their limitations, dependencies, and other real differences.

Writing about her relationship with her disabled daughter, Eva Feder Kittay considers how we can best care for people made vulnerable by significant impairments. We should recognize that their lives have a value unrelated to productivity and profit: their contribution is the bonding that relationships

of dependency create. This is an important contribution because our sense of ourselves as persons relies on our relations with others. Supporting the bonding between seriously disabled individuals and their families helps realize the human capacity for moral connectedness.

Relating to disabled people holds further beneficial lessons. The more we stress the importance of independence, Kittay observes, the more we are inclined to feel threatened by disabled people who remind us of our own potential for dependency. We should use this reminder to recognize that each of us has periods in which we need to be cared for and in which we become susceptible to exploitation and abuse. Then we will not be motivated by the fantasy that our lives are at all moments under our own control. Kittay is far more optimistic than Wendell, who thinks that fear of losing bodily control and fear of suffering may be too deeply embedded in our culture to be dislodged. These cultural taboos prevent disabled people from being honest in communicating their experiences.

On the other hand, Alasdair MacIntyre casts the disabled as the quintessential moral insiders because rational consideration of their experience stimulates both personal and social virtue. MacIntyre suggests that reference to disability plays an important role in answering the question "Why be moral?" He takes the pervasiveness of human disability to be a compelling reason for virtuous social conduct. Disability makes dependence an ineluctable element of human existence, and the disabled should not be relegated to the social fringe, for their state is a condition we all have the potential to share. For MacIntyre, therefore, the occlusion of disability of which Wendell complains is indicative of an irrationally driven, scarcely virtuous culture. The personal and social virtues associated with acknowledged dependence facilitate our flourishing as dependent animals. Furthermore, MacIntyre thinks, laws that protect the disabled will prove hollow in societies where the virtues of acknowledged dependence are not cultivated.

While MacIntyre's affinities are Aristotelian, Lawrence Becker takes his inspiration from the Stoics. He argues that disability rights are implicit in long-held, fundamental commitments about the value of human life and action. We often are committed to saving human life, even though doing so is expensive and inconvenient. But the values involved make it inconsistent (and cruel and wasteful) not to have alongside them a commitment to sustaining that human being as an active, effective participant in society.

The inference is that we should subsidize people's effectiveness at a level of effort and expense at least comparable to our investment in saving and sustaining life. Whether due to accident, injury or social circumstance, compromised ability to carry out necessary activities should trigger a helpful social response. A corollary is that we should stay focused on those activities that, when frustrated, are especially decisive in diminishing a person's agency. After that, Becker believes, disabled people must take their chances along with everyone else.

## Embodiment: Mooring disability identity

Embodiment is the principle of rooting one's identity in the reality of one's body. Feminists point out that cultural practice interprets embodiment; for instance, in many societies women's bodies have functioned as objects that are possessed and controlled by men. Similarly, people with disabilities

disproportionately experience themselves as being the physical objects of other people's abuse and control.

In the 'poor law' system from which our social service institutions evolved, any physical or mental impairment was seen as evidence of incompetence; impaired individuals merited assistance for being 'defective'. People with disabilities are thus immensely vulnerable to ensnarement by custodial systems which possess and control their bodies. They often must endure health care and social services that coerce them into compliant behavior and exploit them as a source of livelihood for the service providers.

The anguish of women whose bodies fall away from cultural ideals is as intense for those with disabilities as for others, so emancipatory feminist analyses such as Susan Bordo's on the coerciveness of our culture's somatic idealizations are broadly and helpfully applicable to disability. Some analyses of embodiment exhort devalued people to regain authority over the reality of their corporeal being through heightened awareness of their bodily functions. However, Wendell argues that such theories remain influenced by masculinist dualisms and obsessions with the perfect body.

Too often embodiment theories are unrealistic about how we (should) relate to our bodies, wanting us to think we can experience our bodies as pleasant and rewarding by wresting control of our bodies from dominant groups and thereby curing the cultural corruption that alienates us from our corporeal selves. To escape being absorbed by pain, Wendell says, her body compels her to refrain from identifying with her corporeal states. She has had to reorganize her experiential expectations so as to take less notice of her physical condition. Doing so does not devalue her body, although it makes her rethink whether recent philosophical attempts to eliminate mind-body dualism have accorded appropriate attention to how complex the relationship between consciousness and (suffering) bodies is likely to be.

Incidentally, bioethicists like Peter Singer (who justifies withholding life-saving interventions from individuals whose suffering may be a great burden to themselves and/or others) rarely if ever address these sophisticated and subtle questions about embodiment. But the philosopher-poet Karen Fiser does so in writing about how people with disabilities experience social invisibility, and feminist philosopher Christine Overall does so by analyzing women's experiences of 'normal' and 'anomalous' fleshly being. In my own work I compare how we look at physically embodied, and artistically painted, anomalous bodies and I try to rethink our ideas about human beauty so as

to make it easier to take aesthetic pleasure in the novel disproportionateness and crookedness of real people with disabilities. If we were to appreciate unexpected configurations of human bodies and minds as we do unprecedented art, people with disabilities would be less socially isolated.

## End View: Philosophy and Disability Studies

There are at least two ways in which philosophical studies of disability differ from how this subject is pursued in most other academic fields. First is the fact that the philosophy of disability has not been spun off as a sub-speciality but instead is being integrated into whatever discussions of central philosophical issues invite challenges to normalizing assumptions. The preceding overview offers many illustrations of how this philosophy of disability has been applied.

Second is the methodological distinction between the ways philosophy studies disability and its treatment by the interdisciplinary field of disability studies. Analyzing disability as a category of oppression was initiated during the 1970s by crossovers from radical philosophy to the disability movement in the United Kingdom, where sociologists and other social scientists took the lead in expanding this approach into an academic discipline. Literary scholars dominate disability studies in the United States. In both countries, the most interesting work in disability studies attempts to align approaches drawn from Hegel, Marx and Foucault with the classical liberalism of the American civil rights movement.

Disability studies takes the social model of disability, according to which disadvantage is purely a social and never a biological consequence of impairment, as an article of faith. Unlike disability studies, the philosophical study of disability keeps this as an open question. Arguably most philosophers would join Richard Hull in holding that our concept of disability should reflect both the reality of impairment and the reality of social discrimination. Clearly, applying philosophical rigor and insight to weigh the ways these realities are related grows ever more important. For the demand to refine and elevate thinking about our personal and cultural responses to disability becomes ever more pressing as we face the social policy implications of our blossoming capacity for biological intervention, as well as a burgeoning population of frail elderly people and disabled people.

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## Finding out more

Want to know more about this subject? You may find the following books helpful. Many of them are referred to in the article.

- Susan Bordo *Unbearable Weight: Feminism, Western Culture, and the Body*. University of California Press, 1993.

- Leslie Francis and Anita Silvers (eds.) *Americans With Disabilities: Exploring*

*Implications of the Law for Individuals and Institutions*. Routledge, 2000.

- Eva Feder Kittay, *Love's Labor: Essays on Women, Equality, and Dependency*. Routledge, 1998.

- Alasdair MacIntyre, *Dependent Rational Animals: Why Human Beings Need the Virtues*. Open Court, 1999.

- Bryan Magee and Martin Milligan, *On Blindness*. Oxford University Press, 1995.

- Anita Silvers, David Wasserman and Mary Mahowald, *Disability, Difference, Discrimination: Perspectives on Justice in Bioethics and Public Policy*. Rowman & Littlefield, 1998.

- Susan Wendell. *The Rejected Body: Feminist Philosophical Reflections on Disability*. Routledge, 1996.