


Disability: A Democratic Dilemma

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Office Hours:  and by appointment

This course considers the challenge presented by disability to the way we think about democratic inclusion. Beginning by tracing the evolution of the concept of disability and its role in securing the boundaries of normal, able-bodied citizenship, we will then focus on the relationship between disability to the modern welfare state. More specifically, we will consider how the Elizabethan distinction between the deserving and undeserving poor is reflected in the structure of entitlements programs and the fixation on delineating “real” disability from disability fraud. Turning to the disability rights movement and the demand for disability equality, we will examine the legal instantiation of disability rights in the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, before considering the possible limits and unintended consequences of rights-based arguments. The latter half of the course will address forms of disability that are endemic to neoliberalism and the challenges they pose for a disability rights movement that privileges the celebration of disabled identity. More specifically, we will consider whether it is possible to give an account of disability prevention that does not view prevention as of a piece with cure or eradication. We will conclude by exploring what Alison Kafer has referred to as “accessible futures,” that is, futures that leave space for disability rather than seeking its cure or eradication.

REQUIRED TEXTS (Available at the Seminary Coop)

Eli Clare, *Brilliant Imperfection: Grappling with Cure* (Durham, NC: Duke University Press, 2017)
Judith Shklar, *American Citizenship: The Quest for Inclusion* (Cambridge, MA: Harvard University Press, 1991)

ASSESSMENT:

Participation: (30%) I view this class as a collaborative enterprise grounded in engaged discussion and open debate. I understand participation to include not only comments or questions, but the ability to actively listen to your colleagues and thoughtfully and respectfully engage with—and challenge—their ideas.

Discussion Questions: (10%) In an effort to facilitate class discussion, students are responsible for posting a short discussion question to Canvas by **10pm the night before each class session**. Discussion questions are not intended to be long (around 3 sentences), nor will they be graded (although I do ask that they pertain to the assigned readings). Rather, they are used in an effort to both help you focus your reading and guide me in orienting in-class discussion.

You must post **10 discussion questions** over the course of the term (how you decide to split this up is up to you). Please remember to cite any relevant quotes or page numbers where applicable.

Writing Assignments: (60%) The first essay, due at the end of week 6, will be 5-6 pages (roughly 1500-1800 words) and will be worth 20% of your grade. The second essay, due at the beginning of week 11, will be 8-10 pages (2400-1800 words) and worth 40% of your grade. For both assignments, I will distribute a set of 3-4 paper prompts at least two weeks prior to the paper's due date. While I do accept alternate paper topics, you will need to discuss them with me in person at least one week prior to the paper's due date.

A successful paper is one that (1) clearly identifies and responds to the paper prompt, (2) offers an original argument, and (3) grounds this argument in at least 2 of the assigned texts. I do not expect you to consult sources beyond those assigned in this class, rather, writing assignments are intended to get you to critically engage with the assigned readings (and the broader themes of this course) and formulate your own arguments. (See the attached grading rubric for a more detailed overview of grading standards.)

I encourage you to come meet with me to discuss your paper ideas and drafts. Please note that while I will not read full drafts, I will read and offer detailed feedback on introductory paragraphs and outlines.

OTHER POLICIES AND INFORMATION:

Absences: Excused absences will only be given in extenuating circumstances, and you must contact me before the absence occurs. After missing one class session, subsequent absences will lower your participation grade by 15% per absence. Missing more than three classes will result in possible failure of the course.

Late Policy: While I generally do not grant extensions on written assignments (barring illness or emergency), you are allowed one 24-hour extension to be used at your discretion over the course of the term. Late papers will be graded down 1/3 of a letter grade per day late (an A- would become a B+, etc.).

Accessibility: If you have a physical, sensory, cognitive, or psychological disability and require accommodations, please let me know if I can do more to make the class (and class materials) more accessible. Students seeking disability accommodations should contact Student Disability Services at disabilities@uchicago.edu to initiate the accommodation process. SDS will acquaint you with the required documentation, which should be submitted promptly. If a disability determination is made, your area Dean of Students will facilitate the implementation of approved auxiliary aids and services. For information regarding the accommodation process, go to: <http://disabilities.uchicago.edu/>.

Academic Honesty and Integrity: Academic dishonesty will not be tolerated in the class. If you are found to have engaged in any form of academic dishonesty, including but not limited to plagiarism, you will fail the course and your behavior will be reported to your academic advisor for potential further actions by the College. For more information on school policies, visit: <https://studentmanual.uchicago.edu/Policies#Honesty>.

Laptops and Other Electronic Devices: Active listening and engaged discussion are central to this course. To this end, I ask that students refrain from using electronic devices except in cases where they are required as part of an accommodation for a disability or impairment.

Phones must be turned off or set to silent during class.

Contacting me: I am here to be a resource for you. Do take advantage of my office hours, and feel free to email me at any point with questions or concerns.

COURSE SCHEDULE

WEEK 1

Class 1: Introduction (no readings)

Class 2: At the Boundaries of Citizenship, Part I: Monsters, Freaks, and other Others

- *Georges Canguilhem, "Monstrosity and the Monstrous," *Diogenes* 10, no. 40 (1962): 27-42.
- *Michel Foucault, *Abnormal: Lectures at the Collège de France, 1974-5* (New York, Picador, 1999), pp. 55-80 (January 22, 1975)
- *Rosemarie Garland-Thomson, "From Wonder to Error—A Genealogy of Freak Discourse in Modernity," in *Freakery: Cultural Spectacles of the Extraordinary Body*, ed. Rosemarie Garland Thomson (New York: NYU Press, 1996), pp. 1-13.

WEEK 2

Class 1: At the Boundaries of Citizenship, Part II: Colonial Discourses of Disability

- *Shaun Grech, "Decolonising Eurocentric Disability Studies: Why Colonialism Matters in Disability and Global South Debate," *Social Identities* 21, no. 1 (2015): 6-21.
- *Stefanie Kennedy, "Let Them Be Young and Stoutly Set in Limbs": Race, Labor, and Disability in the British Atlantic World," *Social Identities* 21, no 1: 37-52.
- *Michael Ralph, "Life...In the Midst of Death": Notes on the Relationship Between Slave Insurance, Life Insurance, and Disability, *DSQ: Disability Studies Quarterly* 32, no. 3 (2012).

Class 2: At the Boundaries of Citizenship, Part III: Disability at the Intersection of Gender and Race

- *Douglas C. Baynton, "Disability and the Justification of Inequality in American History," in *The New Disability History, American Perspectives*, eds. Paul K. Longmore and Laurie Umansky (New York: NYU Press, 2001), 33-55.
- *Licia Carlson, "Cognitive Ableism and Disability Studies: Feminist Reflections on the History of Mental Retardation" *Hypatia* 16, no. 4 (Autumn 2001): 124-146.

WEEK 3

Class 1: At the Boundaries of Citizenship, Part IV: Eugenics and the Quest for Normalcy

- *Ladelle McWhorter, "Managing Evolution: Race Betterment, Race Purification, and the American Eugenics Movement," in *Racism and Sexual Oppression in Anglo-America: A Genealogy* (Bloomington, IN: Indiana University Press, 2009), pp. 196-244.
- *Paul A Lombardo, "Taking Eugenics Seriously," *Florida State University Law Review* 30 (2002-2003): 191-218.
- *[Terrence McCoy, "Generations, Disabled," *Washington Post*, June 2, 2017.](#)
- *[Corey G. Johnson, "Female Inmates Sterilized in California Prisons Without Approval," *Reveal News*, July 7, 2013.](#)

Optional:

- *Francis Galton, "Eugenics: Its Definition, Scope, and Aims," *American Journal of Sociology* 10, no. 1 (July 1904): 1-25.

*Franz Boas, "Eugenics," *The Scientific Monthly* 3, no. 5 (November 1916): 471-78.

Class 2: The Quest for Inclusion

Judith Shklar, *American Citizenship: The Quest for Inclusion* (Cambridge, MA: Harvard University Press, 1991); pp. 1-23, 63-101.

WEEK 4

Class 1: Disability and the Welfare State, Part I: Charitable Aims and the Threat of Fraud

*Nancy Fraser and Linda Gordon, "A Genealogy of Dependency: Tracing a Keyword in the U.S. Welfare State," *Signs* 19, no. 2 (1994): 309-336.

*Susan Schweik, *The Ugly Laws: Disability in Public* (New York, NYU Press, 2009), 1-14, 108-137.

Optional:

*[Terrence McCoy, "Disabled, or Just Desperate?" *Washington Post*, March 30, 2017.](#)

Class 2: Disability and the Welfare State, Part II: The Laboring Body

*Sarah F. Rose, *No Right to be Idle: The Invention of Disability, 1840s-1930s* (Chapel Hill, NC: University of North Carolina Press, 2017), Chaps. 5-6 (pp. 111-171).

WEEK 5

Class 1: Disability and the Welfare State, Part II: The Laboring Body (Cont.)

*Paul Longmore and David Goldberger, "The League of the Physically Handicapped and the Great Depression: A Case Study in the New Disability History," in Paul Longmore, *Why I Burned My Book, and Other Essays on Disability* (Philadelphia, PA: Temple University Press, 2003), pp. 53-101.

*David E. Bernstein and Thomas C. Leonard, "Excluding Unfit Workers: Social Control Versus Social Justice in the Age of Economic Reform," *Law and Contemporary Problems* 72, no. 3 (Summer 2009): 177-204.

Class 2: Disability Rights as Civil Rights

*Leslie Francis and Anita Silvers, "Achieving the Right to Live in the World: Americans with Disabilities and the Civil Rights Tradition," in *Americans with Disabilities: Exploring Implications of the Law for Individuals and Institutions*, eds. Leslie Pickering Francis and Anita Silvers (New York: Routledge), xiii-xxx.

*Allison C. Carey, "A Theory of Rights and Disability," in *On the Margins of Citizenship: Intellectual Disability and Civil Rights in Twentieth-Century America* (Philadelphia, PA: Temple University Press, 2009), pp. 1-35.

WEEK 6

Class 1: The Limits of Legal Recognition, Part I: Equality or Care

*Elizabeth S. Anderson, "What is the Point of Equality?" *Ethics* 109, no. 2 (January 1999): 287-337.

Class 2: The Limits of Legal Recognition, Part I: Equality or Care (Cont.)

*Joan Tronto, "Redefining Democracy as Settling Disputes about Care Responsibilities," in *Caring Democracy: Markets, Equality, and Justice* (New York: NYU Press, 2013), pp. 17-45.

*Anita Silvers, "Reconciling Equality to Difference: Caring (F) or Justice for People with Disabilities," *Hypatia* 10, no. 1 (Winter 1995): 30-55.

*Mia Mingus, "[Access Intimacy, Interdependence, and Disability Justice](#)," *Leaving Evidence* (blog), May 5, 2011 and "[Forced Intimacy: An Ableist Norm](#)," *Leaving Evidence*, August 6, 2017.

*****FIRST PAPER DUE ON FRIDAY*****

WEEK 7

Class 1: The Limits of Legal Recognition, Part II: Lessons from Anti-Governance Feminism

*Wendy Brown and Janet Halley, "Introduction," in *Left Legalism/Left Critique*, eds. Wendy Brown and Janet Halley (Durham, NC: Duke University Press, 2002), 1-37.

*Reva B. Siegel, "A Short History of Sexual Harassment," in *Directions in Sexual Harassment Law*, eds. Catherine A. MacKinnon and Reva B. Siegel (New Haven, CT: Yale University Press, 2004), 1-39.

Class 2: The Limits of Legal Recognition, Part III: Integration vs. Segregation

*Fiona Kumari Campbell, "Legislating Disability: Negative Ontologies and the Government of Legal Identities," in *Foucault and the Government of Disability*, ed. Shelley Tremain (Ann Arbor, MI: University of Michigan Press, 2005), 108-130.

*Kristin Bumiller, "Quirky Citizens: Autism, Gender, and Reimagining Disability," *Signs: A Journal of Women in Culture and Society* 33, no. 4 (2008): 967-991.

*Nirmala Erevelles, "Crippin' Jim Crow: Disability, Dis-Location, and the School-to-Prison Pipeline," in *Disability Incarcerated: Imprisonment and Disability in the United States and Canada*, eds. Liat Ben-Moshe, Chris Chapman, and Allison C. Carey (New York: Palgrave Macmillan, 2014), 81-100.

WEEK 8

Class 1: Debility and other Late Capitalist Conditions, Part I: Slow Death

*Lauren Berlant, "Slow Death (Sovereignty, Obesity, Lateral Agency)," *Critical Inquiry* 33, no. 4 (Summer 2007): 754-780.

*Jennifer Pokempner and Dorothy E. Roberts, "Poverty, Welfare Reform, and the Meaning of Disability," *Ohio State Law Journal* 62 (2001): 424-463.

Optional:

*Laurence Ralph, *Renegade Dreams: Living Through Injury in Gangland Chicago* (Chicago, IL: University of Chicago Press, 2014); Introduction (pp. 3-18), Chapter 4 (pp. 119-139).

Class 2: Debility and other Late Capitalist Conditions, Part II: Toxic Bodies

*Henry A. Giroux, "Reading Hurricane Katrina: Race, Class, and the Biopolitics of Disposability," *College Literature* 33, no. 3 (2006): 171-196.

*Mel Y. Chen, "Lead's Racial Matters," in *Animacies: Biopolitics, Racial Mattering, and Queer Affect* (Durham, NC: Duke University Press, 2012), pp. 159-188.

*[Merrit Kennedy, "Lead-Laced Water in Flint: A Step-by-Step Look at the Makings of a Crisis," *The Two-Way: Breaking News from NPR*, April 20, 2016.](#)

*[Rebecca Burns, "On Poisoned Ground: East Chicago's Legacy of Lead Pollution," *The Baffler* 37 \(December 2017\).](#)

WEEK 9

Class 1: Imagining Disabled Futures, Part I: Reproductive Dilemmas

- *Adrienne Asch, "Disability Equality and Prenatal Testing: Contradictory or Compatible?" *Florida State University Law Review* 30, no.2 (Winter 2003): 315-342.
- *Alison Piepmeier, "The Inadequacy of 'Choice': Disability and What's Wrong with Feminist Framings of Reproduction," *Feminist Studies* 39, no. 1 (2013): 159-186.
- *Dorothy Roberts, "Race, Gender, and Genetic Technologies: A New Reproductive Dystopia?" *Signs: Journal of Women in Culture and Society* 2009 34, no. 4 (2009): 783-804.

Class 2: Imagining Disabled Futures, Part II: Grappling with Cure

Eli Claire, *Brilliant Imperfection: Grappling with Cure* (Durham, NC: Duke University Press, 2017), Intro-Chapter 5 (pp. xv-81).

WEEK 10

Class 1: Imagining Disabled Futures, Part II: Grappling with Cure (cont.)

Eli Claire, *Brilliant Imperfection*, Chapters 6-10 (pp. 85-187).

Class 2: Imagining Disabled Futures, Part III: The Role of Disability Studies in the Academy

- *Alison Kafer, *Feminist, Queer, Crip* (Bloomington, IN: University of Indiana Press, 2013), pp. 1-46.
- *Sharon L. Snyder and David T. Mitchell, "Compulsory Feralization," in *Cultural Locations of Disability* (University of Chicago Press, 2006), pp.185-203
- *Nirmala Erevelles, "Thinking with Disability Studies," *DSQ: Disability Studies Quarterly* 34, no. 2 (2014).