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ABSTRACT

Within philosophical literature on democratic education, philosophers of education embrace the existence of cultural, religious, racial, gender, and other social differences as important to a thriving democracy. However, they frequently ignore or marginalize the potential significance of ability differences, especially those associated with intellect and reasoning ability. In fact, prevailing understandings of civic engagement within political philosophy, social and educational policy, and institutional practice conform to norms of development, behavior, and civic contribution that assume the presence of able-bodied and able-minded individuals. There is therefore an unchallenged assumption that those who experience significant difficulties in reasoning are unable to perform the tasks of citizenship. My dissertation investigates and challenges this assumption. I consider how the recognition of existent intellectual ability differences alters our philosophical theorizing about democratic education and suggests the need for alternative frameworks of democratic participation and the education that supports it. I propose that individuals' existent variability in intellectual processing, communicative modes, and behavior should guide our reasoning about what is required for civic participation. My view places demands on educational policy, schooling practices, and teacher education to re-examine curricula, teaching practice, school-community partnerships and, importantly, ideas about how civic knowledge is acquired and put into practice in light of varying abilities. Answering the question of whether individuals with intellectual disabilities are owed an education that prepares them to participate in democratic citizenship not only concerns the extent to which we embrace differences of ability within education in general, but also hinges on whether a just society can be one that does not enable the civic contribution of those with significant disabilities.

**BEYOND ABLE-MINDED CITIZENSHIP:
EMBRACING INTELLECTUAL ABILITY DIFFERENCES IN DEMOCRATIC
EDUCATION**

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DISSERTATION

Submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy in
Cultural Foundations of Education

Syracuse University
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This project seeks to affirm hope in the possibility of democratic communities of belonging. I am so grateful to be able to say that I have experienced belonging throughout this process, and have at every point been nurtured and revived by a network of incredible people. Foremost among these are the many strong people labeled with intellectual disabilities with whom I have worked as a caregiver and educator, or simply known as a friend. I am especially grateful to Flo Carroll, Lisa Obrist, Susan, Krystal, Jen, Terry, and Lolo for accepting me into their lives and for pushing me towards humility in my scholarship.

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CHAPTER ONE INTRODUCTION

Meet Christine. Christine is unable to manage her basic finances, arrange and attend medical appointments, or sign up for a phone plan without assistance of a family member or friend. She struggles to understand the meaning of things like civil rights or jury duty. Christine also requires the support of a caregiver in communicating her preferences or making decisions. Although Christine is unable to complete these practical and cognitive tasks on her own, she nevertheless continues to watch the nightly news, attends town hall meetings, laments the closure of her local park, and commiserates with her friends about the changes to her bus route. Does Christine have political interests? Does she deserve a political voice? Is she owed an education aimed at enabling her to use this political voice?¹

Current philosophical models of democratic citizenship education are not equipped to provide comprehensive or well-reasoned answers to these questions. This is because these models of democratic citizenship education either omit or defer consideration of individuals labeled with intellectual disabilities. While educational theorists, especially those within the discipline of philosophy of education, are mindful of the importance of cultural, religious, racial, gender, and other social and political differences to a thriving democracy, they frequently ignore or marginalize the potential significance of ability differences, especially those associated with intellect and reasoning ability. In doing so, they present a vision of democratic citizenship education that is inattentive to a significant social group, and one already politically and socially disenfranchised. Answering the question of whether individuals with intellectual disabilities are owed an education that prepares them to participate in democratic citizenship is vital, as it not

¹ This story is a composite of several people labeled with intellectual disabilities who have been involved in legal guardianship cases or who have protested the role of guardianship in contemporary society. For the story of Roberta Blomster see Leonard (2012). For the court case regarding Damaris L. see *Matter of Damaris* (2012).

only concerns the extent to which we embrace differences of ability within education in general, but also hinges on whether we regard individuals with intellectual disabilities as members of the political community.

In what follows, I explore and address these questions. I argue that within philosophical literature on democratic citizenship education there is an unchallenged assumption that those who experience significant difficulties in reasoning or who require sometimes significant support in decision-making are unable to perform the tasks of citizenship. I expose and challenge this assumption, revealing its theoretical weakness and its lack of consistency with empirical research. In doing so, I raise questions about what constitutes “significant difficulties” in reasoning or “significant support” in decision-making relative to democratic citizenship. I ask whether and how these needs bear on our educational theorizing and policy-making about democratic citizenship. Further, I explore what is meant by “democratic citizenship” historically, philosophically, and in contemporary North American society. I describe how democratic citizenship is a messy or “contested” concept (Field, 2000; Lister 1997) that is frequently co-opted as a mechanism of dominance. I ask how our definition of citizenship – and the power behind this concept – shapes the aims and values that are described and instantiated in educational policy and practice.

Schooling and the Citizenry

Educational theorists have long recognized the significant role that educational institutions play in establishing, perpetuating, and also potentially transforming existing social, political, and economic arrangements, including relations of civic membership and social belonging. Those critical of the traditional models and structures in which schooling is delivered

often focus their critique on questioning the sorts of assumptions that uphold existing practice. These assumptions include those about how schooling ought to look, towards what it should be aimed, and for whom it is directed. In particular, educational scholars have challenged the classed, raced, and gendered organization of schools and schooling in the US and how existing curricular, pedagogical, and assessment policies and practices privilege dominant social classes and racial, cultural, and gender groups (e.g. Artiles, 2011; Delpit, 1995; Gutierrez, Rymes & Larson, 1995; Kozol, 2005; Ladson-Billings, 2006; Minow, 2008; Oakes, 2005). Similarly, in their efforts to promote inclusive educational policy and practice, scholars of inclusive education and disability studies in education have challenged the ways that educational institutions and policy privilege able-bodied and able-minded norms of learning, behavior, and identity (e.g. Bogdan & Biklen, 1977; Danforth & Smith, 2004; Ferri & Connor, 2005a; Hehir, 2002; Hehir, 2007; Rubin et al., 2001; Slee & Allan, 2001; S. Taylor, 2006). Foremost, these latter scholars criticize the long history of active and tacit exclusion of children labeled with disabilities from mainstream schooling, as well as the contemporary patterns of exclusion and marginalization that result from special education practices, including labeling, ability tracking, and segregation (e.g. Artiles, 2011; Barton, 2006; Danforth & Ressa, 2013; Ferri & Connor, 2005a; Ferri & Connor, 2005b; Gallagher, 2006). By maintaining a clear line between normal and abnormal development and learning, these practices direct attention towards managing labeled students' differences rather than focusing on understanding and adapting educational practice to the differences that exist among all learners.

Even as these scholars critique educational policy and practice, they have expressed hope in the capacity of schools to act as sites of social transformation, especially in promoting the inclusion of individuals with intellectual and developmental disabilities in the broader

community. Says Roger Slee (2001), “Democratic schools represent new social settlements that liberate us from the yoke of the fortresses buttressed by traditional special education thinking and practice” (p. 385-6; see also Ware, 2006). Because of the relationship between learning and social justice and social change, educational policy and educational institutions are in a unique position to influence the ways that people with disabilities, and members of other marginalized groups, are positioned in society.

Historically, schools for individuals with disabilities – often educational in name only– have played an important role in maintaining and reproducing attitudes and practices surrounding who belongs in the public sphere. Training schools and asylums, like the *New York State Asylum for Idiots* at Syracuse, (ware)housed and managed individuals regarded as slow learners or labeled with intellectual and developmental disabilities, under the belief that these institutions could best protect such individuals from the demands of society – and protect society from them (Carlson, 2010; Ferguson, 1994; Stuckey, 2013; Trent, 1994). In the latter half of the twentieth century and into our contemporary era, schools have continued to play the role of managing disability and students labeled with disabilities, largely through complex legal and policy statutes and the bureaucratic management they entail. In the United States and Canada, education law and policy have placed increasing demands on school systems and professionals to recognize and accommodate the diversity of learners in mainstream school practices. Although these are positive advancements, they are nevertheless regulatory ones, and they highlight the important role that educational institutions play in regulating the role of people with disabilities in society.

Educational policy, pedagogy, and curricula are thus shaped by and subsequently shape attitudes towards who belongs as a citizen and act as the arbiters of social belonging. As I will discuss, citizenship has been understood as an able-bodied or able-minded membership,

something not simply into which we are born, but into which we qualify according to our possession of particular capacities. Although this position runs counter to anti-discrimination laws, it is nevertheless still maintained in relation to those with intellectual disabilities (see Agran & Hughes, 2013; Spicker, 1990). People with disabilities are and have been for centuries spoken about and spoken for by non-disabled people and this is regarded as justified because they have been or are assumed to be in need of such intervention. These interventions persist even while it is clear that our education systems do not adequately educate children with disabilities. In many Western countries people with intellectual disabilities are not barred outright from the regular participatory mechanisms of citizenship as they were in the past, but experience their access to these activities as restricted, whether by guardianship laws or substantive forms of discrimination and neglect (see Abbott & McConkey, 2006; Agran & Hughes, 2013; Gougeon, 2009; Jordan & Dunlap, 2001; Meekosha & Dowse, 1997). This neglect occurs in a number of ways. Firstly, it occurs through the failure to properly inform, educate, and support people with intellectual disabilities to understand and exercise activities of citizenship – including understanding their own personal desires or needs as part of a broader political structure that can be responsive or unresponsive to them. Secondly, it occurs through a lack of attentiveness to and support of the particular ways that people with intellectual disabilities may express their political agency. Finally, as I hope to show, it occurs through the devaluation and ignorance of the role that dependency and relationality play in political agency for all of us.

The failure to recognize people with intellectual disabilities as political agents does not just point to the need to provide accommodations and support for people with intellectual disabilities to access existing democratic systems, but, as I will argue, it also highlights the

importance of analyzing how we conceptualize democratic citizenship and the education that supports it in the first place. What expectations of ability are built into dominant philosophical frameworks of democratic citizenship? In what ways do they support policies that inadequately attend to people with intellectual disabilities? How is philosophical reasoning about such policies and practices limited by dominant understanding of intellectual disability and people with intellectual disabilities?

In the beginning of this introductory chapter, I described how individuals' challenges in independently performing some practical and cognitive tasks coexist with their ability to take an interest in and participate in the activities of democratic citizenship. I asked whether these characteristics ought to disqualify them from receiving an education aimed at becoming democratic participants. Fundamentally, these are questions about whether people with intellectual disabilities have democratic interests and how these interests should be represented: What does it mean to have democratic interests? How might people with intellectual disabilities be understood as having democratic interests? What is the value of self-representation? Are people with intellectual disabilities entitled to the support to enable self-representation (and how does that support change the definition of *self*-representation)? What role does public education play in the cultivation of these interests and in their representation? These questions ought to be burning ones for social theorists and educational researchers alike. Not only do such questions influence our perceptions about our responsibilities to individuals who require care and support; they also bear directly on the kind of society – and the kind of democracy – we want to live in.

While this project will contribute insights into how we conceptualize education in general, and especially in relation to individuals with disabilities, it is intended centrally to draw attention to how social, political, and cultural norms shape democratic citizenship education as

an able-minded and able-bodied enterprise, and to draw attention to the ways in which this orientation further entrenches existing assumptions about intellectual disability and the role of people with intellectual disabilities in society. As an endeavor to reveal and debunk the presumptions implicit within academic conceptions of citizenship, this project takes cues from the work of feminist scholars who have argued that the concept of citizenship is gendered and racialized (Lister, 1997; Pateman, 1989; Yuval-Davis, 1997; Walby, 1994). This not only means that men and women, for example, learn through civic education that they are valued differently, but also that they are expected to develop the skills, knowledge, and dispositions that privilege and perpetuate male dominance. As I will discuss, this pattern of privileging dominant norms within the curricula of civic education likewise positions the standard citizen as able-bodied and able-minded. In making this argument, I draw upon the work of feminist and critical disability studies scholars who have traced the way that citizenship status acts as a sorting mechanism to separate abled from disabled (Erevelles, 2002; Erevelles, 2011; Garland-Thomson, 2006; Schweik, 2009). These scholars have argued that citizenship is a construct negotiated and renegotiated through gendered, racialized, sexed, and abled norms that are constantly in flux. As I will discuss, it is not only the definition of the citizen but also the meaning of ability that is structured by philosophical work on democratic citizenship and democratic citizenship education.

In addition to this deconstructive project, my dissertation also attempts to shift philosophical discussion of democratic citizenship into a more inclusive paradigm, one in which the presence, participation, and support of individuals with intellectual disabilities is assumed and expected. To this end, I highlight the ways that people with intellectual disabilities already engage in civic projects and exercise political agency. This not only means looking at how

individuals participate in existing practices of citizenship – like voting, activism, public representation and debate – but also illustrating those activities that are rendered unintelligible by able-bodied and able-minded norms of participation – those that take place within the private sphere, those requiring significant support, and so on.

In meeting these goals, I am guided by a number of important questions. These include

(1) *Who is a democratic citizen? Who is the subject of democratic citizenship education?* Who has democratic interests? And, who is tasked with expressing and exercising these interests and, indeed, *learning* to do so? What are the lenses and measures through which theorists and practitioners recognize democratic interests?

(2) *What is democratic citizenship? What is democratic citizenship education?* What does participation in democratic citizenship mean and entail? How do philosophers describe democratic citizenship? How does democratic citizenship emerge conceptually within contemporary political contexts and within education policy? How is it understood in relation to people with intellectual disabilities? What sorts of assumptions about “the citizen” are built into described expectations of ability for democratic citizenship? (These include autonomy, self-representation, communication, competence, participation, and so on);

(3) *What are philosophical strategies for reasoning justly about democratic citizenship aims?* How does the recognition of epistemic limitations in reasoning affect how philosophers understand the conclusions they make and whether these are justified? Specifically, how do contemporary norms of able-mindedness and able-bodiedness detrimentally affect strategies for reasoning effectively and justly about democratic citizenship aims?

(4) *What is the relationship between the features of contemporary political life and educational policy on the one hand and philosophical reasoning about educational justice on the other?* To what extent do existing structural conditions – existing expectations of “citizens,” existing education policy,

existing ways of conceptualizing disability – and economic constraints – scarce education resources, inequalities in education resource distribution, balancing and distributing resources fairly to all students – shape how philosophers think about democratic citizenship aims and individuals with intellectual disabilities?

Methodological Considerations

A number of methodological considerations warrant attention before I pursue answers to these questions. The first concerns the form of inquiry that this project takes, namely philosophical analysis. The second concerns the justification for what might be called my political – that is, value-laden – stance towards disability and considerations of inclusivity. The third has to do with the tension between ideal and non-ideal theory that is at work within the chapters that follow.

Form of Inquiry

The four categories of questions I asked in the previous section are conceptual: that is, they suggest an inquiry about the nature, formation, and usefulness of concepts like citizenship, disability, intellect, and participation, among others. In this sense, such questions cannot be answered through reference to empirical data alone, but rather require attention to what *constitutes* educational justice and equality in light of intellectual ability differences. My dissertation therefore employs philosophical methods of analysis and critique. Drawing on interdisciplinary literature from disability studies, inclusive education, feminist philosophy, political philosophy, and philosophy of education, I consider how the recognition of existent intellectual ability differences, as well as societal attitudes towards these apparent differences,

alters philosophical theorizing about democratic education and suggests the need for alternative frameworks of democratic participation and the education that supports it. I examine how existing frameworks rest on assumptions about the capabilities of individuals labeled with intellectual disabilities. I ground my philosophical analysis in empirical data, stories, and personal experience that document the existing civic practices and democratic participation of people with intellectual disability labels and their current participation in classrooms (Carey, 2009; Docherty et al., 2010; Kliewer et al., 2004; Redley & Weinberg, 2007; Tisdall, 1994; Verdonschot et al., 2009). As a result, this project presents a philosophy of education informed by principles, scholarship, and narratives from disability studies.

Scholarship that engages across the disciplines of philosophy of education and disability studies/inclusive education has not been plentiful. In fact, the gap between these disciplines is apparent in the divergent approaches that each discipline takes to understanding and reasoning about societal obligations towards individuals labeled with disabilities, a topic I discuss at length in the next chapter. I therefore endeavor to support a more sustained conversation between educational philosophers and disability studies/inclusive education scholars by exploring the areas of tension as well as the areas of mutuality and intersection between these fields. In creating dialogue between these usually disparate fields, I also aim to contribute to the analytic practices and knowledge base of both fields. For philosophers of education, this project is valuable for at least two reasons: First, it can assist in the development of more just and accurate depictions of democratic citizenship and democratic citizenship education, and second, because it can advance philosophers' justice-interest in ensuring that groups of society are not unfairly excluded. Simultaneously, philosophers of education as educational scholars have contributed significantly to an understanding of democratic citizenship, civic engagement, and civic

development as they relate to educational contexts. While this literature is troubled by an implicit assumption of exclusion of individuals with significant disabilities, it nevertheless contributes rich and important arguments regarding the nature of equality, inclusion, and democratic belonging. Disability studies and inclusive education theorists can benefit from this rich discussion by educational philosophers in forming arguments for the moral imperative of inclusive education for a democratic society.

Justification for the Political Stance

At a recent conference involving academics from multiple disciplines in education, I was asked how I justify my expressed non-neutrality about the value of disabled lives and individuals with disabilities' right to educational and democratic opportunities. The question stemmed, I imagine, from a worry over my ability to be impartial in my philosophical analysis of arguments for and against providing educational opportunities for individuals with intellectual disabilities to engage in the activities of democratic citizenship. Indeed, as my interlocutor understood, my analytic approach does take for granted certain principles and values – and assumptions – regarding individuals with intellectual disabilities and what they are owed as a matter of justice. From his position, my interlocutor appeared confident that such assumptions would endanger the quality of my philosophical analysis and potentially guide my reasoning towards predetermined conclusions. Other readers of this dissertation may have a similar concern: would not a good philosophical analysis remain neutral – that is, value free – in evaluating arguments, concepts, and so on?

In “Objectivity and the Role of Bias” Susan E. Babbitt (2001) argues that “[i]n certain situations of understanding, it is important to recognize the struggle for the story, for the

theoretical and moral perspective, and the narrowly focused, *biased* commitment required to achieve it” (p. 313). In this dissertation, I pursue a more adequate and more just understanding of what intellectual disability entails for democratic citizenship. Because I am working against dominant constructs of citizenship and of civic participation that presume the incompetence of individuals labeled with intellectual disabilities, I must begin from the perhaps political (or *biased*) stance that they are wrong. Yet as Elizabeth Anderson (2004) explains in defending against criticism of feminist values in scientific research, value judgments enter into all forms of inquiry (acknowledged and unacknowledged), although they do so in legitimate and illegitimate ways. Says Anderson, “From an epistemological point of view, value judgments function like empirical hypotheses” (2004, p. 11); in other words (and within the scientific domain), they lead us to choose particular instruments of measurement, to ask one question and not another, and so on. Nevertheless illegitimate value judgments that drive inquiry to a predetermined conclusion do arise, and this was the sort of worry my conference interlocutor appeared to have. Illegitimate value judgments are those held dogmatically (Anderson, 2004, p. 11) – that is, they are not held open to reconsideration in light of new evidence or new arguments. By contrast, the non-dogmatic viewer “treats her intrinsic value judgments as open to criticism in light of experience” (Anderson, 2004, p. 9).

Let’s consider how value judgments might guide my analysis in this dissertation. Imagine first that one starts from the perspective that disability is abnormal and consists in an individual’s experiencing a biological deficit. This perspective on disability would lead researchers to ask certain questions relative to well-being and justice. For example, it might lead them to investigate the sorts of educational endeavors that minimize, hide, or fix disabilities rather than those that accommodate, naturalize, or even celebrate disabilities. More specifically, if

individuals with intellectual disabilities are seen as different *kinds* of persons (or not persons at all), then philosophers are led to ask particular questions in considering what constitutes educational justice. For example, they might ask, “What are our obligations to school-aged children with intellectual disabilities?” rather than “What are our obligations to school-aged children?” Or, if we hold a particular conception of citizenship fixed – for example, citizenship defined in terms of the capacity for rational reflection – we are led to different questions about educational aims in light of intellectual disability. That is, we are likely to start from the assumption that citizenship aims will not extend to some range of people with significant intellectual disabilities.

My objective in this project is to ask what happens when we remain open to the possibility that people with intellectual disabilities need not be excluded from democratic citizenship aims. What would democratic citizenship look like if it included people with significant disabilities? And what educational lessons can we learn if we envision inclusion in the production of citizens in a democracy? To ask these questions, it is necessary that I be guided by some value judgments; indeed, an putatively unbiased position might guide me to simply reaffirm exclusions. Accordingly, I aim not for an unbiased perspective, but rather to use bias in an “appropriate way” (Babbitt, 2001, p. 298). In approaching this project, then, I take what I will later call an “affirmative stance” towards the inclusion of individuals with intellectual disabilities in democratic citizenship aims of education. This affirmative stance is my value position. From this stance, I am able to ask particular questions about citizenship, pedagogy, and educational policy that I would not be able to ask if I presumed that people with intellectual disabilities could not benefit from democratic citizenship aims of education. While I hold this stance, and proceed

with an analysis accordingly, I remain open to – and explore – objections to my arguments as well as to considering evidence that would disprove my claims.

In general, my stance is consistent with the political stance taken by many scholars in disability studies and disability studies in education. These scholars are frequently accused of being partial, uninterested in “evidence” and closed to philosophical arguments that do not support their conclusions (see Brantlinger, 1997). These accusations frequently stem from the fact that disability studies scholars work to reveal what is concealed by dominant and taken-for-granted assumptions about the nature of disability. Viewing disability as a tragedy, as a deficit, and as an undesirable state is so socially pervasive and powerful that it appears natural. Importantly, this often makes arguments consistent with the tragedy and deficit view appear *neutral*. Nevertheless, this stance is informed by value judgments that can also push even the most reasonable scholar towards predetermined conclusions. I describe these “epistemic pitfalls” in Chapter Four.

Ideal and Non-Ideal Theory

The tensions surrounding how democratic citizenship is understood and how democratic interests are recognized further points to an important underlying feature of this project, which is to explore the role of ideal and non-ideal reasoning in approaching questions of educational justice. On the one hand, philosophical reasoning about educational policy and practice ought to be informed by considerations of equality and justice that ignore the economic and social constraints of our contemporary social and political world. This is so because in order to understand what is owed to children with intellectual disabilities, we must be attentive to those matters that bear non-contingently on our reasons; that is, the values or concerns that are not

dependent on existing societal conditions (including negative attitudes towards disabled people or economic and social policies built in histories of exclusion). On the other hand, existing conditions – scarce education resources, inequalities in educational resource distribution, balancing resources for students with disabilities, students assigned as English Language Learners, low-income students – are realities of our contemporary educational world, as are the experiential realities of life lived with disability. Ignoring these can lead to support for policies that are grossly mismatched, ineffective, and unjust. For example, if we ignore individuals' needs for support in performing cognitive or practical tasks, we can arrive at frameworks of democratic citizenship that inform policies inconsistent with – and oppressive to – individuals with intellectual disabilities. One question we might ask, then, is: should we focus on generating arguments for why people with intellectual disabilities are owed an education that would prepare them for existing conditions of democratic citizenship or is doing so complicit in and affirming of able-minded and able-bodied ideals of citizenship and democratic participation that are undesirable and oppressive to us all? We must be careful to avoid idealizing citizenship or civic participation, imagining it in ways unrecognizable to our current existence and the diversity of lived experience. While ideal theorizing has led to conclusions that ignore the lived realities of individuals' lives – especially women, people of color, people with disabilities, and those who are non-normatively gendered (see Mills, 2005 for discussion) – over-attention to contemporary constraints on education can prevent us from imagining alternative realities and to envisioning conditions of justice. The challenge here is to attend carefully to existing conditions of material concern, the practical needs, pressures, and social barriers within individuals' lives, the capabilities and limitations individuals experience, while also imagining a more just social and educational world. This balancing of the ideal and the non-ideal reflects the effort of

philosophers and theorists of education to work within existing conditions shaped by historical patterns without falling into those patterns (that is, to retain a transformative approach²).

This tension between ideal and non-ideal theory is ever-present in my analysis and instantiated within the following guiding questions: How does the recognition of finite resources shape how we understand citizenship education for people with disabilities? To what extent do we acknowledge and factor in our epistemic limits regarding disability in theorizing about democratic citizenship aims? What is the right balance between reconceptualizing civic participation and citizenship education and enabling the inclusion of people with intellectual disabilities in existing conceptions of citizenship?

Some Notes on Language

Throughout the ensuing chapters, the reader will encounter a number of phrases and terms used to describe the individuals and groups with which I am especially concerned in this dissertation. For clarity, I define these terms and explain my use of them here. It is important for the reader to keep in mind, however, that these terms are categories and constructs created and monitored by social, medical, and legal institutions. As I discuss at length in Chapter Four, these are very much contested terms and constructs.

(1) “Intellectual Disability:” The *American Association of Intellectual and Developmental Disabilities* defines intellectual disability as “a disability characterized by significant limitations in both intellectual functioning and in adaptive behavior, which covers many everyday social and practical skills. The disability originates before the age of 18” (AAIDD, 2013). In general, I use the term “intellectual disability” to describe the label and not a condition that exists apart from assessment and diagnostic practices. This does not mean that

² I will work out what is meant by a transformative approach in Chapter Five.

I deny that differences in intellectual ability – reasoning, processing, problem-solving, and so on – exist; indeed my argument advances the need for educational supports in performing these cognitive tasks. However, the category “intellectual disability” is a constructed one that attempts to capture a broad range of abilities that are themselves performed relative to environmental contexts, including educational ones. Many philosophers use the term “cognitive disability” rather than (and often interchangeably with) “intellectual disability” in describing individuals who experience (or are assessed as experiencing) cognitive limitations (measured against a standard, such as IQ). Cognitive disability is a more capacious term, however, that includes some learning disabilities and brain conditions of aging. This distinction is, however, to a certain extent unimportant to my overall argument, as the frameworks that I critique omit or defer consideration of those whose intellectual/cognitive/mental abilities do not measure up to a standard of able-mindedness.

- (2) “Labeled Student” or “Student labeled with an intellectual disability:” Throughout the dissertation I will qualify “intellectual disability” with the phrase “labeled with.” The purpose of doing so is to call attention to the sense in which the category of “intellectual disability” is a disputed construction and classification (Carlson, 2010; Linton, 1998; Rapley, 2004) and to the role that (educational) labeling practices play in this classification and construction.
- (3) “Significant Disability:” This term is not meant to refer to any clinical category. Rather, where I use “significant disability,” I do so to demarcate an imaginary and constructed line between those disabilities generally considered assimilable into some standard of normalcy and those that are not. Intellectual disabilities are usually regarded as significant disabilities.

CHAPTER TWO

EDUCATIONAL AIMS AND EMBODIED DIFFERENCES

Education debates over tracking/inclusion, testing and “accountability,” curriculum, pedagogy, and so on, are essentially debates over two opposing ideals of what constitutes a “good” society. On the one side are those who view social hierarchy as natural and therefore, if not good, then certainly inevitable. On the opposing side are those who not only see nothing natural about social hierarchy but also view it as inimical to the ideals of social justice and equality (Gallagher, 2006, p. 65)

In this passage Deborah Gallagher (2006), prominent scholar within the field of disability studies in education, describes what she perceives as opposing viewpoints within contemporary debates concerning the education of students labeled with disabilities: those who regard ability differences as necessitating inequalities in social and educational status, and those who do not. Whereas the former regard ability differences as inevitably resulting in social hierarchies, the latter see these social hierarchies as the unnatural consequence of attitudes and structures of oppression. The question at the center of this disagreement, then, is whether differences in ability – unlike differences of race, sex, and so on – necessarily lead to individuals’ differential positioning in a social hierarchy.

How one understands educational aims in relation to disability depends on many things but certainly or perhaps most importantly on one’s definition of disability and how one understands disability relative to ideas about equality. In this chapter I will begin to demonstrate this relationship by examining two prevailing understandings of disability relative to educational aims: that which corresponds to traditional special education models as well as dominant contemporary philosophical conceptions of disability and its place in education, on the one hand; and, that which corresponds to the views of scholars within disability studies in education and inclusive education, on the other hand. While the former tend to regard separate aims as

necessary in light of embodied differences (what I call the *deferral stance*), the latter oppose separate aims and advocate for inclusion (and take what I call the *affirmative stance*).

Importantly disability studies scholars see inclusion going well beyond physical access and extending to the pedagogical, curricular, and conceptual processes of educational planning and theorizing as well as students' opportunities for meaningful participation and social belonging.

The opposing viewpoints of the deferral and affirmative stances exist within a context of limited dialogue across the frequently disparate fields of educational philosophy and disability studies in education.

Divergent Approaches to Thinking about Disability in Education

The debate over status inequalities has received significant attention within the field of philosophy of disability within recent years, in which philosophers disagree over whether, and in which cases, disabilities necessitate status inequalities (see Anderson, 1999; Kelly, 2010; Wolff, 2009). Within philosophy of education, this debate emerges in relation to the question of what constitutes educational justice for children with disabilities and under what conditions their opportunities can be equalized (Ladenson, 2005; Terzi, 2005a; Terzi, 2005b; Terzi, 2008; Norwich, 2010; Warnock, 2010). Over the last ten years concerns over the schooling of students with disabilities has received increased attention in the field of educational philosophy (Ahlberg, 2014; Ben-Porath, 2012; Cigman, 2007; Lekan, 2009; Norwich, 2002; Reindal, 2010; Surbaugh, 2010; Terzi, 2005a; Terzi, 2005b; Terzi, 2007; Terzi, 2008; Vorhaus 2005; Norwich, 2010; Warnock, 2010). This literature has primarily focused on what is owed to children with disabilities as a matter of justice, including questions of how education can be distributed more fairly and equitably to children with disabilities so as to enable them to have access to adult

opportunities and conditions of well-being. These educational philosophers have understood that the educational needs of children with diagnosed disabilities frequently differ from those of “typical” children and demand additional resources in the form of, for example, increased teacher-attention, technological tools, one-on-one classroom supports, as well as accommodations and/or modifications to curricula and assessment.

While some philosophers of education contend that human and civil rights-based approaches are best at defending special education access (e.g. Ben-Porath, 2012), others (e.g. Robeyns, 2006; Terzi, 2005a; Terzi, 2005b; Terzi, 2008) look to particular justice frameworks to formulate arguments for educational distribution to students with disabilities. For example, Lorella Terzi (2005a, 2005b, 2008) has developed frameworks for establishing and justifying the distribution of resources to children with disabilities based on the Capabilities Approach (see also Nussbaum, 2006; Skrtic and Kent, 2013). The Capabilities Approach looks not just at how resources are distributed in a formal sense, but also how individuals are able to convert these into opportunities. Relative to the education of children with disabilities, this framework can provide justification not only for the expenditure of additional resources to support children’s varying educational needs, but can also evaluate whether these resources are translating into substantive educational growth and well-being. Terzi’s work therefore provides compelling arguments in support of educational practices like unequal distribution of resources to children with disabilities. However, it leaves room for but does not explicitly advocate inclusion. Others, like Mary Warnock (2010), Ruth Cigman (2007), and Robert F. Ladenson (2005) discuss the potential limits of inclusion and provide philosophical analysis of the normative dimensions of inclusion debates. Others consider what are the appropriate aims of education for children with disabilities in particular, especially those labeled as severely or profoundly intellectually disabled

(Ahlberg, 2014; Vorhaus, 2005). In general within this scholarship, questions of justice surrounding children with intellectual disabilities are considered separately from the questions of justice surrounding children deemed typical or normal.

Only a few philosophers (Carlson, 2010; Kittay, 2010; Surbaugh, 2010; Terzi, 2008; Vorhaus, 2005; Vorhaus, 2014) explicitly describe intellectual disability, or the existent diversity of intellectual abilities, as calling into question key assumptions and expectations about our educational practices and aims. Licia Carlson and Eva Kittay are among those who do so. In their introduction to *Cognitive Disability and Its Challenge to Moral Philosophy* (2010) they argue that intellectual disability is a feature of the human condition and that if philosophers were to take this seriously “a number of fundamental philosophical presumptions and received views are up for reconsideration, including the centrality of rational thought to our conception of humanity and moral standing, the putative universality of philosophical discourse, and the scope and nature of moral equality” (p. 310). This challenge to core philosophical concepts and presumptions could have far-reaching consequences within philosophy, including within the realm of philosophical theorizing about educational equality and democratic education.

Despite these recent challenges from philosophers of disability, the contestation of assumed wisdom about disability and educational inequality has come primarily from disability studies scholars and scholars of inclusive education, whose work in fact predates and informs the critiques of the philosophers mentioned above. Disability studies and inclusive education scholars regard the matter of whether ability differences necessitate inequalities in social status as settled: the field of disability studies is premised on the view that differences of ability do *not* necessitate inequalities in the social hierarchy. Rather, disability studies scholars, including those who study the education of labeled students, see such inequalities as the result of historical and

contemporary investments in and promotion of able-bodiedness and able-mindedness (e.g. Bogdan & Biklen, 1977; Danforth & Smith, 2004; Davis, 2006; Ferri & Connor, 2005a; Gallagher, 2006; Garland-Thomson, 1997; Hehir, 2002; Hehir, 2007; Price, 2011; Rubin et al., 2001; S. Taylor, 2006).³ In short, social hierarchies that leave people with disabilities as having lower status are the result of deep-seated investments in ableism. These scholars argue, further, that an assumption of normal ability permits and justifies the exclusion of children with disability labels from the regular classroom and from the opportunities afforded to non-labeled children. Say Scot Danforth and Susan L. Gabel (2006), “educational research has long perpetuated the myth of the need for distinctions between research about disabled students and research about all other students” (p. 3). Frequently, disability – and usually too much disability – becomes the justification for separation or deprivation, ignoring the actual potential of labeled students who simply fail to fit with the expected pace and form of development of “normal” children. While students have varying developmental and educational abilities, the assumption of a “normal” level of functioning obscures the reality of human cognitive, physical, behavioral, and communicative differences and the contingency of exclusions and inequalities based on perceived ability. For disability studies in education scholars, then, the good society is one that is inclusive and we should approach questions of justice through inclusive theorizing.

This frequent difference in the treatment and conceptualization of disability reflects broader disagreement in educational scholarship about whether it is cognitive inability or social and structural impediments that lead to the exclusion of people with intellectual disability labels from different aspects of education, including democratic citizenship aims. Indeed, the differing

³ It is important to note here that I am describing what we might call an ethical orientation to which scholars of disability studies and disability studies in education subscribe. I do not mean to gloss over or in any way diminish debates that are internal to these fields. However, in endeavoring to contrast two very different orientations towards thinking about intellectual ability differences in relation to education, it is necessary that I make some generalizations. For discussion of historical roots of disability studies in education as a field, as well as some of the foundational ideas in the field, see Steven J. Taylor (2006) and Linda Ware (2011).

perspectives I have described echo long-standing debates among researchers within special education over how to conceptualize disability and how to conceptualize pedagogy, curricula, and policy in light of students' disabilities (see Danforth & Gabel, 2006; S. Taylor, 2006). As I will discuss, where we land in this distinction has important consequences for how we view the problem of the exclusion of many children with intellectual disabilities from democratic citizenship aims, indeed whether we see it as a problem to begin with. As I alluded to in the introduction, I position myself among those who argue that the presence of disability does not necessitate lowered status; neither do I see it as necessitating separate educational aims.

Importantly, the field of disability studies emerged from the activist work of the disability community and remains very tightly interwoven with that community (see Linton, 1998). Disability Studies has become an exemplar of interdisciplinary scholarship, influencing important debates within sociology, history, medicine, education, and philosophy, among other fields. One of the main contributions that disability studies scholars have made across these disciplines is in revealing ability/disability as an important category of analysis in research on equality, social justice, and democracy (e.g. Artiles, 2011; Baynton, 2013; Linton, 1998; S. Taylor, 2006). Despite this increasing interdisciplinary influence, however, the important insights of disability studies scholars regarding social belonging, citizenship, and democratic inclusion have remained separate from the work of philosophers who theorize about community and civic engagement and how we prepare students for their roles as citizens. That is, philosophers of education who write about democratic citizenship aims of education (e.g. Callan, 1997; Gutmann, 1987; Galston, 2001; Giroux, 2005; Levinson, 2012) have remained largely uninfluenced by disability studies and have proceeded without recognizing arguments emerging

from disability studies about citizenship and inclusive education.⁴ Nevertheless, scholars from within the field of philosophy of education have produced perhaps the most comprehensive scholarship about, and discussion around, democratic citizenship aims of education and how individuals are prepared for their future roles as citizens. This disciplinary conversational gap is not just interesting or surprising; rather, it is a problem for philosophers of education and disability studies and inclusion scholars alike.

The Deferral Stance

Educational philosophers often concern themselves with how the aims of education reflect particular justice-related goals. Many, and especially those espousing a liberal political view of education, believe that reflecting upon these aims will guide them towards a normative framework by which to evaluate and justify the distribution of education to children. Because educational aims inform our distributive principles and define how schools and school systems deliver curricula and resources to students, they also reflect and reinforce social values about the sort of education valued within a society. In this section, I describe the philosophical deferral of individuals with intellectual disabilities. Later, I discuss instances of deferral in educational policy and practice.

In considering educational aims, some liberal egalitarian philosophers (e.g. Levinson, 2003; Levinson, 2012; Morton, 2011) have joined critical educational theorists of race/ethnicity (e.g. Collins, 2003; Lindkvist, 2008), class (e.g. Oakes, 2005), and gender/sexuality (e.g. Payne & Smith, 2012) in being mindful of how educational goals, including those expressed within educational policy and theory, can privilege dominant racial, gender, cultural, and religious

⁴ Lorella Terzi (2008) could be considered an exception. Terzi engages carefully, albeit critically, with arguments from inclusive education and disability studies theorists. However, Terzi is not directly discussing citizenship aims.

groups. This work suggests that embracing racial, gender, cultural, and religious differences – and even *some* ability differences – in our educational theorizing can strengthen our educational policy and practice. However, the educational aims described by philosophers of education do not generally embrace significant differences in intellectual ability, adaptive behavior, or communication that some children exhibit. In fact, educational aims often appear suited to the imagined “normal” child, who possesses an expected level of intellectual ability, adaptive behavior and communicative competence. Meanwhile, these aims have important consequences for how educational practices, pedagogy, and curricula are conceptualized. The failure to acknowledge and embrace differences in ability leaves open the question of the extent to which students with intellectual disabilities are subject to the same aims as their “typically-developing” peers. More pointedly, it leads to the conclusion that some students are too different and too cognitively impoverished to be subject to the same broad educational aims as their (“normal” or “typically-developing”) peers.

Taking a closer look at how educational aims have been described by philosophers of education helps us to better understand how educational aims express important societal values and expectations of children and young adults. Educational theorists have envisioned a variety of aims for education based on particular views of what individuals ought to know, do, and be. We might hope, for example, that children develop the skills, knowledge, and dispositions required for economic self-sufficiency in adult life. Economic aims might thus identify the knowledge, skills, and character dispositions that individuals need to possess in order to be successful and productive members of an economic system. We might also regard schooling as aimed at children’s development of autonomy, however understood (Brighouse, 2006; Callan, 1997; Levinson, 1999; Reich, 2002), or as aimed at the development of capabilities for community

living (Dewey, 1916; Meier, 2002; Strike, 2004), for membership in a diverse political and cultural world (Curren, 2009), or for the duties of citizenship, however conceived, within a democracy (Callan, 1997; Gutmann, 1987; Gutmann, 2009; Levinson, 2012). Reflecting upon educational aims informs how we think about what forms of education are valuable (those that support economic reproduction, those that support citizenship), but also the normative principles by which to evaluate and justify the distribution of educational goods to children. For example, because democratic citizenship aims support a view of education as aimed at children's development of those capabilities deemed necessary for adult citizenship, proponents (Anderson, 1999; Satz, 2007) are inclined to support a distributive principle according to which educational resources are distributed in ways that allow all children to develop civic capabilities.

Of course, schooling resources are not typically distributed according to a *single* aim of education and educational systems follow a plurality of economic, civic, and cultural aims, many of which overlap, a point acknowledged by philosophers reasoning about aims.⁵ For example, many philosophers conceive autonomy aims as fundamentally tied to citizenship aims (albeit according to different conceptions of autonomy) (e.g. Brighouse, 2006; Burt, 2003; Callan, 1997; Kymlicka, 1995). Accordingly, we should hope for an education for our children that cultivates the knowledge, skills, and dispositions that are understood to promote all of the learning ends listed above. However, while none of these aims is *prima facie* inconsistent or in conflict with the others, sometimes aims do conflict. For example, economic aims may require the educational pursuit of capabilities consistent with labor market advantage, even while these impede the development of autonomy, critical thinking skills, or cultural connectedness (see

⁵ I am describing here philosophical conceptions of aims. Later, I will discuss how aims are reflected within policies in ways that express not only a plurality of values, but also a plurality of ways to enforce and reinforce social stratification.

Morton, 2011).⁶ When aims conflict, we are left to consider how we ought to value these aims relative to one another, or, especially when faced with economic or cultural constraints, how we practically distribute conflicting but valued aims.

Tackling such questions is made especially complicated by the fact that the children who arrive in educational contexts embody a diversity of intellectual and physical abilities – as well as a diversity of cultural, religious, and social backgrounds – such that the philosophical task of deciding on aims that are inclusive of this diversity is very challenging. This is, in part, because of the difficulty in deciding on what constitutes educational equality for children with ability differences in the first place (Jencks, 1988; Terzi, 2008). Indeed, the sorts of differences that children embody – differences in learning style and pace, differences in economic, cultural, or linguistic background, and so on – complicate how aims are cultivated. This existent diversity may appear to support applying separate aims to some children, whether on the basis of their social disadvantage, as in the case of historically disadvantaged groups, or because valued aims do not accommodate or reflect children’s abilities. In defending an aim of education, such as democratic citizenship, philosophers therefore often concede that such an aim will exclude some students. This is because the *content* of aims – that is, the sorts of abilities that they require children to have – are not well suited to the abilities of all children.

Indeed, some aims are more and some less demanding of individuals in terms of their intellectual and physical abilities. Critical thinking aims, for example, emphasize independent cognitive reasoning and are therefore demanding of individuals in terms of expected intellectual abilities. Many aims that emphasize high levels of independent cognitive ability fail to account for those with intellectual and developmental disabilities, especially those understood as severely

⁶ Educational researchers have explored how economic aims have permeated educational institutions, policies, and practices especially in the United States, where neoliberal policies have appeared to steer educational aims away from democratic goals and towards labor market ones (see Lipman, 2011).

or profoundly intellectually disabled (Ahlberg, 2014; Vorhaus, 2005). While many theorists simply fail to acknowledge this exclusion (e.g. Callan, 1997; Galston, 2001; Hanson & Howe, 2011), some have drawn the conclusion that what society owes to people with significant disabilities is different than what is owed to those without, on the basis that the former lack the capacities requisite to achieving articulated aims (e.g. Gutmann, 1987; Kelly, 2010; Rawls, 2001). Consideration of these populations is therefore *deferred*, to be decided separately. Some aims, then, become exclusive: that is, they are inclusive only of those children who possess particular abilities – of reasoning, of mobility, of communication, and so on. Such exclusion demands that we either abandon a particular aim because it fails to be inclusive – that is, fails to apply to all children – or we justify the use of separate aims for children with intellectual disabilities. When we have good reason to value particular aims it does not seem correct – and it may in fact be unjust – to abandon them simply because they do not reflect the capacities of all children. On the other hand, it may be unjust to apply separate aims. We need an account, then, of *whether* and *why* exclusive aims are fair and justified.

Importantly, the turn to separate aims is based on the idea that while some children are unable to acquire the knowledge and skills or competencies expected of them in connection with particular educational aims, they are nevertheless owed an education that is of high quality and good for them, and, as Amy Gutmann argues, “not simply convenient for us” (1987, p. 155). Let’s call this the *deferral stance* because it involves deferring consideration of the educational entitlements or practices for a specific group. The deferral stance is not *intended* to deny opportunities, mistreat, or undermine the educational quality of labeled students. In fact, one argument that has been given for separate aims, as I will discuss below, is that holding to the same aims can actually set some students up for failure because they are expected to achieve

learning objectives that are beyond their developmental reach. Doing so expresses disregard of and disrespect for students' differences and results in their being deprived of an education from which they can benefit. From the standpoint of these considerations of educational equality and justice for children with significant disabilities, then, separate aims can *appear* not only justified but also necessary. Let us consider how arguments that propose to support this view are structured.

The Philosophical Origins of the Deferral Stance

Egalitarian responses to the existence of ability differences have tended to consider disability as natural deficit and as the product of individual bad luck that they claim may in certain forms prevent or impede individuals' full membership in the political community (see Anderson, 1999). People with intellectual disabilities in particular have been treated as "profoundly other" because, it is asserted, and in some cases assumed, that they lack the requisite capacities for equal citizenship and equal participation in society.

A clear example is found in John Rawls' (1971, 2001) work on justice where he defends a view of the citizen as a "fully cooperating member of society over the course of a complete life" (2001, p. 18). For Rawls, a just society is founded on a principle of reciprocity conceived as "a cooperative venture for mutual advantage" (1971, p. 74) wherein persons benefit from their mutual and cooperative production and participation in civil society. This principle is both what defines citizenship and provides stability for a well-ordered society (1971, p. 74). Being a citizen in Rawls' conception depends on one's ability to participate in social, political, and economic life and to exercise certain rights and duties, activities which demand possession of what Rawls calls the two moral powers. These are the capacity to form a sense of justice, and the capacity to

form a conception of the good life and to rationally pursue such a conception over the course of a complete life (see 2001, p. 18-19). Individuals must possess these moral powers to the minimum degree necessary to engage in social cooperation and to participate in political society as equal citizens (Rawls, 2001, p. 20). They must fall within what he calls “the normal range,” or “the range of differences in citizens’ needs and requirements compatible with everyone’s being a normal and cooperating member of society” (Rawls, 2001, p. 170). Within this range, there is flexibility, but it is clear that a demarcated line exists between those who are included as decision-makers and those who are excluded as such. Rawls emphasizes the role of background institutions in creating the enabling conditions for the development of these capacities, but nevertheless concedes that some “scattered individuals” will be unable to form these two moral powers necessary for participation as fully-cooperating members of society because they lack or are impaired in their rational capacities (2001, p. 170). These individuals fail to meet the minimum requirements of equality and citizenship. As a result, consideration of their needs and interests are deferred to the later legislative stage of justice in his procedural account, wherein information pertinent to policy-making is known (Rawls, 2001, p. 173). In other words, they are the passive recipients of justice, but do not take part in constructing the justice contract. Thus, the Rawlsian conditions of reciprocity disqualify some individuals from equal citizenship and bar them from having the same democratic opportunities as other persons.

The separate or deferred consideration of people lacking certain rational capacities within Rawls’ theory of justice is a consequence of how he conceives of a just and stable society. This stance of deferring consideration of this group therefore acts as a logical consequence of the sorts of capacities that are deemed necessary for citizens to possess. This conceptual marginalization is also seen within educational theory and philosophy in which scholars discuss what is required

of a democratic society in educating its members to be productive and active citizens. Rawls' framework represents an important – and much theorized – example of the philosophical omission or postponement of consideration of those who are understood to lack particular cognitive abilities or capacities.

A fair number of philosophers have followed Rawls' reasoning about the necessity of deferring consideration of people whose reasoning capacities are deemed abnormal. For example, Erin Kelly (2010) writes it is “highly demanding to require persons to share the fruits of their cooperative efforts equally with those who do not participate” (p. 65-6). In other words, it would be unfair to apparently productive members of society if people with significant disabilities, because they cannot participate in producing the resources – including intellectual ones – that drive and stabilize society, were entitled to the same advantages and recognition as citizens. Conversely, Elizabeth Anderson (1999), in considering who is a civic equal, writes that “In a liberal democratic state, all citizens are entitled to the social conditions of their freedom and standing as equals in civil society, regardless of handicap, physical appearance, or intelligence” (p. 331). In a footnote, however, she qualifies this: “Some exceptions would have to be made for those so severely mentally disabled or insane that they cannot function as agents” (Anderson, 1999, fn. 97). Finally, philosopher Amy Gutmann (1987) likewise takes the deferral approach in her influential *Democratic Education*, a point I will discuss further later in this chapter.

The postponement of consideration of such individuals – the *deferral stance* – essentially relegates them within theory to second-class status and places certain individuals, by virtue of their particular cognitive capacities, in non-decision-making roles. In short, people with intellectual disabilities are “outliers” in Rawls' framework of justice (Silvers, 2009). An outlier,

says Anita Silvers (2009), is a person who “lives or is located outside of, or is separated from, the locus of productive activity or where others mainly are found...By definition outliers are so different from most people as to be distanced from society’s center” (p. 165). Historically, both white women as a group and people of color have been placed as outliers within social contract theory because they were regarded as lacking the abilities – the rational capacities – necessary to be fully cooperating members of society (Silvers & Francis, 2005, p. 40). We know now, of course, that such exclusions were based on sexist and racist assumptions about intellect and moral status and, moreover, that these assumptions were built into the fabric of philosophical reasoning as unquestioned facts about such groups (see Mills, 2001; Stubblefield 2007; Silvers & Francis, 2005). It is important, therefore, that we consider how philosophical theorizing about educational aims might perform these same unjust exclusions.

In brief, then, the deferral stance begins by regarding people with intellectual disabilities as outliers to the usual frameworks of social obligation because they lack some capacity or set of capacities necessary to belong to the in-group. Within the context of education, then, the deferral stance takes as given that people with intellectual disabilities are different and questions about their education, including its aims, must therefore be considered separately. As I will discuss next, there are clear parallels here between the deferral stance within philosophy and that within traditional special education.

The Deferral Stance and Educational Aims

Separate educational aims and practices applied to children with disabilities have historically been the norm in schooling policy and practice. Because a significant portion of those children labeled with intellectual and developmental disabilities were until the latter

quarter of the twentieth century housed in large-scale institutions (Trent, 1994), much of their education was aimed at preparing them for institutionalized life and work. James Trent (1994) describes an example from an institution in 1920: “By the age of six, young inmates were learning how to hammer a nail, punch holes in leather, or wash rags on a miniature washboard. All kindergartners too learned to tend a garden. Given the institutional emphasis on agriculture, planting seeds, weeding, and observing plant growth became an important part of the education of even the youngest children” (p. 109). Because these children were never expected to enter mainstream society, providing them with educational opportunities to prepare them for mainstream vocations or civic engagement was seen as counterproductive, if not impossible (Trent, 1994). The unquestioned necessity of applying separate educational aims was regarded as simply a consequence of these students’ disabilities. Thus, separate educational aims were structured as for the good of the children themselves, as well as for the benefit of a well-functioning institution and society outside of that institution.

The implementation of separate learning aims or educational tracks that accorded with children’s perceived and assessed differences can also be seen more generally in the U.S. in relation to historical economic circumstances as well as ideas about ability based on race and class status. In her comprehensive account of ability tracking in American schools, Jeannie Oakes (2005) describes how ability tracking originated in the belief that a well-ordered society, and one that permitted individual and collective economic and civic well-being, depended on the differentiation of education according to students’ assumed inherent intellectual (and in some cases physical) abilities. In fact, social good and individual freedom were so bound up with ideas about inherent differences in intellect and morality that democratic education developed in the service of these forms of separation and differentiation. Says Oakes:

Progressive reformers also encouraged the move toward vocational training programs in their attempts to democratize high school education. It was hoped that the differentiated curriculum would support a new concept of equal educational opportunity – one that took into account differences in students’ interests and abilities. Through the provision of different high school curricula, opportunities for success could be equalized by offering different groups of students programs suited to their backgrounds and probable futures (2005, p. 32).

We see, then, the parallel justifications for separating poor and immigrant children into less intellectually demanding educational tracks on the basis of their perceived and assessed (through apparently scientifically-based IQ testing) abilities and the justification for institutionalization and segregation of students with disabilities.

Of course, what is at stake in subjecting children to separate aims is the denial of equal opportunity to achieve valued learning goals. In the case of poor youth and youth of color this denial operates according to ideas about ability based in racism, classism, and white ethnocentrism (Artiles, 2011; Oakes, 2005). We might say, then, that in the case of disability it operates according to ableism, but this explanation would be too facile. In fact, because ideas about ability are so racialized, the very concept of disability and ableism cannot be understood apart from the racialization of ability (Artiles, 2011). However, many scholars who work in the area of ability tracking and racial overrepresentation decry the lowered expectations and ability segregation of poor youth and youth of color while not explicitly questioning the need for segregated special education programming for students labeled with intellectual and developmental disabilities (e.g. Hibel, Farkas, & Morgan, 2010; Hosp & Reschly, 2003; Oakes, 2005). The question of what constitutes equal or even fair educational opportunity for children with disabilities – and children of other social groups – is, as I discuss, ongoing and complex. It is important to note, though, that many scholars worry about how educational stratification (whether the result of practice or policy), lowered expectations, and lack of opportunity for

college preparation, vocational training, and civic preparation can affect individuals' standing as social and political equals.

Nevertheless, as we saw in Oakes' passage above, the view that equal opportunity is better met through separate expectation according to separate needs and abilities has led some educational philosophers to conclude that separate aims are required to best serve children with intellectual disabilities *and* their peers. There are clear parallels here between traditional models of special education and the arguments of educational philosophers. In considering what constitutes educational equality, both sets of scholars express the view that all students ought to be treated equitably, whether in terms of the expectations that teachers, administrators, and policy makers have of them, or in terms of the resources distributed to them. However, because equality does not entail sameness of treatment, educational equality may not be best served by having the same expectations for all children. As Martha Minow (1990) and others have shown, the failure to treat children differently in accordance with their individual needs can be as educationally and socially damaging as the stigma associated with being treated differently. Indeed, where educational aims function as prescriptions for the kind of knowledge and skills students are expected to develop, then applying the same aims to all children regardless of their differences fails to account for, and show respect for and recognition of, individual differences (Minow, 1990). This is especially clear when the expectations of ability necessitated by educational aims are very demanding of children in terms of their cognitive, communicative, or behavioral abilities. To put it another way, and as I will explain further later in this chapter, learning demands that are inappropriately matched to a student's capabilities cannot possibly count as equitable or fair. It is on these justificatory grounds that we see arguments for separate educational aims arise.

In general, arguments for separate educational aims follow two lines of argument relating to educational distribution as well as to concern about the quality of education that all children receive. These are arguments that express concern for the labeled individuals and their educational needs and arguments that express concern over balancing the needs of labeled children with the needs of non-labeled children. It is along the lines of these distributive concerns that many philosophers of education, special education traditionalists,⁷ and proponents of inclusive education clash (for discussion, see Brantlinger, 1997; Cigman, 2007; Terzi, 2008; Warnock, 2010). Foremost, they disagree about the extent to which and in what way existing limitations in resources – both material and epistemic – ought to influence the position one takes on whether inclusive education is possible and desirable. An example from Harry Brighthouse (2002) is illustrative of a philosophical approach to thinking about disability relative to distributive concerns. Brighthouse considers “Kenneth, who is highly talented, and Hugh, who has a serious cognitive disability,” and writes that “it seems that Hugh should be granted more resources, but...it is hard to see that they could correct for the disability, unless we were willing to disable Kenneth” (p. 184).⁸ By contrast, proponents of inclusive education start by asking what sorts of social, institutional, and classroom arrangements facilitate the best use of resources, not as competitively distributed, but as cooperatively enabling. For example, Martha Minow (2013) writes that “inclusionary efforts call upon general and special education teachers to collaborate by bringing the supports to the child rather than moving the child to the supports. When done well, inclusionary classrooms can offer benefits in differentiated instruction, smaller instructional units, responsiveness to varied learning styles, and access to more teachers and

⁷ This phrase is used by Brantlinger (1997) to distinguish theorists who hold traditional views of special education and disability from those who are critical of such traditional views. The latter might also be called “critical special educators.”

⁸ Interestingly, Brighthouse admits that he feels ill-equipped to answer difficult questions of educational distribution relative to differences of ability. He writes that “it may be that clarity on this issue would be easier to achieve in collaboration with others whose disciplines are much closer to the distinctive needs and interests of real individual children” (2002, p. 189).

helpers for all students” (p. 42). Nevertheless, philosopher Lorella Terzi (2008) criticizes inclusive education perspectives for ignoring practical questions and regarding distributive concerns as “a mere technicality” (p. 75).⁹ We can therefore see different orientations towards thinking about disability in education.

Advocates of inclusive education (e.g. Biklen & Burke, 2006; Donnellan, 1984; Jorgensen, McSheehan, & Sonnenmeier, 2007) argue that we ought to begin with a presumption of inclusion and to position students with disabilities as equals in educational projects to avoid the sorts of moral errors that can arise when we exclude those who could otherwise benefit from being part of general education classrooms. Proponents of inclusive education also challenge the view of abnormal/different versus normal/same that is implied by concerns over balancing the needs of labeled and non-labeled students, as well as the understanding of learning difficulties or differences as a property of individual children rather than relational between learner and learning environment (e.g. Biklen, 2005; Danforth, 2006; Gallagher, 2006; Hehir, 2002; Heshusius, 2004; Stoughton, 2006). Finally, and importantly for my argument, they regard the “ability expectations” that form the content of educational aims as warranting scrutiny: What are the necessary features of educational practices, structures, and aims? What justifies adherence to a particular way of learning or teaching such that these ability expectations are necessary? In general, these scholars have attempted to steer the debate over inclusive education away from a rather myopic focus on the physical schooling environment – that is, the physical space of the classroom – and towards a broader framework of inclusive practice that involves transforming pedagogy, curricula, assessment, and even teacher education and support.

⁹ I find Terzi’s criticisms limited as they refer mostly to social perspectives on disability and inclusion that emerge within the UK context. As I will explain in Chapter Four, these versions of the social model of disability have been criticized as oversocializing disability. Terzi’s critique may not bear out when applied to scholarship in inclusive education and disability studies in education emerging from other contexts.

Why do some philosophers of education arrive at the view that separate educational aims for students with significant disabilities are necessary and justifiable? Concerning the first category of arguments for the necessity of separate schooling aims, namely those arguments that arise out of concern for the well-being of labeled children, we might be concerned that some educational aims – to which we are, for good reasons, attached – would be too demanding of some children because they require the development of capabilities out of such children’s reach. Call this the harm of too high expectations: whereby expectations for learning outcomes are too high, they can unduly harm children and can deprive them of learning possibilities more suited to them and more consistent with their developmental and ability range. Consider, for example, the commonly expressed expectation within frameworks of democratic citizenship education that children learn to perform reasoning tasks associated with democratic deliberation, including weighing their own reasons against those of other deliberators (Callan, 1997; Gutmann, 1987; Gutmann & Thompson, 2004; Hanson & Howe, 2011). Expecting such learning outcomes from children who experience significant difficulties in reasoning and cognitive processing would be not only inefficient for educators, but also unfair to the children themselves. This is because it deprives them of an education from which they can benefit.

Second, we might consider a related harm, namely that of the frustration and stigma associated with struggling and failing that children may experience when educational aims are ill-suited to their capacities. Whether conspicuous or not, this struggle or failure may place students in positions of school marginalization because they are not performing at the pace considered normal or because their disabilities appear to prevent them from being included in the “normal” curricula. In fact, this argument has been used by advocates of separate schooling for children with disabilities on the grounds of the stigma they experience in being an “abnormal”

child in an able-bodied peer group (Cigman, 2007; see also Daniel & King, 1997; Warnock, 2010). Mary Warnock (2010), for example, argues that disabled children are often bullied because of their differences and suggests that the option of their transferring to special schools would help alleviate this problem. Such a view, however, while aimed at expressing care and respect for stigmatized children, nevertheless places the burden of injustice on the individual child, rather than on the school system or the perpetrators. Furthermore, it ignores the role of school climate and culture in students' treatment of one another. In doing so, the view that Warnock espouses excuses schooling systems – and the actors within them – from having to make changes to their institutional practices and culture.

What, then, are arguments that arise out of concern for balancing the needs of labeled children with the needs of non-labeled children? One line of argument is based on the acknowledgement that many educational institutions have a finite amount of resources and must balance the needs of all children in the school and classroom. Such resources are not limited to educational materials – access to computers, labs, books, athletic and art equipment, and so on – but include also teacher attention and care (Jencks, 1988). In ensuring that children achieve the educational aims set out schools must acknowledge the differences in learning abilities among students and provide resources to them on the basis of need. The question of the just distribution of resources to children with disabilities – especially those regarded as having learning, developmental, and intellectual disabilities – has been a main area of focus within educational philosophy that addresses disability (see Ladenson, 2005; Merry, 2008; Norwich, 2002; Terzi, 2008). Certainly, educating children with significant disabilities is frequently quite a bit more expensive than educating children regarded as having “normal” abilities.¹⁰ Indeed, some scholars

¹⁰ Of course, lots of schooling activities and priorities are expensive. It is important, then, to consider where we place our values in making decisions (or ethical evaluations) about how to spend resources.

regard the redistribution of resources to children with disabilities as potentially taking away resources that could be used to cultivate the abilities of children assessed as gifted, who also often demand increased resources to adequately support their educational growth (see Lekan, 2009; Merry, 2008). Some also raise concerns that the provision of additional resources to children with disabilities will amount to a “bottomless pit” problem, in which resources are expended with no end in sight (see Ahlberg, 2014, for discussion of this line of argument). A related worry is that applying the same educational aims to all children will require that schools level down the academic content of schooling so as to meet levels attainable for students with disabilities, especially intellectual disabilities. This would leave more intellectually and developmentally advanced students with inadequate educational challenges and learning potential (see Warnock, 2010). This is another version of the worry that some students will experience a deprived education because other students are unable to meet the same level of learning goals.¹¹

Abiding by separate educational aims for children with significant disabilities would address this problem of resource scarcity and leveling down – or so the argument goes – because it would mean that schools aren’t required to spend extra resources on children who are regarded as being “bottomless pits” or level down academic content, all the while adhering to educational aims that they have good reason to value. It is important to note that having *separate* aims does not necessarily entail having *unequal* aims that require less of some children and provide less to them. However, concerns that separate will mean unequal cannot be easily dismissed. This is especially worrisome when exclusion could affect an individuals’ social standing or their access

¹¹ Philosophers’ opinions on the justifiability of leveling down education are mixed and vary depending on their view of equality and in virtue of what students are considered equal. A lot depends on whether one sees equality as an ideal of social relations (equality of respect, of social status, etc.) or primarily as parity in distribution of resources. For some, like Anderson (2007), leveling down ought to be rejected because education, and the development of talents, is an intrinsic good and because education facilitates the capabilities of talented individuals to serve the less advantaged. See Anderson (2007) for discussion.

to equal respect, particularly because some aims, like democratic citizenship aims, correspond to individuals' status as members of the political community (see Anderson, 1999). Moreover, some exclusions, because they affect social belonging and social respect, strike at the very core of human dignity, a point I will discuss further in the end of this chapter (see Nussbaum, 2006).

Logics of Deferral in Special Education Policy and Practice

The arguments outlined above are provided by those who support the use of separate educational aims in the education of children with significant disabilities, including intellectual disabilities. These are generally arguments given on the basis of egalitarian concern, not only for non-labeled children but also for those labeled with disabilities. As I suggested, these arguments may also suggest reasons for separate placement options for labeled children, especially when their academic development, social development, safety or comfort is impeded or jeopardized by a mismatch between their capacities and the educational expectations set out. These arguments are based on weighted considerations of equality and fairness, as well as respect, but do not usually consider the value of inclusion as such. That is, they begin with concerns over equality and fairness and work from there to establish the limits of who can and who cannot be included within educational aims and contexts. Further, these philosophical arguments regarding the distribution of education to children with and without disabilities do not appear to regard inclusion as an important feature of equality, fairness, and respect. How we weigh the value of inclusion (and inclusive education) – whether the moral or consequential value – is a complicated and important question, which I will not attempt to answer fully here. I will, however, provide insight into this debate as it has informed educational theorizing on the

education of children with disabilities, especially within the field of inclusive education and disability studies in education.

The worry that educating children with disabilities alongside their putatively able-bodied and able-minded peers will detract from the quality of both groups' education is not a new concern. Rather, we can understand it as an extension of the same concerns that led historically to the institutionalization and segregation of people with intellectual disabilities. Special education classrooms and programs were founded on the belief and perspective that both general education and special education instruction could be improved through the removal of labeled children into special classes and through the sorting of students according to their perceived and assessed abilities (see Oakes, 2005). Danforth, Taff, and Ferguson (2006) call this the "geography as curriculum" view in which historically special classes were justified by the need to ensure that students with disabilities did not drag down the education of other students (p. 15). As such, "The social conscience of addressing the individual needs of the disabled student was conceptually and practically inseparable from the organizational convenience of ability tracking and segregated programs" (Danforth, Taff, & Ferguson, 2006, p. 15). In other words, the geography as curriculum perspective claims the following: a model that adequately attends to the individual needs of all children is also one that supports and even promotes the intentional educational stratification and separate expectations of children based on assessed ability. Physical segregation and differing aims (often instantiated in tracking programs), is seen as a necessary response to individual differences in academic development or learning pace.

Just as it would be a mistake to interpret the philosophical concerns listed above as disinterested about the quality of education for labeled students, it would likewise be an error to see the origins of special education as rooted in pure malevolence towards people with

disabilities. This would actually be too simplistic. As I have already noted, the history of separating children with disabilities – and children assessed as having lower academic promise – is characterized by both outright discrimination, misguided beliefs, *and* well-intentioned concern over children and their needs. Nevertheless, the argument that many (or even some) students with disability labels would be better served through segregated or semi-segregated learning (whether for academic or social reasons) or by separate learning aims, strikes many disability advocates as unfounded and unfair, as well as ineffective. Firstly, it is based on the belief – again a legacy of institutionalization and attendant educational aims – that mainstream schools or general education classrooms are unable to serve students with significant disabilities because of their complex and significant – “exceptional” – needs. This position is reflective of the assumption that the more severe or complex a child’s needs the more likely they are to require services that remove them from the classroom, or the assumption that they will simply be better served when those services are delivered in separate spaces (see S. Taylor, 2001). Historically children assessed as having “feeble-mindedness” or, later, “mental retardation” were institutionalized simply because of the perceived severity of their disability and because they were regarded as needing highly-structured, medicalized environments of “care” and “training” (see Carlson, 2010; Trent, 1994). In other words, separate educational expectations and goals that corresponded to more restrictive environments were applied to students because of their label or diagnosis, rather than because of any individually assessed support needs. Separation was further buttressed by the assumption that such children would not benefit from the *usual* aims of education (see Carlson, 2010, p. 37-8; Trent, 1994). The increased dependence on educational assessments and categorization to determine students’ expected educational attainment was solidified by the construct of “educability” (Carlson, 2010). As Licia Carlson

(2010) explains, medical professionals closely linked the notion of educability to ideas about intellectual disability as, variously and contradictorily, static *and* dynamic:

The static and dynamic views of intellectual disability, then, do not directly map onto the mild/severe continuum. Both mild and severe forms of intellectual disability were presented as dynamic, justifying the existence of the institution as a pedagogical and therapeutic instrument. Yet the static character of intellectual disability has also been ascribed to both ends of the spectrum: there were always severe cases – the incurables – who merited custodial care (Carlson, 2010, p. 39).

Assumptions about educability persist within educational theorizing, including within educational philosophy, and lead to conclusions about the abilities of labeled students that are misguided. In Chapter Four I bring these philosophical conclusions into conversation with inclusive education research and disability studies scholarship to show the epistemic limitations that arise from the conversational gap between these disciplines, and to highlight the detrimental effects it can have on the educational opportunities of young people with disabilities.

For now it is important to point out that there is little evidence to suggest that more restrictive environments actually yield more or better services; in fact, the opposite is true (S. Taylor, 2001). Furthermore, there is ample evidence to show that homogenous grouping leads to lower educational outcomes for students (Anderson & Oakes, 2014 for comprehensive discussion). Nevertheless, the belief that increased restriction and segregation is therapeutically necessary or more academically beneficial for children with significant disabilities persists. Indeed, it is common for researchers and laypeople alike to question that services and supports for the most significantly disabled children can be delivered within a general education classroom (without detracting from other students' education) or can be aimed at educational achievements similar to those of "typically-developing" students. However, this view of the necessity of segregated or semi-segregated spaces confuses the need for adaptive approaches to

learning – learning with support, learning at a different pace, learning different ways of being and doing than other children – with the physical location of those services and supports (see S. Taylor, 2001). It also maintains the belief that non-disabled children will not benefit from inclusion (or, indeed, will be harmed by it), a belief contradicted by evidence (see Cole, Waldron, & Majd, 2004).

American education law has actually for some time now recognized that more restrictive environments do not necessarily impart higher quality services, nor do they provide a better education for students with disabilities. The *Individuals with Disabilities Education Improvement Act of 2004* (IDIEA) mandates that students with disabilities be educated in the least restrictive environment (LRE). The principle of LRE acknowledges that students should be educated according to their individual needs, not based on their disability label, a principle implemented through the Individualized Education Plan (IEP). Although LRE does not preclude the possibility that some students will require instruction outside of the general education classroom, it situates the default site of instruction as the spaces of general education, rather than segregated or self-contained classrooms.

Nevertheless, as Philip Ferguson (2013) points out, the law is worded in such a way as to enable schools to remove students from regular education environments when it is deemed necessary based on the “nature or severity” of the child’s disability (p. 153). Thus, “For most students with intellectual disabilities, this focus on the continuum [or more and less restrictive placements] has meant, in practice, a continued exclusion from the regular classroom” (Ferguson, 2013, p. 154). Children with intellectual disabilities, in fact, continue to experience the most restrictive educational environments (Ferguson, 2013, p. 154, citing OSEP 2010 Report to Congress; see also Kurth, Morningstar & Kozleski, 2014): less than 14 percent of students

with a label of mental retardation spend 80 percent or more of their day in general education classrooms, with 6% in totally separate environments (Ferguson, 2013, p. 154). Furthermore, the rate of placement in more restrictive environments increases in relation to students of color: racial minority students eligible for special education services attending highly racially segregated urban schools were found to be at much higher risk of restrictive educational placements compared with students in suburban schools (Fierros & Conroy, 2002; see also Artiles et al., 2002; Artiles, 2011). Ferri and Connor (2005b) argue that these findings and other related research “suggests that the amount of time a student with disabilities is removed from the general education classroom is directly related not only to the so-called ‘severity’ of the disability classification, but also to his or her race” (p. 179). Thus, the promise of the law has not translated into a substantially different experience for labeled students relative to restrictive and segregated environments. Moreover, it is especially failing to halt the compounding and, indeed, generative effect of race and class on disability marginalization.

We can see, then, that the assumption of restrictiveness betrays a skeptical stance towards inclusion that is reflective of the deferral approach taken by philosophers in approaching questions around disability. Perhaps this is not hard to understand given its consistency with historical and dominant frameworks of education for those labeled with intellectual disabilities. However, inclusive schools are increasingly demonstrating that services and supports, even for the most significantly disabled children, depend on a combination of physical setting, educator aptitude, administrative and educator will, and classroom practice and pedagogy (see Hehir & Katzman, 2012; McLeskey, Waldron, & Redd, 2012; Rea, Mclaughlin, & Walther-Thomas, 2002). Studies have shown that students labeled with intellectual disabilities make as much, if not more, academic progress in inclusive settings as they do in segregated settings (see Sermier

Dessementet, Bless, & Morin, 2012 for a review of the research). According to Patricia J. Rea, Virginia L. McLaughlin, and Chriss Walther-Thomas (2002), students with disabilities who are included in a general education classroom show increased or comparable academic gains and increased attendance when compared with peers in pull-out programs. Rachel Sermier Dessementet, Gérard Bless, & Diane Morin (2012) found that while there was no significant difference in math or adaptive behavior achievement between the progress of children with intellectual disabilities in general education versus segregated setting, children in the general education context made “significant, but slight,” gains in literacy. Finally, although Cassandra M. Cole, Nancy Waldron and Massoumeh Majd (2004) found no significant difference in reading and math achievement between students labeled with mild intellectual disabilities who were educated in inclusive settings and those educated in pull-out settings, they did find that students *without* disabilities made significantly greater academic gains in academic achievement when they were educated in inclusive settings. This research challenges the assumption that the feasibility and efficiency of supports requires separated or segregated spaces of learning in order for students with disability labels to achieve academically. It also challenges the belief that non-disabled students learn better in non-inclusive classrooms (see also Danforth, Taff, & Ferguson, 2006; Ferguson, 2013; Hehir & Katzman, 2012). This research reveals as myth that students with disabilities detract from the education of non-labeled students; this myth is simply unsupported by research.¹²

Importantly, this research can be read as suggesting that the burden of proof be placed on those who would continue to support restrictive environments for learning over more integrated

¹² One question we might want to ask in considering the benefits of inclusive education is the extent to which the *degree* of benefit matters. Do labeled students need to benefit only minimally or significantly? What constitutes a significant benefit? Moreover (and perhaps centrally), what degree of potential *harm* to non-labeled students will be considered tolerable? Indeed, what constitutes harm in this evaluation? Thanks to Beth Ferri for prompting me to consider these questions, which I hope to take up in future work.

and less restrictive ones. This is because these findings demonstrate that it is not only possible, but also desirable to educate children with intellectual disabilities alongside their non-disabled peers. Even if one objects that inclusion is simply easier with children with less severe disabilities, the notion that there is some demarcated limit to the potential for effective inclusion is simply to privilege the assumption of the need for restrictiveness all over again. My point here is that it is arbitrary and unfair to begin with the assumption of segregation rather than an assumption of inclusion. Even if one finds the empirical work unpersuasive, surely one must contend with the argument that the presumption of exclusion (and the stance of deferral) is unfair.

Questioning the Deferral Stance

The expectation of necessity for restrictiveness and the Least Restrictive Environment principle itself demonstrate the very important, but rather myopic, focus on the problem of “place” in the education of children with disability labels. The focus on place has characterized the development of the special education field, where place – along with professionalism – became the focus of special education policy and research debates (Danforth, Taff, & Ferguson, 2006). This problematic focus on space has been decisively challenged by inclusive education scholars who point to an important distinction between the practice of mainstreaming and the practice, pedagogy, and philosophy of inclusion. Mainstreaming demands that children with disability labels spend a portion of their time in the general education classroom – that is, learning alongside their non-labeled peers – but does not require that the general education classroom, schooling environment or even, perhaps, teacher and administrator attitudes, change in any significant way. In other words, it requires bodies in a room, rather than a systematic shift

in how schooling is conceptualized and practiced. Mainstreaming also requires that students “earn” their place within general education by meeting expectations of behavior, learning, and achievement. By contrast, inclusive education requires significant changes to the schooling environment – physical, attitudinal, social, pedagogical – and requires that all parties orient themselves towards *expecting* a diversity of abilities. It is not simply an approach to schooling, but a principled deconstruction of the values and structures of education that have generated our current system.

In addition to challenging the conflation of level of support with restrictiveness of placement, inclusive education proponents have also critiqued the reliance on deficit-based assumptions about disability and disabled students’ learning potential (e.g. Biklen, 2005; Biklen & Burke, 2006; Danforth, 2006; Davis 2006; Erevelles, Kanga & Middleton, 2006). That is, labeled students are regarded as being deficient or lacking in some way, such that their learning difficulties are understood as individual properties, rather than as relational between learner and learning environment. This critique emerges from a foundational assumption within disability studies: that it is society and its structures, institutions, attitudes, and policies that determine who is and who is not disabled.¹³ To approach the question of disability as if it is wholly separate from other equality considerations is to simply affirm the otherness of disabled people. An affirmative stance, by contrast, starts from the assumption of inclusion.

According to disability studies scholars, students’ experiences of learning difficulties are not a result simply of their biological deficits but rather of how their particular mode of learning is not accommodated by the educational environment (Biklen, 2005; Danforth, 2006; Gallagher,

¹³ Note that I did not say “determine who is impaired.” There is an important difference, as I will discuss in Chapter Four, between arguing that society creates disability and arguing that it creates impairment. There are many ways in which social values and norms structure how disability is experienced, interpreted, and responded to, and, because we are never outside of society, we are never free from these effects. Nevertheless, I do not subscribe to the view that all impairments are socially produced. This is a short explanation in a very large debate within disability studies. I hope my reasoning will become clearer in Chapter Four.

2006; Hehir, 2002; Heshusius, 2004; Stoughton, 2006). As long as the problem is located within the individual child, however, the school's responsibility and incentive to change or adapt is diminished because it is the child who does not fit, rather than the schooling environment that fails to provide for the child. Such a perspective sustains the able-bodied norms upon which schools were established. Moreover, segregated placements and educational goals unfairly position people with disabilities as responsible for the injustice committed against them, whether by individuals or institutions. For example, while it may be responsive to well-being and safety, advocating for the removal of children who are being bullied by their non-disabled peers because of their disabilities means the labeled child carries the burden of an unjust system. Moreover, social stigma and hostile behavior is far from inevitable and the placement of stigmatized or bullied children in separate schools, even by their own or their parents' choice impedes their right to fair and equitable education (Norwich, 2010). Even when such a move is made according to the child's expressed wishes, it is a response to an injustice for which they are not responsible, and which deprives them of equal opportunity. Segregated or semi-segregated placements can also increase a student's social stigmatization and marginalization by excusing school authorities, teachers, and peers from examining their beliefs about disability and their investments in the notion of normal development, learning, and behaviors (Brantlinger, 2004; Hehir, 2002). When children are removed from classrooms or schools because of their peers' or, in some cases, instructors' behavior, this reinforces the message that able-bodiedness is the norm. Thus, beyond being a concession to the unjust status quo and requiring students with disabilities to bear the burden of the discrimination against them, segregationist responses reinforce the belief that students with disabilities are "other."

Another way in which this unfair and misplaced burden is evidenced is in the expectation that students with disabilities conform to the behaviors, activities, and ways of learning of putatively normal individuals. As I suggested earlier, educational aims for children with intellectual and developmental disabilities have historically reflected beliefs about educability and this has meant that institutions and later segregated schools and classrooms placed a high degree of emphasis on moral development and socialization, including daily living skills, behavioral management skills, and skills related to the imitation of putatively normal members of society (Danforth, Taff, & Ferguson, 2006). Especially as institutions began to close in the later quarter of the twentieth century, institutional and special education environments became increasingly attuned to the need for individuals with intellectual disabilities to emulate normal behaviors and abilities in order to be integrated into life outside institutions. As I will elaborate in Chapter Five, in spite of the positive emphasis on community integration, such programs also required the normalization of individuals with disabilities and, in doing so, placed the burden of change – assimilation – on labeled individuals. Assimilation essentially represents an individual’s best chances of being afforded social benefits rather than social marginalization, but it comes at a cost.

Importantly, the orientation of special education towards assimilation and normalization is no accident. Rather, it is a consequence of a field of education developed in response to an increased immigrant population in and the presumed – and “scientifically” assessed – mental deficiency of this population (Baynton, 2013; Danforth, Taff, & Ferguson, 2006; Oakes, 2005). Indeed, the view that schools were fundamentally aimed at assimilating immigrant students into norms of American social and economic culture reinforced the notion that some children – immigrant, poor, students of color – required different educational aims than white, middle and

upper-class students, who were regarded as already normalized by their parentage and upbringing. Practices of educational exclusion can be understood as rooted in racist and classist eugenics policies. As I will explain in the next chapter, these policies dovetail with racialized, classed, gendered, and abled discourses around citizenship.

As we have seen, disability studies and inclusive education theorists have worked to challenge received and misguided wisdom about disability and disabled students' educational needs and to demonstrate that contemporary educational practices, policies and commitments are the legacy of ableist – and racist, classist – social, political, and educational ideologies. Presuming a need for restrictiveness and separateness applies not only to placement decisions, but also to articulated learning goals and educational aims. From the perspective of disability studies and inclusive education scholars, we ought to attend to this history in assessing our responses to the education of those with significant disabilities. Failing to do so risks repeating the injustices of the past and reinforcing what is frequently an educational system hostile to students' perceived and assessed ability differences.

The Affirmative Stance

Although IDEA has been enormously successful in giving students with disabilities access to public education, the large number of students, particularly students of color, located in more, rather than less, restrictive placements has led some to characterize LRE as a 'loophole' that contributed to two largely separate and unequal education systems: general education and special education (Linton, 1998; Lipsky, & Gartner, 1996). Thus, the historical connections between school desegregation, special education, and resegregation are longstanding and complex (Ferri & Connor, 2005b, p. 456)

Paying attention to the history of segregation and ability tracking, scholars in disability studies in education and inclusive education have argued that segregated schooling often promotes separate and *unequal* education (e.g. Barton, 2006; Erevelles, Kanga, & Middleton,

2006; Ferri & Connor, 2005b; Minow, 2013). As a result, and as I will explain, justifications for inclusive schooling have been made on both moral grounds and on the basis of the practical consequences of inclusion (and exclusion) for both labeled and non-labeled children and society more generally. This includes the consequences of lowered expectations that researchers argue arise within educational programs and contexts that subscribe to a segregationist mindset or methodology. Other arguments justify inclusive practice by evaluating the potential positive effect it can have on the educational development of all children. These include arguments that justify integration on the grounds that it best facilitates the development of mutual respect, compassion, and cross-positional understanding (see Lipsky & Gartner, 1999; Minow, 2013) as well as arguments that our current postindustrial age demands that individuals learn to collaborate with diverse others (see Skrtic, Sailor, & Gee, 1996). Each of these arguments and justifications is based in a view of the moral and practical benefits of inclusion.

Moral and Practical Arguments for the Inclusion

The challenges to segregation and separation from disability studies and inclusive education theorists that I have described can be understood as based in both moral and practical concerns. For example, Beth A. Ferri and David J. Connor (2006) argue that segregation is a morally untenable form of education because even when it does not violate principles of equal or equitable distribution, the mere fact of segregation upholds the controversial principle of separate but equal and marks labeled individuals as other (p. 2). As I have discussed, these challenges to special or segregated education emerge from advocates for inclusive schooling who are concerned not only with the *physical* inclusivity of schools – that is, integrated classrooms – but also with education as an inclusive project requiring innovative perspectives on pedagogy,

curricula, and even – perhaps especially – a shift in attitude about schooling in general. Thus, implicit in the stated problems with traditional special education is an understanding of inclusive schooling as a moral project – whether because it is morally questionable to segregate students, or hold separate expectations for them on the basis of ability, or because of the significant moral consequences of that segregation.

This moral position is instantiated in legal rights frameworks in Canada, the United States and elsewhere, and, more recently, in the *United Nations Convention on the Rights of Persons with Disabilities* (UNCRPD). Emphasizing a rights framework, the UNCRPD states:

The Convention follows decades of work by the United Nations to change attitudes and approaches to persons with disabilities. It takes to a new height the movement from viewing persons with disabilities as "objects" of charity, medical treatment and social protection towards viewing persons with disabilities as "subjects" with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society (United Nations Enable, 2012)

The language of rights, as Sigal Ben-Porath (2012) has pointed out, ensures that in the absence of a just social and political world we are oriented towards the social entitlements that people with disabilities have and the corresponding obligations of the state to meet those entitlements. Civil and human rights frameworks express the view that labeled students are entitled to integrated educational environments, to learning and developmental supports to meet the same educational standards as non-labeled children, and to high expectations consistent with valued learning goals. These entitlements are independent of any particular consequences of the failure to provide such education. By contrast, others may view the outcomes or consequences of a particular form and quality of education for labeled students as informing our policies regarding their education.

Education scholars do disagree over whether it is educational rights or educational outcomes that should propel our support – or lack thereof – of inclusive education (e.g. Ben-

Porath, 2012; Gartner & Lipsky, 1987; Fuchs & Fuchs, 1991; for a comprehensive discussion, see Gallagher, 2001). In general, much like the disability rights movements that propelled their scholarship, inclusive education scholars tend towards a rights framework (see Kanter, 2013). Nevertheless, as I have discussed, inclusive education scholars also point out that special education environments have been shown to lower expectations that teachers, parents, and administrators have of labeled children, and to focus on behavioral management and life skills rather than academic or civic development (Peterson, 2009; Smith & Routel, 2009). Further, segregated education environments and pedagogy can impede all children's abilities to develop awareness of and respect for differences, which are regarded as central to the development of moral and civic dispositions and skills (Minow, 2013).

Many advocates for inclusion as an educational project take an affirmative stance towards the question of inclusion that corresponds to a legal rights framework while nevertheless remaining critical or skeptical of the efficacy of laws instantiated in practice (e.g. Erevelles, Kanga, & Middleton; Minow, 2013). That is, they ask *how* inclusive education can be implemented rather than *whether* it can be implemented. Martha Minow (2013) calls this the "integration presumption" (p. 44). This stance places the onus on educational theorists, researchers, educators, and administrators to develop innovative ways to put inclusion into practice. Says Ellen Brantlinger (1997), "inclusionists believe that all students belong in socially comprehensive classrooms and that the onus is on those who would alter that status to show that students, as individuals or groups, benefit from other (pull-out) settings" (p. 433-435). To defend this affirmative stance, advocates of inclusive schooling frequently emphasize the moral dimensions of efforts to segregate or separate students labeled with disabilities, making sophisticated legal and philosophical arguments about the intersections of ability segregation and

the legal segregation of students of color prior to *Brown* (Ferri & Connor, 2005a, 2006). They also emphasize that it is fundamentally undemocratic to structure schools in ways that privilege some students over others (Brantlinger, 1997, p. 435), and that promote the continued stratification of different groups of students.

A frequent criticism lodged against those who take the affirmative stance is that their position is simply faith-based; that is, it relies on a commitment to inclusive practice that ignores or disregards evidence (Brantlinger, 1997, p. 430) or the practical challenges of putting inclusion into practice (Minow, 2013). In short, that advocates value inclusion even over “evidence-based” research on students’ academic growth and well-being (see Fuchs & Fuchs, 1994; see also Brantlinger, 1997, for discussion) and ignore the fact that inclusion is frequently done badly, especially within an education system set up to support and sustain separation between labeled and non-labeled students (Minow, 2013, p. 44). However, Minow (2013) points out that this is not, in fact, a worry over the presumption of integration stance, but rather a worry over the practice of integration – that is, how integration or inclusion is carried out in practice. It is not, then, that (in general) proponents of this stance disregard concerns over educational achievement, but rather that they regard educational achievement (and educational equality) as fundamentally tied to inclusive schooling.

A primary reason that proponents of inclusive education worry about the application of separate aims to labeled students is because of the documented relationship between school policy and teacher expectations of students and their learning achievement. Maintaining high expectations, then, is a way of not only showing respect for labeled students, but also ensuring that they are receiving an education of appropriately high quality and challenge (Cole, Waldron, & Majd, 2004). Historically, separate has meant unequal: there is a long history of applying

separate learning goals and requiring separate educational programs for children who are assessed as having lowered capabilities, and these have corresponded to lowered expectations of these children as well as less valued learning goals (Lynch & Baker, 2005). This is perhaps most apparent in the practice of ability tracking, a common practice within the US and other Western countries (Lynch & Baker, 2005, p. 137; Oakes 2005). Ability tracking usually comes in the form of stratified educational pathways to which students are assigned on the basis of their assessed aptitude. However, as I have discussed, this practice disproportionately affects low-income, and ethnically and racially disadvantaged groups, all of whom are more likely to be placed on lower educational tracks (Lynch & Baker, 2005, p. 137; Oakes, 2005). For this reason, ability tracking has been criticized by educational researchers as contributing to the already disparate achievement of black and Latino students and their white and Asian counterparts in the US (see Collins, 2003). Further, ability tracking contributes to negative or lowered expectations toward lower-tracked students, the vast majority of whom are students of color and students labeled with disabilities (Lynch & Baker, 137; Oakes, 2005). Say Kathleen Lynch and John Baker (2005), “Remarkably, the deeply inegalitarian implications of grouping and tracking are often taken as a given, an inevitable by-product of the educational processes. Yet we know that they are social constructs with the most profoundly inegalitarian outcomes for those who are placed in low tracks in particular” (p. 137).

Grouping students on the basis of ability not only requires a commitment to creating educational systems that stratify students’ learning opportunities, but also to the belief that assessments of students’ disabilities – whether in diagnostic testing or as labels – are objective and predictive of their educational prospects. It is well-documented by disability scholars that when teachers and other school personnel see students through their disability label – as autistic,

as severely intellectually disabled, as emotionally disturbed – they are more likely to judge their capabilities as lower and to maintain lower expectations of them (see Jackson et al. 2009; Jorgensen, McSheehan, & Sonnenmeier, 2007). Lower expectations result in the denial of opportunities to labeled children because they frequently fail to reflect students' actual potential. Furthermore, because labels can mislead educators about students' abilities, Douglas Biklen (2006 [with Jamie Burke]) argues that those who work with students with disabilities should “presume competence” (2006, p. 167) which Anne M. Donnellan (1984) called the “Least Dangerous Assumption.”

Another example that demonstrates that separate expectations or goals result in unequal learning outcomes can be seen in opposition to proposals for separate diploma options available only to students with IEPs. Alternative diplomas have been institutionalized as a response to the high drop out rates of struggling students, whether labeled with disabilities or not. However, advocates of students with disabilities express concern that these separate diploma options, when available to students labeled with disabilities only, promote separate expectations of achievement and lowered expectations of educational outcome for them (Advocacy Institute et al., 2014). When a separate option is available, IEP teams may not hold students with labels accountable to receiving a standard diploma, whether by consciously lowering their expectations of what children can achieve based on their label or diagnosis, or by an apparently benign unwillingness to challenge these students. Further, advocates worry that an alternative diploma option available only to labeled students will be dismissed as meaningless by potential employers and post-secondary institutions (Shallish & Bacon, 2012). Those who support a single diploma option argue that it maintains high expectations across diverse student groups and therefore shows respect for all students. It is the task of the school system and school professionals to ensure that

all children are able to achieve these goals by implementing educational practices that facilitate student achievement across abilities.

Thus, we see the worry (and evidence) that separate expectations will lead to inequalities in educational respect or social standing. Certainly such a slide into lowered expectations is contingent; that is, it is conceivable in theory to maintain separate expectations for different groups while not placing an unequal value on their learning outcomes. Yet this contingency does not give us reason to ignore or minimize the worry I am describing here. This is because separate aims are applied within a social and educational world in which individuals with intellectual disabilities face barriers to equality and justice on a daily basis. This is the world we live in. Thus, separate expectations are already applied in a context of lowered expectations that correspond to these individuals' marginalization and the privileging of able-bodied and able-minded norms of ability in general. Further, social and cultural norms will always play a role in dictating what learning outcomes are valued for students. Educational aims reflect valued learning outcomes within a particular social and political world, in this case contemporary Western society built on liberal ideals. These ideals include, for example, such outcomes as autonomy, socialization, economic self-sufficiency, and so on (see Brighthouse, 2006; Levinson, 1999). Not applying these same aims to all children either explicitly or tacitly expresses a lack of expectation for excluded children in achieving valued states. Why do we not, for example, examine whether these aims are too demanding, or that they privilege abilities not obviously necessary for the goals they value, or that their content narrows the range of options available to reach valued adult activities, or, indeed, that what counts as valued adult activities is perhaps too narrow?

The point is that while exemptions and deferrals may be proposed out of concern for the educational well-being and success of labeled students, as we saw earlier in this chapter, they nevertheless position these students as unequals within the educational realm. So, we might be concerned, then, that different aims reflect different levels of respect and recognition, because different aims are more or less socially valued. Indeed, the concerns I have discussed have to do with the recognized relationship between educational goals or aims (whether single or multiple) and educational outcomes for diverse students. In fact, in both cases we see a worry about holding students from diverse communities and with different ways of learning to separate standards, especially insofar as these standards correspond to decreased expectations. The inclusivity of educational aims – whether conceptualized in more abstract philosophical terms or with respect to current educational conditions – are important to how we conceptualize the meaning of student differences and how our educational contexts respond to these differences. Further, it suggests something about the value we place on academic achievement rather than the exposure of students to diverse others.

The Epistemic and Political Values of Inclusion

Another argument in favor of inclusive practice is that that the value of inclusive schooling is instrumental because it facilitates better relationships among children who are preparing to be adult citizens of a democracy, or to live together in a diverse society. Indeed, a corollary of this argument is that the failure to educate students of differing abilities alongside one another simply perpetuates existent social and political problems associated with ability differences, such as social and economic hierarchies and disparities in civic participation. Although it is an empirical matter whether such outcomes are in fact best supported by inclusive

practice, the question of the epistemic value of inclusion is a philosophical one. Despite this, the value of ability inclusion (as opposed to say, racial inclusion) has not been well explored by philosophers. This omission contributes to an existing epistemic gap in understanding – and valuing – the contributions of those with intellectual disabilities to civic spheres.

Because democratic citizenship aims are directed towards preparing individuals to become effective citizens, it is hard to imagine preparing effective citizens within non-inclusive environments. If being a good citizen involves being exposed to a diversity of perspectives, and many philosophers think it does, then it would seem arbitrary to conclude that this does not include individuals with intellectual disabilities. Minow (2013) expresses this view of the epistemic and political value of inclusivity well: “Integration in the context of disability holds promise of enhancing social understanding and the sense of ‘we’ among all students. Integration can give occasions for students who are not identified as disabled to gain life lessons on patience and appreciation for what they can do and for what others surmount” (p. 52). The promise that integrated education holds for building and sustaining understanding across differences is often cited as vital for democratic citizenship aims in education.

Nevertheless, the sort of learning across difference that needs to take place for students to experience substantive engagement – and not just formalized inclusion – with their peers with disabilities, is fraught with problems. This is in part because understanding across differences is fraught with challenges that arise because of social, communicative, and conceptual impediments within dialogic activity (A. Taylor, 2010; see also Jones, 1999; Ellsworth, 1989), and because institutional norms and classroom learning practices do not always support students’ abilities to understand one another. Further, where educational environments are based on able-bodied and able-minded norms and do not already best facilitate inclusion, the attempt to engage students in

learning across differences of ability can simply amount to positioning people with intellectual disabilities as instrumental to others' understanding and edification.

Another reason that inclusion has instrumental value is in promoting democratic citizenship and facilitating status equality. This is because democratic citizenship aims are tied to civic equality (Anderson, 1999), or one's status as a member of democratic society. That is, they have to do with the development of capabilities to participate in and affect the outcome of political decision-making, to take part in deciding upon the social and political future, and to affect social meanings about a wide array of societal norms. This relationship would seem to support our giving special concern to the inclusivity of aims that bear on persons' civic standing.

Social Status and Respect

The view that inclusive practice is necessary for all students' development as democratic citizens and that exclusion runs counter to this development is closely connected to a worry that separate (segregated) educational aims and practices can lead to the lowering of individuals' *status* in society and can amount to a lack of equal respect. As we saw in the quote with which I began this chapter, the view that status differences are necessary consequences of ability differences can certainly be used to explain away and even justify such lowered status. Further, we saw that lowered expectations are frequently attended by a lowering of an individual's status, whether in terms of the quality of education they receive or the social value attached to them. There is, then, an important relationship between the sorts of standards and expectations we begin with and the outcomes we get – a relationship clearly recognized and instantiated within the very concept of educational aims.

This relationship between educational aims and social status is very complicated. For example, economic aims express learning goals consistent with individuals' development of the knowledge and skills to succeed in careers. Fair equality of opportunity would dictate, then, that all individuals be given equal chances – through schooling, economic conditions, hiring practices, and so on – to succeed in their choice of career. Yet sometimes the development of skills and knowledge required to succeed in future careers requires that schools and schooling professionals actually undermine respect for students (Morton, 2011). Economic aims may require the educational pursuit of capabilities consistent with labor market advantage, even while these impede the development of autonomy, critical thinking skills, or cultural connectedness. For example, researchers have demonstrated the importance of particular dispositions or “non-cognitive skills” – like “grit” and “perseverance” – to a person's economic and academic success (Heckman, 2006; Heckman & Rubinstein, 2001; Duckworth & Seligman, 2005).¹⁴ However, the acquisition of these dispositions for some students may undermine their connection to their cultural community (Morton, 2011). This means that the content of economic aims – that is, the expectations they promote in terms of students' abilities – can actually undermine students' *social* or *personal* well-being, even while they promote their opportunity for *economic* well-being.

Other skills demonstrate the relationship between particular abilities and opportunities for adult success in our current social and political context. For example, more specific skills like literacy can be considered necessary for citizenship; that is, some minimal level of literacy is required for the exercise of citizenship. But, as American law recognizes, barring individuals from exercising the rights and duties of citizenship because they are illiterate is unjust.

¹⁴ See also “Promoting Grit, Tenacity, and Perseverance: Critical Factors for Success in the 21st Century,” *U.S. Department of Education Report* (February 2013).

Furthermore, the literacy requirement, if upheld, would bar many more individuals than seems desirable from the substantive opportunities of citizenship.¹⁵ Literacy is therefore better understood as a *desirable* ability rather than a necessary one. This example also gestures towards a disconnect between what philosophers often promote as necessary for the achievement of effective citizenship and what is actually necessary in our contemporary practices. For example, it may be desirable that individuals have some high level of independent critical thinking skills, but it is not necessary for political participation. If it were, a lot of people would no longer be able to vote or take part in the political process. Gregor Wolbring (2012) describes the problem with this reasoning succinctly: “Ability expectation simply signifies that one desires or expects certain abilities. Ableism extends these desires and expectations to a different level where one’s actions and judgments are shaped according to the perception that certain abilities are essential” (p. 151). This is not to say, of course, that critical thinking skills are an insignificant, unimportant, or undesirable set of skills for citizens to acquire. Indeed, it is critical thinking skills that we seek to cultivate in our students precisely so that they can question social injustices like the exclusion of individuals with disabilities from political participation. But critical thinking and political decision-making are activities that are highly interdependent and that take place through relationships. What is in operation here is a presumption that critical thinking takes place independently. As I will argue in later chapters, a more inclusive conception of citizenship involves relocating critical thinking and decision-making within relationships rather than individual capacities.

¹⁵ It is also worth noting that how literacy is defined and understood is not set in stone (no pun intended). Indeed, what counts as being literate depends on social contexts (e.g. Kliever et al., 2004) and, likely, on the kinds of technology that individuals and school systems have available to them (I’m thinking here of Alternative and Augmentative Communication devices, for example).

In some instances it is not the aims themselves, but the content of aims that expresses disrespect for individuals. Consider how market-based economic aims have permeated educational institutions, policies, and practices especially in the United States, where neoliberal policies have appeared to steer educational aims away from democratic goals and towards labor market ones (see Lipman, 2011). Such educational aims arguably promote status *inequalities* and perpetuate capitalist systems in which particular forms of contribution are valued. Some aims may appear to bear less on social standing or social respect, however. For example, we might imagine that critical thinking aims or artistic aims bear only indirectly on social standing because one's capacity to think critically does not arguably in itself undermine one's ability to participate in social institutions, make decisions of public concern, or belong to valued social networks and communities (although they may certainly enhance these experiences). Perhaps, then, different aims demand different levels of attention to inclusivity and whether exclusivity of aims brings about disrespect.

The relationship between democratic citizenship aims and equality highlights the significance of inclusion. Martha Nussbaum (2008) expresses this well in relation to democratic citizenship:

To say that this person will have property rights and that one will not, that this one will be able to vote and that one will not, seems an intolerable violation of equal respect for human dignity. Moreover, if we start fashioning different levels of political entitlement we lose a strong incentive that my single conception [of the obligations of justice] gives us for making every effort we can to develop the capacities of people with disabilities to the point at which they are able to exercise these entitlements on their own (p. 363-4).

According to Nussbaum, holding separate standards of political entitlement based on assessed differences can provide us with less incentive to pay equal respect to individuals who are exempted and to take affirmative measures to ensure that they are enabled to become democratic

citizens. Nussbaum's worry echoes the concerns of disability studies and inclusive education theorists that the focus on and naturalizing of differences of ability will excuse us from our moral obligations.

Although Nussbaum's views about disability inclusion are not without criticism, her conception shares the view with many philosophers that we ought to be concerned with not only persons' social standing but also their political equality and access to the institutions and mechanisms of civic power (e.g. Anderson, 1999; Satz, 2007; Young, 2000). It is for this reason that some political philosophers and educational scholars have upheld participation in democratic citizenship as a threshold of societal obligation (e.g. Anderson, 2007; Gutmann, 1987; Satz, 2007) and one which societies are obligated to promote through education. The right to participate in and make decisions about matters of public concern is upheld for all students as necessary for equality. Democratic citizenship aims appear, then, to bear perhaps uniquely on social standing and social respect.

Separate But Equal? Lessons from Racial Segregation

One way to test our intuitions about the value of inclusive education and the affirmative stance is to consider parallels with the inclusion of students of color in schooling in the United States. Firstly, using the word "inclusion" in this case might strike the perceptive reader as odd, even offensive: to include students of color seems to suggest that the space into which they are being included is a white space, or, at least, one not constructed with them in mind (for discussion, see Graham & Slee, 2008). Indeed, "integration" is the more commonly used term in considering how schools serve racially diverse groups of students perhaps in part because it signals a more equitable distribution of adjustment. The parallel, then, is to consider that

inclusion is frequently regarded as a project of including disabled students in classrooms built and structured to accommodate able-bodied and able-minded students, whether physically or pedagogically. This is the argument lodged against mainstreaming that I explained above, namely that it requires students with disabilities to assimilate without requiring any structural changes to the way schooling is done. The term itself almost concedes that education is premised on an assumption of able-bodiedness.

Secondly, arguments concerning the preference for separate education of children of color, especially African American children, reference both academic outcomes (low graduation rates, for example), stigma, as well as cultural considerations (namely that non-specialized school personnel lack the cultural knowledge to serve non-white students) (see Minow, 2013). Both of these arguments are based on a view that educational institutions and practices systemically and structurally disadvantage non-white students and therefore maintain and even promote inequalities in academic, social, and civic outcomes (see Collins, 2003). In other words, arguments for separate schools for kids of color – as for LGBT youth – are responses to historical and systemic injustice rather than about who these kids are – their differences in skin color, gender identity/expression, language, cultural background or any learning deficiencies they may be thought to possess; it is based on a recognition that educational systems inadequately serve them. As far as I am aware, there are no respected educational theorists who argue for separate schools for black children and youth on the basis of their race alone. And those who do advocate for separate schools on the basis of cultural or religious identity (Afrocentrism, Islamic schools, Quaker schools, etc.) do not generally conclude that these schools cannot also be racially integrated or open to those from diverse cultural backgrounds.

Certainly such responses to non-ideal circumstances can yield more just educational outcomes for students of color – more just than colorblind policies certainly – but these consequentialist arguments for separate schooling do not constitute arguments against integration as an important educational entitlement or democratic goal, nor do they suggest that integration cannot work. Rather, they acknowledge that there persists a lack of institutional knowledge or social will to make integration work *because* of historical injustice (see Minow, 2013). Thus, we cannot infer from unsuccessful inclusion – or that its success is questionable – that it is unsuccessful because it *can't* work. The affirmative stance recognizes this by advancing a progressive approach to inclusive practice; that is, by emphasizing that it is a work in progress. Accordingly, the response to separate schooling options based on non-ideal circumstances – whether for African American students or students with disabilities – ought not be intended as goals but rather as temporary responses to injustice. To suggest otherwise is to tacitly embrace the status quo.

Of course, whereas the elected separate education of students on the basis of race occurs in part as an acknowledgment of attendant cultural and historical differences, individuals with disabilities are not widely – or even narrowly – recognized socially as a cultural group (Davis, 2011).¹⁶ That is, disability is not often regarded by non-disabled people as an *affirming* identity in a way analogous to the identity-shaping experience of race, gender, sexual orientation, cultural, linguistic, or religious background and so on. As Lennard Davis (2011) explains, “disability isn't just missing from a diversity consciousness, but is antithetical to diversity as it

¹⁶ There are some notable exceptions. The Deaf community is recognized by many non-disabled people as its own cultural group, although it is important to note that those who belong to the Deaf community do not typically identify as disabled. Rather, they see themselves as members of a cultural and linguistic minority (for discussion, see Padden & Humphries, 2006). Another example is the Neurodiversity movement begun by autistic self-advocates who argue that they be seen not as neurologically impaired or deficient but as neurologically different (see Robertson & Ne’eman, 2008). Of course, the extent to which such assertions of (cultural) group status are acknowledged or accepted by broader communities in the U.S. and beyond is a different question. I certainly do not mean to imply here that people with disabilities do not regard themselves as members of a cultural group; indeed many do and find great meaning in this identification.

now stands” (n.p.). As I will discuss further in Chapter Four, disabilities are most often understood as conditions that reduce individuals’ capacities and potential for contribution to various social arenas. Whereas gender, ethnic, racial, or religious identity are celebrated in K-12 contexts (however inadequately and inappropriately), there is greater difficulty in seeing disability as an identity to be proud of because it is so strongly tethered to notions of deficiency and pathology (Davis, 2011; see also Ware, 2002). It is for this reason that social institutions like education, health care, medicine, charity organizations and so on have promoted both the prevention of and in many cases eradication of disability. Such a view contrasts with the notion that disability – as an identity, as an experience – could be empowering. Under these conditions, it seems at least unlikely that separate schooling environments and separate learning aims could promote a feeling of empowerment for children with disability labels. Nevertheless, some children with disabilities – especially those with psychosocial or mental health disabilities and autism – may experience their separate schooling as positive. In these cases, we ought to take seriously their testimonials. We also know, however, that common schools are often ill-equipped to provide adequate education to such students, not because of the students themselves, but because school people and policy-makers lack a willingness to restructure educational contexts to include them. The reason for exclusion are therefore *extrinsic* to disabled persons themselves (their identities or their biology) and again concede to and are shaped by unjust circumstances. As such, they do not undermine the value of inclusion but rather point to the continued problems of inclusive practice within a society and schooling system structured by able-bodied norms and ableist oppression. Certainly schools that are disability-positive (that is, celebrate rather than malign or ignore ability differences) are likely to enable more educational flourishing of children with disability labels, but this orientation does not require separate schools.

The contingency of educational outcomes on historical and contemporary structures and systems of oppression illustrates the importance of the affirmative stance and demands attention to the difference between inclusive education as an educational goal and inclusive education in practice. Thus, to uphold the value of inclusive schooling as a moral project is not to defend inclusion as desirable in *every case* nor is it to suggest that existing non-ideal conditions play no role in our evaluations of the desirability of inclusion in particular individual cases. Rather, to uphold the value of inclusive schooling is to promote the value of inclusion as a social justice concern and regard inclusion as having normative value alongside concerns over equality, fairness, and respect. It is to begin with the presumption of integration rather than to continue to presume the need for segregation and thereby continue the legacy of ableism in schooling.

As I have said, the issue of the inclusivity of educational aims is surely different from (although intimately connected to) the question of the physical inclusivity of schools, yet both raise significant normative questions surrounding the distribution of educational resources, the tasks of educators, and so on, questions that track our philosophical orientation towards disability and the value of inclusion in general. Further, both pertain to the question of what exactly inclusive schooling requires. Does it require inclusive learning spaces? Does it require inclusive aims? Of course, it is conceivable that schools could operate according to inclusive aims of education while maintaining segregated learning spaces for students with significant disabilities. As I think I have shown, theorizing the relationship between separate aims and separate learning environments is complicated and surely it is in part an empirical matter whether children can feel included, experience belonging, or experience educational achievement when different aims are applied to them. However, there is ample research to suggest that separate expectations and separate learning goals negatively affect students' learning outcomes, especially in the context of

existing marginalization of people with disabilities. Further, inclusion concerns go beyond simply integrating spaces of learning and involve also the transformation of our pedagogy, assessment practices, school structure and so on, and this includes attention to the inclusivity of educational aims.

Conclusion

In the previous section I discussed how the project of inclusion extends beyond – and problematizes – mere integration of students with disability labels in general education classrooms. Rather, full inclusion demands the transformation of ways of thinking about, practicing, and evaluating schooling, and especially attending to the ways in which existing structures and practices privilege and reinforce able-bodied and able-minded norms of learning and development. Of critical importance, then, is not just how the physical space of the classroom reflects a diversity of abilities, but also how educational researchers, philosophers, and teacher educators understand and respond to the existent differences in ability that children embody. As I have shown, inclusion demands the embracing of ability differences and, in general, the practical challenges that attend the education of students with very different learning needs. Inclusive aims are therefore consistent with treating children differently according to their needs. That is, we might hold the same aims for all children while acknowledging and accommodating the different ways that children learn *towards* those ends. However, we must also evaluate how the educational aims we value are themselves shaped by problematic ideals. This is the subject of the next chapter.

In considering the philosophical evaluation of the aims of education, especially as they apply to children labeled with intellectual disabilities, an inclusion framework would seem to

demand that we take an affirmative stance towards inclusive aims; that is, that we begin with the presumption that all students can benefit from learning towards valued educational aims like democratic citizenship. Again, there are both moral and practical reasons for doing so. One reason is that there are significant practical problems in assessing who is and who is not capable of meeting certain ability expectations associated with particular aims. This includes errors in assessment, assumptions about the connection between label and educational ability, and assumptions about the need to perform learning functions in normalized ways. In applying separate learning outcome expectations we ought to be quite certain about the particular abilities that children have such that we can be sure of their inability to meet the usual objectives. On an individual basis, this may not pose such concern (although it may warrant revisiting the learning objectives themselves). However, on a policy level it raises enormous problems because it permits the separate treatment of people because of their membership in identified (and often subjectively determined) groups. I will discuss this problem in Chapter Four.

A further practical problem, which can have significant moral consequences, is that assessment practices may themselves be based on unfair assumptions about ability and disability based in a social world that underestimates and devalues the competencies of individuals with intellectual disability labels. Further, we face the practical question of whether the application of the same aims – democratic citizenship, for example – requires the cultivation of skills and knowledge in the same way. This means that we would need to be certain that the content of our valued aims does not express ability expectations that are unnecessary for achieving the ends set out and that do not unnecessarily privilege able-bodied and able-minded norms and expectations. Further, we need to be sure that they have some relationship to the existing social practices of actual communities. This involves evaluating whether our existing frameworks of what

democratic citizenship entails are too rigid or too narrow or if they are based on unfair norms. I will discuss these questions in Chapter Five.

It is important to point out that thus far I have referred to educational aims more generally and with occasional reference to democratic citizenship aims more specifically, especially in gesturing towards why they might present specific worries relative to inclusive education. While the applicability of all educational aims to children with significant disabilities concerns me, the focus of this project is specifically on democratic citizenship aims. Certainly the focus on democratic citizenship aims specifically could offer a nice case study of the significance of inclusive educational aims or the problem of exclusivity in aims more generally. However that is not my goal in this project. Rather, I am focused on democratic citizenship aims specifically because they are perhaps uniquely tied to at least two important justice concerns, namely political equality and human dignity. Civic education is tied not only to one's participation in the activities of political life – which can include voting and other forms of decision-making, participation in public discourse, protesting and public bargaining, and other as yet unrecognized forms – but also to one's membership in a social and civic community – schooling, marrying/partnership, working, bearing children, living in the community, forming friendships and so on. In this sense, being discounted as a potential citizen, or being denied the opportunity to develop valued civic roles, strikes at the core of human dignity, social belonging, and – potentially - moral worth.

Furthermore, I focus on democratic citizenship aims specifically because historically the citizen – and democratic citizenship conceptually – has been defined in opposition to people with intellectual disabilities; that is, and as I will explain, the capacities and characteristics regularly attributed to people with intellectual disabilities have exemplified the antithesis of those of “the

good citizen.” This means that the norm – good citizenship – upon which philosophical frameworks, educational curricula, and schooling practices of democratic citizenship education are based is itself rooted in exclusion. Thus, it is not simply that we need to figure out how to engage in more inclusive practice relative to this particular learning aim, but also that we must transform the thing itself – that is, transform the norms of civic engagement and participation. We cannot develop an inclusive conception of democratic citizenship education while retaining a conception of citizenship that is exclusive.

CHAPTER THREE

DEMOCRATIC EDUCATION AND THE NORMS OF CITIZENSHIP

In the age of democratic revolutions, the developing new concept of citizenship rested on independence; dependency was deemed antithetical to citizenship (Fraser & Gordon, 1994, p. 19).

...disability reveals the deep discrepancy between the ways we conceptualize the demands of political participation and the actual range of ways people act politically (Clifford Simpican, 2015, p. 4).

In this chapter I will consider how philosophers have conceptualized democratic citizenship and the educational development of abilities related to the exercise of citizenship within frameworks of democratic education. My aim is to show how democratic education has been theorized in relation to assumed levels of ability, while largely ignoring differences in ability – and intellectual ability in particular. I begin by discussing how philosophers have thought about the relationship between democracy and education according to their specific interpretations of democracy as well as their views of citizenship as an aim of education. Next I show how these prevailing conceptions of democratic citizenship aims take up a view of citizenship that is explicitly biased against individuals with intellectual and other significant disabilities and that privileges able-mindedness. This bias further informs a view of democratic equality that leaves people labeled with intellectual disabilities outside of particular civic and educational obligations of the state. Finally, I describe how varying forms of democratic engagement generate specific “ability expectations” (Wolbring, 2012), or those capacities that are regarded by scholars as required for the achievement of citizenship.

My discussion of expected abilities of citizens is meant to demonstrate not only the variability of views on what citizens ought to know and be like, but also to explore the kinds of

values that are expressed within philosophical consideration of democratic citizenship and corresponding aims of education. As I will show, understanding democratic citizenship as an aim of education has involved delineating what sorts of abilities are expected and/or required of citizens if they are to participate as equals in democratic politics. This has involved deciding upon (either generally or specifically) the sorts of skills and capabilities, including perhaps virtues and dispositions, that children need to develop in order to become democratic citizens. Further, it has involved asking what *levels* of skills and knowledge are necessary – adequate – to meet the threshold of democratic citizenship. So, for example, there might exist a range of abilities in relation to some democratic capability (say, deliberation), but what level of ability is sufficient to say that this person has acquired that specific skill or disposition?

In deciding upon thresholds, moreover, we may have to consider what sort of background knowledge should guide our decision. Under what conceptual constraints, according to what theory, and in virtue of what existing social conditions do we make such assessments? The ability requirements that we settle upon will depend, in part, on whether we base our reasoning in the demands of our current political system or we consider those that would arise in ideal circumstances. It will also involve considering how our philosophical reasoning is informed by prevailing philosophical, scientific, and popular understandings of intellectual disability. An important question, then, is how we arrive at the level of ability required through schooling. Not only does this depend greatly on the sorts of background conditions that are guiding our decision-making, but it also depends on what sort of understanding of democratic participation we have. That is the subject of this chapter.

Democratic Citizenship Education as an Aim

Whether they see democratic citizenship education as primarily reproductive or whether they regard it as primarily transformative, philosophers of democratic citizenship education are generally interested in how educational processes and practices enable students to develop the capabilities and dispositions regarded as necessary to engage effectively and cooperatively in democratic politics, including public discussion about the common good, decision-making about public policy, and, certainly, decisions about educational and schooling goals and aims. Within more radical or transformative conceptions of democratic citizenship education, the emphasis is on the critical dimensions of such skills and dispositions – the development of competencies to recognize and oppose oppressive forces, for example – whereas liberal democrats are primarily interested in students developing rationality, respect for the autonomy of others, and a disposition towards reasonableness in encountering different conceptions of the good. Both are concerned with the extent to which such decisions are made and community is created within conditions of interest plurality and identity difference. Such concerns suggest an understanding of schools as shaping or forming – in Eammon Callan’s (1997) words, “creating” – democratic persons or citizens who embody and instantiate democratic values. Often, then, students judged capable of democratic citizenship education are framed as possessing, or possessing the potential for, particular abilities that correspond to desirable skills, knowledge, and disposition or character (see Biesta, 2006, p. 123). Such capacities usually include levels of cognitive or intellectual reasoning, economic and civic reciprocity of a particular level and kind, intellectual and social independence, a disposition toward respecting democratic values, and normalized

communication and behavioral expressions. These “ability expectations” frame democratic persons as able-bodied and able-minded in particular ways.

As a topic of philosophical study, democratic education spans a broad area within philosophy of education, encompassing both the theoretical questions of democracy’s relationship to education (and education’s relationship to democracy) and the practical questions surrounding how students are taught about and for democratic citizenship. Broadly, then, democratic education is conceptualized as aimed at preparing students for the public relationships and participation in decision-making processes that characterize democracy. In *Democracy and Education* (1916) John Dewey expresses this relationship between democracy and education as follows: “A society which makes provision for participation in its good of all its members on equal terms and which secures flexible readjustment of its institutions through interaction of the different forms of associated life is in so far democratic. Such a society must have a type of education which gives individuals a personal interest in social relationships and control, and the habits of mind which secure social changes without introducing disorder” (p. 99). Accordingly, education is the vehicle through which individuals become democratic persons and through which the values of democracy are reproduced and social stability maintained. As such, whatever one’s working conception of democracy, schooling and institutions of education play important roles in ensuring the reproduction of democratic values and an understanding, however thick or thin, of democratic process.

As a political system in which people govern themselves, democracy is often thought of directly in terms of decision-making power, specifically that those who are affected by decisions ought to be the ones making them. Binding decisions are only legitimate insofar as they follow this democratic value and the procedures it entails. Yet how such decisions are made – by

representatives, by referendum and direct voting, by public deliberation, etc. – are the necessary practical questions that complicate the neat ideal of democracy. Still other important questions involve what sorts of values are democratic in nature or which ones fit with a particular conception of democratic practice. Of course we might expect a degree of disagreement among visions of democracy and democratic practice and, consequently, disagreement over how education serves or ought to serve democracy and democratic aims. Theorists might disagree, for example, on whether democracy demands full inclusion, or whether full democratic participation involves simply casting a vote or requires active deliberation over matters of public concern. Some might regard democracy and democratic participation as primarily aimed at the continuation of political, social, and cultural values (including that of democracy itself), while others might see it as primarily aimed at the transformation of such values. Importantly, democracy can be understood not only as a procedural form, but also as a mode of living. Dewey pointed out that seeing democracy as primarily about decision-making procedure neglects the important sense in which democracy is also a mode of associated living and “conjoint communicated experience” (1916, p. 87). Dewey saw democracy as a mode of living in which individuals work out problems and cooperate as social and political actors. In this sense, democracy is an ongoing process rather than an achieved state of affairs. Certainly, in discussing democratic education philosophers of education have in mind a particular understanding and vision of what democracy is, what values it entails and what it demands of individuals in relation to one another and to the state. This includes, as I will show, different perspectives on the different forms that democratic citizenship takes and the participation it requires. These different forms express requirements that are more and less demanding of individuals and which require varying degrees of physical, communicative, and cognitive ability and independence.

Constructing the Citizen: Fantasies of Race, Gender, and Ability

Because schools are positioned as the vehicles through which the state reproduces itself or, potentially, transforms itself, the broader social values of citizenship – likely based on democratic principles – are transmitted through schooling practices and through the skills, dispositions, and knowledge advanced, whether implicitly or explicitly, within the classroom. For some, notably proponents of liberal democratic education, this construct seems right and good; that schools are the vehicles through which the values of liberal democracy are reproduced serves the aim of education to prepare young people for their roles as adult citizens of liberal democracy. According to a liberal democratic model of education, education or schooling is not only an institution of the state that is to be governed according to liberal principles, but it also “lies at the heart of the liberal project; it is upon the realization of liberal educational goals that the success of liberalism itself depends” (Levinson, 1999, p. 5). Liberal democratic education conceives of schooling as aimed primarily at reproducing and sustaining liberal democratic values. In this sense, young people are to be schooled to possess those capacities that are deemed essential to the preservation of the liberal state (Levinson, 1999, p. 4).

However, for others, notably feminist critics of liberal democracy, this construct has the potential to conserve inequality and sustain injustice, especially where the social values of citizenship intentionally or unintentionally privilege the social or cultural norms, or behaviors and abilities, of particular groups (Lanoix, 2007; Lister, 1997; Preece, 2002; see also Levinson, 2012). For these scholars, the notion that schools shape the adult citizens that young people are to become is less about the promise of education and more about its dangers. For example, critical theorists of education, like Peter McLaren (e.g. 2013) and Henry Giroux (e.g. 2005), have long sought to reorient educational theorists’ thinking about schooling away from this emphasis

on social reproduction towards an emphasis on social transformation and empowerment. Giroux (2005) argues that, whereas the liberal democratic tradition regards the individual as largely unchanged by his or her participation in democratic exercise, critical theory conceptions of democratic education see this transformation as integral to citizenship (p. 21). Such critical perspectives on democratic citizenship education dovetail with the challenges posed by inclusive education scholars that I discussed in the previous chapter because they highlight the sense in which our educational systems and practices participate in reproducing inequalities and social oppression. For example, Nirmala Erevelles, Anne Kanga, and Renee Middleton (2006) argue that “[p]art of the problem with liberal education policy is that it is committed to social reform rather than social transformation” (p. 92).

What Giroux (2005) calls the “discourse of citizenship” has mirrored and transformed itself in relation to particular historical contexts and shifting historical moods. Citizenship is “a socially constructed historical practice” that involves struggles over what forms of knowledge, what social practices, and what values are accepted and institutionalized (Giroux, 2005, p. 5-6). Rather than understanding citizenship as simply a form of political membership, this perspective regards citizenship as a power relation; it must be understood as “a political process of meaning-making, as a process of moral regulation and cultural production, in which particular subjectivities are constructed around what it means to be a member of a nation-state” (Giroux, 2005, p. 7). The struggle for political membership and recognition is a historical struggle framed by relations of power and discourses surrounding who is welcome, who belongs, and who is regarded as a contributing member of society (Baynton, 2013). Thus citizenship is a fundamentally “contested” construct (Field, 2000; Lister, 1997).

It is common, however, to think of citizenship purely in its formal-legal (juridical) terms, understood as a status one occupies in virtue of being born or naturalized into a particular nation-state (in this sense it is universal). In contemporary times, citizenship is generally regarded as a right that one claims and the corresponding duties that one exercises. It is a series of activities, including but not limited to voting, property ownership, freedom of movement, protection from state control, and so on. T. H. Marshall's (1950 [1987]) oft-cited but rather idealistically neat model of citizenship corresponds to this definition. According to Marshall, citizenship consists in three areas of state obligation: civil, political, and social elements. The civil element consists of the rights necessary for individual freedom (liberty of the person, right to justice, freedom of speech, property-ownership); the political element has to do with the right to exercise political power and affect the outcome of political processes; and the social element concerns economic welfare, right to experience and enjoy one's "social heritage" and the right to a "modicum of economic welfare" (Marshall, 1950 [1987]). In his view, the idea of equal citizenship is embedded in modern Western democracies, although not fully instantiated in the policies and political practices of those democracies (see Armstrong, 2002). Accordingly, we can measure an individuals' enjoyment of the privileges and responsibilities of citizenship by measuring how well they do in each of the three areas listed above. Certainly the specific obligations of the state as concerns these entitlements have been and continue to be the subject of great disagreement and debate among political philosophers. Suffice it to say, however, the notion that equal citizenship is embedded in modern democracy will simply strike some as absurdly revisionist. Indeed, we might even regard modern democracies as established on a presumption of *inequality* and *exclusion*.

Feminist scholars in particular have decried this presumption, arguing that traditional political philosophical models of citizenship fail to account for how citizenship has historically and continues to be sexed, gendered, raced, classed, and abled; that is, it is far from universal. Carol Pateman (1989) famously argued that “citizenship has been made in the male image” (p. 14) and that Western notions of citizenship rearticulate entrenched racism, classism, and sexism (see also Armstrong, 2002). Says Allison C. Carey (2009), “According to Marshall the modern state grants individuals the legal status of citizenship and confers an identical package of rights to all citizens, providing them with the power to call on the state to protect them from and offer redress for civil and political abuses. History provides ample evidence that citizenship is ‘messier’ than Marshall’s status approach suggests” (p. 22). It is messy, in fact, precisely because citizenship has always been bound up with rigid – and yet changing – notions of whose bodies and minds – even whose lives – have value (see Baynton, 2013).

A fair number of historians, sociologists, and philosophers of disability have now studied and described the racialized, gendered, and classed processes through which people with disabilities have been excluded from political membership and citizenship status (see Baynton, 2013; Carey, 2009; Clifford Simplican, 2015; Schweik, 2009; Stubblefield, 2007). Susan Schweik’s (2009) analysis, for example, shows how civic policies of the 19th Century – popularly called “ugly laws” – were developed in response to what was seen as the social problem of visible disability which was treated as a threat to the aesthetic sanctity of public city streets. This policing of public spaces fed the development of segregated private spaces of institutions and asylums for those deemed a threat to social hygiene, a normative construct to be sure. Such ideas about hygiene and public morality enacted particular belief systems about the intersections of race, ethnic, class, and ability origins and their relationship to citizenship.

Citizenship itself, argues Douglas C. Baynton (2013), was constructed as a white, able-bodied, male prerogative precisely through reference to the inadequacies of these other, undesirable social groups:

Disability was a significant factor in the three great citizenship debates of the nineteenth and early twentieth centuries: women's suffrage, African American freedom and civil rights, and the restriction of immigration. When categories of citizenship were questioned, challenged, and disrupted, disability was called on to clarify and define who deserved, and who was deservedly excluded from, citizenship...Furthermore, disability figured prominently not just in arguments *for* the inequality of women and minorities, but also in arguments *against* those inequalities. Such arguments took the form of vigorous denials that the groups in question actually had these disabilities; they were not disabled, the argument went, and therefore were not proper subjects for discrimination (p. 34).

Thus, in important inclusion and citizenship debates, disability has remained the uninterrogated marker of inferiority and, indeed, as necessitating and justifying exclusions of other groups.

As I discussed briefly in the previous chapter, the notion of educability and educational (or social) fitness arose out of particular social and economic shifts surrounding immigration in the 19th and early 20th centuries. The notion of fitness is closely related to the notion of citizenship, insofar as it expresses who is a desirable member of society. This is clear in Anna Stubblefield's (2007) exploration of how contemporary popular and philosophical ideas about citizenship can be traced to the history of eugenics ideology of the 19th century that regarded the existence of so-called "feeble-minded" persons as compromising the purity and integrity of the nation and its future. Nation-building was simultaneously about policing who could be admitted into the nation-state, who could be allowed to reproduce (to produce future citizens), and who could be permitted to influence the future of society. If such ideas cast people with perceived physical and sensory impairments as foreigners to acceptable citizenship, it essentially relegated people with cognitive and mental health disabilities to the outer reaches of the solar system.

Persons with severe cognitive disabilities “are seen to represent inalienable Otherness in ableist contexts” (Erevelles, 2002, p. 7).

This inalienable otherness consists in at least three arenas in which people with intellectual disabilities are seen as incapable of participating: economic productivity/reciprocity; rational deliberation; and independent self-representation. The inflexible value placed on these capabilities is a result of a deeply embedded theoretical reliance on an Enlightenment view of the citizen as well as a deeply embedded valuation of principles of individualism, economic self-sufficiency, and intellectual independence in Western culture. These commitments influence philosophical models of democratic citizenship and public and popular notions of good citizenship, respectively. One of the most philosophically influential conceptions of the citizen in modern political theory comes from Rawls’ framework of justice as fairness, which I discussed in the previous chapter. Rawls advances a conception of justice based on the fair and equal cooperation of individuals in a scheme of reciprocal advantage (Rawls, 2001). Rawls’ account of the conditions of equality and social stability is informed by a particular conception of the person and, relatedly, of citizenship, characterized by independence, rationality, and reasonableness. This conception leaves those who fall below a particular threshold of rational capacity out of equal civic membership and decision-making roles, a consequence accepted by Rawls himself. Many people with intellectual disabilities are therefore rendered non-citizens or non-members of decision-making society in Rawls’ framework, their needs being met as objects of care rather than as subjects of justice. Importantly, Rawls does not stipulate that individuals with intellectual disabilities as a group will be non-citizens, but rather that individuals lacking certain capacities – what he calls the two moral powers – will not be full- members of society. It is not clear, therefore, whether Rawls’ framework necessarily excludes individuals with intellectual

disabilities (see Cureton, 2008; Wong, 2010), but it is clear that it relies on a particular idea of what capacities are required for citizenship, and these map onto the capacities that are seen to be lacking in individuals so labeled.

Expectations of economic reciprocity also position people labeled with intellectual disabilities outside of spheres of political membership. Our modern industrialized world is sustained by standards of efficiency and ability that people with disabilities often do not meet and, as outside the scheme of production, such people as seen as representing a drain on the system and a dependency that increases the vulnerability of all in society (Linton, 1998, p. 45-50; see also Fraser & Gordon, 1994). This view is especially detrimental to those whose disabilities prevent them from holding recognized work positions (or who are *regarded* as being unable to hold such positions). Furthermore, standards of economic reciprocity and work status spill over into who is counted as a citizen. Say Marcus Redley and Darin Weinberg (2007), “to what extent can a group of service users, whose very entitlement to state-sponsored assistance is justified by putative intellectual impairment (low IQ and deficits in social functioning), be empowered according to an exclusively liberal model of citizenship that presumes and requires, as its very defining features, intellectual ability and independence?” (p. 768). Simply put, where economic productivity and self-sufficiency are the measures through which good citizenship is assessed, many people with intellectual disabilities will simply fail to meet standards of good citizenship. This is an especially frustrating consequence because it is coupled with a historical and enduring neglect of the actual capacities that people with disabilities have when adequately supported. That is, because of the absence of proper accommodations and accessible environments, people with disabilities seem left to actually prove how burdensome they are thought to be. There is a cruel irony to this.

When the high standard of independence is evaluated, however, it would seem that *many* of us – most perhaps – would fail to count as good or responsible citizens. The notion of self-sufficiency is we might even say, a fiction sustained by a fantasy. It ignores, with significant consequences, the actual social conditions of material and interpersonal dependency that characterize our lives as citizens of liberal democratic states (Erevelles, 2002; Kittay & Feder, 2002). The majority of us simply do not manage to attain high levels of independence and autonomy and many of us have no desire to do so. Critics of the independence ideal argue that rather than individual bodily or cultural deficits, it is unfair social disadvantages accompanied by able-bodied privilege that render invisible the fact that dependency is a relation that characterizes all of our lives (Young, 2002; Erevelles, 2002). Feminist scholars, including those who advance an ethics of care, and disability scholars have stressed that conditions of dependency and interdependency are in fact normal and even desirable states and are consistent with personal autonomy and agency, albeit defined as relational (Kittay, ed., 2013; Erevelles, 2002; Fineman, 2005; Fraser & Gordon, 1994). In fact, they argue, a lack of support and reliance on others is a fiction that is sustained through conditions of unfair privilege and social advantage of the wealthy and those (perceived as) able-bodied. For example, at every stage in the voting process, I am dependent on family, friends, and strangers to enable my participation, whether because they support my learning about candidates and current affairs, because they facilitate my transportation to and from polling stations, or because they regard me as intelligibly and legally a citizen. Despite this dependency, I am regarded as able-bodied and properly independent in both my decision-making and political exercise.

A common way in which this regard of dependency as an unnatural or undesirable state is manifest is through the view of those in extreme states of dependency as comparable to children

or in a perpetual state of childhood. In other words, even adulthood, a state to which civic education is meant in part to prepare us, is abled in particular ways. Thus adulthood and citizenship are tied together through expectations of capacities considered the proper attributes of adulthood. For example, individuals considered adults are granted rights of citizenship like marriage, voting, parental emancipation, (and in some instances) property ownership. Such rights accrue to people based on their chronological age *and* assessment of a threshold of cognitive ability. However, in reality many chronological adults experience states of dependency and cognitive, physical, and emotional change that place them in states akin to childhood, whether because of accident, illness, or simply aging (Vorhaus, 2005).

One way that the relationship between adulthood and citizenship is understood is that people with intellectual disabilities are regarded as adults in the biological sense, but are seen also to lack the abilities that “normal” adults have (including, importantly, practical reasoning/wisdom). People with intellectual disabilities are also sometimes understood as lacking the capacities or having underdeveloped capacities that are the defining features of adulthood, such that they cannot be understood to be adults even in the biological sense. The notion of “mental age” – describing a person with an intellectual disability as having the mental age of a two-year-old for example – expresses this view well. Here, the absence (or perceived absence) of certain capacities disqualifies an individual from membership in a particular category and flattens the complexity of their overall abilities and entitlements.

Consider how adulthood is constructed in opposition to intellectual disability and the embodied state of dependency associated with it in the case of Ashley X. Beginning in 2002 when Ashley was six years old, her parents, with the help of medical professionals, pursued a comprehensive plan to attenuate her growth so that Ashley would remain forever small, easy to

care for, and child-like. This plan included estrogen dosing, a hysterectomy, and the removal of breast buds to prevent breast growth (Kittay, 2011, p. 610-611). These interventions became known as The Ashley Treatment. While Ashley's parents justified these interventions as in Ashley's best interests – they would discourage sexual abuse during Ashley's later care, prevent pregnancy that could arise from that abuse, and keep her more comfortable in her wheelchair – they also celebrated Ashley's smallness and docility, calling her "Pillow Angel" (see Kittay, 2011, p. 611). Alison Kafer (2013) describes how this preference for smallness translated into a preference for childhood, evidenced by the perceived disjuncture between Ashley's mental development – that is, her cognitive disability – and her bodily development into womanhood.

This disjuncture presented as a kind of temporality problem: Ashley

was embodied asynchrony; her mind and body were out of sync. By arresting the growth of Ashley's body, the Treatment could stop this gap between mind and body from growing wider... Without intervention, the asynchrony between mind and body would only grow wider; Ashley's body would become more and more unbearable to her, to her parents, and to those encountering her in public. This future burden, brought on by the future Ashley, could only be avoided by arresting the present Ashley in time (Kafer, 2013, p. 48).

In choosing this treatment for their daughter, not only did Ashley's parents' preclude the possibility that their future *adult* daughter could make decisions about her own body (they took this choice away from her) they actually precluded the possibility that she would develop into an adult at all, at least in bodily form. In other words, it is both the attenuation of growth *and* the denial of potential agency that foreclose Ashley's emergence into adulthood.

Among other things, this case reveals that adulthood is not simply a description of chronological age, but rather a perceived state of development characterized by symmetry of growth between body and mind but also, most centrally, by a vague but rather rigid threshold of cognitive ability. Disability – and intellectual disability in particular – disrupts this symmetry.

Says Eva Kittay (2011), “Though difficult to grasp while the child is still young, one learns that in the case of disability, things don’t just fit together in standard ways” (p. 623). The view of people with intellectual disabilities as “unfinished adults,” misidentifies their difference as a form of lack (lacking adult competencies) rather than as situated along a spectrum of abilities that biological adults possess. The comparison of adults with intellectual disabilities to children is not, as the case of Ashley X’s parents illustrates, ill-intentioned; rather it is often putatively focused on the best interests of the individual in question. However, the consequence of this comparison is that we excuse ourselves from the obligations we normally have to adults, including rights to take part in decision-making about one’s residential, medical, social, and political opportunities. While one could object that Ashley – and children like her – will never develop sufficient communicative abilities to take part in these activities, my simple response is that we cannot be sure what individuals will become capable of given the proper supports and when we learn to *adequately* communicate with them. Given this uncertainty, can we justify the risk of deprivation?¹⁷

As I will explain, then, ideas about adulthood express “ability expectations,” understood as emerging in relation to particular democratic stances, all of which draw upon historicized ideas about citizenship and who belongs as a citizen, or even as a member of the human and moral community. And, because being an “adult” is not simply descriptive of one’s actual (chronological) age but rather prescriptive of a particular social state, the normative consequences of being denied that attribute are broad and profound. Indeed, they can result in the extreme denial of agency and autonomy.

¹⁷ Of course there are other important arguments to be made against intervening in Ashley’s body in this way. For example, I am very persuaded by the argument that Ashley’s rights to bodily integrity were violated by these treatments.

The dominant views of dependency I have described so far regard dependency not as consisting in relationships, but rather as an undesirable character trait or the result of biological defect that is antithetical to responsible citizenship (Linton, 1998, p. 47-48). Historically, characterizing dependency as individual deficit has driven the perception of people with disabilities as irresponsible, as living off of the work of others, even as “fakers” (see Samuels, 2014; Johnson, 2003, p. 47; Schweik, 2009). The state of dependency that characterizes those with significant disabilities is therefore a kind of moral vice, positioning the person with disability as counter to the virtuous citizen who gives and reciprocates. This is clear when one examines the genealogy of the concept of “intellectual disability,” which emerged out of gendered, classed and racialized ideas about competence and morality (see Stubblefield, 2007; Schweik, 2009; Ferri & Connor, 2006). Those who diverged from socially valued or accepted paths – the chaste woman, the compliant black slave, the property-owning male – were in danger of being subjected to state mechanisms of social control, including incarceration and institutionalization, sterilization, even execution. Frequently targeted were those perceived or assessed as intellectually inferior and intellectually dependent (Stubblefield, 2010; Lombardo, 2008).

The concept of “intellect” has never been neutral and has always reflected social and cultural ideas about the moral standard of societal membership – notably the white, property-owning male (Stubblefield, 2010). Many disability scholars have traced the historical linking of the concept of normalcy to desirable embodiment, showing that able-bodiedness and able-mindedness are not only markers of wellness but also of civic membership (see Garland Thomson, 2006; Davis 2006). Nirmala Erevelles (2002) suggests that racial whiteness and ability – often linked together in eugenics and neo-eugenics discourse – each function as property rights

that are taken to need protecting as vital to citizenship and moral status, and the function of education is to provide the context in which such protection takes place (p. 19; see also Leonardo & Broderick, 2011). Each of these critical historical perspectives pushes back against the view that philosophical ideas of normal functioning, independence, competency, and so on are divested of social and cultural influence. Like feminist theorists and critical race scholars have done for gender and race, respectively, disability theorists attempt to deconstruct the philosophical dependence on putatively neutral assertions about human ability.

Contemporary examples of this history and legacy of messy – and precarious – citizenship can be found both in the deprivation of entitlements and double-standards applied to individuals based on their gender, sexual, ability, racial, and social class identities. For example, laws barring marriage between same-sex couples mean that citizenship is sexed heterosexual and normatively gendered. The growth of voter identification laws in North Carolina, Texas, and Hawaii (among other states) further means that people of color and those of low-income backgrounds are disenfranchised. Relevant in particular for our discussion here, citizenship is abled in particular ways as well: people with disabilities have been historically denied citizenship outright on the basis of their disability or health status (at moment of immigration), relegated to second-class citizen status (ugly laws; unjust policy surrounding access and accommodation; sterilization and restrictions on marriage; and institutionalization), or through a lack of education or social support. In the more contemporary era, people with disabilities are often denied or lack access to social entitlements like adequate education, economic equality and competitive employment, housing in the wider community, the right to vote, the right to marry, and even, as the case of Ashley X illustrates, bodily integrity. This deprivation and lack of safety is especially exacerbated when individuals with disabilities also embody other marginalized identities

(Erevelles & Minear, 2010; A. Taylor, 2015). For people with disabilities or whose bodies are regarded as civic liabilities, citizenship is a precarious, and often unattainable, status.

We can see that the history of citizenship, as a changing social status and construct, has been and continues to be one of exclusion of those identified as having a disability (see Carey, 2009). These analyses highlight that the struggle over citizenship is not only a struggle over legal entitlements – rights – and decision-making power, but, perhaps more concretely, over who is regarded as a social equal, as “like us,” and who is regarded as “other.” The processes by which people with disability labels – especially women – have been deprived of their rights to bodily integrity, reproductive control, social mobility, and democratic exercise, are as much processes of dehumanization as they are processes of legal deprivation. However, because of the fluidity and changeability of the concept of citizenship, it holds both danger *and* promise. Further, it perhaps by definition demarcates borders around who belongs and who does not within an imagined and actual community. It is both exclusive and also the lens through which injustices are named and made intelligible. In moving forward, then, I argue for the need to be mindful of this fluidity and both the promise and potential danger it represents.

As my argument develops, it will become clearer how intellectual disability as both a concept and material reality is constructed in and through dominant understandings of human capability, value, and practice that are tied to notions of citizenship. Importantly, citizenship is constructed in opposition to intellectual disability, such that efforts to imagine people with intellectual disabilities as capable of citizenship are made difficult. This latter point has implications for philosophers’ reasoning about educational aims and education justice in general.

The “Good Citizen” in the “Good Society”

The history I have outlined shows that delineations of what a citizen looks like or is able to do are always delineations of what constitutes the *good* citizen. That is, built into the notion of citizenship is the construct or image of the good citizen, a normative assessment, which corresponds to how we view the social good, socially desirable behavior and socially desirable embodiments. In other words, descriptions and assessments of the construct of “citizen” place certain people as inside and outside that social category. There is thus an important relationship between how a good society is thought about and how the good citizen is thought to reflect aspects of the good society. Philosophical debates and ideological disagreements about what constitutes the good society reveal that there is considerable disagreement over what the good citizen is or needs to be able to do. For some, the good citizen is a rule follower who abides by the law and is kind to his neighbors. For others, a good citizen questions rules, protests policy and law, and actively criticizes the government.

Ideas about good citizenship are also assessments of what kind and level of participation is desired or required for active citizenship. For example, our current form of democratic citizenship in the U.S. and Canada seems to require very minimal participation on the part of citizens; it includes voting (which is not compulsory), paying taxes (which requires very little knowledge or investment in democratic process, although it may require the assistance of professionals), serving on a jury, and so on. Of course, we might want citizens to be more active participants in the democratic process by, for example, engaging in public debate or deliberation, belonging to civic advocacy or activist groups, or actively supporting political parties. There are a number of important frameworks for thinking about democratic citizenship according to which such desirable participation is outlined. I will explore these conceptions and how each expresses

different “ability expectations” for citizens. It is important to consider not just how the good citizen is constructed but also what kinds and forms of participation are expected of him or her. This distinction is important because it gets at the heart of how people unable to participate in specific and narrow ways are then regarded as unable to develop into democratic citizens at all.

The normative attachments that inform who is considered a citizen and what sort of participation is required are evident in the research of Joel Westheimer and Joseph Kahne (e.g. 2004), who argue that whereas ideological liberals (not to be confused with philosophical liberals) tend to see a citizenship as involving social critique (citizens actively critique the government, laws, policy, etc.), conservatives have tended to see citizenship as tied to character. From these conceptions it follows that civic problems are blamed on structural inequalities and personal deficits, respectively. Based on their research examining civic education programs, Westheimer and Kahne (2004) identify three types of citizens that these programs cultivate, recognizing of course that there is no neatness about these distinctions (that is, they often overlap): the personally responsible citizen, the participatory citizen, and the justice-oriented citizen. Programs that cultivate the personally responsible citizen focus on qualities of good character: empathy, charity, compassion, hard work, honesty, and so on. Such programs receive the most attention within scholarly research on education and within popular policy (Westheimer and Kahne, 2004, p. 243). However, they also receive a significant amount of critique when and because they fail to encourage students to examine the structures of inequality. Such critiques align with disability studies scholars’ critiques of the way that the emphasis on skills and behavior of students with disabilities detracts away from empowering them to question their treatment, the social conditions in which they live, and the educational goals of supported civic participation (see Harris, Owen, & Ruiter, 2012).

Educational programs that aim to promote participatory citizenship emphasize students' participation in collective and community-based activities and efforts in their schools, especially organizing social change efforts and social organization. Such a conception of citizenship corresponds nicely to Dewey's view of democracy as a way of life (Dewey, 1916) and is reflected in the work of educational theorists who advocate for modeled democratic processes in schools (for example, Meier, 2002).

The justice-oriented citizen is similarly inclined towards community-based and participatory efforts but this is accompanied by an emphasis on structural critique. The goal of such programs is to emphasize not just social change, but social change that gets at the root causes of systemic problems. Such a stance is well-reflected in Meira Levinson's (2012) description of what civic education should involve: "schools need to teach young people knowledge and skills to upend and reshape power relationships directly, through public, political, and civic action, not just private self-empowerment" (p. 13). As I will discuss further in Chapter Five, the emphasis on the development of individualistic and private self-empowerment is often the focus within self-determination programs and practice used for children in special education contexts (see Peterson, 2009; Smith & Routel, 2009). In sum, "if participatory citizens are organizing the food drive and personally responsible citizens are donating food, justice-oriented citizens are asking why people are hungry and acting on what they discover" (Westheimer & Kahne, 2004, p. 242).

We see here that differing beliefs about what constitutes a good society as a flourishing democracy inform different conceptions of citizenship and the education that supports it. Recently in Colorado, for example, students protested changes to the social studies curriculum that emphasized compliance with "free enterprise economics" and patriotism (Garcia, 2014). In

response, a school board member stated, “I don’t think we should encourage kids to be little rebels... We should encourage kids to be good citizens” (Garcia, 2014, n.p.). Here, activism is opposed to good citizenship. Within this conservative view, the good citizen is the one who conforms. Such ideological positions discourage variability in democratic forms and limit the range of what is recognized as civic engagement because they insist on a singular and narrow view of citizenship that ignores the complexity of roles, desires, and abilities that individuals occupy and possess. These differences have significant implications for pedagogy, curriculum, evaluation and education policy, all of which are subject to these differences in ideological perspectives (Westheimer and Kahne, 2004, p. 263). When ideological differences intersect with the social histories of societal groups, it becomes even more apparent how civic engagement is classed, racialized, gendered, and cultured.

Ability Expectations and Democratic Forms

As we can see, democratic citizenship educational aims always involve a conception of what students ought to know and be able to do in order to participate in civic life; in short, they express ability expectations (see Wolbring, 2012). Ability expectations are those capabilities (and sometimes capacities), dispositions, behaviors, and virtues that are desired or expected within a particular contextualized framework of education (Wolbring, 2012; see also Biesta, 2006; Hehir, 2002). They correspond to and express those activities and behaviors valued within a social or political sphere. Importantly, they “influence the very meaning of citizenship” (Wolbring, 2012, p. 156) and are shaped by a dominant view of what citizenship requires based in historical construction of the citizen. As the above examples of civic education programs illustrate, what good citizenship is thought to involve influences the sorts of civic education

programs that theorists, policy-makers, and practitioners design and form. Conceptions of civic engagement express beliefs that are socially and contextually bound, which is to say that they do not express universal truths about citizenship activities, but rather contingent but naturalized beliefs about what citizenship requires. Because conceptions of good citizenship imply conceptions of a good society, there is always going to be reasonable debate about what citizenship means and entails. Nevertheless, this debate largely takes place without considering how our attachments to particular norms of intellectual ability, reasoning, communication, and so on inform these conceptions.

For Gert Biesta (2006), philosophical conceptions of democratic citizenship (as well as programs of civic education) further express a view of what kind of subjectivity is desirable or necessary for a democratic society. That is, it is not just about what individuals can do or what they know, but fundamentally who they are and what norms they instantiate. Overwhelmingly, the democratic person – the citizen – is thought to possess capabilities that correspond to Enlightenment ideals of rationality and independence and is considered to be separate from and perhaps unaffected by her social and political context of learning and action and by her relationships with others (Biesta, 2006, p. 120). Schools then become the sites of citizenship-subject production, as it is their task to produce or create individuals expressing this forms of subjectivity. In this sense, schools are tasked also with replicating an ideal of the rational and independent person and they participate in the discourse of citizenship thus perpetuated.

Gregor Wolbring (2012) points out that, where citizens are thought to possess particular capacities and exhibit particular characteristics, such ability expectations can transform into a form of ableism, in which abilities become essential, rather than merely desirable. Consequently, citizenship is tied to the possession of particular capacities and the citizen is affirmed as one who

is abled in some specific way. While ableism (defined in this way) can be positive – perhaps the injunction that we all must possess the ability to live together in harmony – it can also necessitate abilities that people with disabilities are unable to possess (Wolbring, 2012, p. 152). Because philosophical researchers of democratic education explore the sorts of desired – and even necessary – capacities that democratic citizens possess, they likewise express ability expectations that reflect ableist norms. Further, they frequently narrow the range of abilities that are desired or even expected and contend that particular thresholds of ability are required for civic membership.

How one conceptualizes democratic education – and the sorts of abilities expected of those democratic citizens – depends on one's view of democratic participation and, indeed, what constitutes good citizenship. In exploring different democratic forms, political philosophers have described a number of stances or perspectives on what constitutes democratic participation and each of these stances maps onto a particular conception of the democratic person, who is thought to possess, or potentially possess, through education, the main capacities required for the exercise of the democratic activities of decision-making and, in some cases, of living together with diverse others. Within liberal democratic theory, the prevailing model of democratic decision-making is deliberation. Deliberative democracy is usually contrasted with aggregative democracy, where the former's emphasis on reasoned discussion and debate is lauded as increasing the legitimacy and inclusivity of decision-making in contrast to the individual preference-based emphasis of the latter. However, while deliberative democracy is often described as a discreet form, in practice – and perhaps even in theory – deliberation is not the sole mode through which decisions are made. Indeed, as I will show, democratic practice calls for a variety of democratic forms, some of which are more cooperative and reasons-based than

others. Each stance supports its own vision of what is required of democratic citizens and promotes its own ability expectations for students within a democracy.

I first consider an aggregative stance towards democracy and democratic participation that emphasizes the aim of satisfying the greatest number of preferences. The supporter of aggregative democracy suggests that democratic decision-making takes place through a process in which citizens express their preferences in relation to political problems or policies and that decisions are made on the basis of the most widely and strongly-held preferences (Young, 2000, p. 19). Individual preferences can be dismissed or excluded, not on an assessment of the reasons that support them, but on the basis that they do not support an optimal result, understood as that which satisfies the largest number of people (Gutmann & Thompson, 2004, p. 14). The optimal result may be that which supports the majority of citizens, or it may be that which arises out of a cost-benefit analysis. Either way, aggregative democracy defends a majority rule sort of decision-making, in which majoritarian or utilitarian ideals provide justification for outcomes (Gutmann & Thompson, 2004, p. 15). Under this democratic conception, citizens need only be able to formulate and express their preferences and desires and are not required to provide reasons to support their preference or opinion. Preferences themselves are taken as given, without assessment of their origins or concern over their publicity (Young, 2000, p. 20). Aggregative democracy therefore demands very little of citizens; they need only learn to express their preferences, likely by casting a vote, and perhaps how to form interest groups to lobby for preferences. The democratic person is here conceived as one who expresses preferences and lobbies, perhaps through coalition-building or interest group formation, for their satisfaction.

However, aggregative democracy is quite likely to reinforce dominant group preferences because decision-making is based on majority preferences. For some whose definition of

democracy requires outcome equality in processes of decision-making influence, aggregative democracy can be considered only loosely or “thinly” democratic (see Young, 2000, p. 21).

Where minority groups or disempowered groups have little to no chance to affect the outcome of decisions made, members of these groups have little to no democratic control. Further, aggregative models of democracy place no emphasis on the publicity of preferences; that is, they do not require that reasons or motivations behind preferences be made public, nor that they be rational (Young, 2000, p. 20-21). Thus, despite the rather undemanding ability expectations of this model, people with intellectual disabilities, because of their minority-group status and position of societal disempowerment, are particularly ill-served by aggregative models of democracy (Clifford, 2012). Stacy Clifford (2012) writes, “Aggregative models of democracy...fail to capture the political participation of people with profound emotional and cognitive disabilities who are either disenfranchised by law or prohibited from voting due to the severity of impairment itself” (p. 211). Indeed, if the expected activity of democratic participation is voting – and expressing one’s preferences through voting – this model puts many people with intellectual disability labels, along with others deemed “mentally incompetent,” at risk of being excluded entirely from political influence. This is not to say their exclusion is a necessary consequence of this model’s emphasis on voting; in fact, there are many reasons to conclude that the disenfranchisement of people with intellectual and other significant disabilities is unjust and based on inflexibility and bias within guardianship and other policy, as well as because of lack of education (see Agran & Hughes, 2014). At present, all but eleven states have laws that restrict the voting rights of people with disabilities, with fourteen states barring individuals who are under guardianship outright from voting (Pan, 2012; see also King & Ebrahim, 2007). This latter restriction assumes a straightforward relationship between

individuals being deemed unable to manage particular aspects of daily care and living, like medical and financial activities, and their being unable to make decisions about voting. I will return to a discussion of assumptions like these in the next chapter.

Deliberative democracy emerges in contrast to the majoritarian emphasis in aggregative democracy by expressly valuing inclusion and publicity in decision-making, and by viewing democracy as a discussion of needs and interests and conflicts over those needs and interests. It would seem, then, that the valuation of inclusion of diverse voices (Bohman, 2006), meant to yield better outcomes, would well serve those with diverse abilities. However, Amy Gutmann and Dennis Thompson (2004) argue that its most important characteristic is its “reason-giving requirement,” namely that preferences, needs and interests are supported by reasons that are accepted by free and equal persons under fair and public terms of cooperation (p. 3). This is the sense in which deliberative democracy is regarded as grounded in an understanding of the moral obligation of reciprocity and mutuality (Gutmann & Thompson, 1996, p. 55). In Gutmann and Thompson’s words, deliberative democracy is “a form of government in which free and equal citizens (and their representatives) justify decisions in a process in which they give one another reasons that are mutually acceptable and generally accessible, with the aim of reaching conclusions that are binding in the present on all citizens but open to challenge in the future” (2004, p. 7). Thus, decisions and decision-making are legitimate when reasons are given to support an individual or group’s position, and these reasons are public in both form and content, and binding but provisional. The emphasis here is on the citizen as an autonomous decision-maker who actively participates in the process of governance through deliberative activities (Gutmann & Thompson, 2004, p. 4-5).

Unlike aggregative models of democracy, deliberative models appear to demand quite a bit of citizens as well as of political states. Iris Marion Young (2000) suggests that deliberative democracy values four important ideals: inclusion, political equality, reasonableness, and publicity. The normative ideal of inclusion regards legitimacy as arising only when all those affected by a decision are included in the process of deliberation and decision-making. Political equality suggests that mere inclusion is not enough; rather, all those affected by decisions ought to be included on *equal* terms, including equal opportunity to voice their views, and freedom from coercion or false consensus (Young, 2000, p. 24). Reasonableness, for Young, expresses a kind of disposition, one characterized by, among other things, a willingness to listen to others, open-mindedness and a willingness to change one's opinions in light of others' persuasive reasons (Young, 2000, p. 24-25). Importantly, reasonableness must be distinguished from rationality, which refers to the logical quality of individuals' preferences and convictions, rather than their willingness to listen and consider others' views (Rawls, 1993, p. 49). Finally, the normative ideal of publicity corresponds to the understanding that deliberation takes place within the context of a plurality of preferences, interests, goals, experiences and so on that inform collective decision-making (Young, 2000, p. 25). Publicity requires that one's contribution to discussion be aimed at being understandable and acceptable (Young, 2000, p. 25). Each of these suggests particular normative requirements on citizens' democratic development. If these ideals express the values that deliberative democrats place on the democratic process, we can begin to see the sorts of knowledge, skills and dispositions that individuals would need to possess in order to participate in such civic activities and therefore what might be required of schooling.

According to this deliberative model of democracy, then, the democratic person is one who is motivated to engage in public discussion or debate with others whose views she disagrees

with or whose interests are conflicting. She is open to listening to the others and to being persuaded by them to change her position. She is able to engage in reasoned argument in which she presents reasons that support her position and listens to the reasons presented by others. Further, she weighs others' reason-based contributions to discussions equally. Finally, the democratic person is one who has autonomous decision-making capacity, meaning she acts independently and freely in giving reasons and forming consensus or disagreement. These ability expectations are quite demanding of citizens and would seem to pose significant problems for people with intellectual disabilities (although not only this group).

Amy Gutmann has offered the most attention to deliberative democratic education. In her *Democratic Education* (1987), she argues that it is the job of schools to educate children in a way that supports "conscious social reproduction," such that all children are readied for the task of collectively shaping and re-creating the society in which they live. According to Gutmann, students ought to be prepared to participate in shaping the political values, attitudes, and behaviors of citizens and of the educational sphere, and to influence the development of future citizens (1987, p. 14). Citizenship, for Gutmann, is conscious social reproduction enabled by deliberation (1987, p. 45). Having the capacity for deliberation is a necessary (although not sufficient) condition for this conscious social reproduction because it allows citizens to debate and choose among alternative ways of life, both personal and political (1987, p. 40). Thus, Gutmann regards the capacity for deliberation as central to democracy and to democratic education, even suggesting that the latter is synonymous with deliberation: "In its commitment to critical deliberation, democratic education rejects inculcating blind allegiance to any political system and to any conception of the good life" (Gutmann, 2007, p. 159). For Gutmann, democratic education produces citizens with the capacities for deliberation and this requires an

emphasis on both their moral character and their capacity for reasoning. These ability expectations include character traits like honesty, veracity, self-discipline, religious toleration, and respect for others and the ability to understand and evaluate competing conceptions of the good life and good society, and the ability to weigh reasons and evaluate claims (Gutmann, 1987, p. 44; 2006, p. 164).

Gutmann concedes that her account will not fit with the abilities of all children. Some, she allows, will lack the ability to develop the capacities required in her account for deliberation and effective participation in democratic politics (Gutmann, 1987, p. 155-6). Consequently, they are not owed the same opportunities, although they are owed “a good life relative to their capacities, a life good for them (not simply convenient for us)” (Gutmann, 1987, p. 155). Here Gutmann assumes that certain exclusions will be inevitable because some children will simply lack the requisite capacities for democratic citizenship. Her assumption is that the appropriate solution is to treat apparently deficient children differently rather than to regard the framework of democratic education itself as inadequate in light of this lack of fit. It is for this reason that Clifford (2012) charges that deliberative democracy is “implicitly coded as able-bodied” (p. 218) and, I would add, able-minded. Gutmann’s approach to thinking about whether and how the aims of education apply to children with intellectual disabilities is reflective of the deferral stance that I described in the previous chapter. Here we see the same strategy of deferral used that parallels the patterns of traditional special education practices. The assumption of the need for separation and alternative schooling follows from the view that the exclusion of this population is simply a result of this group’s inability to meet the necessary qualifications for citizenship. And yet, the value of deliberative democratic practice is not called into question in light of its ill-fit with an entire group of children.

Democratic Citizenship and Norms of Able-Mindedness

The view that certain abilities are essential for political membership and participation and that assumes that political participation relies on independent self-representation, has its origins in political philosophical accounts of personhood and citizenship, most prominent of which, again, is Rawls' theory of justice as fairness. As I have explained, Rawls' account of the conditions of equality and social stability is informed by a particular conception of the person and, relatedly, of citizenship, that is characterized by rationality, independence, and reasonableness (Rawls, 1993). Recall that being a citizen in Rawls' conception depends on one's ability to participate in social, political, and economic life and to exercise certain rights and duties, activities which demand possession of what Rawls calls the two "moral powers:" the capacity to form a sense of justice and the capacity to form a conception of the good life and to rationally pursue that conception over the course of a complete life (2001, p. 18-19). Rawls argues that persons must fall within what he calls "the normal range," "the range of differences in citizens' needs and requirements compatible with everyone's being a normal and cooperating member of society" (Rawls, 2001, p. 170). The normal range is therefore conceptualized in relation to those activities that are regarded as necessary for political stability and social cooperation – that is, citizenship. There is flexibility within this prescribed range of normal differences, but it is clear that a demarcated line exists between those who are included as decision-makers and those who are excluded as such. Those who fail to meet the conditions of this line of demarcation – this minimum threshold of normalcy – are not considered democratic equals. Their needs and interests are deferred. Thus, some individuals are regarded as unable to be recipients of the duties of justice and are not owed the same democratic opportunities as those whose capacities enable their democratic equality.

This view therefore leaves those who fall below a particular threshold of rational capacity out of equal civic membership and decision-making roles, a consequence accepted by Rawls (although in his view only affecting “scattered individuals”) (see Nussbaum, 2006, p. 65). Importantly, though, Rawls does not stipulate that individuals with intellectual disabilities as a group are non-citizens. Rather, he argues that individuals lacking certain capacities – the two moral powers – will not be full members of society. It is clear, then, that Rawls’ account relies on a particular idea of what capacities are required for citizenship and these map onto the capacities that are seen to be lacking in individuals with intellectual disabilities within philosophical and other scholarly accounts of disability. It is cognitive ability or more precisely *demonstrated* cognitive ability that is positioned as an arbiter of citizenship status.

The view of democratic equality that underpins deliberative democratic education is based, as we have seen, in “communicative reciprocity” (Clifford, 2012). Here, it is one’s engagement in social relationships (rather than possession of resources) that determines one’s standing as an equal. Says Elizabeth Anderson (1999), “democratic equality regards two people as equal when each accepts the obligation to justify their actions by principles acceptable to the other, and in which they take mutual consultation, reciprocation, and recognition for granted” (p. 313). Because it consists in relationships of reciprocal obligation and respect, democratic equality informs a broader conception of citizenship and the civic and moral obligations that we have to one another. The important element of democratic equality is its understanding of reciprocity as involved in citizenship relationships. That is, our equal “standing” in society depends on our equal contribution to and affirmation of this principle of reciprocity. It is not simply participation in democratic practice, then, but participating as a democratic *equal*. Such equality may not be possible for many with significant disabilities (absent a redefinition and

reframing of the concept of reciprocity itself). Importantly, this egalitarian conception bases political equality – democratic equality – on moral equality, conceived in Rawlsian terms as properties of “competent adults” who possess the two moral powers I outlined. In other words, we are apparently all equal in our moral worth, regardless of race, social status, gender, even genes (Anderson, 1999, p. 12). However, the qualifier “competent” indicates that we are *not* all in fact equal when it comes to the *degree* of ability differences experienced. Some disabilities may not affect our moral equality, while others – those that affect our assessment as competent – do undermine our moral equality. Says Clifford (2012), “When communicative reciprocity is the foundation of equality, communicatively incompetent participants are denied free and equal status” (p. 222). Importantly, it is not only non-normatively communicating individuals’ modes of communication that are rendered invisible, but their very value as persons (Clifford, 2012).

Elizabeth Anderson (1999, 2007) and Debra Satz (2007) also maintain that democratic equality is tied to citizenship, and, in particular, stress that certain threshold levels of functioning relative to civic participation. Anderson argues that citizenship involves functioning as a political agent, including voting, engaging in political speech and petitioning government (1999, p. 317). Further, it involves participating as an equal in civil society, that sphere of public social life that includes public streets, parks, restaurants, public transportation, libraries, hospitals, and so on (Anderson, 1999, p. 317). Here we see two sentiments expressed. First, that citizenship requires some level of functioning conducive to political agency, expressed in terms of the acts associated with political participation (of which Anderson names a few). In other words, citizenship is tied to particular acts. Secondly, institutions of the state have an affirmative duty to respect democratic equality by ensuring that all groups have equal opportunity to participate in public or civil society. The first expresses capacities of individuals, the second, obligations of the state.

However, the state is relieved of some of its obligations of access for those individuals who are regarded as not possessing the capacities to function as agents (Anderson, 1999, fn 97).

Anderson would seem, then, to agree with Gutmann's position that children who are assessed as lacking the potential to function as agents cannot be harmed by a deprivation of democratic education – or education aimed at preparing them for democratic citizenship – because they lack the capacities to develop this ability in the first place (see Vorhaus, 2005 for critique of Gutmann and Anderson). Thus their exclusion from equal access to democratic opportunities is justified by their presumed or existent lack of capacity with respect to particular educational abilities.

Political equality, then, depends on at least some level of rough equality or, put another way, depends on one's being of normal cognitive capacity.

It is on the basis of this albeit minimal requirement of rough equality – equality in person's capacities – as a necessary condition of justice that Martha Nussbaum (2006) is critical of Rawlsian contractualism. This is because such a framework cannot adequately account for the moral equality and equal citizenship of persons who fail to fall into a posited range of normal human capacity (Nussbaum, 2006, p. 31). In Rawls, the conditions of social cooperation are decided upon by parties who are roughly equal in natural capacity, understood in terms of their mutual capacity for productive work or participation in a scheme of mutual advantage. These conditions of reciprocity that enable the formation of the social contract exclude those persons who live their whole (or perhaps most) of their lives in conditions of dependence or non-reciprocity (Nussbaum, 2006, p. 36). Nussbaum regards this deferral of consideration of individuals lacking the moral powers as unnecessary, as she argues that moral equality could be

grounded in our common experience of need and animality, rather than independence and rationality (2006, p. 134).¹⁸

Although these debates over the moral equality and related democratic equality of persons have been active in political philosophy, consideration of how the assumption of rough equality informs conceptions of democratic education has yet to occur. Democratic citizenship as an aim of schooling is therefore grounded in the assumption of the need for certain minimum levels of rationality and cognitive competence. The view of educational adequacy – that education is adequate when it enables students to develop these capabilities of democratic citizenship – is therefore tied to the requirements democratic equality (Satz, 2007, p. 625). Accordingly, a proper aim of education (perhaps the sole aim, depending on the framework) is to teach children the knowledge, skills, and behaviors of self-government and of active citizenship (see Gutmann, 1987; Callan, 1997; Brighouse, 2006). Such arguments take for granted that children possess certain independent rational capacities, such as the capacity to independently reason and deliberate, or the capacity to independently weigh different conceptions of individual and social good.

Because of the conclusion that democratic citizenship requires the possession of particular skills and knowledge that may be out of reach of some children, some philosophers of education, much like special education traditionalists, have proposed that we develop separate aims for children unable to meet these “ability expectations.” Gutmann’s (1987) description of so-called “brain-damaged” children delineates separate education aims for them, aims that exclude democratic citizenship. As I discussed in the previous chapter, the development of separate educational aims is significant because philosophers of education use such aims to

¹⁸ Thomas M. Skrtic and J. Robert Kent (2013) critique Nussbaum’s view, arguing that what is missing from her account “is consideration of the scope of democratic citizenship and how the political practice of citizens so construed might be institutionalized in a *just* modern society” (p. 101).

develop normative principles by which to guide questions of educational distribution, curricula, pedagogy, and so on. These principles tell us how schools ought to be arranged, how and what teachers ought to teach, and, importantly, *whom* they ought to teach. Developing separate educational aims for some groups of children – those who are assessed as lacking the capacities for democratic citizenship and participation as described above – potentially positions such students outside of those pedagogical, curricular, and distributive decisions that apply to children generally. And this is on top of the existing historical pattern of bias against people with intellectual disabilities in matters of civic membership and social belonging.

One way that we might address this exclusion from aims is to simply regard educational justice as consisting and assessed not in the development of particular aims like democratic citizenship or career-readiness, but rather in the capacity to flourish. Because flourishing aims are concerned with creating the conditions of well-being and of opportunity for future well-being for children, they are broader and more inclusive than democratic citizenship. Jaime Ahlberg (2014), for example, argues that we should focus on flourishing aims – the opportunity for flourishing – because flourishing is an expansive concept that can include, but need not, citizenship aims. Thus, while some children may flourish in relation to the development of citizenship aims, others will not. That is, democratic citizenship might be part of what is involved in flourishing but so too are other activities and roles; one can flourish without participation in democratic citizenship.

However, focusing on flourishing does not help address the question we are tackling here: namely whether existing conceptions of democratic citizenship education can accommodate the differences in cognitive ability, communication, and adaptive behavior that people with intellectual disabilities exhibit. This is because insofar as some labeled individuals

require some level of participation in democratic citizenship in order to flourish, we need to have an account of how they can be included and educated toward that end. Further, being a citizen is connected to the core of human dignity and social respect, and thus the substantive *opportunity* to participate as a citizen – and to learn towards that goal – must be available to all individuals. Thus, it seems that rather than addressing the problem of exclusive aims, this solution simply delays it: how would we decide who is capable of learning citizenship skills and dispositions? How would we assess such children’s capabilities towards specific ability expectations?

Conclusion

In this chapter, I discussed how the constructs of citizenship and the good citizen operate as organizing concepts tied to expectations of able-mindedness and able-bodiedness. I have also described a number of different stances towards democracy and the particular challenges they introduce for people with intellectual disabilities. Importantly, though, the existence of different notions of the good citizen and of the procedures of democracy point to there being no singular – or uncontested – view of the required activities of democracy. In fact, if we look closely at the contemporary practices of citizens within the United States and Canada, for example, we see a range of (recognized) democratic activities in which individuals take part: voting, negotiating, expressing public opinions through media, protesting, deliberating, and so on. These are not necessarily (or always) in conflict (see Robertson, 2008). Nevertheless, the description of democratic citizenship as an aim of education and the corresponding “ability expectations” which are described or assumed in relation to accounts of democratic citizenship – and corresponding participation – illustrate how the exclusion or marginalization of children with intellectual disabilities – or, at least, many children so labeled – from democratic education is

regarded as *inevitable* and therefore justified. Children are regarded as deficient, rather than the framework or frameworks of democratic participation or democratic education. Neither the ability expectations nor the corresponding norms of participation are questioned in light of such exclusions. In other words, these frameworks privilege the able-minded individual and fail to consider the broader range of ways in which people can exercise political agency.

A further problem that the conceptions of democratic citizenship outlined in this chapter represent is the almost exclusive focus on the achievement of states – or capacities – rather than on the democratic activities that come about through the process of learning and negotiating political agency. In other words, because of the focus on producing particular *kinds* of citizens, these frameworks lose sight of how learning environments create opportunities for us to negotiate political belonging in relation to one another. Recall Dewey's (1916) vision of democracy as a process rather than an achieved state. What happens if we focus more on that process *as* citizenship? How are skills, dispositions, and knowledge (those ability expectations or achievement states) products of relationships rather than individual learning? I will return to these points in the final two chapters.

First, though, I will turn to some important epistemic considerations that bear on this project. As I have explained, a main concern in permitting or applying separate educational aims for children with disabilities is moral, namely that doing so contravenes our goals of inclusion. Another concern is that separate aims may be complicated by difficulties (and epistemic errors) in grouping persons with disabilities and making assumptions about their globalized capacities. To abide by separate aims, we as scholars ought to be quite confident in our ability to assess who is and who is not entitled to be included in common learning projects. However, there are significant epistemic problems that face theorists and practitioners in doing so, not least of which

is our embeddedness in social and cultural communities that persistently devalue and dehumanize people with intellectual disabilities. I turn to this concern next.

CHAPTER FOUR

NORMALCY, THAT MOST DANGEROUS EPISTEMIC PITFALL

If they have trouble brushing their teeth, I am skeptical...they can...make an informed choice to vote (from Agran & Hughes, 2013, p. 60).

...social and material inequities stem from a lack of understanding – a failure to ‘do justice’ to people, to appreciate them to any degree of complexity (Young & Quibell, 2000, p. 747).

In the previous chapters I detailed how current frameworks of democratic education express ability expectations that privilege norms of able-bodiedness and able-mindedness. These frameworks, as I have shown, delineate not only the sorts of skills, dispositions, and behaviors that are required of future citizens – and that they are therefore required to learn and exhibit within educational environments – but also the *kinds* of knowledge that are adequate to meet levels of democratic citizenship. I argued that articulating democratic citizenship as an aim of education has largely had the result of failing to account for – whether tacitly or explicitly – persons with intellectual and other significant disabilities, and that some educational theorists propose to address this problem by suggesting that people with significant disabilities be subject to different and separate aims. In Chapter Three, I outlined how the construct of the good citizen emerges in opposition to the dependent and disabled individual and that democratic forms express ability expectations that are often counter – or perceived as counter to – the capabilities of those with significant intellectual disabilities. In describing how dominant frameworks of justice within liberal political philosophy conceptualize the citizen as able-minded – that is, possessing some threshold level of reasoning ability, independence, and behavioral and communicative competencies – I began to show how these frameworks participate both in

articulating particular ability expectations as required and in constructing people with intellectual disabilities as incapable of meeting these expectations.

In this chapter, I explain how the arguments that support the reliance on these ability expectations and that uphold the apparent necessity of exclusions of people perceived or assessed as unable to meet them, rely on incorrect and/or misguided assumptions and beliefs about disability. In this chapter, therefore, I evaluate the reasons that theorists give to support the exemption of (some) individuals with intellectual disabilities from democratic citizenship aims and the sorts of hermeneutical resources that they draw from that give rise to and appear to justify these reasons. First, I argue that the beliefs and assumptions that underpin reasons given in support of separate aims rely on misunderstandings about and underestimations of the capabilities of those labeled with intellectual disabilities. Thus, one important goal of this chapter is to interrogate educational philosophers' assertions and assumptions about the capabilities of those labeled with intellectual disabilities, including predictions about their educability and their potential to advance toward specific learning goals. Second, I argue that this uncritical reliance on assumptions about the capabilities of individuals with intellectual disabilities develops because of the epistemic context in which theorizing takes place, namely one in which a dearth of hermeneutical resources are available to understand individuals with disabilities accurately and adequately. Educational theorists' evaluations of intellectual disability and their philosophical reasoning about educational aims is complicated by some important epistemic problems, then, some of which arise out of their participation in a social world that devalues those labeled with intellectual disabilities.

Assumptions of the Deferral Stance

In Chapter Two, I outlined arguments that support alternative aims for children with significant disabilities. These included arguments that express concern for labeled children (worries over too high expectations, worries over frustration and stigma) as well as arguments that express concern over balancing the needs of labeled children with the needs of non-labeled children (worries about resource scarcity and worries about leveling down). These arguments rest on the belief that these individuals' disabilities prevent them from acquiring the capabilities required to achieve valued educational aims, such as democratic citizenship. The inability of some children to meet ability expectations is assumed as inevitable and their exclusion is regarded as justified by their lack of ability. What sustains this view of some students' lack of ability? What beliefs and assumptions about learning performance, educability, and so on underlie this claim? I propose that in order to evaluate ability expectations and whether they *unfairly* privilege (I have established in the previous chapter that they do privilege) those who are considered able-minded, we need to look at the kinds of beliefs and assumptions that are being made about the nature of disability as a diagnosis, label, or educational state.

First, the argument that children with intellectual disabilities cannot achieve democratic citizenship aims relies, at least in some minimal sense, on grouping children based on exhibited physical, emotional, or cognitive behaviors and characteristics. In Amy Gutmann's (1987) construction, for example, she specifies "children with brain damage" as a particular group having characteristics that disqualify them from government by democratic citizenship aims of education (Gutmann, 1987, 155). Even if no particular group is specified, however, some criteria of judgment must be used to assess whether children do indeed fall below a threshold level of ability deemed necessary for the achievement of this particular educational aim. However,

defining disability, perhaps especially within educational contexts and in relation to intellectual and learning disabilities, has not turned out to be a straightforward endeavor. Anita Silvers (2003) calls disability an “essentially contested concept” because it is a theoretical notion that will necessarily be understood differently by different people in accordance with the political values they hold (p. 473).¹⁹ Thus, while we speak of cognitive disability, intellectual disability, autism, learning disabilities and so on as if they are obvious categories, definitions of such disabilities have been and continue to be the subject of dispute among special educators, disability theorists, psychologists, and medical professionals (Luckasson & Reeve, 2001, p. 48). Complicating this state of affairs are popular understandings and portrayals of disability that tend to depict only the most extreme cases of intellectual disablement (Carlson, 2010) and portray autism as a kind of mystery to be solved (McGuire & Michalko, 2011). One need only think about the common pronouncement “Oh, he’s got to be autistic!” or “she’s a retard” to be reminded of the level of comfort laypeople have with diagnosing or labeling another person as disabled, often quite sincerely, although usually pejoratively. Some philosophers and other scholars of disability have argued that this identification process itself is evidence of how disability – as a label, as a category – is a social construct (Carlson, 2010; Stubblefield, 2010).

This grouping can also be seen as a form of stereotyping and discrimination: that is, making an assumption about all individuals based on their label. However, for many disability appears to pose an altogether different challenge than that posed by the inclusion of individuals based on race, gender, sexuality, and so on. Individuals labeled with intellectual disabilities are, by the conceptual definition of their disability, understood as impaired in their intellectual capacities. People with intellectual disabilities are situated both socially and theoretically as

¹⁹ We see overlap here between descriptions of disability and citizenship as contested concepts. Of course this is not coincidental as part of what I am arguing is that these concepts co-construct one another – they are contested in relation to one another.

potentially “irredeemable outliers” (Silvers & Francis, 2005) because of their apparently natural (rather than social) deficits. However the question of whether natural deficits or disadvantages exist is far from settled. Indeed, many disability studies scholars, and some philosophers, contend that these distinctions between natural or biological deficit and social disadvantage are themselves socially produced. This concerns, among other things, the extent to which disability is a social construct and, indeed, what that means (see Carlson, 2010; Hacking, 2000; Rapley, 2004).

In order to know that the exemption of children with intellectual and other significant disabilities from democratic citizenship aims is indeed fair and just, I posit that we would need to first evaluate: a) our practices of grouping students and inferring their educational abilities from their belonging to such groups; b) our criteria for assessing a child’s ability or lack of ability with respect to this particular aim; and c) the particular capabilities deemed necessary for developing and exercising the skills and dispositions associated with democratic citizenship. Accordingly, we can identify at least two areas that complicate our evaluation of the justifiability of exempting labeled children from democratic citizenship aims: how disability, intellectual competence, and educability are defined and according to the presence or absence of what characteristics and what levels of functioning, and how the presence of disability is measured in individuals and the tools used to do so. In this section, I will evaluate some specific assumptions regarding definition, measurement, and prediction that underpin arguments for exemption.

Defining Disability

A first assumption is that *at least some disabilities are static and immutable conditions, their presence in individuals persisting regardless of other aspects of their identity, their social*

context, or their developmental stage. Licia Carlson (2010) describes this position on intellectual disability as follows: “If intellectual disability is understood in organic or biological terms, then presumably there are certain immutable limits placed on the possibility of altering the condition (a treatment might exist, but it would have to act upon the biological organism, insofar as the condition is organic; changing the environment alone would not alter it)” (p. 37). Carlson notes that the view of intellectual disability or “mental retardation” as a static condition has been historically linked to assessments of incurability and un-educability of those assessed as having a biologically present cognitive impairment (2010, p. 36-40). Such individuals were separated from those regarded as merely “feeble-minded” as a result of their familial class and moral upbringing (Carlson, 2010, p. 39; Lombardo, 2008). This assumption therefore includes a belief about educability, namely that we can measure and predict who will and who will not benefit from education or a particular type of education in advance of their receiving it.

As I discussed briefly in Chapter Two, the notion of “educability” has an important history in its application to children with disability labels (see Trent, 1994). Historically, children with perceived intellectual disabilities were further categorized according to their expected developmental capacity through education: educable, trainable, incurable (see Carlson, 2010, p. 37). Such categorization illustrates what Carlson calls “The dual conception of intellectual disability as static and dynamic” (2010, p. 37): “Static and dynamic conceptions of feeble-mindedness might parallel the distinction between organic and non-organic causes, severe and mild cases, or they might also correspond to historical periods: an age of optimism that views intellectual disability as dynamic, followed by an age of pessimism that views it as static” (Carlson, 2010, p. 36-37). For example, the notion that individuals with intellectual disabilities have cognitive limits – and that we might come to know those cognitive limits in studying them

– expresses a view of intellectual disability as static. Often, limit expectations are applied to delineate severe from less severe “cases” of intellectual disablement, distinctions that are made on the basis of observable “functioning” and intelligence scoring. On the other hand, the view that education and caring support can enhance labeled individuals’ cognitive competencies sees intellectual disability as a dynamic category that interacts with environmental factors. These two views perfectly represent the twin conception of intellectual disability as static and dynamic.

The contemporary (re)emergence of educability as a descriptive category – and the assessment of children as having differing levels of educability relative to particular learning aims – parallels this historical usage of educability and brings it into present-day assessments. The reproduction of the concepts of intellectual ability and disability likewise occurs within arguments that uphold the necessity for individuals with significant intellectual disabilities’ exclusion from education aimed at democratic citizenship.

The position on the static nature and immutability of intellectual disability reflects what disability rights activists and scholars of disability studies have called a “medical model” view of disability, wherein disability is regarded as a biological, static, and individual condition. A central distinction within disability studies is the contrast between what is typically called a medical model versus a social model approach to disability.²⁰ The medical model of disability represents an old and very familiar understanding of disability as existing in the biology of individual people. This model regards disability as a medically defined and personal physical characteristic or state of individuals caused by natural or biological impairment or defect in their bodily functioning. Mental, physical, or behavioral variation is seen as deviance from some norm of human characteristics and is regarded as inherently undesirable and in need of cure,

²⁰ To say “a social model” approach is misleading. In fact, there are many different instantiations of social model approaches to thinking about disability, as I will explain.

rehabilitation or segregation. Importantly, the medical model view is supported by, but not identical to, what is commonly called the species norm account of disability. According to this position, disability is an unchanging and intrinsic property of a person that deviates from the normal functioning of the human species (Kahane & Savulescu, 2009, p. 18). However, this view of species functioning and disability is meant to be descriptive and not evaluative of the experience of apparently deviant embodiment; that is, “deviation from species norm is not normative because there is no intrinsic connection between deviation from normal functioning and well-being” (Kahane & Savulescu, 2009, p. 19). The conflation of statistical deviance with the badness of impairment is a normative assessment that is distinct from the descriptive assessment of abnormal functioning (Kahane & Savulescu, 2009; see also Silvers, 2003). Nevertheless, the reader might anticipate that this view is contentious among disability theorists because it relies on an account of normalcy, which many disability studies scholars reject. I will return to this issue later.

As I have said, disability has overwhelmingly been seen as synonymous with bad luck and with natural inequality, meaning that having a disability necessarily entails having unequal social, political, and economic circumstances (Anderson, 1999; Baynton, 2013). Because of this association of disability and natural inequality, furthermore, disability has been used as a justification for the inequality of other social groups, notably women, immigrants, and African Americans assessed as intellectually inferior and morally undesirable (Baynton, 2013). Consequently, and despite its regard of disability as a personal characteristic, this view assumes that people with disabilities should desire and are properly the objects of medical and educational interventions that would attempt to normalize their differences. As such, failure of integration and acceptance into society is often seen as the result of the disability – and the failure to

normalize – rather than social forces, such as stigma and overt discrimination, lack of physical access and accommodation, and lack of institutionalized recognition for ability differences. In response, disability rights activists and scholars have developed what is commonly (and generally) called the social model of disability, which contends that the prevailing individualized and medicalized view of disability is harmful and inadequate in representing the actual lived experiences of people with disabilities. Social model proponents argue that disability is a social and political category that is based on arbitrary and constructed ideas about bodily normalcy and intellectual ability and on normative behavioral expectations that cast individuals into social classes and groups. The social model generally regards bodily differences as normal variations that become abnormal through social and cultural processes. The contrast between the medical model and the social model is a defining feature of disability studies, in particular because the move to a social model perspective creates a space for critical evaluation of taken-for-granted ideas about how human beings can move about and find happiness in the world.

Of course, not all versions of or conclusions on the basis of the social model are alike. For some, the social model involves a clear distinction between impairment, understood as the internal biological or genetic condition that causes problems in development, functioning, and so on, and disability, the social “add-on” to impairment – that is, the stigma, social barriers, and cultural attitudes that attach to being impaired (Oliver, 1996; see also Shakespeare, 2006). For those who hold this view, responses to inequalities on the basis of disability must acknowledge the disconnect between impairment and disability, such that impairments are understood as insufficient conditions for disability to arise (think near-sightedness), although they may be necessary ones (Tremain, 2005). For others, there are distinct problems with the view that disability is socially constructed while impairment is biological. One argument is that while the

impairment-disability distinction acknowledges that the problem of disability exclusion lies in the failure to accommodate and accept impairment – that is, within the social attitudes towards and institutionalization of able-bodied norms – it leaves intact the view that disability can ultimately be reduced to bodily functioning. That is, it regards impairment as value-neutral and removed from social processes (Tremain, 2002, 2005). Says Shelley Tremain (2005), “there is indeed a causal relation between impairment and disability, and it is precisely this: the category of impairment emerged and, in many respects, persists in order to legitimize the governmental practices that generated it in the first place” (p. 11).

Other versions of the social model do not hold fast to such a distinction between impairment and disability but nevertheless argue that disability/impairment is socially constructed relative to norms of embodiment and ability. Much like race is a social construction in which bodily morphology, skin-color, and other bodily features are interpreted relative to the norm of whiteness, physical bodily features like “missing” limbs, levels of IQ, physical energy and so on are interpreted relative to an able-bodied norm (see Barnes & Mercer, 2003; Linton, 1998; Wendell, 1996). For some, however, this view over-socializes disability by focusing too heavily on disability as socially constructed and thus ignoring the ways in which the lived experience of disability is one that is deeply physical, embodied, and materially constrained (Erevelles, 2011; Terzi, 2008; Thomas, 1999). In other words, the focus on the social interpretation of physical difference loses sight of the lived experiences of that difference, ignoring or diminishing the importance of attention to such bodily experiences as pain, which can be mitigated but not eliminated by social recognition and inclusion (Siebers, 2009; Wendell, 1996). Still further, there is extensive discussion among disability studies theorists, philosophers of disability, bioethicists, sociologists and so on over the extent to which disability is socially

constructed. These include ontological questions (are some disabilities social while others are biological?) as well as epistemological questions (how is disability understood when it is described as socially constructed?) and ethical questions (ought we to regard disability as socially constructed and what are the normative consequences of doing so?). A lot of these questions have to do with sorting out how disability – and different disabilities – are defined and described, such that we can answer important philosophical questions about how people with disabilities ought to be treated.

It is clear, then, that defining disability has been and continues to be an area rife with disagreement. This is certainly true within special and inclusive education, as well as disability studies. In fact, noting that the boundaries of what constitutes a disability is highly contextualized is a way of expressing the contingency of definitions of disability as well as dispelling the myth that disability labels are comprehensive and definitive. In general, then, this definitional uncertainty is seen as a positive thing among inclusive education and disabilities studies scholars.

However, the contingency of disability definitions and labels is not always apparent in the way that philosophers describe disabilities. In fact, many speak of intellectual disability as a kind of test case for the limits of our normative reasoning or ethical obligations. Others draw comparisons between people with significant cognitive disabilities and non-human animals (see Singer, 2010; McMahan, 2010). Philosophers of disability Eva Kittay (2005, 2010), Licia Carlson (2001, 2010), and Shelley Tremain (2011, 2013) have perhaps done the most work to expose the problem of discourse around disability in philosophy, although recent online debates over ableist language in philosophy do hold promise for expanding recognition of ableist assumptions (for example, see Tremain, 2011). The controversy over well-known bioethicists'

descriptions of and regard of intellectually disabled individuals could occupy a full thesis and I will not attempt to explore it comprehensively here.²¹ Later in this chapter, though, I will discuss how these philosophical orientations towards intellectual disability contribute to the positioning of individuals so labeled as other to valued social – and civic – roles.

Whatever the definition or understanding of disability being used, however, the view that disability is static and immutable is clearly contradicted by evidence that shows that the presence or absence of characteristics and behaviors associated with disability actually depends greatly on the social or environmental context and educational conditions under which students are placed, values and expectations of physical and cognitive ability, as well as the scientific and normative criteria being used to assess disability itself.

An important challenge to the notion that disability is a static condition is therefore the documented relationship between the educational success of individual students labeled with disabilities and the expectations of teachers, administrators, parents, and peers, as well as the environment, curriculum and pedagogy to which they are exposed. I discussed this relationship in Chapter Two surrounding the role of high expectations in the high achievement of labeled students (see p. 56). Similarly, sociologists studying disability have noted how societal, familial, and professional expectations and institutional context shape disabled individuals' beliefs about their own capabilities (Goffman, 1961; S. Taylor, 2000). Individuals have a tendency to adapt to institutional expectations and “[they] frequently construct and come to subscribe to an image of themselves which selects and distorts beliefs so as to arrive at a view that is beneficial to expound in an institutional setting” (Vorhaus, 2006, p. 316). Disability service-provision and educational policy have seen a growing recognition of the significance of these social, political, and interpersonal conditions to how disability is experienced and expressed. This recognition is

²¹ Carlson (2010) is a good place to start.

evidenced by leading organizations' efforts to change their definition and assessment practices to reflect the role of culture, social context, peer-group membership, language, and communicative differences in how disability arises (Schalock et al., 2007). Furthermore, by changing "mental retardation" to "intellectual disability," organizations like the *American Association on Intellectual and Developmental Disabilities* (AAIDD, 2013) not only move towards a divestment in the social meanings attached to mental retardation, but also to a definition of intellectual disability that reflects the dynamic nature of the category. Where intellectual disability has traditionally been measured (sometimes exclusively) through intelligence assessments (such as IQ tests), more recent legal and educational assessments rely on a more complex combination of intelligence measurement, a consideration of individuals' access to social and developmental supports (Schalock et al., 2007, p. 118), and, in the educational context, multiple assessments, including measures of cognition, adaptive skills, and the child's response to educational interventions and supports (Coleman, et al., 2007). These changes reflect an understanding that levels of support – whether educational, familial, or otherwise – change the extent or severity of disability; that is, an individuals' relationship context affects not only how they are regarded as learners, but also how they develop and function (Luckasson and Reeve, 2001). Such insights underscore the importance of educational policy on disability, which is informed by views about educational aims, to students' with disabilities overall success, as well as the extent to which their disabilities come to matter to their likelihood of schooling achievement. In talking about separate aims, then, we ought to pay close attention to the relationship between broad philosophical aims and the sorts of aims that are instantiated in practice through teachers, curriculum and school policy.

As I have suggested, there is a significant amount of disagreement among philosophers (as well as other theorists of disability and inclusion) over the extent to which disability is socially constructed. Nevertheless, a diverse set of those working on disability are increasingly in agreement that social context does affect – *to some degree* – both the expression and experience of disability (Siebers, 2009; Tremain, 2002; Vehmas and Mäkelä, 2009). Further, like other aspects of a person’s identity, disability intersects with race, class, gender, language, and so on, a point evident in the effect that race, first language, and communicative ability has on a student’s likelihood of being diagnosed with a learning or behavioral disability (Artiles et al., 2005; Ferri and Connor, 2005a, 2005b). The recognition of the overrepresentation of black and Hispanic students receiving special education services has revealed biases implicit in the standardized testing practices, including IQ assessments, that favor English-speakers and those of the dominant, white cultural groups (Artiles et al., 2005; Ferri and Connor, 2005a, 2005b). In the 1970s several important legal cases highlighted this disproportionality and revealed biases implicit in the standardized testing practices (Ferri and Connor, 2005b). Such early cases affirmed that IQ testing, which has been used as a measure (and sometimes the sole measure) of intellectual disability or mental retardation, is informed by the notion of white intellectual superiority, having origins in racist and classist assumptions that inform both its development and implementation (Stubblefield, 2010; see also Gould, 1981). I will return to this point in the next section when I discuss disability diagnosis and educational assessment. The relationship of both race and poverty to disability diagnosis suggests that assessments of disability are – to at least some degree – participating in constructing disability.

Assessing Disability and the Predictability of Educational Outcomes

Even where definitions of disability acknowledge its dynamic nature, the recognition that the expression of a disability relies on social, environmental, and interpersonal context still leaves open the question of how adequate such definitions are in predicting the likelihood that a student will benefit from a particular type of education. We therefore need to look at a second assumption, namely that *we have some reliable way to measure and predict who can and who cannot perform learning functions consistent with particular educational aims and, by extension, who does and does not belong to a particular group of children with disabilities*. This assumption involves predictions about students' achievements based on their label or diagnosis, their medical prognosis, or their assessed abilities relative to particular educational criteria. The construction works as follows: we imagine a category or group of individuals who exhibit difficulties x or behaviors y. We posit that membership in this category is based on some inherent lack or deficit that is predictive of their educational abilities and thus renders them candidates for alternative educational aims. However, our attributions of intellectual ability and our predictions about educability depend upon our approaches to measuring them. Further, the measurement tools we use, such as IQ, are developed within and according to particular beliefs about developmental and educational normalcy. This dependency on tools of measurement is unavoidable, but it illustrates something about the social nature of our definitions and conclusions about educability.

As I suggested above, there is continued controversy over how IQ tests ought to be used in diagnosing intellectual disability or in informing educational assessment and classification,

assessing the need for services, and even in assessing legal responsibility.²² Yet even while intelligence testing has been acknowledged as biased in particular cases, such as disproportionately measuring cognitive impairment in students of color, this bias is seen as a *contingent* feature of intelligence testing: in other words, that bias is present in some assessments of cognitive disability, thus rendering that label unreliable and unfair in those cases, does not mean that the label or diagnosis is unreliable or unfair in every case (see Gallagher, 2010; Stubblefield, 2010; see also Leonardo & Broderick, 2011). Accordingly, such testing continues to be relied on as an objective assessment practice. Justifiably relying on such assessment practice, however, would seem to require us to clearly distinguish those cases in which bias is present from those in which it is absent. Stubblefield (2010) is skeptical that we can make such clear distinctions. She disputes the distinction between what she calls “judgment categories,” which are based on observer – teacher, psychologist, social worker – judgment and in which no accompanying organic or physical impairment is identified (such as “Learning Disabled” or “Developmentally Delayed,” or “Emotionally Disturbed”), and “organic categories,” which are based in the identification of an organic or physical impairment (and are therefore considered objective) (such as “Down Syndrome”). Stubblefield argues that the strict division between these two categories “cannot be logically sustained” because it relies on a number of erroneous conclusions about the relationship between organic cause and social and educational result (Stubblefield, 2010, p. 295; see also Gallagher, 2010). That is, and as I will explain, those categories that we take to be objective or “organic” ones involve certain judgments or prognostic leaps in their application and in the meaning they have in educational contexts.

²² As I write this, the US Supreme Court is preparing to hear arguments on the use of an IQ threshold in exempting criminal defendants from the death penalty. See Adam Liptak, “Justices Return to a Death Penalty Issue,” *The New York Times* (October 21, 2013). http://www.nytimes.com/2013/10/22/us/justices-agree-to-clarify-mental-disability-in-capital-cases.html?_r=0

First, knowing that a physical cognitive impairment is present does not tell us the specific difficulties that a person will face in performing each educational task presented to them. Certainly there may be patterns among labeled children but we must assess in each case whether an individual student's abilities fit these patterns. In other words, there is a knowledge gap between the identification of impairment and the expression of that impairment in social, educational, and physical contexts. Second, knowing the cause of impairment is not the same as knowing the result; that is, because we can pinpoint a cause of damage to an individual's brain does not mean that we know all the specific developmental or learning consequences it will have for a specific child. Where the first point refers to the significance of social and educational contexts to the *expression* of impairment, the second point refers to a prognostic gap between knowledge of impairment etiology and observable impairment expression.

Importantly, maintaining the distinction between judgment categories and organic categories masks the sorts of judgments and assumptions that are applied to even those categories that are based on physically identifiable impairment. Yet such epistemic problems are ignored when, for example, globalized assumptions and expectations are made about children's learning potential in general or ability to perform specific tasks based on their label or diagnosis. For example, a child who is asked to count blocks and is consistently and over time unable to do so may be taken to have learning or intellectual disabilities. While this certainly could be an indication of such difficulties in learning, it can also be an indication of motor skill problems or a slower pace of development not connected to overall intelligence or overall learning potential (see Stubblefield, 2010, p. 296; see also Biklen, 2005). This gap is also ignored when we make unwarranted inferences about children's capabilities based on their label or diagnosis. That is, when we mistake a child's label for a prognosis of their developmental abilities, we fail to

acknowledge the difference between presence of assessed impairment and particularity of developmental and learning difficulties. This confusion is particularly evident in inferences made about children diagnosed with Down Syndrome or autism, where they are assumed to lack the ability to become independent, are assumed to experience significant behavioral problems, and, especially in the case of autistic children, to lack communication and social skills and connections. Such assumptions are exacerbated by educational expectations about developmental normalcy that uphold standards of achievement based on non-disabled children's abilities, a point I will return to in the next chapter.

Epistemic Injustice in Reasoning about Educational Justice and Disability

As I have shown, there are a number of assumptions that underpin arguments for separate educational aims and that uphold the view that people with intellectual disabilities are marginal in political and educational theorizing. I have also suggested that these assumptions rely on some problematic and even erroneous beliefs and inferences about people with disability labels and their capabilities, as well as on beliefs about education based in particular understandings of disablement. In this section, I will show how such assumptions and inferences detailed in the previous sections arise out of philosophical reasoning conducted within a social context – both academic and lay – that influences the way that people with intellectual disabilities are regarded and allows educational philosophers and other theorists to make epistemic leaps when reasoning about them. Essentially, I will make the case that our philosophical discussions of civic education are conditioned by significant knowledge limitations that lead to epistemic pitfalls in reasoning about aims.

Following the publication of Miranda Fricker's *Epistemic Injustice: Power and the Ethics of Knowing* (2007) a growing number of philosophers have considered how social injustices are perpetuated not only through the unjust distribution of social resources but also through the unjust distribution of epistemic resources. What this means is that inequalities persist surrounding whose testimony is given credence (and how much credence relative to others) and whose experience is represented through dominant interpretive resources. While the concept of identity prejudice and imbalanced epistemic resources was explored by feminist philosophers before Fricker's (2007) book (see Alcoff, 2001; Bar On, 1993; Janack, 1997), her naming and description of the phenomenon as "epistemic injustice," has generated a significant amount of philosophical and sociological attention to knowledge production and social meaning-making, including within the context of educational research (for example, Bohman, 2012; Frank, 2013; Medina, 2011). This recent literature explores how marginalized social groups are systematically excluded from shaping social meanings and generating knowledge about social institutions, like education, as well as how individuals who belong to these groups are systematically denied testimonial credibility on the basis of their social identities.

Fricker describes two kinds of epistemic injustice: testimonial injustice and hermeneutical injustice. These are intimately related and both connect in important ways to the existing limitations in philosophical research surrounding educational justice and intellectual disability that I have been exploring. I will describe them separately and discuss their relationship to conceptualizing civic education.

Testimonial Injustice

Testimonial injustice occurs when a person is treated unjustly in her capacity as a knower. The exemplar case is when an individual is ascribed diminished credibility based on the hearer's own identity-based prejudice against her, such as when a man discounts a woman's testimony because of his beliefs about her intelligence or credibility tied to her gender. Importantly, assessments of credibility occur all the time and require the use of the epistemic resources each of us has available to us, however limited. Assessing a person's credibility in claiming x therefore depends on what is known about their relationship to x , but also about their social positioning, their expertise, their identity, or their experience. Social practices of conferring epistemic authority are commonplace in our daily lives: we assess people's claims to knowledge and truth routinely and with the use of what Fricker calls "heuristics" (2007, p. 16) for assessing credibility and the epistemic trustworthiness of those with whom we interact. For example, according to Fricker the use of stereotypes in forming judgments about others' credibility is a normal part of our epistemic practices (2007, p. 16-17). While stereotypes can be false, misleading, even dangerous (Fricker, 2007, p. 16-17), they are "epistemically desirable" (Fricker, 2007, p. 32) in helping us in making credibility judgments: they allow ease in assessing another's claims or information because we can depend on certain features to indicate whether they have epistemic authority. An obvious example is that we likely grant epistemic authority to a medical doctor on matters pertaining to our health because we know things about her— that she is educated, knowledgeable about medicine and health care, and so on – but also because we hold certain stereotypes or assumptions about her credibility – that she is honest, reliable, trustworthy. The problem, says Fricker, arises when we form credibility judgments without sufficient attention to available evidence because we have formed a pre-judgment about a

category of person and this clouds or distorts our perception of the speaker (2007, p. 36). In fact, these pre-judgments can make it extremely difficult for us to make a fair assessment of another's credibility.

Consider a man who, because of his sexist beliefs about women's intellectual competence, denies epistemic authority to his female doctor. This resistance comes from the prejudices and norms of the "social imaginary" which produce "a strong form of epistemic laziness that blocks evidentiary explorations," making some things obvious, natural, expected, and other things invisible, strange, and unintelligible (Medina, 2011, p. 26). Based on our perceptions of persons' identities, physical and behavioral characteristics, we invest some with credibility and authority, and deny it to others (Medina, 2011, p. 27). These "identity prejudices" affect our ability to make accurate judgments about others' credibility and, when patterned – persistent and systemic – they can lead to a credibility deficit and systematic testimonial injustice to testifiers (Fricker, 2007, p. 29). Fricker is especially concerned with those cases that are persistent and systematic – rather than those cases of credibility deficit that arise from "epistemic bad luck"²³ – because they involve "prejudices that track the subject through different dimensions of social activity" (2007, p. 27). A good example would be assessments about individuals' with intellectual disabilities testimonial competence based on globalized assumptions about their competence in other areas. For example, in *R. v D.A.I.*, a recent case before the Supreme Court of Canada, the court ruled on whether a person can testify about her experience of sexual assault – that is, give testimony as evidence – while being unable to explain

²³ Fricker (2007) describes these as instances in which individuals judge based on the evidence presented to them and simply judge wrong. See p. 42 of the text for examples. There are some obvious questions, here concerning epistemic responsibility: in what situations is a person obligated to look closer at the evidence? What about when the collective imagination prevents one from seeing the evidence: for example in the case of publicly obscured understanding about autistic people and how they present themselves in communication?

the meaning of concepts like truth-telling or giving false testimony (*R. v D.A.I.*, 2012).²⁴ Beyond the legal questions at issue in this case are philosophical questions about the role that affected competencies in one area play in assessments of credibility in other areas. In other words, whether a person can recount their experience of rape can be considered a separate question from whether they can understand the concept of telling the truth. Similarly, to recall the quote with which I began this chapter, whether a person can brush his own teeth does not directly bear on whether or not he can vote, or participate in other forms of democratic process.

Another example of the slippage between competencies in separate areas is how a person's need for supported or facilitated communication is frequently given as a reason to doubt their communicative competence overall. Systematic testimonial injustice is an attack on the epistemic authority of the testifier in general because it is about who they are and how they appear (Fricker, 2007, p. 48). Such persistent doubt can lead to an individual's loss of confidence in her beliefs and justifications for them, and can inhibit intellectual courage, even affecting the development of intellectual and critical capacities (see Fricker, 2007, p. 49). This form of epistemic injustice is, then, a harm specifically in one's capacity as a knower and giver of information. When we are consistently undermined in our attempts to express our experiences or are consistently spoken for, we can lose both the desire and competence to do so. These experiences are commonplace for individuals with intellectual disabilities, who are frequently spoken for, spoken about, or ignored altogether.

Fricker's analysis of testimonial injustice reveals how credibility judgments are theory-laden – that is, they are influenced by our prejudices and generalizations about persons' competence and sincerity as they relate to their cognitive abilities and motivational states (2007,

²⁴ The Court ruled that the expectation that complainants in sexual assault cases be able to do so would prevent such cases from being heard in court and undermine justice for victims with intellectual and other disabilities.

p. 66). As I will discuss in a moment, this generates complications in the case of individuals with intellectual disabilities because individuals' difficulties in mental processing, reasoning, or memory may affect (although not preclude) their ability to provide accurate testimony. Thus, hearers may be justified in assigning diminished credibility to individuals with intellectual disabilities in particular cases. However, the case of intellectual disability seems also to suggest the need to shift our understanding of what reliable testimony looks like, in part because this testimony may not always be autonomous in the way traditionally expected, as the case of supported communication demonstrates (see Erevelles, 2002). There may therefore be a parallel here between assessments of credibility and assessments of cognitive limitation. For example, the same heuristics that we use to assess if a person is lying – lack of eye-contact for example – are also used as evidence of cognitive limitation – as in the case of autistic people or people with developmental disabilities. However, lack of eye-contact does not necessarily mean cognitive limitation, nor does it indicate a lack of credibility; assuming so is part of a deep-seated prejudice against individuals with disabilities. The presence of a disability may therefore make our usual heuristics inadequate (perhaps calling them into question entirely). In cases where the dominant group lacks the epistemic resources necessary to understand or seek to understand individuals with significant disabilities, we may be wrong to trust those measures that we otherwise consider fair and just. Says Fricker, the hindrance to forms of communication or expressive efforts of members of marginalized social groups is “unjust in so far as it derives from the fact that their powerlessness bars them from full participation in those practices whereby social meanings are generated, for these are also the practices whereby certain expressive styles come to be recognized as rational and contextually appropriate” (2007, p. 161).

The role of epistemic power imbalances between dominant and non-dominant groups is a central part of the problem of testimonial injustice. Such power imbalances not only concern who is denied authority in giving testimony or simply as a knower, but who is granted the power to shape social meanings; in short, who is given a disproportionate share in shaping social meanings. José Medina (2011) makes this disproportionality clear in his argument that epistemic authority and assessments of credibility are relational to assessments of credibility excess. Medina argues that while the immediate harm in credibility excesses is not (typically) to the recipient of the excess – so I am not usually harmed when someone ascribes more credibility to my testimony than is due – these attributions can nevertheless harm others because they are ultimately relational: when some receive privileged epistemic treatment, others are accorded epistemic marginalization. Consider the example of a person who is perceived to communicate eloquently in verbal discourse and to make rational and persuasive arguments but who nevertheless lacks close contact with individuals with intellectual disabilities. When he is granted more authority to speak about the capacities and care of people with intellectual disabilities than labeled individuals or their families, his credibility excess directly reinforces the credibility deficits of labeled individuals and their families. Says Medina, “Credibility is not assessed in the abstract, independently of social positionality and judgments of normalcy, but rather, in a comparative and contrastive way – that is, by comparison with what is considered extraordinary, normal and abnormal” (2011, p. 20).

Consider this as a question of epistemic privilege: some persons enjoy – systematically and persistently – epistemic privilege because of who they are, who they are perceived to be and because of certain attributes, characteristics, and behaviors they possess. This affects their capacities as interpreters of the social world and as testifiers about that experience. Steven

Shapin (1995) offers a helpful historical example regarding the epistemic credibility and authority enjoyed by gentlemen. The historic gentleman's epistemic authority was assumed because of his social standing, independence, and character, in contrast to common folks' economic and social dependence, presumed to impose constraints on their freedom to know and to tell the truth; the latter were seen as less impartial knowers (see also Janack, 1997). Gentlemen enjoyed epistemic privilege because they were seen as epistemically advantaged in relation to common people.²⁵ A contemporary example is the epistemic privilege from which whites benefit in a racist society; where white people's interpretation of their experiences remains untroubled and unquestioned – let's say in asserting their experience of “reverse racism” – marginalized people's experiences of systematic racist discrimination is held suspect, ignored, dismissed. The experience of systematic credibility deficit of marginalized people is enabled by the simultaneous attribution of credibility excess – the epistemic privileging – of dominant-group individuals. The former's epistemic authority diminishes in proportion to the epistemic authority of the latter (Medina, 2011, p. 24). In this way, systematic imbalances in who shapes and informs collective social meanings and social norms – what Fricker (2007) calls “hermeneutical injustice” forms the necessary backdrop for the epistemic privileging of dominant groups.

Before I move to a discussion of hermeneutical injustice I want to briefly clarify the role that testimonial injustices play in influencing civic participation and questions about citizenship education. In Shapin's example, we see how socially valued behaviors and capacities are connected to ideas about epistemic power – that is, the possession of particular capacities like independence, verbal acuity, and markers of moral character are linked to the power a person has to express themselves, be heard, and be rendered intelligible. For persons who lack such

²⁵ It is important to note that the relationship between social class, maleness, and literacy (as a measure of knowledge – for example, signing one's name) was considered in the nineteenth century as a marker of citizenship (see Kliever et al., 2004).

capacities or whose capacities are less developed in these areas, their epistemic authority is less assured, as are their opportunities for being listened to and understood. The opportunities that individuals have to be seen as political agents – and to be seen as valued members of the polity – are directly affected by how they are regarded as knowers. This relationship becomes clearer when we consider the case of hermeneutical injustice.

Hermeneutical Injustice

Fricker defines hermeneutical injustice as “the injustice of having some significant area of one’s social experience obscured from collective understanding owing to a structural identity prejudice in the collective hermeneutical resource” (2007, p. 155). As a result of hermeneutical injustice those in positions of social power and privilege have an unfair advantage in shaping what constitutes knowledge, which can result in a deprivation in language or epistemic tools to make sense of and describe diverse experiences and identities. Says Fricker, the powerful have an unfair advantage in structuring collective social meanings and understandings (2007, p. 147); whereas the powerful interpret their experience of the social world with ease – with the privilege that comes with dominance – those who lack power have fewer and more ill-fitting meanings to draw on in their efforts to make themselves and their experiences intelligible. Certain styles of expression, ways of speaking, as well as the context of that expression are held suspect within a context of hermeneutical injustice (Fricker, 2007, p. 160). This “hermeneutical marginalization” results in the development and social acceptance of meanings and interpretations of social and material phenomena that are biased or one-sided, emerging as they do out of the exclusion of alternative understandings. Further, it means that those experiences that marginalized persons do share are often misinterpreted, ignored, or misappropriated. Importantly, Fricker contends that

hermeneutical injustice is a purely structural form of injustice (2007, p. 159), meaning that the injustice is not interpersonal but rather enacted through institutional structures and institutional practices.

In considering epistemic justice in the context of higher education, Elizabeth Anderson (2007, 2012) describes how systematic privileging can operate to narrow the field of knowledge production so that dominant group members are the ones doing most of the research and making major institutional decisions. She writes, "...when groups of inquirers are segregated along the same lines that define group inequalities, the shared reality bias will tend to insulate members of advantaged groups from the perspectives of the systematically disadvantaged" (Anderson, 2012, p. 170). According to Anderson, the fact of cultural, racial, and gender diversity necessitates an educational structure that is constituted so as to be "systematically responsive to the interests and concerns of people from all walks of life" (2007, p. 596).²⁶ This requires that academic elites have some degree of contact with and understanding of people from diverse life situations, but also that these latter individuals have equal opportunities to become elites as well. However, just as elites are largely constituted from the ranks of white, middle-upper class males, they are also largely non-disabled. This lack of cross-positional contact, along with the kinds of prejudices and social imaginary around disability that I have described, makes the challenge of producing scholarship that includes accurate understanding of disability and positive representation of disabled individuals' capabilities quite challenging.

The epistemic consequences of hermeneutical injustice are complex. In addition to privileging dominant group social meanings, the hermeneutical imbalance means that those in disadvantaged positions have fewer interpretive resources to draw from in identifying and naming the marginalization they experience. A clear example is the only very recent entrance of

²⁶ We'll assume "all *rolls* of life" applies here too.

the term “ableism” into mainstream English language to describe discrimination towards disabled people and to allow people with disabilities to name their oppression in ways intelligible to the non-disabled. The hermeneutical imbalance disadvantages those already in positions of societal disempowerment while also correspondingly advantaging those already in positions of societal power, all the while potentially undermining the quality of research in general. As I suggested earlier, it is not always in the interests of non-disabled people to learn about and transform social conditions that privilege them. There is an ease of not having to take into account how one’s research or theorizing might affect those with disabilities, or how it might produce assumptions and expectations that privilege able-bodied people. It is a kind of philosophical research that is eased by the privileged epistemic position of its producer.

However, the so-called “shared reality bias” involves “the tendency of individuals who interact frequently to converge in their perspectives on and judgments about the world” (Anderson, 2012, 170). While this is epistemically useful because it helps to resolve conflicts, keep interlocutors on the same plane of understanding (Anderson, 2012), and so on, it can also lead to an epistemic insulation and narrowing of hermeneutical resources that is ultimately detrimental to non-dominant groups. Furthermore, at the same time as the hermeneutical imbalance advantages non-disabled people, it also potentially undermines the quality of their research. The “shared-reality bias” has the tendency to narrow the range of perspectives and interpretive frameworks through which researchers approach a problem. When non-disabled researchers have limited contact with people with disabilities and, perhaps especially, do not learn from scholars who experience disability, the research they produce is far less likely to represent the range of ability differences existent in our society.

As I explained in the previous chapter, current research surrounding democratic citizenship aims and conceptions of civic participation is shaped according to an idea of the citizen as able-bodied and able-minded. We can say that the hermeneutical resources are stacked against the view that people with intellectual disabilities can be citizens. This history of epistemic marginalization is also one in which academics – perhaps especially medical professionals and philosophers – have played an important and dominant role. A quick review of this history reveals, moreover, that the hermeneutical resources such academics had available to them shaped their conclusions and led to many misguided and unjust conclusions. As I have explained, early identification of people as intellectually, behaviorally, or psychologically abnormal by academic researchers dovetailed with contemporaneous ideas about morality and social value, themselves steeped in attitudes about race, gender, and class. Assessments of disability therefore sorted individuals according to their membership in social categories of civic and economic worth (Carlson, 2010; Schweik, 2009; Stubblefield, 2010). Segregated private spaces of asylums and institutions – sometimes called “schools” – were developed to house those deemed a threat to social values at the same time as the growing eugenics movement sought to prevent the birth of, and in some cases eradicate, apparently deviant individuals. Ideas about moral worth and societal contribution can therefore be seen as acting as hermeneutical resources for assessing the social place of individuals in society. Of course, “Deviant” included not only those with visible disabilities, but also whole classes of whites born into poverty, blacks of all social standings, and immigrants, all of whom were suspected of weakening America (Carlson, 2010; Selden, 2000; Stubblefield, 2010). As I have discussed, out of this context emerged the eugenics term “feeble-minded,” a sort of catch-all term for people perceived as intellectually and often morally degenerate (Trent, 1994). Importantly, the eugenics discourse developed out of

ideas about human standards and normalcy rooted in – and then justified by – scientific theory and investigation (Davis, 2006). For example, the statistics concept of the norm informed early eugenicists' thinking about the “average man,” which took on normative dimensions as applied to ideas about normalcy and non-deviance (Davis, 2006, p. 7). With these scientific measurements of normalcy eugenicists could identify social deviance, especially by measuring physical features that corresponded to identified racial and ethnic differences (Gould, 1981). Images of these cultural constructions of normalcy were widely disseminated to laypeople who were encouraged to internalize this divide between normal and deviant (Ferri & Connor, 2006), thus engaging common folk in participating in identifying disability in others. In this way, the relationship between common understandings of disability and putatively scientific ones can be seen as cyclical.

The legacy of this construction of normal versus deviant – able-bodied versus disabled – is certainly evident in the lingering perception of whites (perhaps not always conscious) that people of color – especially African Americans, Latinos, and American Indigenous people – are intellectually inferior. It is also apparent in the taken-for-granted ideas that most of us have of what is normal and what is abnormal embodiment or cognitive ability. As I suggested above, educators are not immune to these cultural constructions of normalcy and these come to inform decisions about a child's educational trajectory. Attributions of intellectual disability or uneducability have therefore been and continue to be used to justify existing judgments about children's cognitive or physical inferiority based on their physical or behavioral characteristics. Importantly, this is a history of unwarranted assessments of intellectual ability and disability being made by those in positions of academic power.

Intellectual Disability and Philosophy: A Relationship in Need of Some Therapy

To clarify, I am arguing that our contemporary social and political context affects how philosophers of education reason about the aims of education, and, in particular the justifiability of separate aims for some children. As we know, for the most part philosophers of education have largely ignored the challenge that intellectual disability presents to foundational philosophical concepts that inform conceptions of education generally and democratic education more specifically. Within the field of philosophy more broadly, however, a number of political philosophers have taken up this challenge as it relates to core philosophical questions of justice and equality. These theorists are convincingly documenting and commenting, moreover, upon the ways in which ideas about ability and disability already permeate philosophical reasoning as assumptions that go unquestioned, even unnoticed (see Carlson & Kittay, 2010; Carlson, 2010; Stubblefield, 2007). Carlson writes that “the faces of intellectual disability...haunt philosophy” (2010, p. 4). It is not simply that individuals with intellectual disabilities have been forgotten, neglected, or otherwise omitted from philosophical consideration, it is that intellectual disability, as a gendered, racialized concept or construct stands in as the conceptual other to traditional philosophical standards, such as reason and independence. Intellectual disability is both omitted or excluded *and* centralized within philosophy, serving in thought experiments, in arguments about personhood, in what it means to be human, and, importantly, as those marginal cases which are used to test the validity of normative theories (see Carlson, 2010; Mitchell & Snyder, 2000). Thus demarcations between apparent intellectual disability – and particularly profound intellectual disability – and cognitive “typicality” become central theorizing practice within philosophical work on education. Determining what is owed to individuals through education becomes equally a discussion of to whom it is owed. And, importantly, through such theorizing,

“intellectual disability” as a concept, as a type, as a social category, is re-defined and re-produced again and again.

Philosophical theorizing about justice frequently positions those labeled with intellectual disabilities as marginal cases or limit cases. This view operates in at least two important ways in its positioning of people with intellectual disabilities. First, it subscribes to a view of such individuals as having static limits – cognitive limits, competency limits, developmental limits. Such a view is consistent with the contemporary instantiations of the notion of uneducability. Second, such a view represents a mode of seeing some cognitive differences as too different to fit within the particular philosophical framework of justice or equality being outlined or as testing the limits of our theories. This is clear in how people with intellectual disabilities are placed as “limiting cases” in considerations of justice within political philosophy as representative individuals who fall outside the range of capacities deemed necessary for taking on the duties and benefits of citizenship, or possessing moral status (Kelly, 2010; Rawls, 2001).

Consider an example of how this type of threshold thinking might operate in real life decision-making: Alison Kafer (2013) recounts one parent’s positive response to learning about the Ashley Treatment, which I described in Chapter Two. As Kafer explains, this father expresses the desire to seek the treatment for his daughter, who he describes as “born with Spina Bifida...paralyzed from the waist down...a handful to lift” (as quoted in Kafer, 2013, p. 59). The father states that he would have liked to have the Ashley treatment for his daughter, but that she is now too old (at sixteen) to be approved for the treatment. Kafer points out, however, that the treatment is considered appropriate for those who are “nonambulatory” and “noncommunicative” (2013, p. 59). This young woman is therefore quite different than Ashley in terms of the abilities she has, “But, according to her father, she *is* sufficiently impaired. His comments reveal that the

attempt to draw bright lines between classes of disability is rarely successful; one person's "severe" may be another's "moderate" or "mild." " (Kafer, 2013, p. 59).

Another way in which intellectual disability enters into philosophical debates is through discussions in ethics, around moral status and distributive obligations, especially to test the limits of a theory (to act as a "limit case") or to test intuitions using thought experiments. This happens most frequently in relation to questions about the moral status of non-human animals. Intellectual disability is understood to test the limits of applying moral status to all human beings qua human beings and this has the consequence of potentially calling into question either the status of the framework of justice being considered or, as is most often the case, the status of those who fall below these thresholds as human beings. Consequently, the moral status of individuals with intellectual disabilities is called into question again and again through this type of normative theorizing. For example, Peter Singer (e.g. 2010) is notable for his reference to individuals with severe cognitive disabilities in arguing against what he calls "specism" or the unjust privileging of human over non-human animals that he sees as akin to racism. By referring to the apparent limitations of such human individuals Singer professes to show the illogic of such preferencing. Within such thought experiments, profound intellectual disability becomes a limit case against which to test our intuitions about humans' obligations to non-human animals. The limit case is an example not only of how disability is presented as a kind of heuristic to measure our ethical conclusions, but it also relies on an archetype of the disabled person that, arguably, doesn't exist. Of course, Singer need not refer to any particular individual to make his case; he need only stipulate that such individuals exist. Nevertheless, through these thought experiments, generalizations about the extremeness of labeled individuals' limitations are reaffirmed and reinscribed. As Sophia Wong points out (in Wilson, 2009) there is an important analogy that can

be made between thought experiments and empirical experiments in terms of the potential harm they cause: just as physical experimentation on people with intellectual disabilities would be considered by many to be at a minimum morally questionable, so too can thought experiments be questioned to the extent that they reinforce problematic stereotypes and misinformation about intellectual disability and the capabilities of individuals so labeled. Where these kinds of misunderstandings and stereotypes inform our ethical considerations, moreover, they can be dangerous, even deadly for people with intellectual disabilities.

Where other forms of human difference – gender, race, class, etc. – have come, however arduously and incompletely, to be regarded within philosophy as morally arbitrary reasons for societal exclusion, disability – and particularly intellectual disability – remains seen as a difference relevant to moral standing, including citizenship status and social equality. Says Anita Silvers, “...disability unmistakably has been embraced as a morally essential attribute, one which assigns those who have it to the borderline of moral worth” (1995, p. 35). Thus, it has been largely accepted within philosophical theorizing about intellectual disability that certain exclusions will be necessitated by some individuals’ lack of capacities. That is, philosophers – and other scholars, including traditional special education theorists – assume that some individuals will simply fall below the threshold of abilities necessary for performing certain social tasks or participating in social institutions. For the most part, as Eva Kittay (2010) has pointed out, the assumptions underlying these exclusions are unfounded and based on a lack of knowledge about what people with intellectual disability labels are capable of doing and knowing. In the next chapter, I will take a closer look at the philosophical construction of normal ability – or how normalcy is constructed through core philosophical concepts like independence

and rationality – and begin to deconstruct their reliance on mistaken assumptions about disability.

While we should charitably understand limit cases, and the philosophical pattern of “using” people with intellectual disabilities in such argument constructions, as conceptualizing justice for all persons, limit cases can also be understood as contributing to the problem of hermeneutical injustice. This is because the idea that people with significant intellectual disabilities occupy the limits of our theorizing or the limits of the applicability of our aims, does two things: first, it relies on an archetype of cognitive disability that does not actually exist and, second, it situates individuals with such disabilities on the extreme end of what is actually a complex spectrum of ability and need.

A third problem that is important to discuss in relation to the specter of intellectual disablement within philosophy is the uncritical reliance upon ahistoricized intuitions about the valuation of human lives. For example, Peter Singer (2010) appears to endorse this kind of ahistoricized evaluation when, in an essay on moral status and the preferencing of humans over animals, he writes:

So when it comes to making choices for what kind of child we want to have, very few among us believe that all human lives are equally worth having, and that it doesn't really matter what level of cognitive ability your child will have. Most of us prefer to have a child with normal cognitive abilities when we have the choice. When it comes to the crunch, the fiction that we believe in the equal value of all human life breaks down, here as in other areas of life-and-death decision making (Singer, 2010, p. 344).

Perhaps Singer is correct that most would-be parents would prefer a child with putatively normal cognitive abilities (which remains unqualified in this passage) but all this tells us is their preferences. It doesn't tell us whether they are right or that, under different social circumstances (say with appropriate structural conditions of support for parents of children with intellectual disabilities) or under different epistemic conditions (with better knowledge of the capabilities of

children with significant disabilities [Parens & Asch, 2003]) these parents would hold the same preferences. This is an ahistoricized reading of a necessarily historically and discursively complex problem. Moreover, parents may prefer any number of attributes or characteristics in the child they are expecting, including, perhaps, a certain eye color, gender, or sexual orientation. In general, we recognize these preferences as socially produced, or, at the very least, as unjustified considerations upon which to base our judgments about the value of future children's lives.

So why, then, is this relationship between intellectual disability and philosophy so fraught with problems? It might be because philosophers frequently lack first-person knowledge of disability in general, and certainly intellectual disability in particular. This is in part because most philosophers do not themselves experience intellectual disability.²⁷ Such a lack of first-person experience can lead to epistemic leaps in reasoning about the experience of disablement. Consider an example: recent studies in bioethics have shown that able-bodied people vastly underestimate the quality of life of those living with disabilities when the judgments about the latter's quality of life by the former are compared with the expressed experiences of the latter (Mackenzie & Scully, 2007). Catriona Mackenzie and Jackie Leach Scully (2007) suggest that this asymmetry reflects the epistemic problem of imaginative projection, namely that it is always founded in personal experience: "body-specific experience modifies conceptual processes, including imaginative processes" (p. 343). Thus, able-minded philosophers' thinking about the experiences, the needs, and indeed the abilities of those with significant disabilities is shaped by their own unchallenged beliefs about the experience of cognitive disablement. From the perspective of an able-minded academic, having such a condition of disablement is likely to be

²⁷ During a recent conference presentation, this claim was met with laughter from my audience. Certainly the claim was not intended as a joke, yet the fact that it was received that way – or that it elicited laughter at all – has disturbed me. What to make of this laughter is a question I plan to pursue.

highly undesirable. Thus, despite the fact that moral philosophers are often deferred to on ethical and political concerns regarding cognitive disability – even while the experiences of labeled individuals is ignored or dismissed – their reasoning is largely informed not by experience with disability but rather by their intuitions about mind and body differences (Carlson, 2010; Vorhaus, 2014). Importantly, these intuitions are shaped by existing bias for particular human ways of functioning and against disablement as a valuable condition of living.

A second way in which philosophers' reasoning about educational aims is shaped by the existing social and political climate around disability, is through the frequency, level, and quality of their second-person knowledge of disability in general and intellectual disability in particular. The infrequency of contact is largely a result of the continued social segregation of individuals labeled with intellectual disabilities, who are rarely participants in university life and who are often segregated residentially (Boxall et al., 2004). Of course not all philosophers lack second-person knowledge of intellectual disability: philosophers like Eva Kittay (e.g. 2010), Martha Nussbaum (e.g. 2006), and John Vorhaus (e.g. 2014) write about their labeled loved ones or those in their care and the ways in which these relationships have been transformative to their way of thinking about philosophical projects. It might be fair to say that for Eva Kittay her relationship with her daughter, who Kittay describes as having profound cognitive disabilities, has shaped the direction of her research (see Kittay, 1999, 2010). Moreover, it would not be fair to pick on philosophers here as if they alone constitute the group of academics whose contact with people with intellectual disabilities is minimal; certainly this is true of all academics. Even among disability studies scholars, this contact may be quite minimal, given the levels of segregation that exist, especially at the level of higher education. Although the exclusion of people with intellectual disabilities from doing philosophical theorizing is not itself obviously

unjust, academics' lack of exposure to and learning from people with intellectual disabilities is the result of unjust societal conditions, including community and educational segregation, and can exacerbate and even contribute to existing injustice toward labeled people.

Elizabeth Anderson (2007) explores injustices that can arise from the epistemic problems of lack of awareness and exposure of professional elites to the experience of the socially disadvantaged.²⁸ She describes professional elites as having certain “cognitive deficits”²⁹ related to their lack of exposure to non-dominant groups: “When the elite is drawn overwhelmingly from multiply advantaged, segregated groups, their cognitive deficits hurt the disadvantaged, because elites constituted in this way lack awareness of and responsiveness to the problems and interests of the disadvantaged” (2007, p. 602). This lack of exposure and familiarity with disability can be seen in the dissonant claims of philosophers and those with intellectual disabilities and their families, the latter of whom report far more nuanced descriptions of theirs or their loved ones' competencies than do the philosophers and other academics who write about them (Carlson, 2010; see also Kittay, 2010). Thus, this segregation and resulting lack of exposure to people's intellectual differences and abilities results in many philosophers being general unaware of people with intellectual disabilities' *actual* abilities (Kittay, 2010, p. 403). This is in part because problems of moral imagination and epistemic pitfalls militate against their abilities to detect bias against those with intellectual disabilities or, perhaps more frequently, uphold bias in favor of a particular view of intellectual normalcy. Further, this general unawareness is exacerbated by the relative invisibility of the social processes that help to

²⁸ Although her discussion concerns the economically and racially privileged, I find her discussion relevant here to the ability privileged. Certainly racism and ableism are not analogous. However, the ways in which racism operates to inhibit epistemic reasoning seems to apply to ableism as well.

²⁹ It's unfortunate that Anderson uses this term as it doesn't appear to capture what she means and, in the context of my argument, might appear odd. I would use the term “epistemic limitations” or “epistemic pitfalls” instead.

produce intellectual disability as a construct and which support the popular regard of intellectual disability as a static condition predicting a lack of educability towards specific educational goals.

Conclusion

It is important to note that in evaluating these assumptions that underpin arguments for separate educational aims, I am not denying that bodily differences, differences in intellect, or differences in developmental pace, exist. Rather, I am suggesting that how we measure and interpret those differences is what constructs intellectual ability and disability and what contributes to our justification of separate aims. From the above examples, it is clear that philosophical reasoning about the usefulness and justifiability of separate educational aims is informed by some existing understanding of ability/disability, of developmental normalcy, and of the relationship between educational aims and particular ways of being and doing. This is especially clear, as I have shown, when we look at how perceived and assessed disabilities are used as justification for students' exclusion from democratic citizenship aims, even while the content of those aims is not subjected to scrutiny. What appears, then, to justify the exclusion of children with intellectual disability labels from democratic citizenship aims are actually erroneous assumptions about the nature and status of disability, about the relationship between disability diagnosis and educational potential, and about the ways in which particular learning goals ought to be achieved. These mistakes in reasoning are at least significantly a result of the social context of theorizing, which is characterized by negative regard of those labeled with intellectual disabilities

My objective in this chapter has been to question the assumed and unevaluated link between the label of intellectual disability and the inability to perform particular learning tasks.

This is especially relevant to disrupting the presumed link between the presence of particular markers of disability – atypical communication, atypical communicative behavior, putatively disrupted processes of reasoning, and so on – and the inability to participate in democratic citizenship. In doing so, I also aimed to begin to disrupt the acceptance of notions of normalcy and abnormality that underpin many philosophical discussions of intellectual disability. In the next chapter I will seek to disrupt notions of normalcy that underpin ideas about what political agency looks like. In this current chapter, though, I also hoped to expose the kinds of assumptions that are made about the capabilities of those labeled with intellectual disabilities and that inform judgments about the justifiability of separate educational aims, including such persons' exemption from democratic citizenship educational opportunities. Clearly we need to assess our philosophical reasoning about educational aims in light of the moral hazards that exist along an academic and social terrain overwhelmingly unfair and exclusionary of people with intellectual disability labels.

CHAPTER FIVE TRANSFORMING THE NORMS OF CIVIC PARTICIPATION

Citizenship establishes membership in a national community, confers respect and rights on its members, and enables their participation in society's institutions. As such, it is not simply a legal status, *but rather a dynamic practice in which individuals interactively claim rights in negotiation with other citizens in the pursuit of their interests* (Carey, 2009, p. 213; my emphasis).

Private activities are not simply just the natural rhythms of biological necessity; they also have political implications (Prokhovnik, 1998, p. 85, as quoted in Preece, 2002.)

Throughout the chapters in this dissertation, my analysis responds to and reframes the following question: Who is *expected* as a citizen? I show that the expected citizens within philosophical accounts of democratic citizenship and democratic citizenship education are those who conform to able-bodied and able-minded norms of cognition, performance, and civic contribution through the possession of particular capacities or the perceived ability to acquire a narrow range of competencies. In this chapter, I disconnect the relationship between *particular* capacities and citizenship by arguing that the focus on the able-minded citizen distracts from and renders invisible existing and potential expressions of political agency available to those with intellectual disabilities. I argue that when our frameworks of democratic citizenship, and the pedagogies and curricula that are seen to support individuals' development as citizens, are structured around *expecting* a range of abilities, we reform not only how we see citizenship and civic participation, but also change the norms around what is recognized as citizenship.

As I have shown, the reliance on problematic and misunderstood ideas about disability, and what having a disability entails for individuals' *actual* abilities to make civic contributions, cannot be sustained. It is unjustified to *uncritically* rely on a) a view of disability that comes out of bias and oppression and b) the implicit assumption that a particular level of able-mindedness

is required for citizenship. Further, as I showed in Chapter Three, there are a variety of different forms that democratic citizenship takes and activities that it requires. Accordingly, it is possible to conceive of democratic citizenship not as corresponding to a narrow range of abilities but rather as accounting for the different ways in which individuals express political agency and participation.

This chapter will consist of two main parts: First, I argue that dominant conceptions of democratic education support a view of civic participation that does not account for or reflect the actual diversity of students' abilities nor of their social or cultural backgrounds. In other words, they are ill-suited to the reality of our actual practices and abilities. This argument follows the work of other scholars in education like Alison Jones (1999) and Meira Levinson (2012) who point out that dominant forms of civic engagement or democratic exchange may not be suited to non-dominant communities and may in fact undermine their potential or willingness to participate and be recognized. By narrowing the range of what is considered civic engagement and what citizenship looks like, dominant conceptions create a vision of democratic citizenship education that upholds unjust norms of ability, as well as an understanding of civic participation that is based on dominant group norms. As I discuss, particularly problematic is the narrowing of civic forms to those that promote the centrality of public deliberation and rational discourse.

Second, I argue that the narrowing of democratic forms renders *invisible* the civic projects of non-dominant groups, therefore rendering these activities unintelligible *as* civic projects. This includes, for example, the activities of those requiring significant support or whose activities do not fit with a constructed model of normal civic behavior. To counteract this invisibilizing tendency, I highlight some examples of the activities of individuals with significant disabilities that can be acknowledged as forms of political agency. I discuss why these are in fact examples

of civic engagement and why they ought to inform our thinking about what democratic citizenship entails. I also describe how people with intellectual disabilities can be supported in participating and exercising political agency.

A Transformative Approach to Conceptualizing Political Agency and Participation

In the previous chapters I argued that citizenship and the education that supports it has been conceptualized in such a way as to exclude people with intellectual disabilities. As I argued, these ability expectations conform to particular ideas about what children ought to be able to do and be when they become adult citizens and this involves a view of the adult and the citizen as necessarily excluding people with intellectual disabilities. Yet, importantly, this exclusion is regarded as a *consequence* of the necessities of citizenship, rather than as founded in socially contingent ideas about what people need to be able to do, or what citizenship and its activities actually look like. Therefore, the inability of some children to meet ability expectations is assumed as inevitable and their exclusion is regarded as justified by their lack of ability.

However, neither the ability expectations nor the corresponding norms of participation are questioned in light of such exclusions. In other words, neither the understanding of citizenship nor the view of disability that inform these conclusions faces scrutiny and the norm of the able-bodied citizen therefore remains firmly intact.

Certainly it is important to evaluate the assumptions and philosophical errors of conclusions about disablement that I outlined in the previous chapter, especially so as to expand who is included in *existing* projects of civic participation. Yet doing so is nevertheless insufficient to create substantive structural and cultural change, or to facilitate the inclusion of those with significant intellectual disabilities into projects of civic engagement. Rather, we must focus on

dismantling how citizenship is defined in opposition to intellectual disability and how civic participation appears to necessitate particular abilities. This requires 1) dismantling the assumed connection between typical learning functions (verbal communication, autonomous decision-making) and desirable learning outcomes (capabilities for civic engagement) and 2) recognizing the range of possibilities for participation, including what participation looks like for those with significant disabilities. I will spell out these two points in this chapter.

One way to make clearer the difference between simply correcting errors in judgment and attending to deeper problems of exclusion is to point to a distinction made by Nancy Fraser (1995) between what she calls “affirmative remedies”³⁰ and “transformative remedies.” While affirmative remedies for injustice correct “inequitable outcomes of social arrangements without disturbing the underlying framework that generates them,” transformative remedies correct these by “restructuring the underlying generative framework” (Fraser, 1995, p. 82). To illustrate the difference, Fraser uses the example of mainstream multiculturalism: while mainstream multiculturalism revalues those group identities that have been excluded and devalued, it nevertheless leaves intact systems of valuation of identity, as well as the social and cultural mechanisms through which cultural identities are recognized and organized (such as immigration reform, racism and ethnocentrism, and so on) (1995, p. 87-88). We might see how this affirmative remedy can operate in schools: multiculturalism aims to recognize and affirm cultural differences, bringing students’ identities into the classroom as resources, perhaps. Nevertheless, multicultural education can also fail to challenge, and indeed can leave intact, the power structures that support continued exclusion (see Ngo, 2010; Sarat, 2008). By contrast, “By destabilizing existing group identities and differentiations, [transformative] remedies would not

³⁰ Not to be confused with the “affirmative stance” towards inclusion that I discussed in Chapter Two.

only raise the self-esteem of members of currently disrespected groups. They would change *everyone's* sense of belonging, affiliation, and self" (Fraser, 1995, p. 83).

In the case we are considering – the case of individuals with intellectual disabilities being recognized as and educated towards becoming citizens – an affirmative remedy would involve evaluating our assumptions about what cognitive or intellectual disability means, perhaps even adopting what Miranda Fricker (2007) calls “the virtue of hermeneutical justice:” “...an alertness or sensitivity to the possibility that the difficulty one’s interlocutor is having as she tries to render something communicatively intelligible is due not to its being a nonsense or her being a fool, but rather to some sort of gap in collective hermeneutical resources” (p. 169).³¹ It would further involve understanding that people with intellectual disabilities are capable, especially when supported, of performing a variety of existing tasks related to citizenship – voting, participating in public forums, civic activism, and so on. However, such remedies fail to be transformative in the relevant sense because they do not require substantive structural change – that is, in Fraser’s words, they do not involve restructuring the underlying generative framework. Rather, a transformative remedy would involve examining how the very concept of citizenship excludes those with intellectual disabilities, or how the structural practices around voting, living in the community, sexual or romantic partnership and co-habitation (in short, cultural and social belonging) actively participate in the construction of people with intellectual disabilities as outside the norm. In this chapter, I begin to spell out what I see as a transformative remedial approach to the problems of educational injustice surrounding those with intellectual disabilities.

³¹ It is unfortunate (and informative for my discussion) that Fricker uses the term “fool” here. The term *fool* was used in institutional and psychological classification systems to help identify supposed gradations of mental deficiency (Carlson, 2010, p. 25; p. 92). I have written about the philosophical use of terms associated with cognitive and psychiatric “deficiency” elsewhere (A. Taylor, 2015).

Learning Functions and the Power of Normal

My first task is to unsettle the notion of a clearly defined understanding of normal ability that remains implicit within views of democratic citizenship education and that prevents recognition that individuals with intellectual disabilities have democratic interests and are owed opportunities to learn and to exercise those interests. The frameworks of democratic citizenship and justice discussed in earlier chapters are fundamentally concerned with what is owed to individuals as a matter of justice, how equality is to be understood and negotiated, and how we stand in relation to one another as members of the polity. As I have argued, each of these conceptions frames a discussion of the place of persons labeled with intellectual disabilities – or those seen as lacking particular valued capacities – in terms of what is considered normal or typical human ability. Within conceptions of democratic education, we see the same ideas about normalcy built in. Frequently, a certain degree of cognitive “normalcy” is assumed; that is, the arguments neither reference the existence of differences in ability levels nor reflect on the way that their educational frameworks might be exclusionary. Where such references do occur, they are usually implicit, as in “educable children,” which implicitly points to a distinction between apparently educable and non-educable children that bears on what children are owed and what will be provided for them within educational contexts.

While it would be tempting to think that normalcy is simply a benign statistical measurement, disability studies scholars have painstakingly shown how a reliance on the norm actually *constructs* individuals as capable or incapable, as outside and inside of institutions and social belonging, and shapes how our institutions are designed and how education is organized and distributed (e.g. Davis, 2006; Garland Thomson, 1997). In other words, normalcy is not merely descriptive but prescriptive. It upholds ideas about appropriate levels of independence

corresponding to stages of development (childhood, adolescence, adulthood); ideas about energy, and what are bodily markers of health and well-being; ideas about what autonomous decision-making involves and how it is developed; and ideas about appropriate learning pace and mode. These ideas do not account for the vast majority of those labeled with disabilities, especially developmental, intellectual, and learning disabilities. Further, normalcy extends to a view of what normal participation looks like – and includes the reliance on putatively normal ways of performing educational tasks.

What complicates projects of evaluating and resisting normalcy in education – and elsewhere – is that the ideology of normalcy operates invisibly. For this reason disability scholar Tobin Siebers (2009) argues that despite increasing theoretical understanding of impairment, disability identity, and the role of the disabled in society, “the ideology of ability remains largely unquestioned” (Siebers, 2009, p. 81). As I have argued, even the term “ableism,”³² which disability scholars have introduced to describe the pervasive preference for and privileging of putatively normal embodiments and cognitive abilities and the corresponding devaluation of disabled bodies or minds (Linton, 1998, p. 9), continues to “elicit scowls and smirks, even in progressive society” (Siebers, 2009, p. 81). Indeed, the concept and usage of “ableism” to describe and push back against discrimination and marginalization of disabled people perfectly illustrates the difficulty of hermeneutical resistance. That is, much like how recognition of sexual harassment was enabled by the introduction of this new term and accompanying concept, the recognition of discrimination against people with disabilities is enabled by the use of the term “ableism” and the concepts of oppression that accompany it. Nevertheless, in both cases the process of hermeneutical change is difficult and slow, often placing demands on those who resist

³² Bob Bogdan and Doug Biklen (1977) introduced the term “handicapism,” defined as “a set of assumptions and practices that promote the differential and unequal treatment of people because of apparent or assumed physical, mental, or behavioral differences” (p. 14).

oppression to face intense scrutiny and criticism. Of course, we need only to look at well-documented historical examples I described in the previous chapter to see how it is not only the overt discrimination and prejudicial treatment of disabled people, but also the long-standing acceptance and defense of particular norms of behavior, performance, and communication that dictate who and what is recognized and heard. Thus, the social and epistemic context sorts how individuals' experiences are recognized and made intelligible.

The "ideology of ability" (Siebers, 2009) supports the assumption that certain abilities are necessary for the proper achievement of particular educational aims. This follows the construction that, for example, because one cannot (or is perceived or assessed to be unable) to communicate verbally, then one must be unable to achieve particular democratic citizenship aims. This assumption is based in a misguided understanding of the relationship between one's diagnosis with disability and/or the attendant difficulties an individual experiences and the educational, social, or indeed political/civic outcomes these are seen to entail. Here the assumption is that a real or perceived lack of competence in some particular area or areas renders one unable to achieve particular educational aims. For example, the ability to deliberate effectively is often described as a necessary component of democratic citizenship aims (Callan, 1997; Gutmann, 1987; Hanson and Howe, 2011). For the most part, deliberation is understood as involving the ability to verbally communicate, a capacity that not all individuals possess. If verbal communication is deemed necessary for deliberation, and deliberation is fundamental to democratic citizenship, then democratic citizenship aims would seem to leave non-verbal (or ineffectively/inefficiently verbal) individuals outside of such aims (Clifford, 2012). It is here that alternative aims would be suggested, as accords with the deferral stance. In this case, then, we can see that ability expectations are not abstract, but rather quite specified and rigid.

The assumption, then, that certain abilities (tasks associated with deliberation) are necessary for the proper achievement of particular educational aims (democratic citizenship) involves the belief that particular competencies are revealed in particular ways (through verbal communication in the example above) or at a pace of development considered normal. Again, these assumptions arise from the expectation that children perform particular learning tasks in normatively expected ways, an expectation, as I have argued, that can actually deter students' use and development of more educationally efficient functionings (see Hehir, 2002; A. Taylor, 2012). Thomas Hehir (2002) has documented how norms – or “ableist preferences” – are particularly apparent in schooling:

From an ableist perspective, the devaluation of disability results in societal attitudes that uncritically assert that it is better for a child to walk than roll, speak than sign, read print than read Braille, spell independently than use a spell-check, and hang out with nondisabled kids as opposed to other disabled kids, etc. In short, in the eyes of many educators and society, it is preferable for disabled students to do things in the same manner as nondisabled kids (p. 3).

For example, children who have reading-related learning difficulties are often steered away from listening to voice-recordings, while autistic children are expected to learn to communicate verbally, even when it is often far more beneficial for them to learn to type to communicate (Rubin et al., 2001). As I have argued elsewhere (A. Taylor, 2012), these ableist preferences in functioning can lead schools to expressly or tacitly steer disabled children into developing ways of being and doing that resemble what is deemed “normal” or “typical,” including those associated with democratic participation or career-readiness (see also Hehir, 2002). The failure to look towards alternative modes of communication or approaches to learning and assessment is often simply a result of educators' and theorists' adherence to particular ideas about human functioning and what is considered developmentally normal (see Franklin & Sloper, 2009).

The practice of preferencing particular ways of being and doing, however, raises important ethical questions in addition to the practical concerns surrounding what is most efficient for learning and instruction. In many cases, in fact, much class time is spent trying to alter the disability to resemble more normal functioning, taking away from time spent on academic learning and possibly compounding educational deficits that children experience (Hehir, 2002, p. 4-5). Further, the resources – teacher and teaching assistant time and energy, student energy and focus – spent on this normalizing effort can involve unnecessarily (and unethically) taking resources away from other aspects of learning for all children. And finally, it can deprive all children – and not just the child who performs learning tasks in non-dominant ways – of the potential to learn in different ways and according to different expectations of pace, form, and support. It may in fact be unethical, then, to promote normalized functionings over atypical functionings when and because it undermines the quality of education for both labeled and non-labeled children.

Normalcy, Respect, and Political Agency

The construction of normal ability can be seen in how dominant philosophical conceptions of democratic citizenship and frameworks of justice more broadly have worked to construct borders and boundaries around who is and who is not disabled, who possesses “normal” cognitive capacities or abilities and who does not, and who is capable of participating in democratic decision-making and who is not. According to these, democratic citizens have certain capacities, such as the capacity for verbal communication, the capacity for unsupported reasoning, or the capacity for independent voting. Such capacities are those possessed by, in John Rawls’s (2001) words, those who fall in the “normal range” over the course of their life. In

response to this almost tyranny of normal ability, disability studies scholars have attempted to deconstruct the idea of normalcy and normal functioning, to point out how disability and even impairment are socially constructed, and to demonstrate how we rely – culturally, socially, politically – on ingrained normalized ideas about communication, behavior, independence, and agency in forming our understanding democratic membership, civic participation, and, indeed, human belonging.

The effort to normalize children could be understood as an attempt to bring them recognition and respect, especially when we see assimilation as an avenue to this respect. In other words, we might conclude that one way to ameliorate the problem of exclusion of individuals with intellectual disabilities from democratic citizenship aims is to find ways – if possible – to help them perform in socially valued roles. This is difficult, though, when disability itself is defined in terms of “abnormal” functioning and the expectation of conformity to normal functioning is in part an attempt to eliminate or minimize disability expression in the classroom; inclusion through assimilation. While, as Anita Silvers (2003) points out, “The desirability of familiar ways of functioning should be an open question for debate” (p. 475), this philosophical point is rarely persuasive when concerns arise over children’s immediate well-being and “fitting-in.” What relationship exists, then, between normalization and respect?

The debate about whether children with disabilities should be encouraged to develop behaviors and activities that are considered normal certainly occupies traditional special education researchers and educators who are particularly concerned with ensuring that children develop specific socially adaptive skills and have opportunities for social and economic success. Such behaviors and adaptive skills are regarded as instrumental to adult success and to promoting respect and recognition within existing social contexts. Erving Goffman showed in

Asylums (1961) that while institutions support individuals' development of institutionally-adaptive behaviors, they also support behaviors that are fundamentally incompatible with non-institutional – or civil – life. This is because the behaviors of conformity, acquiescence, and epistemic deference are inconsistent with political agency defined in terms of independence and autonomy. Such a realization would therefore seem to support the necessity for integration if individuals with disabilities are to develop “normal” behaviors. Wolf Wolfensberger (1972, 2000), and proponents of self-determination theory (e.g. Wehmeyer & Palmer, 2003; Palmer et al., 2004) have advanced the potential for the acquisition of socially valued behaviors to increase persons' with disabilities chances for social integration and valorization. The idea here is that if children and adults learn to display behaviors associated with socially valuable dispositions and character traits – honesty, maturity, attentiveness, self-control – then more competence will be attributed to them and they will have an easier time positioning themselves within communities and workplaces; in short, they will come to exhibit more socially valuable behaviors and occupy more valued social roles. Within some frameworks – notably Social Role Valorization – this process has been extended even to the ways in which disabled people dress or the ways in which they communicate (Wolfensberger, 1972).

Another example of the effort to encourage socially adaptive behavior and skills in labeled individuals is the teaching of self-determination skills to students with learning, developmental, and intellectual disabilities. This educational practice is aimed at promoting adaptive behaviors in students as well as the dispositions that promote such behaviors – assertiveness, independence, self-advocacy and self-representation, creativity, and so on. Special educational researchers often cite the development of the skills of self-determination as improving the post K-12 outcomes for students with such disabilities, in particular their

transition to college programs, workplaces, and more independent living (Wehmeyer & Palmer, 2003; Durlack, Rose, & Bursuck, 1994). Indeed, the *Individuals with Disabilities in Education Act* (IDEA) recognizes the development of such skills as part of the Individualized Education Plan (IEP) and transition planning (Cowley & Bacon, 2013; Seong et al., 2014). Self-determination skills place the emphasis on those behaviors that are regarded as demonstrative of underlying dispositions because these are the source of future adaptation to adult life.

Of course special educators are not alone in their concern about children's development of socially adaptive and opportunity-enhancing behaviors and skills: character education, college and career-readiness curricula, and so on are all about helping children to develop socially adaptive skills. We can also recognize that this is a fundamental part of parenting: socialization. However, socialization and normalization are not the same. Where the former emphasizes the development of socially adaptive behavior and skills as desirable, the other makes these behaviors and skills necessary. The difference between them can, in part, be measured by the degree of harm the preferencing for normal behaviors and modes of communication do to a child. This harm can be illustrated in the story of Shana, an African-American woman with cerebral palsy and vision impairment whose experiences in special education counter a view that the teaching of self-determination skills are beneficial. Amy J. Peterson (2009) recounts:

Yet as I listened to Shana share her story, I realized that while she had received a "life skills" curriculum centered on teaching the perceived skills needed to live and work independently, her experiences did not entirely resemble self-determination as a democratic ethos. Although the legal requirements had been met, I was less certain that Shana had been afforded and supported in opportunities to exert authority, autonomy or responsibility over her life. There appeared to be a disjuncture between the skills Shana learned and the opportunities she had to use the skills in a manner that would support self-determination as a democratic outcome... Further illuminating one of the quandaries of self-determination, Shana was taught a few select skills and encouraged to enact them only in pre-selected environments. For example, she was taught to fill out job applications but allowed to apply for one predetermined job. Thus, while her curriculum focused on the teaching of skills to live independently, she was routinely denied the

opportunity to make daily decisions for herself, exemplifying “the paradox of empowerment and control” (Brewer, 2002, p. 39) (n.p.).

Shana’s experience is shaped not by an effort to *empower* her through learning socially-adaptive skills, but rather to support her transition into pre-determined and circumscribed adult contexts. Interestingly, self-determination theory is in principle focused on enabling students to develop freedom, autonomy and responsibility through person-directed and person-centered pedagogical practice. However, as the story of Shana above illustrates, and as Amy J. Peterson (2009), Danielle M. Cowley and Jessica K. Bacon (2013), and Phil Smith and Christie Routel (2009) have pointed out, self-determination practices in schools and transition services have focused largely on the acquisition of individualized self-management and character skills rather than self-actualization. While Shana is taught particular skills related to integration into adult life, she is likewise offered a very circumscribed opportunity to act independently and is denied agency in many aspects of her life. Thus, self-determination can actually emphasize normalization over the development of capabilities for democratic participation when and because normalization is regarded as better facilitating integration even at the expense of freedom, choice, and respect.

One could argue that self-determination practice is simply being misused and misapplied when it does not enact the democratic principles upon which it is based. The point, though, is that the focus on skills first undermines the fact that self-determination is fundamentally about a basic human entitlement, and not only a set of skills (see Smith & Routel, 2009); in other words, the development of skills is important to the realization of values of self-determination but self-determination cannot be reduced to the acquisition of a set of skills. One’s right to self-determine – to participate in decision-making about one’s own life, to shape the sorts of relationships, living experiences, and care that one receives – is simply an entitlement one has in virtue of

one's membership in the human community (see Tisdall, 1994, for discussion). To focus exclusively on the development of skills turns the whole philosophical concept of self-determination on its head because it focuses our attention away from creating the social bases of freedom and civic empowerment. The point here is not to say that skills are unimportant: there would be something rather confusing about asserting this in the context of a project that is so concerned about learning outcomes as structural inclusion. Rather, it is to say that we not lose sight of the democratic goals of self-determination. Focusing on these democratic aims allows us to understand that there are different skill sets that create opportunities for realizing self-determination *and* that self-determination is not an individualistic but rather a relational concept. The view that self-determination is a relational practice and concept shifts the locus of responsibility away from labeled individuals to *prove* their capacities and onto all us to support their agency.

Nevertheless, it is easy to see how, in the absence of the surety that people with intellectual disabilities are seen as human (see Carlson, 2010; A. Taylor, 2012) – and therefore entitled to membership in the human community in the first place – this right to self-determine is in jeopardy. The emphasis on normalization at the expense of actual empowerment is exacerbated by the fact that self-determination is enacted within educational contexts shaped by not only ableism – and the preferencing of particular abilities – but also of racism and the corresponding requirements of “acting white” and integrating into white society. Say Smith and Routel (2009), for students of color who have disabilities, “the failure of transitional supports is even more dismal than for those in dominant culture, further evidence that foundational constructs on which transition services are based – self-determination and independence – are culturally created and mediated” (n.p.). In other words, self-determination's core concepts –

independence, autonomy, freedom – are not, as we saw in Chapter Three, universal ones but rather understood according to a dominant economic, political, and cultural milieu. Thus, while self-determination practice is intended towards increasing labeled students’ self-empowerment, when it is shaped by normalization about function and performance – and by a dominant culture at odds with individuals’ experiences – it can not only disempower students but detract from their abilities to learn to become activists on their own and others’ behalf. Put simply, it does not amount to a transformative remedy for the problem of civic exclusion that we are looking at.

These examples illustrate that the effort to encourage valued capabilities in labeled individuals can steer educators to neglect the transformative intentions of projects that are aimed towards political agency and empowerment. This is not only a problem of practice, however, it is also more fundamentally a problem of focusing too heavily on existing *idealized* forms of political agency at the expense of more inclusive forms.

Civic Participation and Standards of Normalcy

As we have seen, ideas about normal human functioning, as well as about normal levels of cognitive ability and modes of communication, are part of the construction of who can become a citizen. Just as the *status* of citizen is conceptualized according to standards of normalcy, so too are the *activities* of the citizen. In fact, the power of normalcy becomes quite clear when we consider how civic participation is conceptualized and then recognized within social and educational contexts.

As I explained in Chapter Three, ideas about what constitutes civic engagement and civic activities are neither uniform nor universal. Rather, they depend not only upon the particular democratic “stance” one endorses but also upon the cultural and social norms around citizenship

that exist. A deliberative democratic stance, as the most esteemed among (liberal) educational theorists, conceptualizes civic engagement in terms of particular discursive and communicative relationships among citizens. However, when examined more closely, we can see how cultural and social norms permeate the apparent desirability and neutrality of deliberative aims.

In her work on the civic engagement gap between racially marginalized groups and racially dominant groups, Meira Levinson (2012) describes how dominant norms of civic engagement cohere with dominant cultural and racial groups. As a result, the civic participation of minority group students is not always recognized as such, nor are the behaviors, knowledge, and skills consistent with an individuals' home culture or racial background understood as forms of civic engagement. Levinson describes how civics assessments like that contained in the National Assessment of Educational Progress (NAEP) tend not to evaluate students' knowledge of those political events that may be inconsequential to dominant group members but essential to the experience of marginalized groups (2012, p. 32). For example, African American students might care deeply about the election controversy surrounding the 2000 presidential election in the United States while white students remain largely unaware (Levinson, 2012, p. 32). For many African American students, this event and others represent important moments of civic rupture that shape the political fabric of their lives. We can imagine, moreover, that aboriginal or First Nations students in Canada are likely to know a lot more about land treaty politics or the history of residential schools than are their white peers simply because these experiences shape aboriginal families' narratives and histories (see Sinclair, 2004). At the same time, the popular regard among white Canadians is that aboriginal rights activist groups like *Idle No More* are disruptive, ineffective, and unjustified in their efforts (Ipsos-Reid, 2013). In this climate, how are

aboriginal and First Nations students to understand such activities of protest as acts of civic engagement?

It is not only what is recognized as relevant civic knowledge that is at stake, but also the sorts of skills and behaviors that students develop within their own cultural, racial, or class communities. To follow the above example, aboriginal students' conceptions of what it means to be civically engaged are likely to differ from how new immigrants' define this engagement. What is recognized as forms of civic participation depends, therefore, on social norms that are racialized such that some ways that cultural communities engage in activism, protest, and other forms of resistance are not counted or are seen as counter to social stability and civic belonging. Says Levinson, "Tests and surveys also tend to assess skills associated with conventional forms of political participation, rather than young people's skills in avoiding altercations with the transit police or in negotiating with public housing officials to fix chronically neglected public spaces" (2012, p. 32-33). When students are not encouraged to recognize these competencies as politically adaptive or as relevant to being a citizen in our existing social world, it is not only that their lived realities are not recognized, but that they are further discouraged from seeing themselves as part of the political community at all.

Dominant expectations surrounding what civic participation looks like can prevent young people from having equal opportunity to become active citizens both because it discourages knowledge and behaviors perhaps vital to their cultural identities and because it requires their conformity to dominant (and often ineffective) ways of expressing political agency. These expectations contribute to what Levinson calls the "civic engagement gap." In my estimation, this civic engagement gap exists for people with disabilities (although it is manifest differently)

and arises through the disjuncture between disabled students' modes of participation and those modes of engagement that are expected and valorized.

A clear example of this disjuncture can be seen in how children's resistance behaviors are read and understood either as bad acts or evidence of pathology (Danforth, 2007; Orsati & Causton-Theoharis, 2013). Certainly some children's acting out or exhibiting "challenging behavior" disrupts the flow of the classroom activity centered around academic learning. However, rather than understand this behavior as evidence of a child's unease, frustration, or resistance to activities, or indeed to understand this behavior as a form of communication, typical educator and institutional responses pathologize that behavior, locating it as a deficiency of the child rather than the schooling environment (Danforth, 2007; Orsati & Causton-Theoharis, 2013). When read through a critical disability studies lens, however, these behaviors (while apparently maladaptive within existing educational contexts) can be understood also as expressing characteristics of social and political agency – namely resistance to power, questioning of authority, negotiation of one's environment, and so on. Furthermore, as I have discussed, many individuals whose lives are restricted by institutionalization (or semi-institutionalization in group homes) or by guardianship relationships find ways to adapt to the circumstances of their lack of freedom. For women especially this adaptation can take the form of exaggerated dependency (Cowley & Bacon, 2013); it is a highly adaptive thing to do to be docile and compliant when one receives rewards for doing so. Interestingly, however, this kind of activity actually *disproves* that such individuals lack the potential to act as political agents on their own behalf.

In addition to the exercise of political agency looking different for young people with significant disabilities, this political agency might be a lot more localized than is regularly

expected and *accepted* in dominant conceptions of political participation. For example, for some students, their home and home life or school and school life might constitute a significant portion of their social world. The effort to assert control and authority with these realms might simply appear about personal dynamics. However, when read through an affirmative stance – that is, the effort to presume that political competencies are present – these activities can suggest evidence of and potentiality for political agency.

Still another example can be seen in Anita Franklin and Patricia Sloper's (2009) study of children's involvement in decision-making. Franklin and Sloper (2009) describe how the reliance on able-bodied norms of performance occurs in relation to educators' attempts to involve children with disabilities in decision-making. They observed that educators tended to rely on an idealized definition and understanding of participation wherein participation in decision-making looked a certain way:

There sometimes appeared to be a notion that anything less than a child taking part in a review meeting and contributing to complex decision-making processes was not valid. For example, when the views of children with learning difficulties had been sought, it might have been at a level of 'what I like' and 'what I do not like' about respite, and this was sometimes viewed as limited, with a few social workers questioning its validity (Franklin & Sloper, 2009, p. 7)

Further, Franklin and Sloper describe how the most attention was placed on children who were considered easiest to teach – meaning the least disruptive, requiring the least support – and whose ability to communicate was read as highest (2009, p. 6-7). Such an orientation towards participation in decision-making obscures the reality that such participation is a continuum of different levels of engagement and support. This research seems to suggest that education towards this kind of participation in activities important to democratic participation (civic practice) depends a lot on how educators understand and define that participation. Further, it explains (although it does not justify) some of the conclusions about exclusive educational aims

that we discussed earlier – that is, why theorists might be quicker to rely on the need for separate aims and expectations.

Individuals with physical, intellectual, and developmental disabilities often require significant (albeit varying) levels of support to exercise political agency. This can take the form of considerable investment from caregivers, teachers, and even peers in carefully listening, explaining, and assisting in making informed choices. For example, it may take a lot of work from teachers and teaching aides, as well as student peers, to listen patiently and carefully to someone who needs significant support in communicating their thoughts and opinions. Or, it may take a lot of work on the part of caregivers, family members, and teachers working together to scaffold a process of informed and autonomous decision-making on the part of the individual with significant disability. It is actually hard to imagine something more fundamentally *democratic* than the collaborative efforts that are involved in supported decision-making, including circles of support. This work is necessary if people with significant disabilities are going to be substantively included in democracy and if their participation is to be recognized. If we are invested in educational justice then we must recognize that this is the sort of investment that is going to be required.

These examples suggest that citizenship, political agency, and democratic participation are states that are done and undone within schools and community life, rather than states of development. The practices of creating and sustaining political agency require relationships of care and support. Of course one could object at this point that such a level of investment is too demanding on schools that already face limited and often scarce resources. But not all of these investments make demands on scarce resources and, in fact, inclusive practices could, in theory, mitigate the need for increased resource expenditure. This is because, as I pointed out earlier,

schools often promote normative but academically inefficient teaching practices and learning modes or demonstrations of learning (Hehir, 2002). As I discussed in Chapter Two, educational considerations of distributive justice have tended to focus on educational resources that are finite and on weighing the needs of all students relative to the attainment of valued educational aims. However, it is possible to imagine that justice considerations of resource allocation and educational distribution change in light of inclusive education practice that is truly integrated into schools' curricula and instructional practices. Rather than understanding inclusive aims as generating the need for increased resource expenditure, we can understand inclusive aims as generating the need for reformed educational practice and attitudes towards students' differences. The embracing of students' differences in intellectual and communicative ability necessitates educational practices that avoid pushing students towards normalized (but frequently academically inefficient) behaviors, modes of communication, and modes of learning. Factors of integrated inclusive practice that mitigate the need for increased expenditure on students with disabilities could include: a) the role of natural supports among children in learning; b) the integration of special education teacher and teacher aide resources into the classroom (cooperative and co-teaching); and c) the recognition and support of alternative modes of communication and performance. Furthermore, while such a conception of inclusive practices does not eliminate the problem of scarce resources (educational technology, teacher attention, remedial support), these can be understood as generating benefits for all students, rather than only those with the most significant needs. The point here is that philosophical debates about educational distribution ought to factor in the extent to which inclusive practice mitigates worries about weighing the needs of all students or unfairly spending too much on students with disabilities. In fact, if discussions about distributive justice take place only from a standpoint of

traditional models of special education instruction, then they will continue to promote the view that children with disabilities are problems.

Expectations around putatively normal communication, independence, and behavior shape what activities are intelligible as civic projects. The political agency of people with intellectual disabilities may be harder to recognize by dominant group able-bodied/able-minded people for a variety of reasons, including the ideology of normalcy and attendant anxieties surrounding expectations of ability (Clifford Simplican, 2015). Some forms of participation simply do not fit within our hermeneutical frames regarding citizenship and this can prompt a dismissive response from educational and political theorists or practitioners. As long as citizenship is synonymous with independence, autonomy, rationality, and so on, it cannot accommodate the sorts of dependency and cognitive differences that people with intellectual disabilities embody. A narrow definition of participation is therefore problematic because it tacitly privileges the able-bodied and able-minded by upholding standards of normalcy. Further, a narrow definition fails to represent the actual ways in which people participate in the democratic/civic sphere, including those with significant disabilities. This narrowing therefore renders some forms of participation invisible as civic projects.

The Narrowing of Democratic Participation

As I stated in Chapter Three, existing models of democratic education express expectations of ability that do not generally account for the capabilities of those with intellectual disabilities and that are based in able-bodied and minded norms of communication, social behavior, and democratic participation. This is especially apparent in those models that are based in deliberative democratic values of communicative reciprocity, which appear ill-suited to

including people with intellectual disabilities and those who experience putatively abnormal modes of communication (such as non-verbal communication). In preferencing these abilities, these models may disadvantage people with intellectual disabilities in several ways, some of which are specific to those with such disabilities and some that are true of all oppressed groups. In fact, it is also the case that deliberation has been criticized as potentially alienating and harmful to people of color (Blackwell, 2010; Levinson, 2003). Because of norms and standards of communication that privilege the able-bodied, and the emphasis on communicative reciprocity grounded in rationality and autonomy, people with intellectual disabilities and other disabilities affecting communication or comprehension are left on the margins of citizenship by the deliberative model. Further, because of its emphasis on the norms of reasonableness and dispassion as well as on the requirements of open-mindedness and “civic magnanimity” (McGregor, 2004, p. 95), democratic deliberation may actually place unfair demands on those who lack power or undermine the authority of those whose lived experience differs from the dominant norms (see Ellsworth, 1989; Levinson, 2003; McGregor, 2004). Indeed, deliberative democratic conceptions, because they emphasize this reciprocity in reasons-giving exchange, presuppose that all parties possess the same level of recognition and influence. It also presupposes a degree of what Levinson calls “social trust” among parties in the exchange (2012, p. 37). This includes the belief that your views will be taken into consideration and assessed not in light of others’ standards of reasonableness, but in light of the standards of reasonableness that arise from your particular experiences.

To illustrate, let me develop an example based on what Levinson (2003) rhetorically calls the view of “minority ‘extremism’” (p. 27). Levinson argues that “Because of different life experiences or other cultural differences, members of a minority group may put forward claims

about a common interest (such as community protection through policing) that appeal to common norms, and that seem totally mundane from that group's perspective, yet seem absolutely extreme from the majority group's perspective" (2003, p. 29). Levinson uses the example of black Americans' distrust in certain state-mandated medical programs, such as immunizations or HIV treatment drugs. From the perspective of white Americans, this may seem like an extreme, even irrational distrust; however, when understood through a history that includes state-sponsored drug research programs such as the Tuskegee syphilis experiment or birth-control pill and injection testing on Latina, indigenous, black, and poor women (see Washington, 2008), this distrust is not only proportional, it is rational.

Similarly, such apparent extremism may arise when an able-bodied person is confronted with a disabled person's offense at an innocent and heartfelt offer for assistance, as in the case of opening a door for a wheelchair-user, or finishing the sentence of a person with slow speech. Adam Cureton (2014) suggests that if we understand these as cases of "offensive beneficence," rather than simple offers of help, it changes our standards of what is considered reasonable from that epistemic and social vantage point. It may be the case, for example, that an able-bodied individual's offer to help is well-intended and not intentionally disrespectful or undermining. Nevertheless, the disabled individuals' frustrated and even offended response to it is understandable and justified. The worry, overall, is that because differences in interpretive and experiential frames not only track differences in social and physical experience but also imbalances in power – that is, the power one has to affect social discourse and social meanings – then deliberation may unfairly and indeed unjustly favor the powerful. Because of these concerns, deliberative democracy has therefore been criticized as unable to account for the differences in power experienced by social groups and how these affect the possibilities for

deliberation (Ellsworth, 1989; Levinson, 2003). The problem is certainly further compounded when troubled not just by the lack of understanding or attentive/careful listening that comes from being in a position of racial or gender power, but also the lack of understanding or careful listening that comes when one is in a position of able-bodied privilege. There are frequent examples of talking past, finishing sentences, pretending to understand to avoid embarrassment, and so on that actually amount to a systematic abuse of power and failure to listen to those with disabilities (See Redley & Weinberg, 2007; A. Taylor, 2010).

Even so, democratic deliberation represents a much praised and indeed quite promising form of democratic engagement, favored by many scholars of democratic education. It is, however, a rather idealized form of engagement and the norms of deliberative communication may not adequately represent our most frequent forms of decision-making or working across differences. Of course, deliberation is not the only form of decision-making going on in the political democratic world and “[p]olitics has other values in addition to, and often in tension with, reason: passion, commitment, solidarity, courage, and competitiveness” (Walzer, 1999, p. 59). In many ways, the idea that we can all reason together in processes of deliberation is impractical, according to Michael Walzer (1999), and we may do better to acknowledge existing forms of civic participation, including mobilizing, demonstration, bargaining, negotiating, and so on. Similarly, Emily Robertson (2009) argues that the role of citizen in a liberal democracy actually requires the ability to participate in multiple practices for determining social goods and values, or for working through differences. Robertson emphasizes the sphere of “civil society,” or the political domain that extends beyond the sphere of the state to broader social and political associations. She says, “Including civil society and everyday talk generates a more robust domain for consideration without supposing that all citizens will have opportunities to be

decision-makers in the narrow sense” (2009; p. 116). This account acknowledges two important elements of concerns over models of democratic participation. First, that such philosophical models often promote a rather narrow vision of democratic participation that is removed from how existing practices take place – that is, it promotes an unnecessarily and perhaps unfairly idealistic picture of what democratic participation looks like. Second, it suggests that democratic participation – including decision-making – need not be regarded narrowly; in fact, there are many forms that such participation can take.

Descriptions of democratic deliberation – and the dialogic exercise they require – frequently sound quite foreign to our commonplace way of thinking about how democratic practice actually takes shape. When we think about our role in the political process, we think about casting a vote, perhaps sending a letter to our governmental representative, campaigning for or otherwise supporting a political party, or perhaps signing a petition or sending a tweet. We may also think about volunteering at the local food bank or animal shelter, protesting the closure of our local library, or tending a community garden. We don’t, I think, tend to think of ourselves sitting together with diverse others, debating over what constitutes the good life or the good society, or even what sorts of policies our local government should enact. Perhaps this sounds wonderful to some of us, but to others it likely sounds like a waste of time, or seems unlikely to happen given our busy lives and the logistical nightmare doing so would entail. Certainly some of these dialogic activities might take place on a more localized scale – we might take part in citizens’ volunteer or advocacy groups, the PTA council, etc. Whether we see a relationship between these activities and the broader political process is going to depend, most likely, on whether we see these as effective politically and the scale of that influence. However, it is

unlikely that most of us see these exercises as the only or even the most preferred form of civic engagement.

Jane Mansbridge (1999) suggests that deliberative theorists are far too narrow in their descriptions of and attention to deliberative practices, usually emphasizing formal deliberation in public arenas (binding decisions) rather than informal conversations or discussions in the public sphere, even in private life (non-binding decision-making perhaps). She argues it is the “everyday talk” among citizens on matters of public concern that actually informs and enables governmental decisions (Mansbridge, 1999, p. 212). An example is the snort of derision a woman might have while watching a sexist television show. This “political act” tells her intimate others that something is not acceptable to her, thus entering it in as a topic of concern (1999, p. 214). One can imagine the significance of this act, perhaps, in relation to her children and their development of a political consciousness. Similarly, we might imagine a man’s refusal to come out his room for dinner as a political act within the context of a rigid and undemocratic group home life. Interestingly, Mansbridge’s interpretation of these private statements and activities as political acts seems to show that deliberation does not obey the public-private divide. Thus, this “deliberative system” – which includes everything from governmental decisions to everyday talk – includes formal and informal sharing of ideas and public and private discussion of matters of public concern (health care is an example). Argues Mansbridge, everyday talk differs from more formal deliberation only in degree and not in kind (1999, p. 227-8). Her point is to emphasize the array of different deliberative actions in which each of us is engaged, rather than be beholden to a set of deliberative norms that do not well describe our actual ways of engaging in public discussion.

Mansbridge's views highlight that discussion *is* an important form of civic engagement, but it does not usually take the abstract form of formalized deliberation and debate. Further, everyday talk is a much more universalized and universalizable understanding of civic engagement through discussion: that things change because we listen to and learn from others need not presuppose a particular arena or format. John S. Dryzek (2000) similarly laments the neglect of non-governmental institutional deliberation – that is, deliberation in the public sphere rather than in formal government. He suggests that ignoring this everyday public discussion has the effect of removing the value of deliberation in the first place. What he calls the “deliberative turn” in democratic theory is the weakening of the criticality of deliberative democracy and an emphasis on accommodation to rather than contestation of the liberal political system (Dryzek, 2000, p. 20). Leaving the liberal political system unchallenged, however, ignores how discussions and debates take place within the so-called public sphere and how social norms and dominant ideologies and discourses are perpetuated through such extra-governmental deliberation. It also allows us to maintain a view of the citizen as abstracted from social contexts, life commitments and racialized, gendered, classed, and abled norms of participation in democratic life. Iris Marion Young (2001) suggests that it is precisely because of these social constraints and hegemonic discourses that calls for social activism as part of a healthy democracy are required. Challenging hegemonic norms and discourses – such as male dominance, racial privilege, able-bodied preferencing, etc. – demands a rupture rather than an affirmation of traditional communicative means (Young, 2001, p. 687).

The point here is first that civic engagement through idealized deliberation need not be understood as the only or indeed the most important form of civic engagement, and, secondly, that regarding the political significance of everyday talk decenters the abstract notion of

deliberation and accounts for the diverse ways that individuals, within their social and cultural communities, engage in discursive contestation of matters of civic import, like sexism, or economic inequality, or health care decisions. For people with intellectual disabilities – who are often prevented from forming relationships beyond their residential community – these points of contact can be extremely important in their exercise of political and other forms of agency (see Cushing & Lewis, 2002; Kjellberg, 2002). However, if we focus only on these forms of discussion-based civic engagement, we neglect the concerns I raised earlier around the ways that deliberation ignores or fails to account for differences in social power. This is because we face interpersonal problems upheld by power – like the feeling that another’s views are unreasonable because we don’t share their experience, or because we regard their speech as incomprehensible, or because their behavior appears to belie their disinterest, etc. We also face more systemic problems – like the fact of housing and community segregation (racial and around disability) or power differentials in who is required to listen that are sustained by class differences, gender differences, racial differences, and ability differences.

Recognizing, then, that deliberation is not the only form of democratic participation that objectively has value and that is given value in our society, Robertson (2008, 2009) outlines political activities of deliberation, bargaining, and social activism, and defends the place of these latter two both within democracy and within democratic education. Learning the skills of bargaining, for example, may teach students to engage in conflict resolution, just as it requires a degree of interdependence as parties learn to negotiate with one another (Robertson, 2009, p. 120). Moreover, social activism is often a necessary political practice when existing social institutions and arrangements, otherwise supported by deliberative practice, are unjust. Where deliberation might leave such arrangements unchallenged, even perpetuate them through

deliberative communicative norms, social activism is aimed at disrupting the status quo. Says Robertson, each of these has its place in the “repertoire of a democratic citizen” (2009, p. 124).

This broadening of our understanding of the deliberative arena as well as the scope of what is considered democratic participation certainly does appear to make room for the modes of engagement, including everyday talk, personal and political activism and resistance, bargaining and negotiation that occur between people with intellectual disabilities and their families, friends, colleagues, care staff, and so on. However, these intimate expressions of preference and concern, while they may fit into what Mansbridge calls everyday talk, are nevertheless largely invisible to those outside disabled people’s close relationships. Nevertheless, these activities suggest the need for a valuation of a field of democratic participation in which people with intellectual disabilities already participate, quite actively, and could participate in greater numbers and in more substantive ways if they were properly prepared, supported, and enabled to do so.

One very important example of an existing mode of political participation in which individuals labeled with intellectual disabilities engage is self-advocacy movements. The global self-advocacy movement emerged out of the larger disability rights movement of the last half-century. Through this self-organized and self-motivated activism, people with intellectual disabilities campaign for fair access to social services, housing, marriage, sexuality, parenthood, community integration, and cultural recognition (see, for example, Docherty et al., 2010; Vorhaus, 2005). Self-advocates and their supporters take very seriously – and indeed are responsible for – the disability rights slogan “Nothing About Us Without Us.” This is a forceful – and often contentious – assertion within the context of presumed total dependency and passivity of individuals labeled with intellectual disabilities. Consider the following assertion

made within the context of an article by Docherty et al. (2010), all authors identifying as having intellectual disabilities:

Services make the decisions and there's a lot of broken promises. If learning disabled people want a baby, it's not just about how they would manage with a baby, it's about what it would cost, that's how they decide. They say 'Oh we can't afford this, we can't afford that sort of 24 hour service?' *But we're people, we're not a bank statement.* The services make excuses and put barriers in the way of everything. It's OK for them to have a life; it should be OK for us to get a life too (p. 41; my emphasis).

In this passage, the authors assert their political agency through statements about not only their moral equality, but also the effects that economic distributive mechanisms have on their lives. By arguing that “we're not a bank statement,” they challenge the common societal pattern of treating labeled people as outliers to the usual entitlements of adult life – namely the right and opportunity to become parents.

The growing public and governmental recognition of self-advocacy movements does mean that some individuals with intellectual disabilities *do* participate in the mainstream mechanisms of shaping laws and policies that serve the common good. However, they don't always participate in mainstream ways, or ways considered normal. In fact, often the participation of individuals with significant disabilities in self-advocacy contexts requires the active care and support of others. At self-advocacy meetings at which I have been a guest, I have observed that some members rely heavily on a caregiver or fellow participant to weigh in on decisions and generally participate in the activities of the group. Other times I observed that some members of the group engage in careful and intentioned scaffolding of ideas and objectives to help other members of the group that have a harder time following along. These efforts again point to the significance of relationships within civic practices.

Along these lines, there has been increasing recognition that the families of people with intellectual disabilities have important insight into decision-making about what is best for their loved one. However, this attention to the views of loved ones needs to be balanced against the surety that supports are also in place to provide the person with disability the opportunity to express his or her own desires using different modes of communication, supportive technology and so on. Sometimes, for example, an impartial advocate is better positioned to represent the interests of individuals whose families do not provide them opportunities to make their own decisions.³³ Of course, there is no necessary connection between being a family member of a person with a disability and having their best interests at heart or understanding their desires and preferences best.

To a certain extent, self-advocacy groups by their very existence contest dominant conceptions of citizenship. By adopting and repurposing those mechanisms of structural control and decision-making power that were used to marginalize them, people with intellectual and developmental disabilities can subvert the power of these mechanisms. Derrick Armstrong (2002) puts this well:

...in contesting the limits of citizenship the group also contests the definition and operation of citizenship in political practice. Thus, identity is constructed through the actions of the group, not so much by their assertion of independence (which at best is partial), but through an ongoing struggle which challenges the socially constructed character of 'autonomy', 'rationality' and 'choice' and the socially constructed character of labels that signify the absence of the attributes of citizenship, eg 'learning difficulty', 'mental retardation', etc. Self-advocacy, in this context, is characterised not by the formal structures of the group, but rather by the collective struggle for a meaningful citizenship in opposition to the control that is exerted over group members (p. 342)

Of course there is no guarantee that self-advocacy movements will be recognized as movements of political participation. Indeed, without the recognition that people with intellectual disabilities

³³ I am thinking here of the recent story of Jenny Hatch. See Vargas (2013).

can be political agents, self-advocacy can be co-opted as a means of reinforcing existing practices of medicalization, consumerism, and, ultimately, disempowerment: “Self advocacy has become a tool to find out what people with learning difficulties think of services rather than to challenge the philosophy of services and systems that create them and their inherent limitations” (Aspis, 1997, p. 652). Despite Armstrong’s assertions, self-advocacy groups do face the challenge that they frequently draw upon the language of concepts like independence, autonomy, and voice that have been used to keep people with intellectual disabilities outside the sphere of citizenship (Redley & Weinberg, 2007). There is a tension at work, then, between the assertion of the right to membership in existing civic practices and the recognition that those civic practices rely on norms of ability that preclude such membership.

Nevertheless, these examples illustrate how people with intellectual disabilities already participate in civic practices. Emphasizing these instances is certainly important in ensuring that we do not simply ignore existing examples of political agency. However, I have also showed the danger in focusing too much on traditional civic practices. Doing so can simply reintroduce the idea that dominant civic practices and models of political agency are or should be our goal in civic education.

Making Visible Civic Competencies

One of the goals of my project is to create a space of recognition for the existing contributions of those labeled with intellectual disabilities to civic practices and decision-making, whether these practices are already understood or intelligible as civic projects or not. Civic practices take place through self-advocacy networks, within regional and national government structures, within schools, institutions, and/or care-homes, even within workplaces,

artistic fora, through play, or through intimate relations of care. Because these activities do not always fit within the expected norms of communication or independence assumed by democratic education theorists, however, they are frequently not visible *as* projects of citizenship. The push toward normalized learning modes, cognitive processing, and behavioral or communicative expression can obscure the kinds of work that people with intellectual disabilities and their families are already doing to invest themselves in civic projects. Further, it can result in a range of attitudes and expectations towards those who fail to assimilate, including that they make themselves intelligible through existing norms, that they prove their abilities within a narrow range of ability criteria, or that they excuse themselves from normal social venues or classrooms.

Such expectations are demonstrated clearly through two examples. First, when it comes to thinking about disability, expectations that we have for people with disabilities tend to be less flexible than expectations for non-labeled individuals. In some cases this functions through double standards for disabled people. Consider two arguments that Mary Warnock (2010) advances for the availability of separate schools for disabled children. First, Warnock argues that disruptive children adversely affect the learning of all children in schools and that mainstreaming enhances the likelihood that both teachers and students (in general) will suffer from the lack of availability of “special schools” for children with disabilities. However, the category “disruptive children” is surely not synonymous with “disabled children” and includes those without identified disabilities.³⁴ Although disruptive children are frequently labeled with disabilities, especially students read as racially other (Ferri & Connor, 2005b), the idea that disability and disruptiveness go together reveals the bias at work in understanding disability in the first place; again disability emerges as the other to civilized life. As I discussed earlier, moreover,

³⁴ Nevertheless the category “disruptive children” frequently collapses into the category “disabled children” through special education practices (see Collins, 2003; Danforth & Smith, 2004; Orsati & Theoharis, 2013).

disruptiveness can be a sign of resistance or an effort at communication. Such behaviors are not clearly recognized modes of expression or, indeed, political agency because they do not fit with the very narrow range of opportunities that students are given to exercise, practice, or enact civic engagement.

Warnock argues that disabled children are often bullied because of their differences and that special schools would help to alleviate this problem. What Warnock leaves out, however, is that many children – disabled and non-disabled – are bullied in schools, whether for their gender expression, their racial background, their academic interest and so on. The onus is surely on schools and school administration to address such instances of bullying, rather than to simply outsource stigmatized students to separate schools. It would seem reasonable, then, to suggest that the same be true for students with disabilities who face bullying. The double standard reinforces the idea that disabled students are problems and that their presence in mainstream schools is a threat to the social order.

Second, consider expectations around voting. Debra Satz (2007), for example, argues that education must enable citizens to meet a threshold level of knowledge and competence for the exercise of voting, expressed in their being informed about political issues and in their possessing knowledge of voting procedures. While many citizens without intellectual disabilities fail to meet this standard of knowledge, it is those with intellectual disability labels who are legally barred from voting in many U.S. states based on their perceived or assessed lack of competence (King & Ebrahim, 2007), and for whom separate educational aims are often suggested. Surely we can note by way of objection that current educational systems are failing in their task of preparing non-disabled citizens for voting. Can we confidently say that they are not also failing those with intellectual disabilities? I think that we cannot.

A clear example of the conformity to able-bodied and able-minded norms of behavior and ability expectations can be found in a recent *Voting Rights Act* complaint filed in California. The filers of the complaint describe how people with intellectual and developmental disabilities who are under conservatorship (adult guardianship) are frequently barred from voting by judges because they are unable to complete the voter registration card without assistance (Blood, 2014). Advocates argue that such restrictions violate individuals' rights to reasonable accommodations and perpetuate the unfounded belief that an intellectual disability automatically prevents a person from voting. Here we can see that a preference for particular abilities (i.e. the ability to independently fill out a registration form) shapes what is considered necessary for voting. Furthermore, the slide from difficulty in one area (literacy, writing ability, cognitive processing) to an assumed inability in another area (decision-making about whom to vote for) is an example of the kind of bad logic that I described in the previous chapter.³⁵ This type of ill-informed and faulty logic appears almost endemic to much academic theorizing about intellectual disability.

Voting and other mechanisms of civic engagement require that all people have knowledge, preparation, and information about process as well as content; in short, it requires education. However, for people with intellectual disabilities, this preparation may need to be more involved, or scaffolded in particular ways (Agran & Hughes, 2013, p. 61). Certainly, a person with an intellectual disability may not come to know about their opportunities to vote, or may not even know what voting is, unless they are given the opportunity to learn about it. And knowing about something is a necessary condition of desiring to participate in it. However, in their study of voting and individuals with significant disabilities, Martin Agran and Carolyn Hughes (2013) found that service-providers frequently expect people with disabilities to express

³⁵ Recall the case of *R. v D.A.I.* (2012), discussed on page 136.

an interest in voting before they are given instruction in voting. This represents an absurd standard:

[It] begs the question that a client must express an interest in a subject or activity to warrant necessary instruction. Individuals with extensive support needs may have limited communicative skills, topical knowledge, and opportunity to express such an interest and thus on this basis would be denied valued instruction. Furthermore, many "typical" individuals have little or no interest in voting but this lack of interest does not disqualify them from voting. As noted by Bell et al. (2001), lack of interest does not preclude people from learning about their right to vote. It goes without saying that service providers need to be informed that, in light of current values and best practices, voting may represent an appropriate skill to teach individuals with intellectual disabilities (Agran & Hughes, 2013, p. 61).

It is absurd to conclude that a lack of expression of interest indicates a lack of ability to perform a specific task. But it is equally absurd and certainly unjust to deny a person an opportunity to vote because they require significant support in doing so. However, worries over abuse and manipulation by those supporting people with intellectual disabilities in voting processes are often cited as reasons to deny such people this right. In 2012, in fact, such an argument was the subject of a Minnesota court case (Ragsdale, 2012). Fortunately, the judge reasoned in that case that simply because a person could be manipulated or their right abused does not justify the deprivation of that right. In fact, we can see that making the opposite conclusion would seem to support depriving people with intellectual disabilities from being cared for by hired staff, or even their families because of the potential (and high existing rate) of physical and sexual abuse that they face.

We can see here that the cultural reliance on a particular understanding of autonomy pushes up against the reality that not all individuals can attain that level of autonomy. Where one view supports the abandonment of a right because autonomy is not present, the other view sees the necessity to create structures and practices that resist abuse. The latter view therefore avoids

blaming the victim for her own abuse. I think most of us would rather conclude that we ought to study and eliminate the systemic forces that structure this potential for abuse rather than hold victims accountable for violence done towards them. Similarly, we should not hold people with disabilities accountable for the disrespect done to them, or deprive them of opportunities on that basis. Many of those who decry the Ashley Treatment (described in Chapter Two) do so precisely on the grounds that it justifies extreme intervention on an individual's bodily integrity to spare them from potential victimization rather than concentrating efforts on protecting individuals with significant disabilities from abuse. In a perverse way, the Ashley Treatment actually performs an act of violence on the individual that it otherwise seeks to prevent.

It is important to note, however, that while the issue of voting clearly represents the maintenance of separate expectations or double standards of and for people with disabilities, it nevertheless represents a problematic case when considering intellectual disability – and especially significant intellectual disability. On the one hand it is clear that voting is an important part of democratic citizenship – and arguably the main means through which citizens of contemporary democracies like the United States and Canada activate their civic membership and shape the political landscape. As such, it is important not only that people with intellectual disabilities have access to voting, but also that voting be conceptualized and enabled in such a way that this access is assured. This includes, certainly, that people with intellectual disabilities be provided with an education in voting process, be informed about their choices, and be supported in voting and accessing information they need to vote. In fact, as I have said, a significant concern of disability advocates is the frequent denial of access to voting of people with intellectual disabilities, often through systematic legal mechanisms like guardianship and conservatorship laws. Further, because people with intellectual disabilities often rely heavily on

the support of family members or professional staff in learning about and participating in elections (and even in receiving and reading the newspaper, watching the news, meeting candidates, etc.), opportunities to participate in voting are far from assured, even for those who express an interest in doing so (Agran & Hughes, 2013; Kjellberg, 2002). In her study of citizenship practices of adults with intellectual disabilities in Sweden, Anette Kjellberg (2002) found that a crucial factor in a labeled individuals' access to information about and access to voting, as well as in expressed interest in voting, was their relationship to "significant persons," such as family members, staff members, and, less frequently, friends (p. 201). Says Kjellberg, "When deciding to vote or not, the significant persons involved are interacting with the informants [study participants], which also gives them opportunities to develop a personal view of different areas of interest in society" (2002, p. 201). However, many do not have the support of significant persons and are not given the choice to vote (see Agran & Hughes, 2013).

On the other hand, there is a worry that too much emphasis on voting – just like on deliberation – as a primary form of political expression or political agency can contribute to a narrowing of the range of available civic practices. Voting is not the only activity of democratic citizenship and ought not be regarded as the only way people can and do participate in the civic community. Further, many people with intellectual disabilities may not ever be able, even with significant support, to participate in voting. However, as I have pointed out, this does not mean that they cannot participate in democratic citizenship. John Vorhaus (2005) expresses this problem with relying too much on enfranchisement in considering citizenship for people with intellectual disabilities:

...the preoccupation with enfranchisement and political participation *themselves* have a denigrating effect; for profoundly disabled people are thereby set up to fail the tests these preoccupations tacitly rely upon. And of course, what I have claimed is true of profoundly disabled people is also true of many classes of people; very young children

and some very old people, and those in the advanced stages of such degenerative diseases as Alzheimer's and Parkinson's. These persons make up a significant portion of our population, and we owe it to them to provide a conception of citizenship that does better justice to their lives than those whose primary dimension is participation in political decision-making. Any conception of citizenship embracing profoundly disabled persons will have to prove responsive to the detail of their lives, capacities and potential (p. 474).

Vorhaus' point here is not to suggest that political participation as voting is unimportant, but rather to argue that it is not and ought not be the only form of political participation that is valued. His view supports my argument that we need to broaden our understanding and recognition of other forms of participation so as to enable a recognition of non-traditional civic projects as valid, and help to support their development through schooling.

Conclusion

This chapter has focused on exploring the many ways in which people with intellectual disabilities participate in traditional, dominant or valued forms of political participation. I have also described how this participation does not always come in expected or *accepted* forms. Indeed, some of the expressions of political agency that I described are very localized and highly dependent on the direct involvement of significant persons. This level of support runs counter to visions of the democratic citizen as able-minded and able-bodied. Asserting that these activities are nevertheless forms of political agency and democratic participation is akin to challenging the able-minded and able-bodied norms of citizenship and definitional features of citizenship as precluding membership of intellectually disabled persons.

Furthermore, in this chapter I have sought to emphasize the relational and collaborative way that the activities of citizenship take place. Not only is this the case insofar as such activities are highly dependent for their recognition on dominant hermeneutical resources, but also insofar

as citizenship is a state that comes about through localized and institutionalized processes of negotiation. In the next chapter I refer to this as the process of “doing citizenship” and suggest that we ought to pay more attention to this process in our philosophical theorizing about democratic citizenship education.

CHAPTER SIX

ENVISIONING INCLUSIVE DEMOCRATIC EDUCATION

Whether or not people with severe disabilities will be treated as human beings or persons is not a matter of their physical or mental condition. *It is a matter of definition.* We can show that they, and we, are human by including, by accepting them rather than separating them out (Bogdan & S. Taylor, 1989, p. 146, my emphasis).

It's very difficult to predict what a child – any child – is ever going to be capable of. Especially regarding [disability] labels. You assume the child is able and you start from there (Lead teacher of an inclusive preschool classroom, as cited in Kliewer et al., 2004, p. 382).

For the majority of my own childhood and adolescence, I did not know anyone with an intellectual disability. In fact, for most of my years of school (up until 11th grade in fact) I had no contact with anyone whose cognitive abilities, modes of communication, or learning needs differed in any significant – or obvious – way from my own. The school I attended for the entirety of my K-12 schooling was highly segregated, both with respect to race and to ability; the student population was overwhelmingly white and able-bodied. This lack of contact changed for me when, in 11th grade, I completed a school-sponsored practicum in a local residential community housing people with intellectual and developmental disabilities. A L'Arche³⁶ community, this geographical setting at once exposed me to a range of people I frankly did not know existed and to the love and care that can exist between those people I at that time considered normal and those I considered abnormal. At different points over the next ten years I

³⁶ L'Arche is an international organization of communities that are home to people with intellectual and developmental disabilities and their non-familial caregivers. See <http://www.larche.ca>. For discussion of L'Arche communities and relations of care within them, see Pamela Cushing and Tanya Lewis (2002). My experience at L'Arche was overwhelmingly positive and fulfilling, and my respect for L'Arche community members ("core-members" and caregivers alike, and certainly L'Arche's founder Jean Vanier) should not be underestimated. However, in the intervening years since I worked as an "assistant" with L'Arche, I have developed a more critical lens through which to think about L'Arche communities. I do not have room to elaborate upon the nature of these critiques here, although I can say that they have to do (in large part) with the extent to which L'Arche communities are able to facilitate practices of citizenship and belonging of people with intellectual disabilities *beyond* the close-knit communities themselves (that is, integrated with the broader urban, suburban, and rural communities in which they are located).

worked in two more L'Arche communities as an "assistant" or live-in caregiver/friend/companion. In each home that I lived in, home also to between four and six "core-members" with disabilities, we all lived together as a kind of hybrid family. This is not to say that relations of power and inequality did not exist between us. But the relations of care were constant and, in many ways, natural.

In the last of these communities, in small-town Nova Scotia, Canada, I met a woman who I'll call Tracy. Tracy was around thirty at the time, had dark brown hair cut very short, and a thin, lean build. She did not communicate verbally, although she did frequently hum, moan, and groan or flap and wave her hands. Because it is not part of the L'Arche practice to inform assistants about core-members' diagnoses or diagnostic labels, I never knew how Tracy had been interpreted by medical professionals. Rather, I knew only how her particular needs and abilities informed and shaped the relationship we had with one another. For example, I knew that Tracy was fast: she could run at great speed away from me on the street, in a shopping mall, on a walk. I knew that this meant that I needed to think quickly and be vigilant so as to ensure her safety. I knew also that Tracy liked to be solitary, often sitting for hours in a chair by the window, or in the corner at her day program. If you asked Tracy to get up and join the dinner table she would often refuse, gluing herself to her recliner. Tracy rarely made eye contact, and when she did, it usually meant that she was angry or worried. For those caring for her, this was a very important mode of communication.

Although I'm not aware of Tracy's diagnosis, I can say that she is someone who would be read to have a severe intellectual disability.³⁷ At the time that I worked with her, I developed an understanding of how Tracy's behavior was frequently a form of communication, as was her

³⁷ I don't mean this as a diagnosis, but rather to point to the way that Tracy's behaviors and comportment are read by those around her.

groaning or moaning. However, I did not interpret any of Tracy's actions as evidence of political agency. It did not cross my mind that she might be expressing politically relevant preferences or resistance or ideas. It did not occur to me that her fleeing or refusal to join the dinner table could be expressions of intentioned resistance or desire for freedom. In short, I failed to see Tracy as potentially a political agent.

When I began this project I started to think about Tracy. In many ways Tracy would re-emerge in my mind as a kind of "limit case" that I discussed in Chapter Four. I would imagine how my critique of educational philosophical frameworks of democratic citizenship would stack up against the realities of Tracy's disability, or the disabilities of other men and women with significant intellectual disabilities with whom I have worked. I would experience a kind of cognitive dissonance between my belief in the importance of extending the aims of civic education to individuals with significant intellectual disabilities and my internalized regard of my former clients' abilities as limited. Interestingly, this internalized sense of limitation existed alongside my deeply-held belief that the exclusion of this population from civic theorizing was unjust and I hoped my project would trouble the activities of theorists who perform this kind of tacit exclusion. What I did not know was that the project itself would perform a kind of hermeneutical reimagining on *me*. As I began to write this final chapter, then, I began to think: how can I re-imagine Tracy's actions as expressing political agency? How can I re-imagine Tracy herself as a political agent? What sort of transformation does this require?

This final chapter conceptualizes the kind of hermeneutical transformation that I believe philosophers of education need to make in their approach to theorizing about educational justice and individuals with significant disabilities, especially around the fundamental questions of equality, social recognition, and, indeed, citizenship. In addition, it lays the groundwork for a

more comprehensive consideration of what teacher educators, teacher practitioners, and curriculum developers can do in carrying out inclusive democratic education. I hope therefore to accomplish two things: First, to lay out a view of what educational philosophers (and theorizers/researchers) need to do differently to reason justly about educational justice for individuals with intellectual disabilities. This includes taking an affirmative, rather than a deferral stance towards questions of educational entitlement, attending to existing epistemic limitations in reasoning about cognitive disability, and paying close attention to the narratives and experiences of people with intellectual disabilities and those who work closely to understand them. Second, to home in on what I believe to be the most important take away from my argument in this project, namely that the embracing of intellectual ability differences in democratic education fundamentally requires a substantive shift in our efforts at policy-making, curriculum development, and educational practice around envisioning democratic education.

Hermeneutical Justice in Reasoning about Democratic Citizenship Aims

The preceding chapters have focused on laying out an important problem facing educational theory in general: that of the inadequate understanding of and attention to the educational preparation of people with intellectual disabilities towards citizenship. As I have discussed, one of the major factors working against doing this type of theorizing is the naturalized conclusion that the duties of citizenship preclude the possibility that many people with intellectual disabilities will become civic agents in any meaningful sense. I have argued that this conclusion rests on a number of problematic premises: 1) that it is cognitive inability rather than structural impediments or limitations in understanding that prevent people with intellectual disabilities from occupying valued civic roles; 2) that political agency requires particular

capacities – such as rational deliberation and independent self-representation – that people with intellectual disabilities lack; and 3) that valued and idealized activities of citizenship – like deliberation – are necessary for the expression of political agency or civic belonging.

At first the view that schools shape the adult citizens that young people are to become appears in many ways a rather obvious and straightforwardly accepted one; it simply expresses the important relationship between educational opportunities (expressed in terms of aims) and political opportunities (expressed in terms of civic roles). It is a kind of linear relationship. However, as we have seen, what exactly democratic citizenship looks like or entails in terms of citizens' performances is not settled. Indeed, it appears that there is a contingent relationship between democratic citizenship and *specific* skills, knowledge, and dispositions that are regarded as necessary. Because different forms of democracy require different forms of participation on the part of citizens, it is not clear that there is any necessary relationship between a particular capability and one's participation in democratic practice. Thus this rather straightforward linear connection suddenly appears quite complicated: how do schools shape adult citizens while also being shaped by those ranked as adult citizens already? If the dominant view of the citizen as able-minded prevails, can schools really promote civic opportunities for those assessed as cognitively disabled?

Prevailing models of democratic education simply do not appear to take into account, let alone embrace, differences in intellectual ability. These models therefore privilege able-mindedness and tacitly exclude those incapable of performing the tasks of an idealized form of citizenship, enshrined in an idealized vision of deliberation and rational discourse. Because ability expectations for democratic citizenship are tied to norms of rationality, independence, and civic behavior, many people with intellectual disabilities – and other individuals deemed

incompetent or cognitively non-conforming – are written out of schemes of democratic education to begin with. This is especially the case because individuals' failures to achieve the competencies deemed required are regarded as evidence of their inevitable exclusion, even while the framework of democratic education itself remains intact and un-interrogated. As I have discussed, such assumptions betray a reliance on outdated understandings of disability and a perhaps unconscious sympathy with a medicalized understanding of disability as deficit and lack. They also represent the failure to recognize the embeddness of our schemes of democratic citizenship education in able-bodied and able-minded norms. How, then, can we disentangle this compulsory able-mindedness³⁸ from democratic citizenship aims?

Taking the Affirmative Stance

I began my discussion in this dissertation by distinguishing between two important but divergent methods of dealing with intellectual disability in theorizing about educational justice. The first is what I have called the deferral stance, in which theorists begin with particular valued goals in mind – like capacities for deliberation, self-representation, knowledge about democratic schemes, democratic literacy, and so on – acknowledging that not all individuals will be able to reach these valued goals. The deferral stance simply acknowledges this exclusion as a necessary consequence of a valued educational scheme and sets out to theorize separately about the responsibilities we have towards those who are excluded. I argued that this stance is not ill-intentioned, but rather born out of a view that educational quality and well-being sometimes requires the separate treatment of children based on their differences. This view is reflective of traditional special education perspectives that regard disability as a deficit inherent in the child and that view cognitive inability as responsible for exclusion (rather than educational

³⁸ A term borrowed, and slightly altered, from Robert McRuer (2003).

institutions, instructional practices, etc.). This stance is perfectly consistent with – and even justifies – holding to separate aims relative to a variety of educational objectives.

The second method that I described is what has been called an affirmative stance. This stance suggests that we begin with the presumption that all learning aims worth promoting are ones towards which all students can be educated. That is, it starts with the presumption of inclusion – that all students can be educated toward valued aims – and then delineates the kinds of support that students would need to meet these goals. According to the affirmative stance, the inability of people with certain disabilities to meet expectations of educational aims does not justify the conclusion that they can rightly be excluded, nor does it justify the exclusion itself. Rather, the fact that educational aims are too demanding for some individuals says very little about those individuals and in fact says a lot about how aims are being conceptualized and how different aims are valued relative to one another. The affirmative stance is informed by a disability studies perspective that regards exclusions as resulting from inadequate educational structures and practices, rather than individual deficits. Further, and importantly, it regards the aims themselves (i.e. democratic citizenship) as separate from their content (i.e. deliberative capacities, knowledge required for voting, and so on).

Because the affirmative stance begins with the presumption of inclusion and imagines meeting valued educational aims while embracing a range of intellectual abilities, it suggests that the embracing of ability differences may necessitate the alteration of concepts like citizenship. In fact, as I will explain more below, when viewed against the backdrop of the historical construction of the able-minded citizen, our contemporary concept of citizenship appears less about a status or threshold position of attainment and more an ongoing process of negotiation. This is because political agency is something that is constantly negotiated within social

relationships and through social meanings and is either enabled or disabled by economic, cultural, and other features of educational and social contexts.

If philosophical models of democratic citizenship education are going to inform our policy-making about citizenship education and how we educate all children toward citizenship in comprehensive and informative ways, these models need to account for the diversity of abilities that exists. In fact, they need to *begin* with the assumption that students will exhibit a wide range of cognitive abilities, behaviors, and modes of communication. Starting with the affirmative stance is therefore certainly a political move insofar as it takes a position in moral debates about inclusion. But it is also a practical move because it acknowledges that it is practically more efficient to start by assuming or expecting a range of abilities in our theorizing than to retroactively add people in after the fact. By endorsing the affirmative stance, then, I am suggesting a revision of our discursive and conceptual *ordering* in theorizing about educational justice.

The Affirmative Stance and Hermeneutical Privilege

In Chapter Four I described how hermeneutical injustice operates to obscure and make invisible the social meanings of non-dominant groups. For individuals with intellectual disabilities, this can mean that their ways of being and doing, their ways of communicating, and their ways of making sense in and of the world are ignored or minimized in their representative importance. In my own experience as a caregiver to Tracy, for example, the meanings of political agency that I had available to me did not include the sorts of localized and (what might be considered to be) small-scale expressions that Tracy enacted. I did not read her resistance behaviors as evidence of her enactment of civic preference, even though these acts took place in

relation to one of the few areas in which Tracy could exercise control: her home and day program. I also did not read Tracy's frequent public wandering as an effort to engage in her social world; I simply saw it as a perhaps only minimally intentional behavior. Although I certainly believe my knowledge, expertise, and experience were limited at the time, my attitude and perspective were also in a certain way overdetermined by the hermeneutical resources I had available to me. That is, there simply did not exist for me a sense of political agency tied to significant disability. To understand this connection, I had to undergo my own process of recognizing and locating myself within a world that invisibly upholds my cognitive normalcy, and that normalizes the otherness of people with significant disabilities.

In a way, taking an affirmative stance towards theorizing about educational aims enacts a kind of recognition of hermeneutical privilege because it requires us to work against the epistemic limitations such privilege produces. It requires us to dismantle the presumption of able-minded normalcy in not only shaping democratic citizenship aims and what it means to be a citizen, but also in shirking the responsibilities we have to others who we perceive as intellectually disabled. To this end, disability studies scholars writing about education emphasize the need for pedagogical practices that support both pre-service teacher and K-12 students' development of critical attitudes towards ability. For example, Linda Ware (2002) advocates the use of disability counternarratives to offset common discourses of ability as naturalized deficits. She writes,

...counternarratives mark a significant departure from the traditional narratives of disability grounded in the biological, social, and cognitive sciences that have shaped education, rehabilitative medicine, and social work practice. As counternarratives, they disrupt the received messages about disability that we have inherited from institutions, they incite our imagination about those we name disabled, and they demand self-critical analysis of the meaning of humanity (Ware, 2002, p. 146; see also Ferri, 2011 for discussion).

Importantly, discussions of counternarratives acknowledge the role that “non-disabled” individuals play in understanding the responsibility they have to dismantle ideologies of ability and places the onus on able-bodied individuals to listen to and grapple with non-traditional stories of ability. Further, they gesture towards the responsibilities of schools in supporting all students’ negotiation of their civic roles.

It is important to acknowledge that counternarratives do more than disrupt received wisdom and uncritical analysis of the “ideology of ability” (Siebers, 2009). They also keep alive – and problematize – the history of exclusion that disabled people face and present opportunities for labeled students to assert their competencies and self-identity within the classroom (see Kliever et al., 2004; Ware, 2002). Counternarratives bring the history of exclusion into the present and personalize it, demonstrating the way that exclusion continues to play a role in the present conceptualizations of educational justice for people with disabilities. Further, counternarratives resist the tendency to discount that history in efforts to work out our obligations to students with disabilities.³⁹ Frequently philosophical considerations of educational justice and disabled students begin from an ahistoricized labeled student, asking questions about that student’ needs as if the student’s own history – as well as social history more broadly – were not relevant to the student’s emergence in contemporary classrooms, schooling institutions, and the broader society.

For example, a topic of discussion within philosophy of disability centers around the question of whether there is a normatively relevant distinction between what is owed to individuals who become disabled through social forces (traffic accidents, chemical exposure, medical accident, poverty or abuse) versus what is owed to children who are disabled as a result

³⁹ Ferri (2011) cautions, however, that mere inclusion of counternarratives into the curriculum is insufficient. Rather, “the incorporation of diverse methods of analysis and theoretical framing of those texts,” is necessary “to fully appreciate [counternarratives’] transgressive potential” (p. 2271).

of the so-called “natural lottery” (that is, because of non-environmental genetic causes) (see Pogge, 2010).⁴⁰ These are certainly important debates, especially insofar as they inform views about the distribution of societal resources that could have a significant effect on educational policy and entitlements.⁴¹ However, this debate is in no way new, nor are the meanings that slip into our reasoning about this debate untethered from societal norms around ability and disability. In fact, considerations of the moral character of disability – and one’s responsibility for one’s state of disablement – are quite old and, as I have shown earlier, map onto changing but powerful views on the relationship between poverty, race, sexuality, and gender in forming who is a subject worthy of societal care. Any consideration of what is owed to individuals as a matter of justice must take into account the role that this history and its loaded concepts – of citizenship, moral worth, personal responsibility, and so on – play in our reasoning.

Taking an affirmative stance and resisting hermeneutical injustice would seem to require us to embed our theorizing about educational justice for people with intellectual disabilities in acknowledging an existing legacy of exclusion. The idea that people with intellectual disabilities and their education can be assessed apart from this history betrays a kind of intellectual hubris, because it suggests that we can transcend loaded meanings about ability, competency, intellect, and so on. Working out what is owed to children as a matter of justice means acknowledging that existing social meanings about disability are historically embedded.

⁴⁰ For comprehensive discussion and critique of luck egalitarian views on disability and these lines of argument, see Anderson (1999).

⁴¹ A recent debate surrounding the compensation of “Thalidomide survivors” in Canada illustrates the relevance of this moral discussion to questions of distribution and governmental responsibility for well-being. See Chase and Peritz (2014).

“Doing” Citizenship rather than “Becoming” a Citizen

It is clear by now, I hope, that a necessary part of a reimagining of democratic citizenship education is to firmly acknowledge how the dominant construct of the citizen within philosophical models is inadequate. It is inadequate not only because, as I have argued, the dominant construct of the citizen actively works against the possibility that individuals with significant disabilities could become recognized citizens, but also because it relies on an idealized set of ability expectations that most individuals cannot meet: “no human can emulate the disciplined and idealized cognitive demands of the fictive human subject, and yet we maintain it as a model of democratic politics” (Clifford Simpican, 2015, p. 4).

Gert Biesta (2006) has recently argued against traditional conceptions of democratic education that emphasize schools’ responsibilities to produce democratic persons or democratic citizens. He argues that the emphasis placed on producing subjects actually distracts from the work of creating the social conditions for democratic subjectivity to arise. According to Biesta, rather than think about democratic citizenship education as about *producing* citizens, we need to think about how schools contribute to creating the conditions “for children and students to *be* subjects, to experience what it is and means to be a subject” and to learn about “the fragile conditions under which action and subjectivity are possible” (2006, p. 144). In short, Biesta urges us to consider thinking about democratic education not as a project of civic skills development, but rather as a process of enabling our own and others’ recognition as subjects in democracy. Biesta’s analysis in many ways illustrates the kind of transformative shift in thinking that I am advocating for in describing the affirmative stance and in calling for hermeneutical justice. Indeed, as Biesta recognizes, sometimes creating space for recognition of others requires actually letting go of the desire to *know* or fully comprehend those others; it means

acknowledging but not trying to solve the problem of their unintelligibility to us. This approach resonates with a kind of epistemic humility that I described in Chapter Four, as well as with a kind of attentiveness to the conditions of subjectivity that I have described elsewhere (A. Taylor, 2013). However, there is a certain reasonable dissatisfaction with this approach because it does not clearly lend itself to understanding the concrete responsibilities and actions of actors within educational institutions. How, then, can we find a middle ground between a clear but exclusionary view of schools as “creating citizens” with particular developed capacities (skills, dispositions, knowledge) and an inclusionary but vague view of schools as enabling civic subjectivity? To start, I would like to promote and illustrate a view of schools and school people as “doing” citizenship.

Let’s consider a view that the role of schools and school people is to “do” citizenship in ways that are aimed towards both social justice and inclusion. In “Relationships with Severely Disabled People: The Social Construction of Humanness,” Bob Bogdan and Steve Taylor (1989) describe how the caregivers, friends, and family members of people with significant disabilities negotiate their understanding of their disabled loved one as a thinking and valued human. They write that such people “do” humanness in their interactions (Bogdan & S. Taylor, 1989, p. 137). Similarly, Pamela Cushing and Tanya Lewis (2002) describe how relations of care between caregiver and cared-for involve a complex negotiation of power, intelligibility, and control in the achievement of agency for individuals with significant disabilities. In the previous chapter we saw how this relational form of agency forms the basis of many individuals’ opportunities to participate in traditional political activities like voting, protesting, and making decisions about their community. The following story of Loretta further illustrates how political agency is mediated and negotiated within relationships:

Some kids called me retarded. I don't like people to call me that cause it hurts. I got me power there with me. Sandra [caregiver] was with me and we walked. I told Sandra I hate the kids calling me that name. I talked to Sandra about the kids. I cried. She helps me [with] my control. She asked to me that I stay calm. So I stay even. Then I talked to the kids. I told the kids, 'Stop! My name is Loretta.' And I shake hands. They apologized." The friend and caregiver that she was with explained, "At first Loretta wanted to 'hit those kids in the face.' As we sat there talking it through on the bench, though, she moved through her anger to a place that seemed to me to be beyond 'letting it go,' a phrase she often uses to help her leave difficult things behind. The way that she gathered up her courage and risked further ridicule by going back to the kids and telling them that they had hurt her made an impression on me that will never fade. Both Sandra and Loretta were clearly negotiating power not only within their relationship but also in the decisions to intervene-to go back to stand up to the teens, and to decide what to say. When Loretta said she was ready to stand alone, her caregiver stood back even though she was still worried and said so. Risking failure also brings the opportunity for success and the experience of actively making decisions (Cushing and Lewis, 2002, p. 187)

In this example, Loretta asserts herself in the face of the teenagers' ridicule. Her caregiver does not speak for her, but she does assist Loretta in developing her response and, in particular, in developing her response in ways recognizable and potentially edifying for the teens. Loretta's assertion of political agency was thus supported by and negotiated through her relationship with Sandra.

Rather than look at whether and how Loretta exercised certain capacities within this example, it helps to think about how she and Sandra "do" citizenship within their interaction and social relationship. Looking at how individuals do citizenship would, of course, be an empirical project; that is, it would involve looking, as do Agran and Hughes (2013), at how civic agency is constructed within relationships. However, this orientation towards citizenship also requires non-empirical work, namely redefining citizenship not as a status achievement, understood through the acquisition of skills and dispositions, but rather as an ongoing negotiation. As we saw in previous chapters, citizenship is and has been negotiated in relation to broader social meanings around race, ethnicity, gender, social class, perceived intellect and bodily health, and perceived

moral worth. Such meanings change, though, over time and in relation to evolving relationships with concepts like race, gender, class, and so on. It is for this reason that I have emphasized that citizenship – and the citizenship of those perceived or assessed as cognitively disabled – cannot be detached from racialized social norms, for example. This means, of course, that the negotiation of meanings attached to citizenship – and who can belong as a citizen – is not an even or equal process. Rather it is one in which dominant groups possess undue power in “doing” citizenship.

The language of *becoming* a citizen places the emphasis on developmental stages and achievements rather than on how schools negotiate the meaning of citizenship and how each of us participates in doing citizenship and creating the opportunities for others’ recognition. The language of *doing*, by contrast, acknowledges how conceptions of civic participation reflect and reify dominant social norms. In this sense, citizenship is a process of valuation (that is not linear) rather than a status outcome. This is not to say that we ought not be concerned with the substantive experiences of people with significant disabilities relative to social status. Rather, and as I have pointed out within this dissertation, questions about who has access to voting opportunities, who is supported adequately in participating in decision-making, public discourse, localized politics, and civic advocacy, and who is protected from deprivation of bodily agency and autonomy, are vitally important. As feminist disability studies scholars have pointed out, the focus on material concerns – that is, “the actual historical, social, and economic conditions that influence (disabled) people’s lives” (Erevelles, 2011, p. 119) – moves us more toward the radical potentiality of disability studies. However, questions about the democratic citizenship aims of education can, at this stage, benefit more from asking the question “how do we engage all students in processes of civic valuation” than it can from the question “what capacities do

students need to be good citizens?” When this is done – when the affirmative stance is taken and the deferral stance avoided – we may still conclude that some capacities are necessary for certain aspects of citizenship, but we may also understand these as relational rather than individualistic. In other words, we dislodge the able-minded person from the position of normalcy and as the standard against which political agency is measured.

My discussion so far has hinted at but not actually committed to a working definition or understanding of citizenship that might serve better our projects of inclusion. Part of my avoidance is that any definition of citizenship or “the citizen” is, as I hope I have shown, dangerous. Nevertheless, the concept of citizenship is also one through which injustices are named and made intelligible. I made this point earlier when I discussed the connection that philosophers have made between citizenship and democratic equality; that is, one’s recognition as a social equal is tied to one’s opportunities to participate in civic society (Anderson, 1999; Satz, 2007). Any definition that I can endorse must be sufficiently meaningful to express this important relationship, but also sufficiently capacious to avoid the kinds of exclusions that I have been arguing against. To help me develop this working definition, I have looked to the work of Simone Aspis, who works with self-advocates and who is herself a self-advocate. Aspis writes,

Self-advocacy should not just be confined to saying how we feel, what we want to do or what choices we want to make. Our ability to think about and interpret the world which we live in is just as important, if not more so: What are the meanings of the relationships between people with learning disabilities and society? How do we experience these day-to-day encounters and what do they stand for? (Aspis, 2002, p. 4)

In this passage, Aspis highlights an important dimension of political agency, namely the opportunity⁴² to influence the world in which we all live. Social meanings, as discussed in Chapter Four, are related intimately not only to how people are treated and interpreted as

⁴² Aspis uses the word “ability” but I believe she does not mean this in the capacity sense, but rather in the opportunity or capability sense.

humans, as agents, as abled or disabled, and so on, but also to the kinds of opportunities some of us have to be understood and to make meaning of our experiences. I am persuaded, then, to consider that citizenship is connected to the substantive opportunities that individuals have to affect social meanings and to members of political communities. This does not mean, of course, that individuals must possess the capacity to reason independently or to communicate in normatively expected ways; in short, it does not require some threshold level of cognitive capacity. It suggests, however, that our locus of attention in considering democratic citizenship aims be on how students are enabled to influence social meanings and shape, however minimally or locally, the political landscape. They will do so in ways more and less traditionally independent. Of course this definition will include attention to some of the capabilities – beings and doings, knowledge and skills – that individuals will benefit from in affecting social meanings. However, it also allows for an understanding of how the kinds of capabilities individuals need to possess are structured by (and conditional upon) their relationships with peers, and how these capabilities are fluid, cultural, and changing in relation to dominant values and norms. This understanding of citizenship also leaves room for a view that schools' task is to support students in understanding the roles that they play in shaping what sorts of capacities are valued and in enabling or foreclosing the political agency of those labeled with disabilities. Of course, this cannot be read as an individualistic endeavor. Rather, shaping social meanings involves the kind of mutuality, power negotiation, and attentive support that I described earlier. For some, their effect on social meanings will be mediated in significant ways by caregivers, family members, and peers, but this is merely an instance of a broader way in which our opportunities to affect social meanings takes place through our relationships with others.

Let me provide an example of how students' relationships within the classroom shape, mediate, and support their opportunity to affect social meanings. In Christopher Kliewer et al.'s (2004) ethnographic research on the literacy learning of young children with significant disabilities the authors describe a classroom structured around the expected participation of children with a range of intellectual abilities or abilities to engage in practical reasoning with a range of communication modes – including perhaps limited speech and use of text-to-speech technology – and with a range of expressive behaviors. The children are engaged in an activity of debating about and protesting a classroom rule that has been introduced by their teacher. The teacher writes the rule on a piece of poster-board and hangs it on the wall with the other official classroom rules. The students are then instructed to create signs asserting their position for or against the rule. Some together with peers, and some together with the support of adults, create their signs almost unilaterally challenging the rule. The rule is voted down. Kliewer et al. state,

In this hectic scene of preschool/kindergarten 'hallway-level' democracy, a vibrant, literate community is clearly discernible. Shared graphic (i.e., observable, recorded) symbols (including alphabetic text) are used by children and adults of the Corner Nook as social tools for formulating, conveying, interpreting, debating, and reformulating ideas about personal and collective narratives. An intriguing aspect of this literate community... was the seemingly natural and full citizenship of children with significant disabilities (2004, p. 376).

What view of citizenship is at work in this scene? We might focus first on how the activities of the classroom enable the participation of all students, some with support and others collaboratively, in activities of citizenship, namely decision-making about a classroom rule. By asking the children to create posters, the teacher not only provides the opportunity for students whose pace of performance is slower – or who need assistance – to weigh in on the rule, but she also creates the opportunity for students to engage in practices of literacy in ways conducive to their learning needs and levels. Importantly, all students are helped to engage in a recognized and

valued civic activity. But that's not all that's going on here. Non-disabled students are also learning that their labeled peers' perspectives matter, that they need to be supportive and patient in learning these perspectives. Some of the children work together to challenge the authority of the teacher, others are supported by significant adults. While we might be tempted to focus only on the capacities that these students are building (and of course this is important), we should also consider the kinds of understanding of belonging that are being promoted, as well as the sense of mutuality being cultivated. The children are being supported in acknowledging the political agency of others and, importantly, that that political agency doesn't depend on the ability to perform tasks in ways considered "normal." They are learning, in short, that citizenship is not only about skills but also about belonging.

To understand how and why the working concept of citizenship that I have introduced is different from the conception of citizenship based in possession of particular capacities, let's consider how each deals with the problem of dependency. As I have discussed, the dependency that is often characteristic of people with significant intellectual disabilities is often regarded as antithetical to citizenship, especially within the liberal tradition (for discussion see Bhandary, 2010; Kittay, 1999; Kittay 2005; Stark, 2007). Because states of dependency complicate and potentially foreclose relationships of reciprocity they seem to counter the view of citizens as participants in a fair and equal cooperation of individuals in a scheme of reciprocal advantage (Rawls, 2001). Accordingly, independence is highly valued achieved state of adults that is understood as freedom from the constraints of social relationship (consistent with liberal conceptions of autonomy), rather than a quality of relations. Schools have an obligation to prepare students for this state of desirable independence because it is the means through which they exercise their duties and rights as citizens. A capacity view of citizenship thus treats

dependency as undesirable and this contributes to the civic otherness of people whose disabilities position them as highly dependent on others, whether physically, emotionally, or intellectually.

By contrast, the view that citizenship is about opportunities to affect social meanings and shape the political landscape does not commit itself to necessitating any particular capacities on the part of individuals, although it does place significant demands on schools. This is because opportunities to affect social meanings are understood as necessarily formed in relations of dependency – including epistemic dependency – rather than apart from them. Our justice considerations then become about whether the educational systems of support are in place to provide such opportunities and whether relationships are being facilitated among individuals in schools to enable these opportunities. This view allows us, then, to disentangle dependency from non-citizenship by regarding things like decision-making, political influence, and consent as requiring different degrees of support and facilitation. As I have argued already, it is a myth that any of us is completely unrestrained in these activities, or that we act outside of our relation with others.

Democratic Citizenship as a Project of Inclusion

In this dissertation I have asked: how would it change our thinking and practice to broaden recognized forms of communication, representation, and contribution? How would it change our thinking and practice to acknowledge the shifting boundaries of cognition and autonomous decision-making in light of the role that others play in these capabilities? How would it change our thinking and practice to recognize democratic literacy and political knowledge-making as collaborative and interdependent? I ask these questions both to highlight the important omissions within current democratic education theory and to elaborate upon the new insights and practices that can emerge when we challenge existent philosophical

assumptions about the education of children with intellectual disability labels. Further, these questions are best answered through the cooperative attention of philosophers of education and those working within inclusive education and disability studies.

In Chapter Two I described inclusion as a *principled deconstruction of the values and structures of education that have generated our current system*. I suggested that it is critically important to understand inclusion not as about physical access and space alone (although it is also about these things), but rather about how educational researchers, philosophers, theorists, teacher educators, and teachers themselves understand and respond to the existent differences in ability that children embody. A project of inclusive citizenship is therefore one that demands the embracing of ability differences and, in general, the practical challenges that go along with schooling children who have very different learning needs. Thus, having inclusive aims is different than expecting the same thing of every child. Inclusive aims can be understood as shared learning goals rather than shared learning modes or shared capacities. For example, the affirmative stance that I am espousing would involve reforming our ideas about what thinking or thought entails and divesting it of its automatic connection to verbal or other forms of normative communication, or to assumptions of cognitive independence (see Francis, 2009). In fact, a view of what thinking entails and the attribution of thinking to an individual involves in every case a valuation: “Attributing thinking to a person, with or without severe disabilities is a matter of reading meaning into the gestures or movements the person makes” (Bogdan & S. Taylor, 1989, p. 139). With people with significant disabilities who are non-verbal, like Tracy, this can be especially complicated because it involves a deep investment on the part of the interlocutor to both presume competence and make meaning of sometimes very subtle actions (Bogdan & S. Taylor, 1989, p 139; see also Cushing & Lewis, 2002).

Certainly one could object that there are important problems of interpretation and projection that need to be confronted in considering this kind of co-dependent thinking, decision-making, and meaning-making. Perhaps nondisabled caregivers, educators, and peers routinely and unintentionally project their own desires and beliefs onto disabled people, a product in part of the hermeneutical context in which we live. I would respond to this worry in two ways. First, it is important that we question whether this kind of projection is a special case or if it is simply an instance of what is done within all relationships. If the latter, then worries about epistemic relationships of power seem less about the need to ensure that projection doesn't happen and more to do with how we act to guard against epistemic *power* within these relationships. My second response, then, is that rather than conclude that worries over abuse should lead us to question dependent decision-making or communication, they should motivate us to act to make visible and disrupt these relations of power. Furthermore, there are ways to safeguard against this kind of "abuse:" multiple participants can be involved in interpreting individuals' behaviors, modes of communication, or physical responses; we can use mechanisms of augmentative and alternative communication, or facilitated communication (although FC continues to be, unfortunately, controversial); and so on. Finally, it is important that we resist understanding the individual person as in isolation from others or from their own history. In fact, to counteract this tendency, the construction of life narratives can be a powerful way to develop a story of that person's preferences, desires, and hopes while also allowing them to be seen as complex individuals who do not begin at the point of contact with a new person.

So what does all this mean for democratic citizenship *education*? Such attitudes towards inclusion – and the *work* of inclusion – should form the basis of our theorizing about and implementation of democratic citizenship aims. We need to have pedagogy, instructional

practices, policies, and, importantly, philosophical theorizing surrounding democratic citizenship education that are sufficiently complex and multifaceted to allow for those with significant disabilities to participate and, importantly, benefit. Inclusive democratic citizenship education would entail supporting all students to recognize their responsibilities to enable and sustain the democratic contribution of others, especially given the existent differences in ability to reason independently or to communicate in ways considered normal or routine. An inclusive democratic citizenship education could therefore involve students' development of different forms of civic action that are in the service of inclusion for all individuals. Non-disabled students, for example, must learn that they are responsible for the inclusion and support of those who need increased levels of support. Civic engagement, under this conception, depends on contribution of all members as co-collaborators in democracy. It is here that we return to earlier discussion of the epistemic – and democratic – value of inclusion. Indeed, inclusive education is not just about how students with disabilities are treated, but also how non-labeled students are treated relative to understanding the value of vulnerability, dependency, and collaborative engagement; in other words, how they understand themselves as citizens. Just as racially dominant students are taught to understand their responsibility towards racially marginalized students, so too are able-bodied students taught to understand their responsibilities to include and support disabled students. This does not mean, however, that they be included in existing norms. As we have discussed, this is not true inclusion. Rather, non-disabled students must critique and challenge their place in these norms as part of this civic collaboration.

Conclusion

Before I conclude, it is important that I acknowledge the reader who reads my critique as directed towards an argument for removing all standards or ability expectations from democratic participation and the education that prepares children for that participation. How, this reader might ask, can we envision educational policy, curricula, pedagogy, and instruction practice if we do not have a definitive understanding of who counts as a citizen and what qualities he or she should have? If we maintain no threshold of ability, on what basis would we decide whether students have acquired an education adequate for democratic citizenship? My response to this is first that a nihilistic view is not implied by my argument: that is, a criticism of current standards and expectations of ability does not imply a dismissal of *all* expectations of ability or the argument that we ought not have *any* expectations of ability. Indeed, some ability expectations are consistent with respecting differences in ability (see Wolbring, 2012); for example, expectations for dignified treatment of others. Further, maintaining a standard of decision-making does not require that everyone perform the functions of citizenship – whatever these may be – in the same way, nor (and this is perhaps the more contentious point) that they be performed independently. As I have argued, moreover, there are a variety of existing ways in which people with intellectual disabilities already participate in democratic politics. Such reference to existing circumstances highlights how we ought to be very careful in our assumptions about labeled people’s abilities as we delineate requirements for citizenship and make conclusions about to whom they apply.

Taking seriously intellectual ability differences, respecting persons labeled with intellectual disabilities, and transforming our knowledge about what intellectual disability is and means, especially within schooling contexts, demands that we recognize the difference that their

inclusion in educational theorizing makes, both at the conceptual and practical level. Doing so will place demands on our educational theorizing and policy decisions to recognize such ability differences. It also challenges educational theorists to consider new ways to conceptualize democratic participation and the education that supports it. Further, it has important implications for schooling practices and teacher education. The recognition of the breadth of existing forms of democratic participation and of the variability and contextualized character of abilities and capabilities of those labeled with intellectual disabilities challenges teacher-educators, pre-service and in-service teachers, as well as administrators and policy-makers, to embrace intellectual ability differences within education. This happens through the re-shaping of curriculum, of teaching practice, of school-community partnerships, and, importantly, through the reforming of ideas about how civic knowledge is acquired and put into practice in light of varying abilities. Philosophers of education are in a unique position to contribute insights into how such reformation can happen in ways that do justice to individuals with disabilities. This requires taking the affirmative stance and acknowledging that our philosophical conclusions about educational equality and justice – and consequently our education policy and schooling decisions – are impoverished when we ignore or sideline consideration of intellectual ability differences and defer recognition of individuals labeled with intellectual disabilities.

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Wolff, Jonathan (2009). Disability Among Equals. In Kimberley Brownlee and Adam Cureton (Eds.), *Disability and Disadvantage* (pp. 112-137). Oxford: Oxford University Press.

Wong, Sophia (2010). Duties of Justice to Citizens with Cognitive Disabilities. In Eva Feder Kittay and Licia Carlson (Eds.), *Cognitive Disability and Its Challenge to Moral Philosophy* (pp. 127-146). Malden, MA: Wiley-Blackwell.

Young, Iris Marion (2000). *Inclusion and Democracy*. Oxford: Oxford University Press.

Young, Iris Marion (2001). Activist Challenges to Deliberative Democracy. *Political Theory* 29(5): 670-690.

Young, Iris Marion (2002). Autonomy, Welfare Reform, and Meaningful Work. In Eva Feder Kittay and Ellen K. Feder (Eds.), *The Subject of Care* (pp. 40-60). Lanham, MD: Rowman and Littlefield.

Young, Damon A. and Ruth Quibell (2000). Why Rights are Never Enough: Rights, intellectual disability and understanding. *Disability & Society* 15(5): 747-764.

Yuval-Davis, Nira (1997). *Gender and Nation*. London: Sage Publications.

*Curriculum Vitae***ASHLEY TAYLOR**

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Syracuse University
Syracuse, NY 13244

astaylor@syr.edu
(315) 412-5629

EDUCATION

- Syracuse University, School of Education, Syracuse, NY
Ph.D. in Cultural Foundations of Education April 2015
With Distinction
- Dissertation: *Beyond Able-Minded Citizenship: Embracing Intellectual Ability
Differences in Democratic Education*
Committee: Dr. Emily Robertson (Co-Chair), Dr. Barbara Applebaum (Co-Chair),
Dr. Beth Ferri (and Dr. Steven J. Taylor)
- Syracuse University, Graduate School, Syracuse, NY
Certificate of University Teaching May 2013
- Syracuse University, School of Education, Syracuse, NY
Master of Science in Cultural Foundations of Education June 2010
- Syracuse University, School of Education, Syracuse, NY
Certificate of Advanced Study in Disability Studies June 2010
- University of King's College, Halifax, NS, Canada
Bachelor of Arts in Contemporary Studies and Philosophy May 2006
First Class Honors

AWARDS AND HONORS

- National Academy of Education/Spencer Dissertation Fellowship 2014-2015
Spencer Foundation Philosophy of Education Institute, Chicago IL 2013
Outstanding Teaching Assistant Award, Graduate School, Syracuse University 2012
Graduate Tuition Scholarship, The Graduate School, Syracuse University 2008-2012
Paper Award, Philosophy of Education Society 2010
Graduate School Scholarship, Syracuse University 2008-2009
Merit Scholarship, University of King's College 2005-2006
Margaret and Elwin Malone Memorial Scholarship, University of King's College 2004

PUBLICATIONS

Peer-Reviewed Journal Articles

Taylor, A. (Forthcoming). Making Disability (Matter) in Philosophy of Education. In Eduardo Duarte (Ed.), *Philosophy of Education* 2015.

Taylor, A. (2015). The Discourse of Pathology: Reproducing the Able Mind through Bodies of Color. *Hypatia* 30(1): 181-198.

Taylor, A. (2013). 'Lives Worth Living:' Theorizing Moral Status and Expressions of Human Life. *Disability Studies Quarterly* 33(4). Available at <http://dsq-sds.org/article/view/3875/3404>

Taylor, A. (2012). Addressing Ableism in Schooling and Society? The Capabilities Approach and Students with Disabilities. In Claudia W. Ruitenberg (Ed.), *Philosophy of Education* 2012, pp. 113-121. Urbana, IL: University of Illinois Press.

Taylor, A. (2010). 'Can You Hear Me?' Questioning Dialogue Across Differences of Ability. In Gert Biesta (Ed.), *Philosophy of Education* 2010, pp. 45-53. Urbana, IL: University of Illinois Press.

Book Chapters

Taylor, A. (In Press). Listening in the Pedagogy of Discomfort: A framework for socially just listening. In Leonard J. Waks (Ed.), *Pedagogies of Listening: Listening to Teach*. Albany: SUNY Press.

Taylor, A. (In Press). The Foreclosure of Expressions of 'Lives Worth Living' Through Philosophical Theorizing on Moral Status and Intellectual Disability. In Shelley Tremain (Ed.), *Foucault and the Government of Disability, Second Edition*. Ann Arbor: University of Michigan Press.

Taylor A. (Forthcoming 2015). Dialogue as Interdependence: Disability, Gender, and Learning Across Difference. In D. Clover, S. Butterwick, D. Chovanec, and L. Collins (Eds.), *Women, Adult Education, Learning, and Leadership in Canada*.

Invited Response Papers

Taylor, A. (In Press). On Purposes and Intentions: Doing the Work of Challenging Ableism in Education. In Eduardo Duarte (Ed.), *Philosophy of Education* 2015.

Taylor, A. (2011). When to List, Who Should List and How: The Capabilities Approach, Democratic Education and Inclusion. In Robert Kunzman (Ed.), *Philosophy of Education* 2011, pp. 235-237 (Urbana, IL: University of Chicago Press, 2011).

Book Reviews

Taylor, A. (2011). Review of *Creating Capabilities: The Human Development Approach* by Martha Nussbaum. *Teacher's College Record*.

PRESENTATIONS

Selected Conference Presentations

Beyond Able-Minded Citizenship: Embracing Intellectual Ability Differences in Democratic Education (Dissertation Presentation). National Academy of Education/Spencer Spring Fellowship Retreat. Washington D.C. (March 2015)

Educational Equality Through High Expectations? The Common Core State Standards and Inclusion. (Part of a panel entitled *Out of the Armchair and Into the Fire: A Conversation about the Ethics of the Common Core*). Philosophy of Education Society Annual Meeting. Memphis, TN (March 2015).

Making Disability (Matter) in Philosophy of Education. Philosophy of Education Society Annual Meeting. Memphis, TN (March 2015).

On Purposes and Intentions: Doing the Work of Challenging Ableism in Education (Invited Response Paper). Philosophy of Education Society Annual Meeting. Memphis, TN (March 2015).

The Promises and Tensions of Assistive Technologies: (Re)Conceptualizing Ability Diversity in Education. American Educational Studies Association Annual Meeting. Toronto, ON (October 2014).

(With Jennifer Hackett and April Coughlin), *Minding the Gap: The Textually-Mediated Experience of Institutional Accessibility.* American Educational Studies Association Annual Meeting. Toronto, ON (October 2014).

Separate Educational Aims? Philosophical Reasoning about Educational Justice for Children with Intellectual Disabilities within Unjust Social Contexts. American Educational Research Association Annual Meeting. Philadelphia, PA (April 2014).

Non-Cognitive Skills, Dispositions and Able-Bodied Norms. (Part of a panel entitled *True Grit? The Philosophical Prospects and Pitfalls of Non-Cognitive Skills and Dispositions*). Philosophy of Education Society Annual Meeting. Albuquerque, NM (March 2014).

(With Lauren Shallish), *Disabling Structures: Interrogating the Democratic Promise of Liberalism in Higher Education.* American Educational Studies Association Annual Meeting. Baltimore, MD (November 2013).

Cultural Knowledge, Social Belonging and the Negotiated Meaning of Dignity. New York State Foundations of Education Conference. Hamilton, NY (April 2013).

Can the Capabilities Approach Avoid Normalizing Functionings? Disability, Inclusion, and the Problem of Assimilation. Philosophy of Education Society Annual Meeting. Portland, OR (March 2013).

Technologies of Access and Inclusion, and The Need to Resist Normalization of Embodiment in Online Learning. American Educational Studies Association Annual Meeting. Seattle, WA (November 2012).

Addressing Ableism in Schooling and Society? The Capabilities Approach and Students with Disabilities. Philosophy of Education Society Annual Meeting. Pittsburgh, PA (March 2012)

When the Shoes Can't Fit: Socially Just Listening and the 'Risks of Empathy.' Philosophy of Education Society Annual Meeting. Pittsburgh, PA (March 2012)

How Capable is the Capabilities Approach? Annual Conference of the Society for Disability Studies. San Jose, CA (June 2011).

When to List, Who Should List and How: The Capabilities Approach, Democratic Education and Inclusion (Invited Response Paper). Philosophy of Education Society Annual Meeting. St. Louis, MO (March 2011).

(With Barbara Applebaum). Whiteness and Philosophical Tools. Philosophy of Education Society Annual Meeting. St. Louis, MO (March 2011)

The Discourse of Pathology in (White)-Talking Racial Identity. American Educational Studies Association Annual Meeting. Denver, CO (October 2010).

Listening In the Tune of Difference. (Part of a Symposium entitled: "Receptivity and Interpretation in Listening Across Difference"). American Educational Studies Association Annual Meeting. Denver, CO (October 2010).

Trans-generational Perfectionism: An Archival Examination of the Utopian Impulse. Annual Conference of the Society for Disability Studies. Philadelphia, PA (June 2010).

Addressing the Wound: A Synthesized Theory of Disability. American Educational Research Association Annual Meeting. Denver, CO (April 2010).

'Can You Hear Me?' Questioning Dialogue Across Differences of Ability. Philosophy of Education Society Annual Meeting. San Francisco, CA (April 2010).

Paper Workshops

Separate Educational Aims? Philosophical Reasoning about Educational Justice for Children with Intellectual Disabilities in Unjust Social Contexts. Spencer Foundation Philosophy of Education Institute. Chicago, IL (February 2014).

Justifiable Exclusions? The Democratic Opportunities of Individuals with Intellectual Disabilities. Central New York Humanities Corridor (Andrew W. Mellon Foundation) Workshop in Philosophy of Education. Syracuse, NY (August 2012).

Power, Knowledge and Experience within Dialogue across Differences of Ability. Central New York Humanities Corridor (Andrew W. Mellon Foundation) Workshop in Philosophy of Education. Syracuse, NY (August 2009).

UNIVERSITY TEACHING EXPERIENCE

Areas of competence: democracy and education; critical issues of diversity in education; critical disability studies and feminist disability studies; inclusive education; gender and sexuality studies; interdisciplinary perspectives on equity and diversity; cultural, social, and philosophical foundations of education; popular culture, media, and education.

Syracuse University, Department of Women's and Gender Studies

Teaching Associate

August 2012-May 2014

Courses: WGS 101: Introduction to Women and Gender Studies
WGS 201: Transnational Feminist Studies

Syracuse University, Department of Women's and Gender Studies

Lecturer

May 2013

Courses: WGS 101: Introduction to Women and Gender Studies

Syracuse University, Department of Cultural Foundations of Education

Teaching Assistant

August 2008-May 2012

Courses: EDU 310: The American School
CFE 444: Schooling and Diversity
EDU 781: Institutions and Processes of Education: Engaged Scholarship, Critical Lessons and Social Change (Online hybrid course)

Syracuse University, Department of Cultural Foundations of Education

Lecturer

January-May 2010

Courses: EDU 310: The American School

Nazareth College, Department of Social and Psychological Foundations of Education

Lecturer

June-July 2010

Courses: EDU 501: Social Foundations of Education

GRANTS

Shallish, Lauren; Taylor, Ashley; Singer, Steve; & Coughlin, April (Awarded 2014). Minding the Gap: The Textually Mediated Experience of Institutional Accessibility. Joan N. Burstyn Endowed Fund for Collaborative Research in Education. Syracuse University, School of Education.

PROFESSIONAL SERVICE AND EXPERIENCE**Service to the Profession**

Program Committee, Philosophy of Education Society Annual Meeting 2016	Present
Hospitality Chair, Philosophy of Education Society Annual Meeting 2016	Present
“Minding the Gap” Multi-Institutional Accessibility Review	Present
Invited Manuscript Reviewer, The SoJo Journal: Educational Foundations and Social Justice	2015
American Educational Studies Association Committee on Accessibility	2014
Co-Chair, Disability SIG, Philosophy of Education Society	2014
Invited Manuscript Reviewer, Democracy and Education	2014
Invited Manuscript Reviewer, Theory and Research in Education	2012
Conference Co-Organizer, Disability in an Intersectional Lens Conference	2010

Service to the University

Future Professoriate Program, Graduate School	2010-12
Member, Beyond Compliance Coordinating Committee	2008-2011
As President, 2010-2011	
As Secretary, 2009-2010	
Member, Hiring Committee for Director of Disability Cultural Center	2011
Chancellor’s Task Force on Disability, Disability Working Group	2008-09

Service to the College

EdTPA Review Committee, School of Education, Syracuse University	2014
Faculty Tenure Review Committee, School of Education, Syracuse University	2012-13
Assistant, New York State Humanities Corridor Workshop (Andrew W. Mellon Foundation)	2012
Assistant to the Department Chair, Cultural Foundations of Education	2011-12
Student-Faculty Liaison, Cultural Foundations of Education	2010-11

Non-Academic Professional Experience

Employment Counsellor, Project Work’s Supported Employment Program	2006-08
Assistant to the Registrar, University of King’s College	2005-06
Developmental Support Worker, L’Arche Beloeil, QC and Wolfville, NS	2001-03

MEMBERSHIPS AND ASSOCIATIONS

American Educational Research Association (AERA)

American Educational Studies Association (AESA)

American Philosophical Association (APA)

Beyond Compliance Coordinating Committee, Graduate Student Advocacy Group (BCCC)

New York State Foundations of Education Association (NYSFEA)

Philosophy of Education Society (PES)

Society for Disability Studies (SDS)

Society for Philosophy and Disability