THINKING ABOUT DISABILITIES WITH JUSTICE, LIBERATION, AND MERCY

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ABSTRACT

This essay challenges the various considerations of people with disabilities that have long excluded them from interpersonal relationships beyond those they enjoy among themselves and their families. The Gospel calls for a different stance especially in light of Jesus' outreach to those with disabling conditions of many kinds, as well as in light of the crucifixion which marks Jesus forever with the disabling and disfiguring scars of a scandalous execution. The essay exposes a history of stigma and oppressions from which people with disabilities have suffered and asks where justice and mercy must serve people who have been set apart.

You shall not curse the deaf or put a stumbling block before the blind, but you shall fear your God: I am the Lord.

—Leviticus 19:14.[1]

And when he had come out of the boat, there met him out of the tombs a man with an unclean spirit. . . . He had often been bound with fetters and chains . . . and no one had the strength to subdue him. . . . [Jesus] had said to him, "Come out of the man, you unclean spirit! . . ." [Jesus then] said to him, "Go home to your friends, and tell them how much the Lord has done for you, and how he has had mercy on you." And he went away and began to proclaim in the Decapolis how much Jesus had done for him; and all [the people] marveled.

—Mark 5:2, 4, 8, 19–20.

[1]This *mitzvot* could be considered the proverbial 11th Commandment insofar as it follows in this Levitical enumeration of the Decalogue immediately upon the prohibition against the coveting of a neighbor's goods. (All scriptural quotations are taken from the *Revised Standard Version*.)

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Universal design is an approach to the design of all products and environments to be as usable as possible by as many people as possible regardless of age, ability or situation. Universal design accommodates people with disabilities, older people, children, and others who are non-average in a way that is not stigmatizing and benefits all users . . . The seven Principles that describe characteristics that make designs universally usable are: 1. Equitable Use; 2. Flexibility in Use; 3. Simple and Intuitive Use; 4. Perceptible Information; 5. Tolerance for Error; 6. Low Physical Effort; 7. Size and Space for Approach and Use.

—Universal Design Education Online
(http://www.udeducation.org/learn/aboutud.asp)

I. A Liberation Movement

These quotations illustrate what I call three movements for the study of disabilities. I am using the term "movement" rather than "development" to highlight non-deliberate shifts in the historical record. Further, I am confident that these changes have pointed a way toward liberation for a people who have been oppressed.

These movements highlight degrees of difference between people with power and those without power.[2] These power differentials result from assumptions of inferiority that are imposed, more often than not unconsciously, by the powerful (with their assumptions of superiority) on other people on account of a disabling condition. The first movement commands that one "do no harm" toward those who are vulnerable. More stringent than the concerns of the medical profession to "do no harm," this Levitical passage indicts any deliberate action that causes vulnerable persons to suffer. The second movement restores an outcast to the community. In addition to narrating the exorcism that Jesus performs, this Markan passage reports that the once-possessed man is now empowered to proclaim the Good News to his community. The third movement makes accessible a way for the many. Far more comprehensive than a building's accessibility, Universal Design establishes a paradigm for normativity that encompasses a full spectrum of abilities that are likely to be encountered by all over the course of every lifetime. My reflections recognize, name, and expose the history of abusive power suffered by people with disabilities and call for the progressive liberation of people who have been and still are oppressed.

[2]Michel Foucault, "The Subject and Power," in idem, *Power*, ed. James D. Faubion, trans. Robert Hurley, et al (New York: The New Press, 2000), 326–48.

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Number and Kinds of Disabling Conditions[3]

Depending on the definition used and following the United States Census Bureau population survey (2003), 80 million people in the United States have a disability.[4] This number reflects an astounding 26% of the nearly 303 million people in the United States. Of course, this number is an aggregate; it is subject to fluctuation as a result of births and deaths as well as dependence upon the accuracy of reporting by and to the U.S. Bureau of Vital Statistics and the Census Bureau.[5] Nevertheless, the combined total of people living with a disabling condition deserves both recognition and attention. The diversity of disabilities in the aggregate is generically categorized by sensory, physical, developmental and psychological, and self-care-compromising conditions.[6]

The general categories of disabling conditions include visual disabilities, hearing disabilities, learning disabilities, mobility disabilities, medical disabilities, psychiatric/psychological disabilities, speech and language disabilities. and those classified as "other".[7] Sensory disabling conditions include visual and audio impairments.[8] Physically disabling conditions include mobility, dexterity, and tactile impairments.[9] Mental, developmental, and psychiatric/psychologically disabling conditions include a full range of cognitive impairments.[10]

[3]In the same way that organizations of many kinds publish "current preferred language usage," the use of the word "condition" is new in the literature of disabilities studies. The preferred use of the term "condition" serves to create a distance between the disability and the person with the disabling condition. This distancing removes some of the stigma often attached to people, a stigma just as often resulting in their oppression.

[4]This estimate is based on a community survey conducted in 2003 by the United States Census Bureau and applies only to non-institutionalized persons. See US Census Bureau, "Detailed Tables," http://factfinder.census.gov/servlet/DTTable?_bm=y&-geo_id=01000US&-ds_name=ACS_2003_EST_G00_&-_lang=en&-_caller=geoselect&-state=dt&-format=&-mt_name=ACS_2003_EST_G2000_P058 (accessed April 5, 2009).

[5]See U.S. Census Bureau, "Population Clocks," http://www.census.gov/main/www/popclock.html (accessed April 5, 2009).

[6]See, e.g., The Center for an Accessible Society, "The New Paradigm of Disability," http://www.accessiblesociety.org/topics/demographics-identity/newparadigm.htm (accessed April 5, 2009).

[7]See, e.g., National Academy on an Aging Society, "Chronic and Disabling Conditions," http://www.agingsociety.org/agingsociety/publications/chronic/index.html (accessed April 5, 2009)

[8]E.g., partially sighted, low vision, legally blind, totally blind, hearing impaired, and deaf.

[9]E.g., amputation, carpal tunnel syndrome, cerebral palsy, spina bifida, acquired brain injuries, multiple chemical sensitivity, and traumatic brain injuries.

[10]E.g., developmental articulation disorder, developmental expressive language disorder, developmental receptive language disorder, developmental reading disorder, developmental writing disorder, developmental arithmetic disorder, dyslexia, bi-polar and depression disorders, anxiety disorders (panic, obsessive-compulsive, post-traumatic stress, and phobias), schizophrenia, Asperger Syndrome (Autism Spectrum

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Self-care compromising and medically disabling conditions include those that impair personal-occupational activities.[11] These conditions reflect a partial list of the possibilities that are present in all human populations.

Fecund Diversity

Given this number and the diversity of disabling conditions, categorical lists will never be comprehensive. Nevertheless, recent lists provide a specific range of possibilities that, only a few years ago, would not have constituted a disability. The United Nations, following the "International Classification of Impairments, Disabilities, and Handicaps" of the World Health Organization, suggests a range of qualifications to its definition of disability:

> An impairment is any loss or abnormality of psychological, physiological or anatomical structure or function; a disability is any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being; a handicap is a disadvantage for a given individual, resulting from an impairment or a disability that prevents the fulfillment of a role that is considered normal, depending on age, sex and social and cultural factors, for that individual."[12]

The Americans with Disabilities Act of 1990 defines a disability as "(A) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (B) a record of such an impairment; or (C) being regarded as having such an impairment."[13]

That these lists now suggest so wide a range of conditions should give pause to those who would dismiss people with disabilities as a favored or unwarranted minority or an anomaly. Further, if the U.S.

Disorder), Attention-Deficit/ Hyperactivity Disorder, Tourette syndrome, speech and language disabilities.

[11]E.g., Alzheimer's disease, amyotrophic lateral sclerosis ("Lou Gehrig's disease", ALS), asthma, arthritis, cancer, chemical dependency, diabetes, chronic fatigue syndrome/Epstein-Barr virus, epilepsy, fibromylagia, heart disease, HIV/AIDS, lyme disease, lupus, multiple sclerosis, muscular dystrophy, Parkinson's disease, polio.

[12]The United Nations, following the "International Classification of Impairments, Disabilities, and Handicaps" of the World Health Organization (1980), suggests a range of qualifications to its definition of disability. United Nations Decade of Disabled Persons, "World Programme of Action Concerning Disabled Persons," I.C.6 (1983), http://www.un-documents.net/wpacdp.htm (accessed April 8, 2009).

[13]Americans with Disabilities Act (ADA, 1990), Section 12102, United States Department of Justice, US Code, Title 42, "The Public Health and Welfare," http://www.ada.gov/pubs/adastatute08.htm (accessed April 8, 2009).

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percentages are indicative of the incidence of disabilities worldwide, as much as 25% of the world's populations (1.6 billion people) are disabled by diverse conditions, hardly an insignificant number of persons; they are neither an unwarranted minority nor anomaly. Moreover, disability is about as common an occurrence in history as it is today. Although the history of persons with disabilities is becoming only recently the subject of academic investigation and narrative interest, it is clear that disabling conditions have been the subject of considerable concern throughout the ages. All throughout history, from ancient classical and sacred texts to reports of social systems and institutions, the records document the presence of people with disabilities and the socially acceptable relations the non-disabled would have (or could have) had with them. "Normality was a hodgepodge. . . . There was an acceptance, at times awkward, at times brutal, at times compassionate, [that was] a kind of indifferent fatalistic integration."[14]

Rather than anomalies, I am suggesting that this rate of incidence indicates the wondrous diversity of humankind.[15] Building on the insights into the evolutionary and Trinitarian theology of Arthur R. Peacocke and Gloria Schaab,[16] I have argued that the "kaleidoscopic fecundity" of creation in human terms is revealed expressly in people with disabling conditions.[17] In fact, when considering the evolutionary chance that accompanies the creative processes of matter to consciousness, diversity is the calling card of a self-disclosing God. Consider the cataclysmic force and seismic shifts affecting the kaleidoscopic fecundity of the universe. The conditions of all existence include substantial variability and adaptability. As we begin to think differently about disabilities, may it not be possible also for us to think that what is now considered disabling in human terms is another wondrous instance of the punctuated equilibrium that signals evolutionary progress? Furthermore, besides this diversity, to deny the possibility that any non-disabled persons will experience a disabling condition before their deaths is both naïve and dangerous. As people in the Disabilities

[14]Henri-Jacques Stiker, *A History of Disability*, trans. by William Sayers (Ann Arbor, MI: University of Michigan Press, 1999), 65.

[15]Mary Jo Iozzio, "Suffering Stigma: The Experience of People with Disabilities," presented at the annual meeting of the Catholic Theological Society of America, San Antonio, TX, (June 10, 2006). See Gloria Schaab, SSJ, "A Procreative Paradigm of the Creative Suffering of the Triune God: Implications of Arthur Peacocke's Evolutionary Theology," *Theological Studies* 67 (2006): 542–66.

[16]For a thorough treatment of the evolutionary theology of Arthur R. Peacocke see Gloria L. Schaab, *The Creative Suffering of the Triune God: An Evolutionary Theology* (New York: Oxford University Press, 2007).

[17]Mary Jo Iozzio, "Rejecting Stigmatization, Condescension, and Marginalization," *Catholic Peace Voice* 34/1 (2009): 5.

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Movement recognize and remind us, most people deny, if not absolutely reject, the likelihood that they or a family member will become disabled. Moreover, disabilities do not discriminate against age, gender, socio-economic or political affiliation, cultural location, or racial ethnicity. Disabilities can occur at any point in most people's lives, either through genetic combination or at birth, with a sickness, disease, accident, and aging.[18]

II. Stigma

Even more to the point, people with disabilities are our children, our sisters and brothers, our friends, our parents, ourselves. Unfortunately, people with disabilities have been stigmatized, and these stigmas,[19] not their disabilities, have oppressed them.[20] Some of the most disabling conditions do not belong to the person with the condition, rather the disability belongs to and is imposed by the non-disabled who ignore, exclude, and silence—in short, they oppress the other, whether knowingly or not, for their difference. However, disabling conditions may also oppress in terms of the burdens associated with reduced mobility and/or limiting dexterity or when pain is unmanageable. A comprehensive definition of stigma recognizes the co-occurrence of its components: labeling that rises from a deviation from social norms; stereotyping that associates this difference with negative assumptions (e.g., people with mental illness are generally dangerous); segregating "us from them," "normates" (a term coined by Rosemary Garland Thomson) from the disabled, that classifies negatively-labeled persons as fundamentally different from those who do not share that label; and diminished status and discrimination as a result of these three former components. Add these co-occurring components to the integral part of stigma that is power, and the result is the discrimination and loss of status that is manifest in social systems where people endure power inequity.[21] Just as Michel Foucault has provided a critical analysis of power and its abuses, stigma can also be included in what he terms "dividing practices" that objectify whole classes of people as "other." Foucault's analysis of power and its abuse exposes the objectification of subjects that occurs as a result of these

[18]Among others, see Rosemarie Garland-Thomson, *Extraordinary Bodies* (New York: Columbia University Press, 1997).

[19]W. Gaebel, H. Zäske, A.E. Baumannn, "The relationship between mental illness severity and stigma," *Acta Psychiatrica Scandinavica* 116, Supplement 429 (2006): 42.

[20]See Stiker, *A History of Disability*, 7–13.

[21]Gaebel, Zäske, and Baumann, 42.

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practices. "The subject is either divided inside himself or divided from others. This process objectifies him. Examples are the mad and the sane, the sick and the healthy, the criminals and the 'good boys.' These practices effectively legitimize practices of segregation and social exclusion that categorize, classify, distribute and manipulate subjects under their control."[22] Once a class is so defined, it is easy to legitimize all manner of oppression, marginalization, and abuse, since "they" no longer qualify for the protections afforded to the mainstream. Thus, Bruce Link and Jo Phelan argue that stigma attends when "elements of labeling, stereotyping, separation, status loss, and discrimination co-occur in a power situation that allows the components of stigma to unfold."[23] Moreover, once stigma is assigned, the power to discriminate becomes both systemic and institutionalized: discrimination will be direct, bias will be structurally and socially embedded, and the "ism" will be internalized by both oppressor (as superior) and victim (as inferior) alike.

The assignment of stigma and associated labels to disabilities or disabling conditions and to the people who express these conditions appear in a variety of historical records with sometimes dreadful effect.[24] Curiously, the earliest use of the word "stigma" in English (in 1596) refers to circumcision as a kind of branding and a sign of subjection, by extrapolation, of the Jewish men to God. By 1863 the term referred to the whipping marks inflicted upon slaves. Perhaps with this later meaning and as part of the cult of racism, to be stigmatized would demand censure and condemnation. Ancient texts reveal how physical and developmental conditions were judged auspicious or ominous, perverse and evil, or as another fact of mortal life. Wolf Wolfensberger elucidates the perceptions that are easily recognizable throughout history: persons with disabilities are sick, persons with disabilities are sub-human organisms, persons with disabilities are a menace to society, persons with disabilities are to be pitied and are pitiable, persons with disabilities are burdens on charity, and/or persons with disabili-

[22]Foucault, "The Subject and Power," 326.

[23]Bruce G. Link and Jo C. Phelan, "Conceptualizing Stigma," *Annual Review of Sociology* 27 (2001): 367.

[24]See *Oxford English Dictionary* (1989) s.v., "stigma." See also the now classic exploration of stigma by Erving Goffman, *Stigmate, les usages sociaux du handicap* (Paris: Éditions de Minuit, 1963, 1975) and idem, "Control by Word Power, II: The Structure of Remedial Interchanges," in Rom Harre, ed. *Life Sentences: Aspects of the Social Role of Language* (NY: Wiley, 1976), 66–74; United States Department of Health and Human Services, *Mental Health: A Report of the Surgeon General* (Washington, DC, 1999); Janet Nelson, "Bioethics and the Marginalization of Mental Illness," *Journal of the Society of Christian Ethics* 23 (2003): 179–97.

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ties are holy innocents.[25] Each of these labels results in discriminatory behaviors toward the person or persons with this or that disability. Each of these labels reinforces the power differentials and internalized assumptions of superiority held on the part of the non-disabled and inferiority held on the part of people with disabling conditions.

Of course, the words "disabled" or "disabling condition" will not be found in the ancient or classical texts. Rather, this history is retrieved by attending to words like "blemished," "defective," "fool," "lame," and "possessed," among others found widely in scripture[26] as well as in the classics and other literature.[27] Because labels objectify subjects, non-disabled people would favor or reject individuals objectified by tolerable or loathsome labels.[28] Among the causes attributed to disabling conditions are divine punishment for some sin (either one's own or one's parents), consorting with evil, an imbalance of humors, maternal stress, bestiality, menstruation, and astrology. Each of these causes encouraged perceptions that people with disabilities were more "animal" or "other-worldly" than human, that they could tolerate extremes of temperature and malnutrition and, with an especially devious turn, that they were dangerous. Scandalously, many individuals loathed by the non-disabled would have been exposed at or near birth or otherwise ostracized once the disabling condition became known.[29] Aristotle, for example, claimed that those born deaf have a distinct disadvantage since hearing contributes most to the growth of intelligence; hearing is a cause of rational discourse and instruction in virtue. He also recommended laws to prevent the rearing of deformed children and argued that no such child should live.[30] Less brutal but not less horrifying were practices that exhibited individu-

[25]Wolf Wolfensberger, "A Brief Overview of Social Role Valorization," *Mental Retardation* 38 (2000): 105–24.

[26]Richard E. Whitaker, compiler, *The Eerdmans Analytical Concordance to the Revised Standard Version of the Bible* (Grand Rapids, MI: Eerdmans, 1988). A search of these terms in the Revised Standard Version of the Bible yields the following number of occurrences with reference to human beings: "blemished" (17); "defective" (2); "fool(ish)" (225); "lame" (27); and "possessed" (9).

[27]See Lennard J. Davis, *Enforcing Normalcy: Disability, Deafness and the Body* (New York: Verso, 1995); idem, *Bending Over Backwards: Essays on Disability and the Body* (New York: New York University Press, 2002); Herbert C. Covey, *Social Perceptions of People with Disabilities* (Springfield, IL: Charles C. Thomas, 1998); Garland-Thomson, *Extraordinary Bodies.*

[28]See Covey, *Social Perceptions of People with Disabilities*, 26–30.

[29]See Richard Slayton French, *From Homer to Helen Keller: A Social and Educational Study of the Blind* (New York: American Foundation for the Blind, 1932) as cited in Covey, *Social Perceptions of People with Disabilities*, 206.

[30]See Aristotle, *Sense and Sensibilia* 1 (437a16); idem, *Politics*, Book VII, 16 (1335b20).

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als with disabilities in the courts of power, either as a sign of blessing, as entertainment, or as an "occasion" to pity and extend charity.[31] People with disabling conditions were reduced to poverty and resorted to begging as a principal means of support. However, in spite of disparaging judgments and the texts that prove their widespread use, many people with disabilities were integrated into and participated as full members of their societies in public enterprises.[32] In the medieval period, organized beggary led to the establishment of guilds throughout Europe in which leaders, rules and languages were developed by the guild members. Organizations of the blind were not confined to those who were visually impaired; these organizations included other people with disabling conditions. One example is the Congregation Santa Maria dei Ciechi, founded in Padua, Italy in the fourteenth century by a guild of blind beggars.[33] They elected leaders, carried out works of piety, pledged to utter no blasphemy and observe definite rules. Money was taken from the congregation's treasury for the care of the sick and for the dowry of members' daughters.[34] As Padua witnessed a flourish of political, military, and cultural prestige under the patronage of the Carrarese family, a period of influence and wealth comparable to the early de Medici of Florence assured the citizens a comfortable life. With an influx of metropolitans of higher socioeconomic rank as early as 1358, the confraternity or congregation of blind beggars "La Fraglia di S. Maria dei Ciechi," could be confident that they would receive alms from and indeed be well-received by the people of Padua. Many other such congregations, however, were less than ideal.[35]

Overcoming the Odds

Many recognizably successful people had disabling conditions that were tolerated.[36] For example, Aristotle (despite his disdain for those

[31]See Stiker, *A History of Disability*, chapter 4: "The Systems of Charity."

[32]French, *From Homer to Helen Keller,* 49–50; Alan Gowman, *The War Blind in American Social Structure* (New York: American Foundation for the Blind, 1957), 106, 211–15. See also Sharon Farmer, "The Beggar's Body: Intersections of Gender and Social Status" and Catherine Peyroux, "The Leper's Kiss" in *Monks and Nuns, Saints and Outcasts: Religion in Medieval Society: Essays in Honor of Lester K. Little,* ed. Sharon Farmer and Barbara H. Rosenwein (Ithaca: Cornell University Press, 2000), 153–88.

[33]See B. Bertolaso, "La Fraglia di S. Maria dei Ciechi in Padua (1358)," *Minerva Medica* 57 (1966): 755–60; Turista Online, "Storia Padova," http://www.turistaonline.net/scheda_viaggi_Storia.asp?pag=503 (accessed April 5, 2009).

[34]See French, *From Homer to Helen Keller*, 46–74.

[35]Bertolaso, "La Fraglia."

[36]See, e.g., Disabled World, "Well Known People with Disabilities," http://www.disabled-world.com/artman/publish/article_0060.shtml (accessed April 5, 2009).

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who are deaf), Hannibal, Michelangelo, Van Gogh, and Tchaikovsky had epilepsy. Beethoven, Einstein, Hans Christian Andersen, and John F. Kennedy had attention deficit and learning disorders. Homer, Francisco Goya, John Milton, Frida Kahlo, and Franklin Delano Roosevelt had physical disabilities. Some also had multiple disabling conditions, which, moreover, did not thwart or seemingly compromise their public engagement.

Where would philosophy, mathematics, painting, sculpture, music, poetry, literature, state-building, theater and comedy be without talented disabled people and their contributions? Just as I shudder to imagine a world without the likes of Alice Walker, Robert DeNiro, Barbara Streisand, Eddie Murphy, or YoYo Ma, I shudder to imagine a world without the likes of Robin Williams (ADHD), James Earl Jones (hearing and speech impairments), Stevie Wonder (blindness), Itzhak Perlman (paraplegia), or Stephen Hawking (ALS).[37] Unlike the ancients, these celebrities and many others have (by contemporary standards) documented disabilities. These people live with their disabilities, contribute to their respective fields, and negotiate society. Surely their development as persons and journeys to success has been supported in ways equal to non-disabled persons. How many thousands of unnamed others are likewise supported and successful or, more terrifyingly, how many have been lost?

III. The Social Construction of Disability

The Disabilities Studies Movement has formalized thinking from a hermeneutic of disability across a wide range of academic disciplines: art, feminist studies, history, literary theory and linguistics, philosophy, sociology, and theology. This movement locates disabilities not in the individual with a particular condition but in the social structures that effectively frustrate access to both quotidian and public practices.[38] The movement identifies biomedical, functional, environmental, and sociopolitical disabilities as the principal means of the social construction of disability. The biomedical model constructs disability as deviant; the functional model constructs degrees and levels of educability and potential productivity; the environmental model constructs physi-

[37]See, e.g., Mendocino Community Network, "Famous People with Disabilities," http://www.mcn.org/g/dynamicgraphics/images/kate/famous.html (accessed April 5, 2009).

[38]See Julie F. Smart and David W. Smart, "Models of Disability: Implications for the Counseling Profession," *Journal of Counseling and Development* 84 (2006): 29–40. See also Harlan Hahn, "Toward a Politics of Disability: Definitions, Disciplines, and Policies," *Social Science Journal* 22 (1985): 87–105.

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cal barriers to access; and the sociopolitical model constructs attitudinal stigmatization. The social construction of disability, intentionally or not, precludes the participation of certain people by preventing them access to, if not excluding them outright, from many socially and culturally significant activities. Cort Schneider presents a view of these socially constructed restrictions that names them as marginalizing and locates them in a culturally-conditioned, "able-bodied" hegemony. "In the American ethics there exists an inherent belief that people with conditions are 'disabled' and therefore these people are viewed as less worthy than those who are 'able-bodied.' This ideology tells Americans [as well as members of other nations] either explicitly or tacitly that people with conditions are inferior. This ideology is so extensive that many 'able-bodied' and 'disabled' people accept its notion without even realizing what it is they believe, or why they believe it."[39] The social de-construction of disability challenges the hegemonic normativity of the able-bodied as well as the physically supportive conventions of stairs in place of ramps and elevators, of pebbled roads rather than smooth surfaces, of tall cabinets instead of retractable shelving, of small print over large, of echo chambers instead of acoustic balance.[40] The social construction model has given impetus to projects across the academic spectrum in arts and humanities that expose socially/systemically supported oppressions—some vicious, others a matter of ignorance resulting from the ideology of the non-disabled norm.

Feminist studies suggest that just as a patriarchal social context disadvantages and oppresses women, an able-bodied social context disadvantages and oppresses people with disabling conditions. "We know that if being biologically female is a disadvantage, it is because a social context makes it a disadvantage."[41] However, if the ideals of mind and body and of concept and artifact were designed and then constructed by and for men, from the point of view of disability, certain ideals were narrowly modeled on and upheld by an "average" able-bodied norm. As Susan Wendell recognizes, the world has been constructed by those who have never considered the impact of their structures, whether from an architectural or ideological vantage, for people who do not fit an able-bodied norm. These constructions have assumed and thereby institutionalized certain norms of size, strength, and shape, of mobility,

[39]Cort E. Schneider, "The Able-Bodied Hegemony: The Social Construction of Disability," *The Initiative Anthology* (2005), 4, www.units.muohio.edu/EAP/EDL/programs/anth_Ini/Anthology_home.html (accessed April 14, 2009).

[40]See the announcement of the book series "Corporealities: Discourses on Disability," published by the University of Michigan Press, http://www.press.umich.edu/series.do?id=UM117 (accessed April 5, 2009).

[41]Susan Wendell, "Toward a Feminist Theory of Disability," *Hypatia* 4 (1989): 109.

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hearing, and seeing, "as if everyone can work and play at a pace that is not compatible with any kind of illness or pain, as though no one is ever dizzy or incontinent or simply needs to sit down . . . the entire physical and social organization of life assumes that we are either strong and healthy and able to do what the average able-bodied person can do, or that we are completely disabled, unable to participate in life."[42]

The churches too have followed the paradigm of non-disabled hegemony and are complicit in having often failed people with disabling conditions, their families, and the whole communion. Progress in approaches to people with disabilities is evident, however, in the pastoral statement of the Roman Catholic Bishops of England and Wales, *All People Together* (1981) and the *Guidelines for the Celebration of the Sacraments with Persons with Disabilities* (1995) by the United States Conference of Catholic Bishops (USCCB).[43] Additionally, during the pontificate of John Paul II, as the pope himself became increasingly aware of his own aging and disabling conditions, he turned his attention and the attention of Catholics to people with disabilities and their inherent dignity as persons and as full members of the Church's communion. "In Christ's name, the Church is committed to making herself more and more a 'welcoming home' for you."[44] Although the churches have moved forward in addressing the faith and sacramental life of people with disabilities, many obstacles remain. The paradigm of the robust and hale has fueled culpable ignorance, deep-seated biases, and prejudices that have long denied the full personhood, equal integrity, and diverse talents of people with disabling conditions—in short, the paradigm oppresses anyone not conforming to its narrow norm. Jennie Weiss Block illustrates poignantly the marginalizing effects of Catholic Church practices (not paradigmatic of all churches, but rather an example) when she writes of the daily experiences of exclusion and the coming to terms that people with disabilities must reconcile with "not being there" as a way of life.

> Not being able to get up the stairs to the church where your daughter is being married. Attending an all-day RCIA workshop and not being able to use the restroom in the parish hall. Not being able to read the

[42]Ibid., 111.

[43]Catholic Bishops' Conference of England and Wales, *All People Together* (London: CBCEW, 1981); United States Conference of Catholic Bishops, *Guidelines for the Celebration of the Sacraments with Persons with Disabilities* (Washington, DC: USCCB, 1995).

[44]John Paul II, *Jubilee of the Disabled*, homily of 3 December 2000, http://www.vatican.va/holy_father/john_paul_ii/homilies/documents/hf_jp-ii_hom_20001203_jubildisabled_en.html (accessed April 5, 2009).

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bulletin or hear the homily. Being at home without accessible transportation the night of the Easter Vigil when your best friend is being welcomed into the church. Being embarrassed to go up the aisle to communion because it takes you so long using your walker. Being just discharged from a two-week stay at a psychiatric hospital and going to church hoping to find a welcoming community of faith and not having anyone even say hello. Not being able to receive the sacrament of penance because you are unable to communicate through speech. Being told you cannot receive the Eucharist because "you won't understand" what you are doing.[45]

IV. Challenges to the Churches

The sad history sketched above confirms that people with disabling conditions have been ignored by many who are non-disabled. They are excluded from all manner of community gathering by physical and cultural barriers. And they are silenced by the failure to provide access to the tables of commerce and political power as well as the tables of Eucharist and dinner, where worship, conversation, and friendship are held. In the same way that stairs can be imposing obstacles and effective roadblocks for people with physically disabling conditions, cultural norms of appearance, propriety, and deportment can impose expectations that are near impossible for even the non-disabled to meet. How welcoming are communities to people whose bodies or spirits do not conform to the norms of acceptable and polite society? Ticks and body odors, blindness and deafness, indecipherable words and laughter or anger or mute are unwelcome. Who among us at times has not been incontinent, failed to see or hear, misunderstood what another communicates, or stood frozen and speechless and have not as well been forgiven? And yet, many people with disabilities exhibiting these same conditions, rather than being forgiven for an assumed impropriety, are branded, even stigmatized instead.

Examine the current state of ecclesial "welcome" extended to people with disabling conditions. Look around and inside the church buildings. Do you see people with disabilities? With 26% of the US population exhibiting one kind of disability or another, surely the neighborhood congregation has a few people with disabilities living in

[45]Jennie Weiss Block, *Copious Hosting: A Theology of Access for People with Disabilities* (New York: Continuum, 2002), 115–16. See also the study edition of the 1983 Code of Canon Law commissioned by the Canon Law Society of America: *Code of Canon Law: a Text and Commentary,* ed. James A. Coriden, Thomas J. Green, and Donald E. Heintschel (New York: Paulist, 1985), canons 97, 99, 777, 913, 914, 1029, 1040–49, and 1051.

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its midst. But it is much too easy to ignore people who are unremarkably invisible because their absence goes largely unnoticed. Absence in this case does not make the heart grow fonder since the heart remains unaware of the many not yet encountered. Scandalously, this invisibility is a result of the stigmatizing social constructions and internalized assumptions that have hidden many in their homes, in institutional residential facilities, or in culpably ignorant oblivion on the part of the non-disabled majority.

Recall the Priestly Code of Leviticus:

> Say to Aaron, None of your descendants throughout their generations may approach to offer the bread of his God. For no one who has a blemish shall draw near, a man blind or lame, or one who has a mutilated face or a limb too long, or a man who has an injured foot or an injured hand, or a hunchback, or a dwarf, or a man with a defect in his sight or an itching disease or scabs or crushed testicles; no man of the descendants of Aaron the priest who has a blemish shall come near to offer the Lord's offerings by fire; since he has a blemish, he shall not come near to offer the bread of his God. He may eat the bread of his God, both of the most holy and of the holy things, but he shall not come near the veil or approach the altar, because he has a blemish, that he may not profane my sanctuaries; for I am the Lord who sanctify them (Lev 21:17–23).

Like the Levitical laws barring anyone who is blind, lame, hunchback, dwarfed or blemished from the priesthood and communal worship, many houses of worship have unjustly withheld the sacraments and communion by their inaccessible physical construction and by their leaders and members dismissal, avoidance, and failure of outreach to people with disabling conditions. Leviticus 21 is direct, "the passage is [not only] a prohibition on those who are blind and deaf as serving as priests, but it is a polemic against allowing those who are blind and deaf from even entering the Temple precincts."[46] From this interpretation of Leviticus it is a simple step to deny a church welcome to anyone who presents with a disabling condition. From an archaic rule, institutionalized and systemic discrimination against people with disabilities has become the norm. But the clarion call for justice sounds: the liberation and restoration to communion of people with disabling conditions, to those who are outcast, is at hand.

[46]Further, "Once the affinity of Leviticus 21 is questioned, however, it is clear that the better translation . . . is 'but these are approaching the purity of the Temple.'" Kerry H. Wynn, "The Invisibility of Disability at Qumram," paper delivered at the American Academy of Religion Annual Meeting, Nashville, TN, November 20, 2000.

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V. Thinking Differently Redux

How shall we begin to think about people with disabling conditions? "The fact that disability has refused to remain linguistically stable in-and-of-itself demonstrates the variability of the body and its socially generated interpretations. On the one hand, disabled populations remain segregated and marginal throughout history. On the other hand, cultures persist in creating difference into a paramount trope of the human condition."[47] If the late twentieth and early twenty-first centuries champion the cause of other marginalized peoples, like women and people of color, then surely it is time to champion the cause of the diversity present in the human community of people with disabilities.

As theological discourse collaborates with other disciplines and beyond the academy, we are encouraged by the work of Lisa Sowle Cahill to argue the case of concern for people with disabilities as social ethics: "not just as theory but as engagement." She recognizes that the goals of justice in global access to the goods essential to health and human welfare "are mandated by the New Testament depiction of Jesus' healing ministry to society's outcasts, a portrayal to which all Christians subscribe." She argues further that theological ethics "must critically reflect on, make normative judgments about, theoretically account for, and ultimately take part in a global social network of mobilization for change."[48] The present essay, "Thinking About Disabilities with Justice, Liberation, and Mercy," is one move in the direction of change that can liberate by thinking through a different lens about the cause of justice due to people with disabilities and those who care for and with them. This discourse challenges the status quo especially as it continues to inform the common good. This discourse challenges current thinking on housing and health care by re-considering symbols, concepts, and arguments from the viewpoint of people with disabilities and the likelihood of acquiring a disabling condition. Theological discourse about disability would include reference to the image of God, human dignity, and distributive justice, all of which bring to our attention the concerns of so many who have been marginalized. "The alternatives are part of a different worldview or orientation (the reign of God mandates equal respect for all) that challenges the prevalent worldview and the social arrangements that follow from it."[49]

[47]David T. Mitchell, "Foreword," in Stiker, *A History of Disability*, ix.

[48]Lisa Sowle Cahill, *Theological Bioethics: Participation, Justice, Change* (Washington, DC: Georgetown University Press, 2005), 1–3.

[49]Ibid., 60.

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The first step is to start with thinking of people first. Often the mistake is to start with a label and forget the person to whom the label is attached. Just as the words that label people of color have changed ("Negro," "African American," and "Black"), the words that label people with disabilities have also changed (while many would no longer use the terms "gimp," "dumb," or "idiot," some people in the disabilities movement employ these terms as redemptive and dangerous memories).[50] Stereotypical assumptions have defined people with disabilities as those who suffer, as tragic, heroic, and/or victim. "Categorically, they are called retarded, autistic, blind, deaf, learning disabled, etc., etc., etc., —ad nauseam! Who are they, really?: Moms and Dads, Sons and Daughters, Employees and Employers, Friends and Neighbors, Students and Teachers, Leaders and Followers, Scientists, Doctors, Actors, Presidents, and More. They are people. They are people, first."[51] Like feminists before them,[52] people with disabilities proclaim the "radical" idea that they are people. Moreover, the diversity of disabling conditions represents another expression of the astonishing diversity of possibilities—not limits—in humankind.[53] Ignorance, biases, and prejudices against people with disabling conditions can no longer be excused.

Further, we must recall Jesus' concern for the outcast oppressed. Jesus is explicitly attentive to those who are sick, disabled, and marginalized; they are the first in the Kingdom of God. He expresses affection for them as a result of their closeness to God because God suffers with and has a preferential option for the poor. And Jesus raises them up as examples of faith and of grace. "He suspends the ancestral prohibition [of cavorting with sinners, prostitutes, lepers and the like]. . . . The wrong does not lie in exterior pollution; it lies in the conduct of one person toward another."[54] If we follow the logic of the Gospel, those whom the dominant social order has marginalized or brought low will be exalted even in their lowliness, while the mighty totter in their strength. Jesus draws near to and befriends those deemed "other" out of the merciful love and tender concern that God has for all who hunger and thirst

[50]See, e.g., "The Ragged Edge Online," http://www.ragged-edge-mag.com/ (accessed April 5, 2009) and "The Gimp Parade," http://thegimpparade.blogspot.com/ (accessed April 5, 2009).

[51]Kathie Snow, "People First Language," http://www.disabilityisnatural.com/peoplefirstlanguage.htm (accessed April 5, 2009).

[52]"My preferred definition of feminism is expressed by a well-known bumper sticker which, with tongue in cheek, asserts 'feminism is the radical notion that women are people.'" Elisabeth Schüssler Fiorenza, "Introduction," in *The Power of Naming*, ed. Elisabeth Shüssler Fiorenza (Maryknoll, NY: Orbis, 1996), xvii.

[53]See Mary Jo Iozzio, "Genetic Anomaly or Genetic Diversity: Thinking in the Key of Disability on the Human Genome," *Theological Studies* 66 (2005): 862–81.

[54]Stiker, *A History of Disability*, 34.

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for justice as much as for basic needs and friendship. That is the point of the preferential option for the poor, one of the hallmarks of theologies of liberation. That option answers the needs of God's people with healing words and communion, with table fellowship, and solidarity.

Moreover, consider how Jesus rejected the disciples' attempts to institute hierarchical patterns of relationship with him and with one another.

> The disciples came to Jesus, saying, "Who is the greatest in the kingdom of heaven?" And calling to him a child, he put [the child] in the midst of them, and said, "Truly, I say to you, unless you turn and become like children, you will never enter the kingdom of heaven. Whoever [becomes humble] like this child, [that one] is the greatest in the kingdom of heaven. Whoever receives one such child in my name receives me; but whoever causes one of these little ones who believe in me to sin, it would be better for [that one] to have a great millstone fastened round [one's] neck and to be drowned in the depth of the sea" (Mt 18:1–6).

Consider that in Jesus' time, although children younger than ten years of age were valued and nurtured as part of the family economy, they did not enjoy personal agency and their status was nominal at best.[55] Children grew up in large families, which often included half brothers and half sisters. The father may have had two wives if the household could support them. The household followed patriarchal norms in which wives were subservient and children were dealt with as property. To have many children was to have a great deal of property. Not coincidentally, today many persons with disabling conditions report that they are treated as if they have the emotional and intellectual development of a child; this treatment is most often characterized by deference to the companion(s) of persons with disabling conditions regardless of those conditions. When Jesus counters both patriarchal and hierarchical patterns of relationship, both children and people with disabling conditions gain recognition of their dignity, are liberated from the margins of their native communities, and have the good news preached on their terms.

The Risen Jesus still bears the disfiguring and disabling scars of the crucifixion. While many fail to recognize the disabling effects of the crucifixion, the glorified body of the Risen Jesus remains marked even as his body transcends all social constructions of disabilities. The Risen

[55]A. R. Colón, *A History of Children: A Socio-Cultural Survey Across Millennia* (Westport, CT: Greenwood Press, 2001), 44.

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Jesus is not limited by closed doors, by time or space. He appears to the disciples in the Upper Room despite its locks and appears to the disciples on the way to Emmaus. He is welcomed by the disciples; the disabling and disfiguring effects of the crucifixion do not cause them to recoil. Subsequently, devout Christians pay little heed to these disabling and disfiguring effects, preferring instead to focus on the sacrificial nature of so ignominious a death. The sacrifice, however, begun in the kenosis of the Annunciation and Birth that fully realized God's own solidarity with vulnerable humankind, was sealed in the resurrection of a body that was not made over, however much it was transformed, or free of blemish.

Just as we are humbled before a disabled Risen Jesus and the disabling cross, we are humbled by the diversity of possibilities that disabling conditions promote. How odd, then, that Christians should have so brutal a history toward people with disabilities, and how right that now is the liberating moment to embrace diversity as the birthright of all people. Minimally, we must remove the barriers to access of stairs and narrow doorways. Build and re-build, think and re-conceive, dream and re-create to maximize usefulness across spectrums of age, size, and disability. Finally, praise the kaleidoscopic and fecund diversity of humankind, open the houses of communal worship, welcome those who have been deemed wrongly the least among us, make wholesale a way for the many, and rejoice, for the inclusive love of God's reign is at hand.

I wish to return to the quotations that opened this essay. It is clear that progress has been made in recognizing the humanity of people with disabilities and, depending upon the interpretative tradition inherited or personally appropriated, that the Scriptures can be wrestled into a redemptive word for them.[56] Wherever the Scriptures exclude, they must be challenged on that exclusion. And where the Scriptures liberate, that liberation needs to be celebrated and to be put into full affect. Our churches must be welcoming to all; this welcome is signaled by access ramps, radio-frequency voice enhancers, simulcast sign or voice-recognition type projection, prayer aides in Braille. These are signs that effectively remove the stumbling blocks of old and increase the community in size and spirit. For those who were lost on account of their exclusion have been found. If redemption is anything, it must be the justice of restoring and of re-deeming dignity for all.

[56]See, e.g., Hector Avalos, Sarah J. Melcher, and Jeremy Schipper, eds, *This Abled Body: Rethinking Disabilities in Biblical Studies* (Atlanta: Society of Biblical Literature, 2007).

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