# TFA Dubs – 1AC v Westlake AK

#### The performance of the 1AC is a rejection of the resolution, a demonstration of disability’s capacity in parasiticizing the neoliberal marketization that embraces a form of technocratic rationality that works to inevitably exclude the disabled learner. The very foundation of education is structured upon standardization and categorization that phenomalizes inclusion of the disabled body. Through the vision of the ideal student, the disabled learner is continuously rejected by neoliberal society and locked into a cycle of suffering.

**Goodley 07** [Goodley, Dan. “Towards Socially Just Pedagogies: Deleuzoguattarian Critical Disability Studies.” *Taylor & Francis*, 1 May 2007, <https://www.tandfonline.com/doi/abs/10.1080/13603110701238769>] Cookie JX

**An analysis of disability [the disabled learner] requires us to expand the scope** of democratic institutions: **not only in public and higher education but also in the wider community**. In making sense of the challenges **facing the disabled learner we need, therefore, to acknowledge the market.** Trees: **Markets, agents and pedagogy Disability/impairment shed light on the relationships between education, society and dominant forms of pedagogy that threaten to exclude learners identified as disabled. Clearly, agents and institutions are marketised and configured accordingly.** For Giroux (2003, p3) the **marketisation of education** risks creating schools as simple adjuncts of the workplace. **‘Technocratic rationality’ is embraced and leads to the testing and sorting models of assessment that reproduce wider inequities of society, pliant workers, [and] capitalist subjects.** Education is education for accommodation and as a consequence: **pedagogy [is] either reduced to a sterile set of techniques or dressed up within the discourse of humanistic methods that simply soften[s] the attempts by the schools to produce insidious form of moral and political regulation’** (Giroux, 2003, p6). 8 At best markets seem to give learners – or consumers – rights to the kinds of educational experiences that they should receive. Accordingly, **schools aim to raise their standards to compete for consumers while parents have more power in supporting their children to make educational choices** (Khong and Ng, 2005). These processesdo not reside in education but are **closely tied to marketisation and globalisation**. Interesting questions are therefore raised about how the institutions of society – such as education – respond to global demands and agendas (see for example Saravanan, 2005). Hence, each nation involves itself in contemplating educational policy and practice in light of global factors and national responsibilities. In conceptualising the place of disabled learners, then, it is important not to simplistically import ideas from one nation to another. Potts (1998) suggests that **too often the inclusion of disabled learners is viewed as a phenomenon** that has emerged in developed minority world economies – **dominated by North America and the UK** – which is then applied in other nation states of the majority world. In contrast, global educators are asked to think critically about how such ideas can be best practised in the national context (Lim and Tan, 1999). Here, then, global ideas associated with inclusion, the market and their alternatives are considered from the position of the local: inclusion is a ‘glocal’ phenomenon. **Markets also create competitive subjects**. Resultant forms of pedagogy rely upon subjects – e.g. teachers and learners – to be constituted in particular ways, dependent on specific foundations: **If the pedagogical subject is discursive, at least in a metaphoric sense, then it is a subject in the process of writing itself and of being interpreted by others** (Gabel, 2002, p184). **Pedagogies of the market construct subjects with a sovereignty of self: as selfactualising, self-directive and autonomous beings** (Rose, 1989). **Too often, when we think of involving students in educational practices, we assume students to be able, productive, skilled, accountable individuals who are ready and willing to lead developments** within the classroom. **They fit the quintessential construction of the modernist, unitary, humanistic subject** (Chinn, 2006**). In short, our students are ‘able’. Such a construction of the learner is hugely problematic for students with disabilities** and or special educational needs who require the support of others. Indeed, Masschelein and Simons (2005) argue that **moves towards inclusive schooling in the UK continue to fail students because they maintain a particular vision of the individual student and their relationship with (and responsibilities to) society: Inclusion … is linked up with entrepreneurship … the willingness to live an entrepreneurial life and to put one’s capital to work.** An inclusive society, therefore, is not a society of equals in a principled way, but a society in which everyone has the qualities to meet her needs in an entrepreneurial way (p127) **Such a conception of the learner mimics the kind of individualistic personhood valued by the neoliberal marketised society.**

#### Communicative spheres such as debate are governed through biopolitical technologies of fluency which smooth over and systematically excludes semiotic interruptions in search for stable and univocal operations. This bends bodies to align their knowledge production with compulsory able-bodiedness. Thus the role of the ballot is to vote for the debater that best disrupts technologies of fluency.

[1] A legitimate advocacy is one that resists technologies of fluency – offense is just disrupting fluency comparatively

[2] The ROB warrants are contextualized and come first – that’s St. Pierre

[3] The aff is the highest layer – no theoretical objections outweigh – violations link to the aff

[4] Weigh between competing advocacies by discussing which is better for resisting technologies of fluency

[5] Use CX to check for anything else – I can’t predict every condition

**St. Pierre 17** [Becoming Dysfluent: Fluency as Biopolitics and Hegemony Joshua St. Pierre Journal of Literary & Cultural Disability Studies, Volume 11, Issue 3, 2017, pp. 339-356 (Article) Published by Liverpool University Press // UTDD]

“Given that compulsory able-bodiedness emanates from everywhere and nowhere, it is perhaps more fruitful to parse this consensus through the mode by which **compulsory able-bodiedness circulates and is translated across different ideas, practices, and institutions** rather than isolating the specific sites where this consensus, this hegemony, is produced. For McRuer, **“the experience of the able-bodied need for an agreed-on common ground” is a common experience that “links all people with disabilities under a system of compulsory able-bodiedness”** (8), and I suggest that this “common ground” of disability oppression is a how as much as a where or a what. That is, a common ground is never just found, but must be cleared away and maintained with effort through time. **“Fluency” can accordingly be understood as a technology operating at the intersection of biopower and hegemony that smooths over and straightens discontinuous semiotics, temporalities, and materialities to eliminate frictions within productive, biopolitical systems and thus secure social order within the material realm. An attention to fluency moves beyond the orthodox focus on ideology as the essential vehicle of hegemony to locate**, alongside Jon Beasley-Murray’s notion of “posthegemony,” **the production of consensus and the security of social order not within the realm of representation but the governance of bodies and life itself. Fluency attempts to regulate and collapse not merely the time between encounters, but the embodied time of encounter and access and judgment.** Fluency attempts to cover over political spaces—to mitigate (when it cannot eliminate) interruption and disruption—**thus facilitating** in one move **the rationalization** and naturali- zation **of embodied difference** that seems to emanate from everywhere and nowhere, **as if everyone agrees.** But whatever else it may be, **fluency is first a process enacted and lived within the material and corporeal.** Here I start from the semiotic and expand outwards. **The vast array of rhythms, semiotic modes, tempos, dictions, and (racialized or disabled) accents that constitute practices of aural “communication” have become the objective domain of the biomedicalizing industry of Speech-Language Pathology.** Barry Guitar, in his well-used textbook on speech impediments, offers an exemplary definition of fluency: “simply as the effortless flow of speech” (13). Yet there is hardly anything simple about this definition, which is offered amid caveats and backtracking. Guitar readily admits (12) that **fluency is difficult to pin down and that researchers** within Speech-Language Pathology often **focus on what it is not—namely, dysfluency.** There are a few characteristics: **Fluent speech is marked by a lack of hesitation, and** Speech-Language Pathology is forced to make (dubious and highly arbitrary) distinctions between “normal” and “abnormal” hesitations (Goldman-Eisler) since breaks and hesitations crop up in all speech. Fluent speech is marked by rhythmical (read: thoroughly normalized) patterning. Fluent speech is similarly marked by **the lack of “extra sounds” interjected into culturally dominant phonetic patterns.** Fluency is defined by the overall rate of speech, which includes not just the rate of vocal flow but of information flow (Starkweather). And lastly, fluency is often defined by a lack of “effort” on the part of the speaker; **a conceit of [and] mastery over language** that highlights the twinned meaning of “fluency.” Transposing this definition into a critical register, **the “effortless flow of speech” can be read as a coordinated—yet often strained—performance of bending the energies and capacities of bodies toward stable and univocal futures. Autistics are compelled to restrict stimming, to sit on their hands** (to have “quiet hands,” Bascom), **and thereby reroute bodily capacities to the smooth performance of so-called intelligible communication. Dyslexic bodies that process information piecemeal and slowly are forced out of social time** (Cosenza 7). As Zach Richter has argued, **the facial tics and erratic gestures of dysfluent speakers are likewise never communicative inflections, but are made abject and cast out of the communicative realm altogether by** what I am here calling **technologies of fluency. Tics** of loud cursing and grunting **from** a public speaker with Tourette’s are imagined as **an interruption to communication.** **Dysfluencies are erased from closed captions and courtroom transcripts. What is thus left is a univocal and fluid semiotic operation that instrumentalizes our relations with others.** Or more precisely, if fluency is a type of Foucauldian technology, then the function of this biopolitical strategy is to regulate and focus the communicative event toward specific, technical ends through the logic of optimization and closure.” (342-344)

#### Neoliberal biocapitalism operates through disabling certain bodies at the expense of enhancing others. Through the figure of the Child, biocapitalism sustains a reproductive order geared towards the future in the image of a better than able-bodied subject. In reality, this sacred Child is impossible to satisfy and requires the simultaneous death and enhancement of disability. This replicates a cruel optimism towards the promise of the future that only works to disable others…

**Fritsch 15** [The Neoliberal Biopolitics of Disability: Towards Emergent Intracorporeal Practices by Kelly Fritsch JUNE 2015 // UTDD]

“Thus, while Edelman (2004) is correct in asserting that the contemporary political order favours heteronormativity in the ways in which it incites **the Child as the image of the future**, this image of the Child of the future also **continuously incites compulsory enhanced-bodiediness as the child of reproductive futurity is not only not to be disabled, but must be better than able-bodied.** McRuer, in the context of Edelman’s work comments: **“‘everybody,’** after all, or so the saying goes, **‘wants a healthy baby.’** At the same time, despite this commonplace desire, **the imagined future is actually** inescapably **inaccessible; no real, flesh-and-blood child can ever embody the innocence, health, and ability associated with the sacred Child”** (2008). I agree with Edelman’s sharp and scathing critique of reproductive futurity, and while I also agree with McRuer that Edelman’s Child is able- bodied, what neither Edelman or McRuer elucidate is how **reproductive futurity relies on *both* a capacitated and bodily enhanced Child that shapes the ways the political gets mobilized in the name of the future, *and* for some disabled children to grow up at the expense of others who are never intended to grow up.** Edelman is right, then, about the ways in which the figure of the Child re-inforces heteronormativity but he fails to take stock of the ways in which **the Child is** also **always, already able-bodied, or how the Child is capacitated and enhanced.** While McRuer is right to point out that **no child can fully embody the desirable able-bodied child, and, thus, sets up disability as the impediment to a desirable future**, I am interested in how **the better-than-able-bodied Child requires some disabled children to grow up at the expense of other disabled children in order to give the Child meaning. Thus, the disabled child is the figure of no future,** as will be **demonstrated in the case of** Emily Rapp (2013) **desiring to terminate pregnancy on the basis of disability, and in the case of infanticide and filicide on the basis of disability.** **However, the disabled child is also the figure of the future in that the suffering child creates particular neoliberal futures through the mobilization of biocapital, cure, and enhancement.** Therefore, as I will go on to show, **we are deeply invested in narratives of suffering children, but some of those children are always supposed to remain children, never growing up, while others are celebrated, enhanced, and capacitated precisely because they can be made to slide into the neoliberal promise of the future.** As I will argue, **it is precisely in sliding into neoliberalism’s forms of capacitation and enhancement that incapacitates and disables others.**” (145-146)

#### Neoliberal biocapitalism forecloses futures by locking groups into existing insofar as they suffer. What is needed is a move away from the politics of recognition that creates a division between the abled and disabled towards gradations of debility and capacity that focus on ecologies of sensation and bodily capacities.

**Fritsch 15** [The Neoliberal Biopolitics of Disability: Towards Emergent Intracorporeal Practices by Kelly Fritsch JUNE 2015 // UTDD]

“Puar's intervention is uncomfortable for disability studies insofar as she challenges the ways in which the field reproduces disability as an oppressed identity and an aggrieved subject enacted through what Brown (1993) terms “wounded attachments.” According to Brown, **identity groups form wounded attachments when they define themselves through the suffering they experience within dominant society in such a way that their identity becomes the painful underside of normative culture.** While Brown does not argue that marginalized groups who are left to wither do not suffer, her concern is that such **wounded attachments foreclose the freedom of a group by identifying exclusively with its “historical and present pain rather than conjure an imagined future of power to make itself”** (1993, 400). **Instead of critically evaluating dominant culture and working to replace it with something else**, Brown argues that **wounded attachments lead groups to strive for the material, social, and political wellbeing enjoyed by the very social elites whose privilege produced their suffering and marginalization.** By enunciating and making claims for themselves through “entrenching, dramatizing, and inscribing [their] pain in politics” a suffering group hold “out no future – for [themselves] or others – that triumphs over this pain” (Brown 1993, 406). **Wounded attachments lead to an unproductive but self-sustaining loop: because one identifies through their own suffering, a future without suffering would cause them to cease to exist. As such, they continuously reiterate their suffering and, thus, demand that everyone put their intellectual and affective energies into the source of their suffering as opposed to alternative political relations that would produce a more just and less oppressed future.** Neither dismissing the suffering any group faces, nor abetting the social relations that are at the root of that suffering, Brown instead wants to foster ways in which a group can enunciate and perform its historical oppression so as to not entirely delimit themselves but open themselves up to modes of healing that produce new and more just social relations. And because the wound or suffering that defines a marginalized group works to detach their suffering – and, thus, their group identity – from the ways in which that group participates in dominant culture, those wounds can cause others to suffer as well. As such, Sara Ahmed (2004) argues that enunciating and performing historical and contemporary injustices must also open up any oppressed group to the suffering they cause others through the few privileges they enjoy. **By focusing on normal/abnormal, or abled/disabled, rather than on gradations of debility and capacity, disabled people hang onto an understanding of themselves as being excluded in a way that is not productive for fighting the neoliberal biocapitalist conditions in which disabled people are situated.** One such wounded attachment is expressed in the desire of disabled people to be included in the workforce, from which they are largely excluded, despite the ways in which such a goal can re-inscribe the competitive, individualized, entrepreneurial subject formation that is key to neoliberalism’s success. This wounded attachment pre-empts certain critiques of the violence of neoliberalism more generally; critiques that would orient disabled subjects towards a future that rejects inequitable labour practices and the desire to be good neoliberal subjects. **This wounded attachment and the desire to be included closes avenues of political discussion and action that recognize and work to counter the suffering such inclusion would perpetuate for others – including other disabled subjects.** Just as Brown wants to approach suffering from an obtuse angle and not negate it, Puar takes up **debility and capacity** not to “disavow the crucial political gains enabled by disability activists globally, but to **invite a deconstruction of what ability and capacity mean, affectively and otherwise, and to push for a broader politics of debility that destabilizes the seamless production of abled-bodies in relation to disability”** (2009, 166). In doing so, Puar asks: **“How would our political landscape transform if it actively decentered the sustained reproduction and proliferation of the grieving subject, opening instead toward an affective politics, attentive to ecologies of sensation and switchpoints of bodily capacities, to habituations and unhabituations, to tendencies, multiple temporalities, and becomings?”** (2011, 157). While Puar may be interested in decentering a liberal political subject, rather than rehabilitating a grieving subject through intersectional politics, **debility and capacity can be a means to open up the suffering of disabled people and their communities in multiple ways that could allow for a more just future for everyone.**” (116-119)

#### Gradations in suffering is how the 1ACs analysis operates. Semiocapitalism has shifted the terrain and now requires information to move quickly and effortlessly. The result is the capacitation of certain disabled bodies at the expense of debilitating dysfluent laborers.

**St. Pierre 2** [Becoming Dysfluent: Fluency as Biopolitics and Hegemony Joshua St. Pierre Journal of Literary & Cultural Disability Studies, Volume 11, Issue 3, 2017, pp. 339-356 (Article) Published by Liverpool University Press // UTDD]

“Considered **in terms of optimization**, the function of **fluency** is quite familiar: **technologies** of normalizing embodied difference **rely upon manageable or “docile” communication channels and semiotic protocols** (Foucault, “The Subject and Power,” 135). **Speech is now human capital** (a flattened capacity that produces future return) and it is hardly surprising that **technologies of fluency have come to play a central role in the productive machinery of semiocapitalism. This system requires not only vast quantities of information, but the ability to move it around quickly and effortlessly. Fluency is not a “repressive” but a productive force** (Foucault, Discipline and Punish), **one that impels modern subjects to** be loquacious, to **increase their information flow** (see, for example, Starkweather above), **and to maximize their communicative inputs and outputs. These transformations have created new forms of disability oppression. Many disabled people who could not work under industrialized capitalist conditions have benefitted from the fact that communication has become immanent to the production process** (see Mitchell and Snyder, “Disability as Multitude,” 189) **yet such changes, while empowering for some, shift the socioeconomic terrain in threatening ways for others.** **Call centers, for example, are a mainstay of immaterial labor yet effectively exclude people with communication disabilities from employment across the board. The ability to regulate informational and affective flow has become a baseline for postindustrial labor.** Clare Butler argues that **“Being a skilled verbal communicator is** [now] **treated as a justifiable requirement in the workplace” (720), such that the imperatives to “sound right” and possess “excellent communication skills” marginalize dysfluent laborers** in postindustrial economies.” (344)

#### Voting affirmative engages in the embracement of disabled identities as rhizomes. Abandon the tree of hierarchical standardization and neoliberal biocapitalism that has forced the desire out of disability. Flatten its roots and reclaim its territory! Rhizomatic pedagogy redefines the disabled learner as becoming and connected to the rhizomatic assemblage. The desertion of standards and assessment creates simulating possibilities and paints the life of disability not as something to overcome but one that is worth living!

**Goodley 2** [Goodley, Dan. “Towards Socially Just Pedagogies: Deleuzoguattarian Critical Disability Studies.” *Taylor & Francis*, 1 May 2007, <https://www.tandfonline.com/doi/abs/10.1080/13603110701238769>] Cookie JX

**The rhizome is** presented as **a model of communication and of proliferation** (Morss, 2000). **We are neither trees nor binaries. We are rhizomes.** **This figurative visual term describes and prescribes non-hierarchical networks which may be seen in** politics, cognition, desire, love, parenting and **pedagogy** (Deleuze and Guattari, 1987). **Rhizomes are oppositional to trees which symbolise hierarchies, linearity and extreme stratification. Ignore trees. Think, instead, of weeds, grass, swarms and packs: Plants with roots or radicles may be rhizomorphic [plants]** in other respects altogether … Burrows are too, in all their functions of shelter, supply, movement, evasion, and breakout. **The rhizome itself assumes very diverse forms, from ramified surface extension in all directions to concretion into bulbs and tubers**. When rats swarm over each other. **The rhizome includes the best and the worst: potato and couchgrass, or the weed** (Deleuze & Guattari, 1987, p.7) **Hence, modernist discourse is flattened, its terrain reconceived: A rhizome has no beginning or end**; it is always in the middle, between things, interbeing, intermezzo. **The tree is filiation, but the rhizome is alliance, uniquely alliance.** The tree imposes the verb ‘to be’, but the fabric of the rhizome is the conjunction, "and...and...and..." This conjunction carries enough forces to shake and uproot the verb ‘to be’ …(Ibid, pp27-28, italics in the original) **‘To be’ (a product of old trees) is now replaced by the ‘to become…’ (of weeds). The rhizome is not singularly rooted but multiply interlinked and ever growing. The disabled learner is no longer a lacking subject nor a fixed entity. She is ever moving. A body no longer embodied. She is rhizome.** Write to the nth power, N-1, write with slogans: **Form rhizomes and not roots, never plant! Don't sow, forage! Be neither a One nor a Many, but multiplicities! Form a line, never a point! Speed transforms the point into a line. Be fast, even while standing still! Line of chance, line of hips, line of flight.** Don't arouse the General in yourself! Not an exact idea, but just as idea (Ibid., 1987, p 27) Rhizomes are more that just horizontal8 . **Rhizomes risk culminating in new hierarchies, paralyzing local production, reterritorialising the becoming body around a single root, around a new lack, a new subject** (Gregoriou, 2004, p234). **Once a rhizome has been obstructed, arborified, it’s all over, no desire stirs;** for it is always by rhizome that desire moves and produces. **Instead, the rhizome is constantly being produced, constantly becoming.** Following Carmody Hagood (2004, p143), **points on a rhizome always connect to something else; rhizomes are heterogeneous not dichotomous; they are made up a multiplicity of lines that extend in all directions; they break off, but then they begin again** (either where they were before or on a new line). They are not models but maps with multiple entryways. They are in the milieu9 . **There are exciting possibilities, consequences and actions for our rhizomatic learners and co-educators.** Using Bogard’s (1998, p72) Deleuzoguattarian plateau 1, we can note a key phenomena in relation to rhizomes; weaving. **Any point of a rhizome can and has to be connected to anything other. Rhyzomatic happenings involve the principles of heterogeneity, the production of composites and a language that reflects its own essential ‘disparateness’ and improvisational character.** This language is not closed in but: a writing of ‘the people’ not the ‘experts’ which ‘must engage substantive multiplicities and not allow itself to be overcoded into formal unities, binarisms which synthesis into totalities, and so on. To write [or to live] is to ‘weave (Ibid). Hence, **pedagogies should engage alongside learners who weave away, performing multiplicities of self, resisting over coding and the subtle forms of segregation brought about by assessment. And alongside this learner, the rhizomatic pedagogue cares for the ever-changing, ever moving, becoming learner.**

#### The rhizomatic pedagogy challenges and rejects notions of disability created by neoliberal marketization. Through reessemblage of the figure of the Child into the Body without Organs, spaces of education receive an opportunity of redemption to refuse standardization and normalization and create a just future for everyone.

**Goodley 3** [Goodley, Dan. “Towards Socially Just Pedagogies: Deleuzoguattarian Critical Disability Studies.” *Taylor & Francis*, 1 May 2007, <https://www.tandfonline.com/doi/abs/10.1080/13603110701238769>] Cookie JX

Moreover **becoming challenges the marketised product of being.** And **our ‘unable’, ‘deviant’ and ‘impaired’ beings – these trees of modern pedagogy – are not simply chopped down but burrow underground. Learners swarm and desire with their peers**. And they do so in particular ways: In a model in which **corporeality is no longer to be thought in terms of given and integral entities, but only as engaged in ever dynamic and innovatory linkages, bodies are neither whole nor broken, disabled nor able-bodied, but simply in a process of becoming**. And the point is that the process follows no set pattern, nor has any specified end. There are, then, no fixed hierarchies, nor predetermined limits on the nature or trajectory of the connections to be made. It is not that there is no distinction to be made between one corporeal element and the next, between one human body and another, or equally – for Deleuze and Guattari - between the human and animal, or human and machine, but rather that **becoming is a process of ever-new and always provisional points of coming together** (Shildrick and Price, 2005/2006, point 14, my italics). **Rhizomes also rupture organisms. Bodies explode.** **Deleuze and Guattari conceptualise desire as productive. While capitalism and psychoanalysis view desire as lack (in relation to consumers and instinctually driven subjects), Deleuze and Guattari view desire as productive (they are against the law of lack), intense, rhizomatic and becoming13. Therefore, becoming-students’ desires must be conceived as constantly being productive in the classroom.** For John Morss (2000), this sounds much like the stuff of resistance associated with the early writings of critical pedagogy. **It engages learning as already an expression of students’ power, energy and joy. It is not associated with a process of empowerment but of channelling and supporting (rhizomatically) this productive desire. These flows of desire ask us not to think of individuals**. Elizabeth St Pierre (2004) notes that **for too long we have used the grammatical ‘I’ as a linguistic index to produce ourselves as a certain kind of subject** (we learn how to think, want, believe, love from those given within society - “I think therefore I am”). **Many poststructuralist writers**, Harraway, Spivak, Derrida, Foucault, Butler **have confirmed the fragility of a subject whose legitimacy had become increasingly suspect: our problem is we produce ourselves as a subject on the basis of old modes which do not correspond to our problems** (Ibid). As Morss (2000) reminds us, **children’s bodies, the subject-matter of so much educational practice, are assembled and re-assembled in many and varied ways** (indeed assembly has been a daily ritual for many schoolchildren). We should also hunt out resistance. **The Deleuzoguattarian contribution to the poststructuralist destabilisation of the human subject is sustained in their illumination of the body without organs (BwO). The BwO is no longer a body subordinated by the mind, no longer an organic system, no longer a vessel that contains organs, but an assemblage of parts and organs, of actions, and flows**; it is a state that can never be reached, and it is what remains when you take everything away (Deleuze and Guattari, 1987, p166). **The BwO is conceived in ways that question[s] the hierarchical and systemic organisation of the organs; it is conceived in ways that open up to new connections, a body that is occupied and populated by intensities, flows and gradients; but only those intensities that can pass and circulate, are neither negative nor oppositional. Suddenly, impaired bodies and minds are no longer lacking entities but BwOs: the stuff of creative pedagogy: The will to be against really needs a body that is completely incapable of submitting to command. It needs a body that is incapable of adapting to family life, to factory discipline, to the regulations of a traditional sex life, and so forth.** (If you find your body refusing these ‘normal’ modes of life, don’t despair – realize your gift!) (Hardt and Negri 2000: 216, cited in Shildrick and Price, 2005/2006) **Rather than being viewed as the stuff of shame or deficit, these new ‘bodies’ and ‘minds’ promote opportunities for reconfiguring the classroom, the learning environment, the school, spaces and times of pedagogy. Bodies that refute normalisation are reconsidered in terms of their resistant possibilities: acts and experiments instead of assemblies and blockages.**

#### Disability controls proximate cause to and explains all other violence – treating those as inferior is only justifiable through the guise of disability.

**Siebers et al. 17**, Tobin, et al. (2017): Culture – Theory – Disability: Encounters between Disability Studies and Cultural Studies, Siebers began his career at the University of Michigan in 1980. He has authored ten books, including field-defining Disability Aesthetics (UM Press, 2010) and Disability Theory (UM Press, 2008). In 2004 Siebers was named the V. L. Parrington Collegiate Professor. Siebers was a Chair of the LSA Comparative Literature Program (currently the Department of Comparative Literature). In 2009, the University of Michigan Council for Disability Concerns presented Siebers with the James T. Neubacher Award in recognition of extraordinary leadership and service in support of the disability community. Siebers has been selected for fellowships by the Michigan Society of Fellows, the Guggenheim Foundation, the Mellon Foundation, and the Institute for the Humanities at the University of Michigan. Tobin Siebers passed away in January 2015. In March 2015, the University of Michigan announced the establishment of the Tobin Siebers Prize for Disability Studies in the Humanities "for best book-length manuscript on a topic of pressing urgency to Disability Studies in the humanities.", DOI: 10.14361/9783839425336-002 SJCP//JG

The use of disability identity as a prop to denigrate minority politics has a long and pernicious history on the right, although it is bewildering to find the usage alive and well in Butler, Brown, and other cultural critics on the left.5 (This surprising agreement between the right and left gives one small clue to the tenacious hold that ability as an ideology exercises over political thinking today.6 ) Indeed, the idea that the political claims made by people of color and women are illegitimate because their identities are disabled would be outrageous if it were not such a familiar and successful ploy. Historical opponents of political and social equality for women, Douglas Baynton shows, cite their supposed physical, intellectual, and psychological flaws, stressing irrationality, excessive emotions, and physical weakness, while similar arguments for racial inequality and immigration restrictions involving particular races and ethnic groups invoke their apparent susceptibility to feeble-mindedness, mental illness, deafness, blindness, and other disabilities (see Baynton 33). Moreover, disability remains today, Baynton explains, an acceptable reason for unequal treatment, even as other justifications for discrimination, based on race, ethnicity, sex, and gender, have begun to fall away. It is no longer considered permissible to treat minority people as inferior citizens, although it happens all the time, unless that inferiority is tied to disability. As long as minority identities are thought disabled, there is little hope for the political and social equality of either persons with these identities or disabled people, for there will always be one last justification for inferior treatment. There will always be the possibility of proving the inferiority of any given human being at any given moment as long as inferiority is tied to physical and mental difference. Moreover, that pain in itself leads to inferior identities, ones given to greater self-recrimination or frequent victimizing of others, relies on a fallacious psychological scenario prejudiced inherently against disability.7 Once touching a person, pain is apparently transformative, to all intents and purposes serving as an organic and natural cause whose psychological formation evolves with little variation according to the internal logic of the psyche. First, the psychology of pain links mental and physical suffering inextricably, and, second, it names pain, opposed to all other causes, as transformative of individuals, compelling them to withdraw into selfish, narcissistic, and anti-social behavior. Any attempt to sketch a political theory, especially of minority identity, based on this misleading psychology will produce the same predictable and deplorable results.

#### The judge has an ethical obligation to prioritize ableism in their impact calculus – Assumptions of ableism is always already inherent in any system of knowledge production thus ableism is *always* a prior question.

Campbell 13 (Fiona Kumari Campbell, Adjunct Professor in the Department of Disability Studies at Griffith University. Wednesday 27 November 2013. Problematizing Vulnerability: Engaging Studies in Ableism and Disability Jurisprudence. Keynote speech at Disability at the Margins: Vulnerability, Empowerment and the Criminal Law) Daiyaß

What is meant by the concept of ableism? The literature suggests that the term is often used fluidly with limited definitional or conceptual specificity. The work of Carlson (2001)5 and Campbell (2001) represented a turning point in bringing attention to this new site of subordination not just in terms of disablement but also ableism’s application to other devalued groups. **Ableism is deeply seeded at the level of knowledge systems of life, personhood and liveability.** Ableism is not just a matter of ignorance or negative attitudes towards disabled people; **it is a schema of perfection, a deep way of thinking about bodies, wholeness and permeability.**6 As such integrating ableism into social research and advocacy strategies represents a significant challenge to practice as ableism moves beyond the more familiar territory of social inclusion and usual indices of exclusion to the very divisions of life. Bringing together the study of existence and knowledge systems, ableism is difficult to pin down. Ableism is a set of processes and practices that arise and decline through sequences of causal convergences influenced by the elements of time, space, bodily inflections and circumstance. Ability and the corresponding notion of ableism are intertwined. **Compulsory ablebodiedness is implicated in the very foundations of social theory,** therapeutic jurisprudence, advocacy, **medicine and law; or in the mappings of human anatomy.** Summarised by Campbell (2001, 44) Ableism refers to; …A network of beliefs processes and practices that produces a particular kind of self and body (the bodily standard) that is projected as the perfect, speciestypical and therefore essential and fully human. Disability then is cast as a diminished state of being human. Writing today (2013) I add an addition to this definition: ‘The ableist bodily configuration is immutable, permanent and laden with qualities of perfectionism or the enhancement imperative orientated towards a self-contained improvability’. Sentiency applies to not just the human but the ‘animal’ world. As a category to differentiate the normal from the pathological, **the concept of abledness is predicated on some preexisting notion about the nature of typical species functioning that is beyond culture and historical context**. Ableism does not just stop at propagating what is typical for each species. An ableist imaginary tells us what a healthy body means – a normal mind, the pace, the tenor of thinking and the kinds of emotions and affect that are suitable to express. Of course these ‘fictional’ characteristics then are promoted as a natural ideal. **This abled imaginary relies upon the existence of an unacknowledged imagined shared community of able-bodied/minded people held together by a common ableist world view that asserts the preferability** and compulsoriness **of the norms of ableism.** Such ableist schemas erase differences in the ways humans express our emotions, use our thinking and bodies in different cultures and in different situations. This in turn enacts bodily Otherness rendered sometimes as the ‘disabled’, ‘perverted’ or ‘abnormal body’, clearly demarcating the boundaries of normal and pathological. A critical feature of an ableist orientation is a belief that impairment or disability is inherently negative and at its essence is a form of harm in need of improvement, cure or indeed eradication. **Studies in Ableism** (SiA)inverts traditional approaches, by shifting our concentration to what the study of disability **tells us about the production, operation and maintenance of ableism.** In not looking solely at disability,we can focus on how the abled able-bodied, non-disabled identity is maintained and privileged. Disability does not even need to be in the picture. SiA’s interest in abledness means that the theoretical foundations are readily applicable to the study of difference and the dividing practices of race, gender, location and sexual orientation. Reframing our focus from disability to ableism prompts different preoccupations: • What does the study of the politics of ‘vulnerability’ tells us about what it means to be ‘non-vulnerable’? • Indeed how is the very conceptualisation of ‘autonomy’ framed in the light of discourses of ‘vulnerability’? • In representing vulnerability as universal does this detract from the specificity of disability experiences? **SiA examines the ways that concepts of** wellbeing, **vulnerability and deficiency circulate throughout society and impact** upon economic, social, **legal and ethical choices**. Principally SiA focuses on the limits of tolerance and possessive individualism. Extending the theorization of disability, **studies in ableism can enrich our understanding of the production of vulnerability and the terms of engagement in civic life and the possibilities of social inclusion.** I now turn to unpacking the nuances and structure of a theory of ableism.