

# Is disability mere difference?

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## INTRODUCTION

Some philosophers and disability advocates argue that disability is not bad for you. Rather than treated as a harm, it should be considered and even celebrated as just another manifestation of human diversity. Disability is mere difference. To most of us, these are extraordinary claims. Can they be defended?

## DISABILITY AND QUALITY OF LIFE

What do people mean when they claim that disability is mere difference? This is not always clear. Surely, they cannot mean that *all* disabilities are mere differences. There are some disabilities that are so bad that life with them is plainly not worth living. Jonathan Glover reports the case of an infant born with a severe case of dystrophic epidermolysis bullosa, a genetic condition due to which any contact with the skin causes severe blisters and scarring. The condition can extend to the patient's digestive and respiratory tracts, resulting in constant, unbearable pain. Having to live with such a condition is worse than non-existence. Since death can be a benefit for someone in this condition, having this disability must be a harm.<sup>1</sup>

Or suppose there was a disability that causes no pain but cuts life short. Other than causing premature death, this imagined condition does not have any negative impact on quality of life. (*Real progeroid syndromes* also cause morbidity.) Surely, a person who has this imaginary disability and who wants to go on living would be harmed when she dies early because of it. And if dying prematurely when you want to live on does not harm you, then it is hard to see what does. Therefore, the claim that disability is mere difference cannot apply across the board. It must apply only to *some* disabilities.

One problem is that those who make the claim that disability is mere difference almost never add any qualifications. They do not seem to mean, for instance, that all disabilities are mere differences except for sufficiently severe cases of those disabilities—such that, for instance, short-sightedness could be considered a mere difference but complete blindness should count as a disability. Neither do they classify conditions according to whether they are disabilities or mere differences—such that, for instance, paraplegia could be considered a mere difference but multiple sclerosis that causes the same limitation should count as a disability. In defences of the mere difference view, there is usually no attempt to clarify which conditions the author has in mind. Typically, only some paradigmatic cases are discussed. Under the circumstances, the best that sceptics of the mere difference view can do is to focus on these paradigmatic cases in order to grant their opponents the strongest form

of their argument. I will follow this practice. If there are good reasons to think that disability is harmful in the paradigmatic cases, then there is surely no reason to accept the mere difference view in more extreme cases.

There are different reasons why someone might hold that disability is no harm. The following list introduces some of the arguments that may be used to defend the mere difference view.

One argument might be that people who live with disability do not consider their condition a disadvantage. Those who have no experience of disability are mistaken to believe that it is a harm to be disabled. They simply make an erroneous value judgement.

This argument rests on an empirical claim about how people with disabilities evaluate their condition. Evidently, it needs to be supported by social science showing that a sufficiently high proportion of those who have a particular disability evaluate the burden of that disability in a particular way. This needs to be shown for all relevant disabilities. I am unaware of such scientific findings. To be sure, there is a lot of evidence that people with a particular kind of disability evaluate the burden of that disability differently from others—often (but not always) considering it less bad.<sup>2</sup> But that is not the same as not considering it a burden at all. The best I can tell, there is no evidence for this more radical claim.

But even if there were corroborating results in social science, a problem would remain: it may be that it is the people with disabilities who do not consider their condition a harm that make the erroneous value judgement. On most plausible accounts of well-being, you can be mistaken about your own well-being.<sup>3</sup> So even if every person with disability considered their disability no harm, that would still not get you to the mere difference view—unless you also assumed that their evaluations are to be trusted. In the parlance of the social sciences, it would have to be the case that their evaluations are both reliable and valid.

This leads to a different argument. Perhaps the advocates of the mere difference view have some particular theory of well-being in mind—one that entails the proposition that disability is no harm. For instance, they might accept a simple version of hedonism, on which well-being consists in feelings of pleasure or happiness. On this sort of view, if other things being equal a person with a disability is just as happy as a person who is identical in all relevant respects except that she does not have the disability, then the disability is no harm. It is merely a difference between the two people.

I doubt that proponents of the mere difference view would want to defend their position merely as a by-product of some theory of well-being—



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let alone one that is as implausible as simple hedonism.<sup>4</sup> I suspect they want to argue that it is independent of philosophical theories of well-being and it is compatible with the range of the most plausible theories. (In any case, the fact that a theory of well-being entails the mere difference view, arguably, constitutes an argument against it—unless of course an independent argument is available for the mere difference view).

There are other arguments about well-being and disability that might be thought to provide a defence for the mere difference view. For example, it is a well-known phenomenon that many people who become disabled are able to adapt to their disability. Adaptation may take some time, and there may be conditions to which it is not possible to adapt. Nevertheless, after the adaptation process, many people consider their condition less bad than others do. In addition, people who are born with disabilities often evaluate their lives similarly to those who are not disabled.<sup>5</sup>

Therefore, perhaps an argument can be made that disability is not a harm because, at least after an adjustment period, people are able to adapt to it and lead lives that are no worse than those without the disability. Call this the *adaptation argument*.

Setting aside the worry that I noted above about the reliance on people's own evaluations, the problem with the adaptation argument is straightforward: adaptation is not always desirable or admirable. You can adapt to adverse circumstances by selecting new worthwhile aims and activities, by learning new skills, by developing effective coping strategies. Or you can adapt to adverse circumstances by giving up your aims and activities and by learning to find satisfaction in whatever is readily available. Adaptation by itself does not make life better. And it certainly does not support the idea that disability is no harm: even successful adaptation does not guarantee a good life.

A related claim that is often made in discussions of disability is this: being disabled enables you to develop abilities that other people lack, and hence on balance it does not cause any disadvantage. For instance, people who are deaf or blind may have other senses that are exceptionally acute; people who have limited mobility may excel in intellectual or artistic pursuits.

The idea is that any shortcoming caused by a disability may be compensated by advantages that are present only because of that very disability. People without the disability in question are unlikely to have similarly acute senses, artistic sensibilities or intellectual skills. As a consequence, the lives of people with the disability are no worse than the lives of those without it, even though the sources of their well-being are different. This is the *compensation argument*.

The compensation argument suffers from many problems. For one thing, it does not seem to be supported by empirical evidence. Even if some people can develop abilities to compensate for the harm of disability, this is unlikely to be true of most people; at least, the argument is undermined by the everyday, commonsense experience of disability that most people have. This claim, opponents will rush to point out, may simply reflect 'ableist' prejudice. Perhaps—but this objection cuts both ways: there is a notable lack of sound social scientific generalisations in this debate, and an abundance of reliance on single, anecdotal cases.<sup>6</sup> But anecdotal evidence is just that. If proponents of the mere difference view want to convince others, they need to do more than just to point to a few cases, ignoring the possibility that they may be unrepresentative.

But set all of these worries aside. Can the compensation argument provide the necessary support for the mere difference view? Plainly, it cannot. The mere difference view says that disability is no harm; the compensation argument makes the claim

that the harm of disability can be compensated by benefits that being disabled makes possible. The argument accepts that disability is a harm, it just insists it need not be a harm all things considered. This contradicts the mere difference view.

## DISABILITY AND SOCIETY

There is another approach that might be taken to defend the mere difference view. You might start from the argument that people with disabilities are more than just a collection of individuals who share some characteristics. They form their own unique culture. They might have shared interests, their own history (all too often, a history of discrimination and prejudice), their own language, their own institutions, and so on. These days, for instance, it is no longer controversial that there exists a unique deaf culture (or more precisely several deaf cultures).<sup>7</sup>

But from the fact that a group of people with a particular kind of disability constitute a unique culture, it does not follow that having that particular kind of disability is no harm. People who share some form of disadvantage can and often do participate in a unique culture within the broader society. There is no connection between the existence of disability culture and the mere difference view.

It might be thought that the connection between the mere difference view and the social aspects of disability is more complex. One view of disability has it that the causes of disadvantage for people with disabilities are primarily or perhaps entirely social. It is not the impairment or functional limitation, but the lack of inclusion and accommodation, as well as prejudice and other negative attitudes that are disabling people. This sort of view has become known as the *social model of disability*.<sup>8</sup>

It is not obvious what kind of connection there might be between the social model and the mere difference view. On the one hand, it seems that those who accept the mere difference view must be committed to a strong version of the social model: if disability is no harm in itself, yet people with disability are disadvantaged, then the disadvantages must have social causes. On the other hand, accepting the social model does not necessarily commit you to the mere difference view: you might accept that the impairment or functional limitation underlying disability is a harm, yet maintain that the disadvantages that turn an impairment into a disability are primarily social.

Thus, you can take a stronger view about the connection—one on which the social model is an implication of the mere difference view. In this case, you cannot defend the mere difference view by appealing to the social model of disability since the implication runs the other way. And if you take the weaker view about the connection, then you have conceded from the start that the social model provides no support for the mere difference view.

## THE INDIRECT STRATEGY

Here is a pair of arguments commonly used against the mere difference view. If it was true that disability in itself is no harm, then it would be permissible to cause disability, and, similarly, it would be impermissible to prevent or remove disability. Since it is surely impermissible to cause someone to be disabled, and it is surely permissible to have someone's disability prevented or removed, disability cannot be a mere difference. Hence, the mere difference view is false.<sup>9 10</sup>

In response, defenders of the mere difference view can try to show that even if disability is mere difference it does not follow that it is permissible to cause disability, and it does not follow that it is impermissible to prevent or remove disability. The

mere difference view does not have these implications. Rather, it is impermissible to cause disability, and permissible to prevent and remove disability, for other reasons. This indirect line of argument is developed by Elizabeth Barnes.<sup>11</sup>

This is the first argument in the pair of arguments:

1. If disability is mere difference, then you do not make a person worse off by causing her to be disabled.
2. If you do not make a person worse off by causing her to be disabled, then it is permissible to cause her to be disabled.
3. But it is not permissible to cause a person to be disabled.
4. Therefore, disability is not mere difference.

The problem with this argument is that there is a hidden premise:

(1') If you do not make a person worse off by doing something  $\Phi$  to them, then it is permissible to  $\Phi$ .

Needless to say, (1') is false. Even if you would not make a person worse off by doing  $\Phi$  to them, it might still be impermissible to  $\Phi$  for some other reason. For instance, to  $\Phi$  would be to violate their autonomy. Or to  $\Phi$  would be impermissible because even if *being* disabled is no harm, *becoming* disabled is. Or, more plausibly, it would be impermissible because causing someone to be disabled is *unjustified interference* with that person's life.

This reply is plausible because it accords with the way most of us regard differences that *are* mere differences: differences in gender, race, sexual orientation, and so on. If you set aside disadvantages that are socially caused, it is clear that being a man or a woman, black or white, straight or gay are no harms in themselves. They are mere differences. But even though they are mere differences, it does not follow that it is permissible to cause a woman to become a man, a black person to become a white person, or a gay person to become straight. To do so would be unjustified interference with the person's life. And, according to the indirect strategy, the same applies to disability.

Two remarks are in order at this point. First, strictly speaking this line of argument falls short of providing a defence of the mere difference view. For even if causing disability is impermissible because it is unjustified interference, it does not follow that this is the only reason for which it is impermissible. It might be that, in addition, it is impermissible because causing someone to be disabled is to cause them harm. So the argument is not conclusive, even if it can go some way towards defending the mere difference view.

Second, suppose that someone consents to your acting in a way that will disable that person. In this case, you have their permission to cause them to be disabled. Your acting in this way is not unjustified interference. Yet even in this case many of us would hesitate to agree that causing disability is permissible. At the very least, we would want more details. And our hesitation may reflect the fact that causing disability is to cause someone serious harm, and therefore requires further justification even in the presence of consent.

But let us set these considerations aside. Let us suppose that the indirect strategy succeeds in undermining the objection that if disability is mere difference then it is permissible to cause disability. Mere differences are not harmful, yet it is impermissible to cause them. If disability is mere difference, it may have the same feature.

What about the second argument in the pair of arguments? This is the objection that if disability is mere difference then it is impermissible to prevent or remove it. But it is clearly permissible to prevent or remove disability. Hence, it is not mere difference.

In the case of mere differences like gender, race or sexual orientation, most of us would agree that it would be unjustified

interference to remove or prevent the development of one or the other characteristic. Even if it was possible, it would be impermissible to prevent a child from growing up to be straight or gay, or to remove some feature (whatever it might be) that is responsible for their sexual orientation later in life. The same would be true of choices (were they possible) that interfere with other characteristics that are mere differences. While there may be very few actual possibilities to prevent or remove characteristics in the paradigmatic cases of mere differences, we do seem to have the moral intuition that it would be wrong to do so.

And this is where the indirect strategy breaks down. No such intuition is available in the case of disability. Other things being equal, it would not be *unjustified* interference to remove or prevent a disability. Of course, doing so might be wrong for other reasons—perhaps you do not have the person's consent, when it is both possible and required to obtain it. But the indirect strategy aims to provide a readily available, alternative general explanation for the permissibility of preventing or removing disability. It aims to show that there is another way to account for the moral intuitions that people have. But the problem is that there is no such alternative when it comes to the case of preventing and removing disability.

An example may help. Suppose you are a surgeon and an unconscious accident victim is brought in to the emergency room where you work. Unless you operate on her, she will become disabled. Surely, you ought to operate on her, even in the absence of consent. What explains this? Most of us would say that it is the moral belief that other things being equal it is wrong not to prevent disability.

Now suppose that the accident victim is conscious and does not give you her consent. She says she wants to become disabled. Even in this case, the lack of consent does not automatically make operating on her impermissible. At the very least, it raises an issue about her competence. What explains this? The moral belief that other things being equal, it is wrong not to prevent disability.

The indirect strategy does not reject this moral belief. What its proponents must do, instead, is to provide an alternative justification for it—one that does not appeal to the idea that disability is harm. But as far as I can tell, no such justification has been given. Barnes, astoundingly, simply gives up the indirect strategy halfway through the argument. She suggests that defenders of the mere difference view should simply dig in their heels and insist that preventing and removing disability would be unjustified interference. To deny this, she adds, is 'ableism'. But this is begging the question. It is like trying to have your cake and eat it too. If you want to defend the mere difference view by using the indirect strategy, you should not abandon it halfway through the argument.

The second of the pair of arguments, therefore, stands. If disability in itself is no harm, then it would be impermissible to prevent or remove disability. Since it is surely permissible to prevent or remove disability, and given that there is no readily available alternative explanation of this moral intuition, it follows that disability cannot be mere difference. It is a harm.

## CONCLUSION

Defenders of the mere difference view argue that disability is not unlike gender, race or sexual orientation. Just as these other differences have been the object of bigotry and prejudice, disability has often been the object of 'ableist' discrimination and prejudice.

There is undoubtedly still a lot of prejudice and discrimination towards people with disabilities. There is undoubtedly still a great deal more that societies could and should do to

accommodate and to support people with disabilities. None of what I have said in this paper should be taken as a defence of prejudice or discrimination. What I have tried to show is that no argument has been put forward so far that can successfully defend the mere difference view. There is no reason to give up just yet the view that disability is harm.

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