

THE NEW DISABILITY RHETORIC: CHAIM PERELMAN AND THE  
ARGUMENT FOR JUSTICE IN DISABILITY STUDIES

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## DEDICATION

For my wife, Arielle, and my daughter, Emily. Your love, support, and never-ending patience were unquestionably the greatest contributors to the completion of this process. I cannot ever thank you enough for that support.

For Dr. Randall L. Popken who showed me what it means to be a scholar and professional. The love you had for and the pride you took in both have set a bar that cannot be reached, but it will be a pleasure and an honor to strive for it each day.

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ABSTRACT  
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This study examines the effects of the application of Chaim Perelman's theories of argument, rhetoric, and justice to the burgeoning field of disability studies. Perelman's most commonly-known text, *The New Rhetoric*, has drawn praise for the ambition demonstrated in its extensive analysis of the techniques of argument as well as criticism for being too narrow in scope – focusing only on technique at the expense other potential contributions to the field. Similarly, disability studies has been identified by some members of the academic community as merely another action group seeking self-serving ends rather than true contributions to the community as a whole. This dissertation explores ways in which Perelman's ideas and disability studies can be enriched through collaboration extending throughout academia as well as the general society. In particular, this study focuses on the concept of justice. The dissertation explores ways that efforts to promote social justice can be bolstered through the application of Perelman's argument theory to arguments presented by and on behalf of people with disabilities. Individual texts will be examined in light of specific argumentative concepts and techniques affecting the movement toward increased social justice.

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## CHAPTER I

### INTRODUCTION: WHAT'S SO *NEW* ABOUT *THE NEW RHETORIC*?

In 1958 Chaim Perelman and Lucie Olbrechts-Tyteca<sup>1</sup> published *The New Rhetoric: A Treatise on Argumentation*, claiming that their work was one “devoted to...the ancient tradition of Greek rhetoric and dialectic,” signaling a break from the last three centuries of Western philosophy (1). For Perelman, the previous three hundred years of rhetorical study had been inappropriately and dangerously dominated by the ideas of René Descartes (1596-1650)—specifically, his rejection of all things plausible or possible. According to Perelman, Descartes’ focus on removing plausibility from reason cemented “self-evident [as] the mark of reason” (1).

So strong was Descartes’ belief in approaching all matters with a scientific perspective that in 1637 he published a work designed to explore the need for a more scientific approach to human reason -- *A Discourse on Method*. In the opening passages of this work, Descartes claims that there are as many opinions in the world as there are learned men, but there is only one “Truth” (8). Because Descartes held so firmly to this notion of Truth, his only concern was the constant pursuit of it, washing from his mind anything that could not be definitively labeled as True. In his own words, Descartes “ought to reject as absolutely false all opinions in regard to which I could suppose the

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<sup>1</sup> While Lucie Olbrechts-Tyteca’s work in the creation of *The New Rhetoric* was vital, the focus of this dissertation is the theories regarding argumentation presented by Perelman, and not the specific examples provided by Olbrechts-Tyteca’s extensive research. Therefore, for the sake of clarity, all future references to the authors of *The New Rhetoric* will be limited to mention of Perelman.

least ground for doubt” (26). For Perelman, this acceptance of only the self-evident as “characteristic of reason,” completely altered the definition of human reason (3). If self-evidence is the only element of reason, then the human mind is simply beholden to this one, great Truth and must bend to its will upon realizing its self-evidence. Perelman, however, believed that human action and interaction were influenced in many other ways that were being ignored by philosophers such as Descartes because they did not involve self-evident truths.

While Descartes made his claims of reason and self-evidence three centuries before the birth of Chaim Perelman, Perelman was convinced that certain events of his life could be linked to Descartes’ ideas. Because rhetorical history and the experiences of his own young adult life were at the center of Chaim Perelman’s study, it is important to frame any significant examinations of his work with these contexts.

## EARLY LIFE

Chaim Perelman was born in Warsaw, Poland, on May 20, 1912. As a high school student, Perelman was exposed to rhetorical study through a course called “Elements of Rhetoric.” This course was composed of two separate parts -- one focused on logic and syllogisms and the other on “language devices such as tropes and figures of speech” (Gross and Dearin 1). While the course presented these concepts as separate sections, even at this early stage in his education, Perelman saw great potential for the combination and interaction of the two fields of study. Upon his completion of secondary school, Perelman attended the Free University of Brussels. While there, he was particularly

intrigued by the ideas of one professor, Eugène Dupréel, a sociologist who argued that human grouping was often the result of shared values, and that “moral standards reflect the way a society evaluates specific actions” (Gross and Dearin 1). Dupréel’s perspectives on value judgments and human interactions clearly had an impact on Perelman, evidenced by the fact that Perelman’s first four scholarly publications (all published by the age of 21) focused on ideas relating to value judgments and social standards. The intersection of logic and philosophy stayed firmly at the center of Perelman’s study as he completed a doctorate in law in 1934 and a doctorate in philosophy in 1938 (Gross and Dearin 2).

Resistance to Perelman’s focus on the role of value judgments did not come only from his predecessors in philosophy or those who focused their rhetorical studies only on delivery and oration. Even voices as prominent as Albert Einstein’s warned against the consideration of value judgments in social interaction. In fact, in 1940 Einstein stated that if a man were to argue for the goal of eradication of all humans from the planet, it would be impossible to refute his claims on the basis of value judgments. If arguments based on values are so ineffectual as to fail to convince an audience of the necessity of sustaining human life and existence on the planet, what reason is there for the continued study of value judgments as an integral part of the human experience (Gross and Dearin 2-3)? Of course, the great irony of this statement is that a would-be dictator was, at that very time, proposing arguments that were intended to result in the eradication of at least one race of people from the planet. Hitler’s success in argumentation, according to Perelman, was

due in large part to the fact that centuries of downplaying the role of value judgments and argumentation had provided opponents with no way to refute his logic.

As a Jewish man living in Belgium, Perelman saw clear displays of Nazi domination. Both he and his wife were forced to wear the yellow Star of David, and Perelman witnessed the capture of fellow Belgian Jews, which he knew would ultimately lead to their deaths. With their own lives in danger, however, Chaim Perelman and his wife, Fela, refused to sit idly by while thousands were being killed. They became members of a number of organizations, several of them actually formed by the Nazis to regulate Jewish behavior. While his titles and official job descriptions might have labeled Perelman a traitor to his people and a co-conspirator to the Nazi party, Perelman used his position to smuggle both information and prisoners (Gross and Dearin 3-5).

#### EFFECTS OF LIFE EXPERIENCES ON SCHOLARSHIP

Chaim Perelman's concern with the destruction caused by the Nazis did not end with the September 3, 1944, liberation of Brussels, however. While the nightmare of Nazi rule may have ended in his home country, Perelman was not convinced that what he and millions of others had endured was a single, once-in-history event, but rather the result of a culmination of myriad events and circumstances – many of which had not been eliminated even by the defeat of the Nazi forces. Even before the liberation of Brussels, Perelman had resumed his philosophical studies, now with a particular focus on justice, which he would later refer to as a “confused notion” (qtd. in Gross and Dearin 5). As Perelman continued to read the works of both his predecessors and contemporaries, he

found countless examinations and discussions of justice, but never did any particular, accepted system of justice emerge from these generations of exploration and debate. Therefore, Perelman made the pursuit of such a system the goal of his work. The first fruits of that labor came in 1945 with the publication of *De la Justice*, an 84-page investigation of what Perelman called the “rule of justice.”

Perelman’s goal of creating a rule of justice would eventually lead him to undertaking a much more exhaustive examination of the subject than could be presented in an article or even an individual treatise. It is out of this desire that *The New Rhetoric* (1958) was born.<sup>2</sup> According to Max Loreau, Perelman’s goal in the creation of *The New Rhetoric* was “to produce an instrument capable of achieving in the realm of values results exactly analogous to those pursued by analytical reasoning in the domain of the exact sciences” (456). Perelman believed this to be possible because he believed philosophy, values, and logic were not as incompatible as Descartes and others had been claiming for the previous three centuries. In fact, in a 1940 publication titled, “Un Conception de la Philosophie,” Perlman states that “[the] philosophical method has the same logical structure as that of science. It consists of deducing from certain principles and from certain definitions. . . a set of consequences, and of comparing, as far as possible, these consequences with the facts” (qtd. in Gross and Dearin 2).

While Perlman’s personal and scholarly investments in rhetoric can be understood based on his concerns that rhetoric had been miscast—to the detriment of both rhetorical

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<sup>2</sup> *The New Rhetoric* was first published in English in 1969 by University of Notre Dame Press.

studies and those of logic and reason—the question still remains as to why Perelman places such importance on the study of values in argumentation. A portion of this answer can be found in the concluding chapter of *The New Rhetoric* in which Perelman shifts the discussion away from particular types of arguments and back into a macro analysis of the book’s purpose. According to Perelman, through the “combat [of] uncompromising and irreducible philosophical oppositions presented by all kinds of absolutism,” his work wishes, “to save the norms of human action from arbitrariness and irrationality” (510, 512). Prior to the publication of *The New Rhetoric*, Perelman believed such goals to be unfulfilled due to both a failure to develop “a logic of value judgments,” combined with the lack of a meaningful definition of value judgments and their role in reality and human interaction (512).

The results of these deficiencies of study, for Perelman, were not only catastrophic to their respective scholarly fields, but, as history had already demonstrated, potentially fatal – both to individuals as well as to humanity in general. Therefore, Perlman called for a study of argumentation that is “neither compelling nor arbitrary” as the only way to give true meaning to “human freedom, a state in which a reasonable choice can be exercised” (New 514). The current system of defining reason did not provide humans with the opportunity to actually make choices. A world defined by self-evidence and predetermined norms that must dictate thoughts and actions did not allow for true freedom of choice. In fact, if human freedom were ever to be exercised, it would have to come at the expense of the system of reason that should have determined the

outcome. This would make human choice completely defiant of reason and logic, which Perelman considered to be anything but a truly free existence. Because the system of logic and self-evidence currently accepted did not fit with Perelman's beliefs concerning human reason and choice, he proposed a system that placed its focus not on the self-evident Truths of reality, but rather on "the possibility of a human community in the sphere of action" (514). This focus on the shared values of the community and the actions taken by individuals in response to arguments based on those values was to become the new central theme of Perelman's "new rhetoric."

#### APPLICATION OF PERELMAN'S SCHOLARSHIP TO THIS INVESTIGATION

Chaim Perelman believed that the freedom of both communities and individuals was determined by their ability to reason, and that their ability to reason unquestionably included their successful negotiation of many communal and individual systems of values. It is the goal of my investigation to ensure that the value judgments demonstrated by both individual orators and the communities in which and to which they are communicating remain at the center of the examinations. The intention is to provide not only a greater understanding of individual arguments and circumstances, but also an increased awareness of the ways in which these situations and events reflect the role of rhetoric and value judgments in humanity's everyday struggle to define and determine freedom. The particular subject matter of these arguments and the community to which they belong, disabilities studies, receive great attention to reach appropriate understanding concerning the values of the communities and individuals represented.

However, the ultimate goal of this study is not solely to increase understanding of this community, but rather to take from such an investigation a greater awareness of the role of rhetoric and value judgments present in modern argumentation and human interaction.

## JUSTICE

While some may consider Perelman's choice of study in both the fields of law and philosophy to be a rather odd paring, there are a number of clearly-defined threads running throughout and connecting these seemingly disparate fields. The most prominent and significant of those threads, for Perelman, is the notion of justice. Promoting and providing for just treatment of others was at the heart of each of these fields. This shared focus on justice so strongly linked these two fields that many of Perelman's writings dealt with them simultaneously. Two examples of such works are *The Idea of Justice and the Problem of Argument* and *Justice, Law, and Argument: Essays on Moral and Legal Reasoning*.

Before embarking on in-depth analysis of justice in the legal realm, Perelman claims that we must work toward an agreement concerning the definition of justice. Once again, Perelman draws a distinct line between himself and many of his predecessors by stating that relying too strongly on scientific methods of study regarding human interactions has caused scholars to avoid discussion or debate regarding a term's definition. For Perelman, scientific approaches to such topics cause scholars to strive only for consensus regarding foundational ideas and definitions. It is more important to agree

on one definition and move on than it is to struggle and debate the merits of opposing views of that definition (*Idea 3*).

To avoid making that same mistake, Perelman opens his book *The Idea of Justice and the Problem of Argument* by proposing a number of potential definitions of justice, including, “1. To each the same thing./ 2. To each according to his merits./ 3. To each according to his works./ 4. To each according to his needs./ 5. To each according to his rank./ 6. To each according to his legal entitlement” (7). After a brief description of each definition, Perelman makes the final conclusion that while these ideas may differ in a number of ways, there does seem to exist one common denominator. Therefore, Perelman proposes that abstract justice be defined as “*a principle of action in accordance with which beings of one and the same essential category must be treated in the same way*” (16).

While this definition, for Perelman, does help to solidify concepts of justice, it raises a completely new debate as to what can or should be considered “essential” about an individual or a community. Perelman wrestles with this new conundrum in his book, but many elements seem under-explored. For instance, Perelman says that any persons sharing an essential characteristic can be considered to be of the same essential category. He does not, however, consider who will be charged with determining what characteristics are essential and/or which people seem to demonstrate them. Will those characteristics be determined by members of the group in question, or will they be labeled as such by members outside of that community? Because Perelman’s

investigations deal with the law, one can assume that lawmakers and members of the court will have final say in this matter, but because Perelman himself refers to these as matters of “abstract” justice, it seems that a response of nothing more than, “let the courts decide,” is incomplete. Lisa Ede codifies a range of criticisms of Perelman’s ideas with her claim that even with his discussions of the universal audience, Perelman seems “unable entirely to free himself from the conventional rationalist model of argumentation” (118).<sup>3</sup>

This gap in Perelman’s ideas provides further justification for the application of disabilities studies to Perelman scholarship. As will be discussed, a central focus of disabilities studies is the definition and construction of individuals and communities. Disability scholars such as Simi Linton have, for years, placed at the center of their scholarship the notion that bodies are defined and valued based on social perceptions and norms.<sup>4</sup> These norms often define those characteristics that are “essential” to the body, and therefore create interpretations of how a body should be perceived, and ultimately into which communities it can and cannot claim membership. Perelman’s failure to demonstrate awareness of such issues of social construction and identity can be attributed to a number of causes. Of course, Perelman’s work must be examined within its historical context. Disability and identity studies as they exist today were certainly not at the center of scholarship produced during the middle of the 20<sup>th</sup> Century. Also, Perelman focused

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<sup>3</sup> Antonio De Velasco’s “Rethinking Perelman’s Universal Audience: Political Dimensions of a Controversial Concept” opens with a concise cross-section of the criticisms of Perelman’s universal audience. Further discussion of this concept and Velasco’s work will be provided in Chapter III.

<sup>4</sup> Such claims can be found in Linton’s seminal work, *Claiming Disability: Knowledge and Identity*, which will be examined in Chapter III.

much of his scholarly attention on the court-room and legal definitions of topics such as community and essential characteristics. Such juridical analyses would rarely be expected to address concerns of social construction or societal identity politics. These limitations of time and scope in Perelman's work provide excellent opportunities to apply more socially conscious scholarship in an attempt to further our understanding of the role of reason and logic in argumentation and human interaction.

While difficulties with terminology and general social awareness may seemingly limit opportunities for application of Perelman's analyses of justice to a juridical setting, at times Perelman himself extends his exploration of concepts outside the courtroom. For example, Perelman strives to note the difference between formal justice (the rule of law) and equity. In doing so, he once again calls upon the notion of "essential characteristics" that, as mentioned, are problematic for fields such as disability studies. In his discussion of equity, Perelman claims that equitable decisions are made when one essential characteristic is given priority over all others and when, in turn, this characteristic is provided fair and equal treatment, even at the expense of all others (*Idea* 31). To develop this point, Perelman cites American arguments for the abolition of slavery. According to Perelman's theory, it mattered not whether one considered dark-skinned humans to be of equal value as light-skinned ones. The one, primary essential characteristic of African Americans was their humanity. Therefore, even if providing equal rights and protections to black people violates the claim that they were not to be valued as equal to light-skinned people, there was simply no way to deny basic civil rights to African Americans

in light of their possession of the essential trait of humanity. According to Perelman, equity “tends to diminish inequality” in situations in which formal justice cannot be applied (32). Granted, this definition and example of equity still contains problematic concepts such as the determination of what is essentially representative of particular communities, but it does reveal Perelman’s perspective that his concepts of justice and equity could be applied to circumstances ranging beyond the courtroom. Evidence of Perelman’s own willingness to expand his scholarship outside of juridical study provides an important justification for continued applications of those ideas in various fields.

The use of examples from outside the courtroom is not the only, or even the strongest, argument for application of Perelman’s scholarship other fields. Later in *The Idea of Justice and the Problem of Argument*, Perelman himself notes the “kinship existing between justice and the requirements of our reason” (40). Justice, he claims, cannot be determined without “conformity with a chain of reasoning” (40). In the case of formal justice, that reasoning comes through syllogisms connecting and defining relationships between particular laws, circumstances, and the acts through which those laws are enforced and/or defended. The extent to which any individual part of this system is just is determined by how true it remains to the syllogism when applied to specific circumstances. When these “chains” are broken, the legal system can no longer claim to be just. Therefore, for Perelman, one cannot fully understand the scope or effectiveness of the legal system without the use of “practical reason” (40).

Perelman's acknowledgment that not all questions of justice can be defined and limited by the formal rules of law is an important one, because it leads him to address the possibility of achieving the self-evident truths that were central to the claims of previous scholars. Perelman claims that "[only] a very simple-minded rationalism supposes reason capable of discovering self-evident truths and unquestionable values" (*Idea* 57). As stated, the extent to which an act is just is relative to the rule upon which it is based, and the rule is only considered just relative to the values it serves within the larger communal system (57). Such an assertion certainly defies the perception of logic that had been accepted for the previous three centuries. Perelman's definition of justice, both formal and abstract, is based upon a syllogistic relationship connecting the community, the rule, and the act of enforcement of that rule. To achieve justice, the syllogism must be based on the agreed-upon values of the community as the only accepted truth. Scholars such as Peter Ramus, have made clear rejections of such systems based upon anything other than scientific methods and reasoning. According to Ramus's *Arguments in Rhetoric Against Quintilian* (1549), the syllogism is nothing more than a strategy for arranging arguments based upon a scientific hypothesis. Ultimately, the question or hypothesis must stem from some sort of proven, inarguable fact. It cannot, as Perelman and numerous classical rhetoricians before him assert, be the result of an accepted value. In fact, according to Ramus, the introduction of a syllogism cannot even be considered an argument. Simply proposing a syllogism does not make an argument. It only functions to aid in the

arrangement of an argument which must be capable of claiming some sort of basis in Truth (122).

Perelman rejects definitions of argumentation such as those presented by Ramus, believing that such claims neglect the “role of decision in the working out of ideas” (*Idea* 97). When this process is replaced solely by concrete data and inarguable assertions, the potential for injustice and dangers like those presented by the rise of the Nazis becomes too great. Therefore, for Perelman, the creation of a truly just system must begin with an understanding of the role of argument and reason.

Even at this early stage in the study, it is clear that for Perelman the accepted system(s) of argumentation present in a community, be it the court system or a larger national or cultural community, play an integral role in defining and implementing the values of that community in the everyday lives of its participants. It is my belief that an in-depth analysis of the arguments being made by and on behalf of people with disabilities contributes significantly to our awareness of the ways in which this society’s values are formed, bolstered, questioned, and/or defied by the types of arguments made for social justice within the field of disability studies. These insights can serve both the academic and public spheres by not only raising awareness of the existing process of marginalization and empowerment, but also by revealing the ways in which future arguments can be structured to increase the likelihood that they will be received in the manner intended by the rhetor.

#### PERELMAN’S THEORY OF ARGUMENTATION

While the previous section demonstrates Perelman's work to apply reason, logic, and argument to the legal system in an effort to ensure a just interpretation and application of the law, it is necessary to further explore how his work moves beyond the courtroom in an effort to promote a more a more just system of rhetoric and argument in the culture at large. To do this, the following discussion aims to more fully contextualize Perelman's work within the frame of rhetorical history, revealing the ideas he strove to refute as well as those from which he borrowed and upon which he built his own theories.

Rather than accepting the popular notion that had dominated the rhetorical landscape for centuries of reason defined only as self-evident, Perelman proposes a "theory of argumentation [as] the study of the discursive techniques allowing us *to induce or to increase the mind's adherence to the theses presented for its assent*" (4). Compared to the ideas of Descartes, Perelman's proposed study completely shifts the focus of argumentation and the study of reason. While Descartes wanted to focus solely on the Truth and how it made itself evident to humans, Perelman places his focus on the process by which people strive to convince one another of Truth. Ultimately, for Perelman whether the rhetor actually had any legitimate claim to Truth is irrelevant. What matters is the ways in she strives to convince an audience and the eventual effectiveness of the approach.

Clearly, Perelman's work calls for argumentation scholars to shift their focus from the ideas of Descartes. But as the introduction to *The New Rhetoric* makes clear, Perelman's concern is not simply his disagreement with one scholar, but rather with the

direction argumentation study had taken in the recent centuries due to Descartes' claims. Thus, it is important to note some of the notions of argumentation to which Perelman reacts.

Although philosophers such as Descartes devalued and even eliminated argumentation from the process of reasoning and persuasion, according to Perelman, the acts of persuading and convincing were arts, and there were clear techniques involved in the process of deliberation and discussion (5). Because these arts and techniques are such vital parts of human interaction, it is imperative that they be studied with the type of focus and intensity applied by the ancient Greek and Roman scholars. However, during the Renaissance, philosophers such as Peter Ramus turned focus away from reason and persuasion, labeling them as elements of philosophy, not rhetoric. Rhetoric was thus reduced to simply style and delivery, in no way involving examination of the soundness of one's argument or the process by which its claims to Truth were developed.

Ramus opens his *Arguments in Rhetoric Against Quintilian* (1549) by claiming that any definition of rhetoric that contains more than style and delivery oversteps the boundaries of that particular art. According to Ramus, all artists must be described within the limitations of their particular arts. To go beyond such a definition of the artist is both "superfluous and defective" (84). In Ramus' view, these errors have been made by Classical rhetoricians such as Quintilian and Aristotle who include in their definitions of rhetoric any acts of invention, and certainly those that have been developed through dialectic processes. Such processes of invention fall within the realm of philosophy, and

the orator's only relation to them is his decision as to how to deliver the Truths that have been developed through philosophical reasoning. This process of reasoning was not worthy of further examination because reason is a "general [gift] bestowed by nature upon man" (Ramus 86). Because every human can claim the ability to reason, Ramus does not feel that the orator plays any role in persuading someone toward any belief or action. The orator can simply present an argument through whatever style he should chose, and then the hearer will employ her natural gift of reason to discern to what degree it is True. Because the ability to reason to Truth is innate in all humans, the moral character that Quintilian believes to be integral to the great orator is also deemed irrelevant by Ramus. Any movement toward persuasion or Truth will be initiated by the hearer's ability to reason, and is only slightly, if at all, affected by the argument of the orator. Ultimately, it is the belief of Ramus that Aristotle, Cicero, and Quintilian have managed only to "entangle the arts of invention" and overstate the role and value of rhetoric in the scope of human interaction (110).

While Ramus' claims that reason is not an element of rhetoric went a long way toward devaluing the study of rhetoric and argument, his were certainly not the only ideas to have such an effect during the Renaissance. Francis Bacon also called into question the role of reason by expressing concern that human reason is too easily warped by perceptions and/or personal preconceived notions concerning an issue. Throughout Book I of *Novum Organum*, (1620) Bacon describes the "Idols" that threaten the infallibility of human reason. These Idols are labeled the Tribe—founded in human nature, the Cave—

founded in each individual human, the Market-place—resulting from interactions with other humans, and the Theatre—resulting from demonstrations or representations not bound to the realities of the physical world (213-8). While Bacon does not go to the lengths of Descartes in attempting to provide strategies for dealing with the existence of these Idols and their effects on reason, he does seem to stress the need for observation and experience to avoid personal biases that could hinder learning. This encouragement to seek knowledge and understanding through personal experience and experiment works to reduce the potential for one's ideas or actions to be swayed through argumentation. In fact, according to Bacon, allowing the words of an orator to sway one's beliefs makes that person quite susceptible to the Idol of the Market-place.

For Bacon, the Market-place presented dangers not only due to the potential misperceptions of the orator, but also as a result of the ambiguity of language. Sections LIX and LX of Book I focus on language's potential to create misunderstandings. Throughout these sections, Bacon explores the process of naming concepts and identifying or defining objects through words. Ultimately, he finds this system to be so arbitrary and wrought with opportunity for misunderstanding that there is no way that the ideas communicated through language can ever be viewed as infallible or truly reliable (233-7).

Bacon's concern that language holds too great a potential to alter the nature of the ideas it is supposed to represent is echoed during the Enlightenment period by John Locke. Like Bacon, Locke examines the way that humans perceive the world as a

fundamental element in their understanding of Truth. As Locke explains in Book III of *An Essay Concerning Human Understanding* (1690), because these perceptions and experiences are at the heart of human understanding, to truly communicate with one another we must be able to accurately represent these experiences. Words are arbitrary signs that can too easily be misused or simply hold differing connotations within the minds of their users to ever be trustworthy vehicles for the transmission of True ideas and experiences (202). In fact, Locke further complicates the issue by claiming that not only can complex ideas be interpreted in different ways between multiple people, but even the same person is capable of perceiving an idea differently after the passage of time from the original experience (237).

Certainly pages, or more accurately books, could have been and have been written further detailing the specific arguments made by these and other scholars of their era as well as the implications of those claims. For the purpose of this study, however, the intention is simply to pin-point a number of the pivotal moments in the history of rhetorical study that served to remove reason and argument from the purview of rhetoric. Philosophers such as Descartes played significant roles in this transition by working to redefine reason as only those processes which could be studied and evaluated through science and experimentation. Bacon and Locke further devalued argumentation in reasoning by calling into question the process of communication through language and claiming that it only serves to obstruct the passage of ideas and falsify perceptions and experiences.

With the ability to reason through argument or even accurately convey knowledge through language so greatly weakened, it only makes sense that the coming eras of rhetorical study would see a dramatic shift in perception pertaining to argument and the role of the orator. One such change that occurred later in the Enlightenment period was the rise of elocutionists such as Thomas Sheridan. Now that language was not seen as an integral part of the creation and transference of knowledge, the opportunity to evaluate an orator's effectiveness became quite limited. For Sheridan, the scope narrowed to only a concern with correct use of the language and focus on the art of speaking. So important was this need for correcting the language that he developed a lecture course in 1803 entitled *Lectures on Elocution*. Sheridan's lectures were not limited to simply listing grammar and usage rules, however. He also believed that non-verbal communication played a significant role in the delivery of successful orations, and he was far from the only scholar of his era to hold such an opinion. Gilbert Austin's 1806 publication *Chironomia* provides in-depth analysis of vocal patterns used when delivering addresses as well as diagrams detailing the uses and movements of the body that can best serve to engage the audience in the address. None of these examinations is concerned with the messages conveyed by the orator or the processes by which they could appeal to the audience's reason. Clearly, those concepts had been stripped away from the field of rhetorical study, and all that remained was delivery. Descartes decries the inclusion of Invention in the canon of rhetoric by Aristotle and other classical rhetoricians, and the

works of scholars such as Sheridan and Austin reveal the extent to which rhetoric's value continued to be reduced over time.

#### OTHER ARGUMENTS FOR EXPANDED DEFINITIONS OF RHETORIC

It is important to note that the purpose of this dissertation is not to attempt to establish Chaim Perelman as the “lone voice” fighting back against three hundred years of arguably misguided study of rhetoric and argument. Perelman's work is significant, and while *The New Rhetoric* can make a legitimate claim to being “new,” much of what he proposes is that scholars resist movements to ignore Classical definitions of rhetoric that would credit rhetorical study with the inclusion of processes such as invention and dialectical methods of ascertaining truth. Ultimately, Perelman does not strive to inject rhetoric with any greater value or significance than do any of the Classical rhetoricians. And as will be seen in coming discussions, many of his categories and definitions of types of arguments can be directly related to Aristotle's topoi.

One example of the elements of Classical rhetoric found in Perelman's new rhetoric is the importance of *kairos*, or as Isocrates (436-338) terms it in “Against the Sophists,” “fitness for the occasion” (*Isocrates* 171). Isocrates proposes this concept as a means of discrediting the claims of the sophists that students could become skilled, effective speakers by simply learning a list of tips and strategies. Such an approach might be effective if not for the need, in the mind of Isocrates, to ensure that all arguments are properly crafted and adapted to fit the specific circumstances of a given moment and audience. Only a skilled rhetor could understand every unique rhetorical situation and

realize the necessary adaptations required to deliver an effective argument. No standardized instruction or formulas could provide such awareness and skill, according to Isocrates.

Perelman, too, claims that an argument's "fitness" for the occasion is an integral part of its success. The fitness of an argument applies to its content, the relationship(s) existing and/or created between the rhetor and audience, and the physical environment in which the argument takes place. Issues of context and speaker/audience relationships are examined in much greater depth in subsequent chapters, and therefore are not included in this portion of the discussion. It is important to note here, however, that Perelman places such significance on the notion of fitness that he even goes so far as to mention the physical setting of the delivery and the extent to which it can affect the argument's potential for success. The setting in which an argument is delivered, and the proper manipulation of that setting, can serve as "conditioning agents" (Perelman, *New* 23). According to Perelman, the rhetor can increase the likelihood that an audience will be convinced by an argument if that audience is properly "conditioned" to be receptive to it. This conditioning can take place in a number of ways, but one specific strategy that he mentions involves the rhetor working to increase her "influence" on the audience by manipulation of the setting through such means as: "music, lighting, crowd effects, scenery, and various devices of stage management" (23). Perelman goes on to state that these conditioners are of such importance that some have referred to them as "the essential elements in acting on minds" (23).

None of this conditioning and/or influence will have any effect, however, if the rhetor does not possess an awareness of the construction and demands of the specific audience. Perelman states quite clearly that an audience cannot be influenced without the rhetor's accurate assessment of that audience. Just as Isocrates calls for arguments that demonstrate appropriate fitness for an audience and occasion, Perelman builds upon and extends this concept to even consider the physical setting of the argument to be determinant of its fitness.

Through even the introductory discussions of Perelman's *The New Rhetoric* seen thus far, it is apparent that his concept of any rhetorical situation falls closely in line with the triangle of kairos described by Aristotle (384-322) in Book I of *Rhetoric*. According to Aristotle, rhetorical study must include analysis of the "speaker, subject, and person addressed—it is the last one, the hearer, that determines the speech's end and object" (2159). One extension of this premise has already been noted in Perelman's claim that even the setting and staging of an argument should be considered and adapted to fit the demands of a particular audience. But clearly, the impact of Aristotle's claims on Perelman does not end there. As stated, Perelman's ultimate definition of a successful argument is one that manages "*to induce or to increase the mind's adherence to the theses presented for its assent*" (New 4). Just as Aristotle stated thousands of years prior, every argument must begin with consideration of the audience, and true rhetorical study must begin with an examination of the processes by which a rhetor strives to gain that audience's adherence. This focus was removed, however, when Enlightenment

philosophers began to define rhetoric as nothing more than style and flourish that could only serve to enhance the scientific approach to creating an argument's content. Aware of the effects of such a shift, Perelman strove to make his theory of argumentation "new" by revealing the ways that profoundly important concepts such as justice and human reason could be understood and applied by means of a much more thorough and far-reaching definition of rhetorical study.

As it pertains to trying to create this renewed perception of rhetorical study, Perelman makes known his intentions by pointing out the divergent paths taken by the study of rhetoric and dialectic. As he states, rhetoricians of the Classical era believed the two to be, at the very least, strongly linked by their roles in the process of human reasoning. Some early philosophers claimed that dialectic was a part of the rhetorical process, while others perceived them as separate, yet dependent upon one another. Through the passage of time and the introductions of new definitions of each process, dialectic became synonymous with the act of reason, while rhetoric became defined as style, divorced from substance. As Perelman explains, for the Greek and Roman philosophers, dialectic provided an opportunity to undertake scientific processes of reasoning even when dealing with circumstances involving probability or uncertainty. Connecting such a process with that of rhetorical study established a definition of rhetoric as responsible for both the creation of knowledge as well as its transmission. With this historical understanding of rhetoric in mind, Perelman's "new" rhetoric calls for the "‘rapprochement’ of the theory of argumentation with dialectic" (5). Such a focus will

result in a return to an awareness “that *it is in terms of audience that an argumentation develops*” (5). If this emphasis is once again involved in rhetoric, then values and justice can be considered within the scope of the study of argumentation—not because Chaim Perelman calls for a ground-breaking, new definition of rhetoric and argumentation, but rather because such elements were a part of the field from the time of its first significant study by the Classical scholars.

The classics are not the only places one will find ideas that closely parallel elements of Perelman’s new rhetoric. For instance, Giambattista Vico’s *On the Study Methods of Our Time* (1708), strives to reconcile the wisdom of the Classical rhetoricians with the advancement of modern science. One of the major premises found in Vico’s work that can be said to contradict the Cartesian concept of the scientific method is his call for study methods to be placed within their respective historical contexts. For Vico, when considered within the scope of time, any scientific instruments, as he terms them, will be shown to contain both strengths and weaknesses. The study methods of any era, then, can be improved by assessing their own strengths and weaknesses and determining which, if any, approaches used in previous eras could make the process more effective. Vico’s claim that societal contexts can affect the efficiency of the scientific method makes that method far more reliant on outside, societal factors than scholars such as Descartes would be willing to concede.

The role of historical context is not the only issue on which Vico disagrees with Descartes, however. Vico addresses directly the Cartesian rejection of probability as

false. In fact, Vico goes so far as to claim that the “common sense” necessary to evaluate the legitimacy of uncertain or probable claims should be the first thing developed in students of philosophy (13). This common sense, necessary to reason out difficult and complex issues, is stifled by the immediate dismissal of all things probable as false. Vico labels such an approach that requires all students to completely clear their minds of all probable arguments as “distinctly harmful” (13). To defend the need for consideration of probable arguments, Vico claims that “[probabilities] stand, so to speak, midway between truth and falsity, since things which most of the time are true, are only very seldom false” (13). Clearly probable arguments have validity and audiences and scholars must be able to properly reasonably consider probable claims. Such an assertion, as has been noted, is at the heart of Perelman’s new rhetoric.

The value of probable arguments is not the only element of Perelman’s philosophy of argumentation that can be found in examination of Vico’s work. Vico also claims that “the relationship between the speaker and listeners is of the essence. It is in tune with the opinions of the audience that we have to arrange our speech” (15). If such an approach to both the study and delivery of arguments is taken, Vico believes that audiences and scholars will be able “apply the fullness of their personal judgment” to the analysis of arguments (19). Perelman, a man who witnessed a time in world history in which he believed both national and international audiences failed to “apply the fullness of their personal judgments” to the claims made by Hitler, seeks to explore the ways in which the goals of Vico’s study of argument can be achieved.

Giambattista Vico is certainly not the only rhetorical scholar to precede Perelman in claiming that arguments must adapt to their audiences and that the study of those arguments must include examinations of the relationship between the rhetor and audience. For instance, George Campbell opens Book I of *The Philosophy of Rhetoric* (1776) with the assertion that every rhetorical situation revolves around “some effect which the speaker intends to produce on the hearer” (25). The “art or talent by which the discourse is adapted to this end,” he labels “eloquence” (25). Campbell goes on to claim that aims of any speech should be “to enlighten the understanding, to please the imagination, to move the passions, or to influence the will” (26). While Perelman may not be convinced by Campbell’s discussions on the “faculties” of the mind, he would certainly agree with the belief that successful arguments are based upon an understanding of the audience and how different particular approaches would affect the argument’s impact on that audience. While Campbell does tread closely to the line of Cartesian ideals of logic by attempting to create clear one-to-one relationships between the “aims” of an argument and the “faculties” that are affected by each, he does not go so far as to claim that the only goal of argument is to provide a scientifically logical argument that can demonstrate empirical claims to truth. In fact, Campbell makes it quite clear that the aim of argumentation is not simply, “to gain barely the assent of the understanding, but, which is infinitely more important, the consent of the will” (37). This clear distinction made between the understanding and the will combined with discussions of the need to address both bares a strong resemblance to Perelman’s concepts of persuasion and

conviction that will be further examined in later chapters. Campbell's perspective expressed here seems to have much in common with Perelman's concept of audience adherence – which he defines as the ultimate end of any argument.

#### CONTEXTUALIZING PERELMAN AND DISABILITY STUDIES

The fundamental premises of Chaim Perelman's *The New Rhetoric* are not revolutionary calls for a total re-examination of human communication and rhetorical study, nor did he hope for them to be. What he strives to provide, instead, is a new context through which individual arguments as well as the field of rhetorical study should be examined. By opening *The New Rhetoric* with an introduction that clearly defines the claims he hopes to refute -- claims that have dominated the field for the previous three centuries -- he makes readers aware that his study calls for not only consideration of the current state of rhetorical study, but also for an understanding of what roles history, previous scholarship, and societal values play in the field of rhetoric. While many of these individual subjects had been addressed by other scholars, some of them proposing ideas incredibly similar to ones presented in *The New Rhetoric*, Perelman's work endeavors to make them "new" by clearly demonstrating the integral roles that each of these subjects, along with so many others, plays in rhetorical study.

Further analysis of Perelman's published scholarship only serves to broaden the scope by including discussions of justice and law. Perelman's arguments for the necessity of rhetorical study to understand the rule of law, both in its abstract and concrete forms, serves to bolster claims made in *The New Rhetoric* that value judgments belong in the

study of argumentation and that they are even central to such ostensibly logic-based systems as those of the court.

Because Perelman's work finds much of its newness in the act of bringing many divergent fields together under the umbrella of rhetorical studies, it seems appropriate to turn to it when involved in discussions of emergent fields that are still identifying scholarly perspectives with which they can unify their studies. In the coming chapters, this dissertation will strive to do exactly that within the area of disability studies. A great deal of scholarship has been produced in this field in recent decades, but as the next chapter will reveal, there is still an expressed need within the community of disabilities scholars to find new avenues for contextualizing this field within larger academic and social communities. According to many of these scholars, such efforts would result not only in the strengthening of the academic pursuits of the community, but more importantly, with great progress toward the goal of increases in awareness, accessibility, and justice. Keeping the goals of these scholars in mind, the following chapters will explore ways in which inclusion of Chaim Perelman's theories of justice and argumentation could aid in the continued creation of a "new disability rhetoric.

## CHAPTER II:

### THE DIVERSE SCHOLARSHIP OF DISABILITY STUDIES

Lacking its own, particular overall critical theory, the field of disability studies has benefitted from the application and adaptation of scholarship from numerous other fields and disciplines. Thus, in-depth examinations of disabilities studies (DS) must include both an awareness of this element of the field along with a consideration of the ways that connections to these other contributing disciplines shape the nature of disabilities studies. Just as Chapter I worked to situate the scholarship of Chaim Perelman within the history and context of rhetorical study, this chapter will provide analysis both of the current roles played by varying disciplines within disability studies as well as the on-going desires of disability scholars to new ideas and perspectives that can continue to develop and expand the critical foundations of disability studies.

James C. Wilson and Cynthia Lewiecki-Wilson state in the first chapter of their book, *Embodied Rhetorics: Disability in Language and Culture* that disability rhetoric fits well under the umbrella of postmodern rhetoric because, like other postmodern rhetorics, DS is “deeply concerned with issues of justice” (2). While the relationships of able/disabled are at the center of disability studies, the larger focus on language and power makes DS an important voice in the larger conversations that define postmodern rhetoric. Wilson and Lewiecki-Wilson continue their comparisons of DS and postmodern studies by stating that classical and postmodern rhetorics are not separable. Postmodern

studies approach rhetorical analysis by extending examination beyond the immediate text and considering interconnections of language, speaker, audience, and a long list of other variables (3). In doing so, the authors assert that disability studies serve to “[extend] the insights of feminist, postmodern, and postcolonial theory and social and rhetorical studies of science to analyze disability as a sociopolitical construct” (10). This extension of analyses, both rhetorical and sociological, includes an acknowledgement that the term disability “names multiple and diverse embodiments of conditions and impairments,” even in cases in which individuals have the “same” condition” (Wilson and Lewiecki-Wilson 10). As seen in the previous chapter, while some philosophers and scholars throughout history may have attempted (and succeeded for significant portions of time) to remove such diverse and complex considerations from rhetorical study, the efforts of scholars such as Chaim Perelman have managed to once again ensure their inclusion into postmodern rhetoric.

To further develop their claim that postmodern rhetoric seeks justice, Wilson and Lewiecki-Wilson mention Laclau and Mouffe’s claim that such rhetorics serve a key role in understanding the “discursive conditions [necessary] for the emergence of a collective action” (Laclau and Mouffe 153). According to Wilson and Lewiecki-Wilson, disability activists work continuously to discover ways that “discourse can aid collective action” (3). One such example of these actions mentioned by the authors is the seizure of the term “cripple” by the DS community and the conversion of this term from an oppressive label to an empowering identifier of culture and community, “*crip culture*” (3).

According to Sandra Harding, this active involvement in the struggle to define and articulate the value of the disabled body aligns DS with another tenet of feminist theory—standpoint theory. As Harding explains, being “engaged in historical struggles—not just a disembodied observer of them,” allows one’s arguments to be bolstered by the history of the struggles of the marginalized group (185). Harding does not suggest that only members of marginalized groups can form meaningful arguments. Instead, standpoint theory functions on the premise that in a culture based upon relationships of power and authority, one often needs to exist outside the dominant group to gain a clearer understanding of the individual elements and systems that establish and maintain dominance. Awareness of individual and combined factors involved in power relationships allows members of marginalized groups the ability to make rhetorical decisions based on a variety of factors including speaker, audience, context, and many others. These characteristics of standpoint theory make it an effective contributor to DS in the eyes of scholars like Wilson and Lewiecki-Wilson. As they state, disability studies is “a situated discourse and expresses a particular standpoint—that of the disabled” in an effort “to advance the cause of the disabled and promote social change by analyzing the present social formations that contribute to maintaining the walls of exclusion” (9). It is the belief of Wilson and Lewiecki-Wilson that disability studies is capable of accomplishing these goals by creating an awareness of the “power of language to shape the social world” (11). If such an awareness is established, there will be a significantly

greater chance of achieving a society more inclusive of the disabled as well as a more empowered community of people with disabilities.

Increasing awareness and fully understanding the standpoint of those marginalized due to cultural definitions of disability require an open approach to scholarly study that extends beyond simply the inclusion of currently prevalent postmodern fields mentioned thus far, however. Wilson and Lewiecki-Wilson conclude the opening section of their book by providing a number of examples of other scholarly fields considered as potential contributors to DS. One such field is religious studies. According to the authors, the “religious concept of affliction” often serves to portray disability as an outward sign of sin and corruption, either on the part of the disabled person or even ancestors (15). The Old Testament story of Job is a clear example of this type of Christian theology. Job, a wealthy, able-bodied man, lost all of his possessions and continued to acquire painful and immobilizing impairments. As his condition “worsened,” friends and family implored him to beg God’s forgiveness and be restored or simply curse God and die—conceding that his current situation defined a life not even worth living. Ultimately, Job was “blessed” with a full recovery and even received extra blessings due to his great faith demonstrated in his willingness to continue his “suffering.” While Job’s story may be the longest, most in-depth discussion of disability as punishment or necessary evil, it is far from the only biblical example of disability playing such a punitive role. As Wilson and Lewiecki-Wilson state, because such stories

have clearly become theology, it is important that scholars of disability studies consider the role of disability in religion to be a significant part of their field.

Just as some find reason for concern that religion has and will continue to serve to marginalize people with disabilities, Wilson and Lewiecki-Wilson claim that scholars share similar ideas regarding the role of scientific examinations of disability. Too great a focus on science can easily promote a concept of the body as a strictly defined combination of “correctly” functioning parts. Any difference in this system, then, can only be understood as defective and/or simply wrong. The authors remind us, however, that while these dangers are real and have been realized throughout history, that is not reason enough for people with disabilities to completely reject science or its innovations (18). Not only would a rejection of science disqualify those with disabilities from access to scientific advancements that could promote life or increase quality of life (which is desired by both the able-bodied and disabled), there is also a risk of casting the disabled community as anti-science and too quick to “depreciate reason, and replace it with rhetoric” (Miller 1625). Because a total rejection of science would come at a great cost to the disabled community, it is important that disability studies include a focused and thorough analysis of scientific discourse and its effects on individuals with disabilities as well as the disabled community as a whole.

Wilson and Lewiecki-Wilson conclude the opening chapter of their book with a reminder of the role of language in the creation of meaning and the awareness of that meaning-making power that is created by postmodern rhetorical analysis. They claim that

postmodern rhetoricians “argue that all knowledge-making comes from somewhere and someone in particular, from a standpoint, and thus rhetoric embodies difference” (18). Such a definition of rhetoric certainly provides greater opportunities for marginalized individuals and communities to find a voice. It is also important to note, as the authors do, that granting the knowledge-making power of rhetoric does not imply a definition of society that falls victim to complete relativism as some detractors of postmodern thought might argue. Instead, postmodern rhetoricians understand that each utterance is the result of its own unique circumstances combined with “a shared code” that is comprised of previous events, other utterances, societal conventions and perceptions, and many other potential contributing factors (18). Such a definition of rhetoric allows for analysis that employs both classical and postmodern concepts of speaker and audience along with a seemingly limitless list of societal conventions, constructions, and circumstances.

The remainder of this chapter will be dedicated to examination of arguments similar to those presented by Wilson and Lewiecki-Wilson. While these two authors make a strong case for a postmodern definition of rhetoric and disability studies that includes a wide variety of disciplines, other scholars have presented arguments focused on making the case for the inclusion of particular disciplines under the umbrella of disability studies. To understand the ways in which scholars believe that disability studies would benefit from the inclusion of outside theory, this chapter will provide a close look at a number of arguments being presented on behalf of the inclusion of both feminist and queer theory.

## FEMINIST THEORY

Rosemarie Garland-Thomson, in her essay, “Integrating Disability, Transforming Feminist Theory,” argues that “integrating disability as a category of analysis and a system of representation deepens, expands, and challenges feminist theory” (1). Garland-Thomson makes clear in this statement that the inclusion of feminist theory in disability studies will not only strengthen DS, but will also “amplify” feminist studies as well. One reason that Garland-Thomson cites for such a positive collaboration between the two fields is disability studies’ inclusion in a “larger undertaking that can be called identity studies” (1). This framing of DS within a larger context of academic study is significant because it allows disability studies to refute a criticism that has been levied upon both it and feminist studies—that each field is too narrow and does not make significant contributions to academia or general society (2). Such attempts to marginalize each field are the results of a “reductive notion that identity studies are intellectual ghettos limited to a narrow constituency demanding special pleading,” that serve as “persistent obstacle[s] that both feminist theory and disability studies must surmount” (2). Noting the potential for scholars in each field to be too easily forced to the margins and silenced by majority voices, Garland-Thomson proposes a presentation of identity studies as a field not comprised of a few, extreme, implacable voices, but rather as a collection of communities with varied individual circumstances and contexts, yet linked by the struggles so resist a culture clearly defined by systems of power and dominance. By clearly communicating these shared goals and experiences, members of the related fields

of identity studies can clearly refute the claim that they do not extend to larger communities and exist only as self-serving interest groups.

After establishing the larger social benefits of an expanded relationship between disability and feminist theory, Garland-Thomson investigates the particular theoretical ties that unite the two fields. In doing so, Garland-Thomson provides a definition of feminist theory as a means of investigating the ways in which culture “saturates...bodies with meaning,” and the effects of those meanings (3). Such a definition of feminist theory makes clear its “collaborative” and “interdisciplinary” nature that includes discussions of “gender, race, ethnicity, ability, sexuality, and class” (3). Because feminist theory takes such a wide-reaching approach to the exploration of the body’s cultural meanings, it provides an understanding of the complexity of the body and its cultural history. Such complexity is certainly present in disability studies, which strives to counter cultural notions of each body as either able or disabled (often culturally translated: properly functioning or broken).<sup>5</sup> Feminist scholars have expressed similar concerns with cultural definitions of the single, unifying category of “*woman*” (4). Such a categorization devalues the experiences of any particular woman and removes her status as a “lived body,” casting her, instead, as being simply the sum-total of all the essential characteristics of her category. Because disability, like gender, is a concept greatly defined by social norms and conventions, disability scholars must also examine the way disability functions in “all aspects of culture: its structuring institutions, social identities,

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<sup>5</sup> Further explanation and analysis of these claims within disability studies will be included in subsequent chapters.

cultural practices, political positions, historical communities, and the shared human experience of embodiment” (4). Because DS incorporates such varied fields of study, scholars such as Garland-Thomson believe that it has great potential to help us “understand what it is to be human” (5). The complex nature of disability defines it as the “most human of experiences” (5).

Garland-Thomson makes it clear that while she sees both room and need for the inclusion of a number of theoretical approaches within the field of DS, she believes the connection between DS and feminist studies to be worthy of particular note because both are founded upon questioning societal norms that equate the body and difference with identity and individual or communal value. Neither the disabled nor the female body is by law or force of nature inherently inferior or to be viewed as the sad outcome of misfortune (5). Because both of these bodies have been identified as such, it has become possible for cultures to provide unequal resources, power, and status to women and the disabled. Feminist study strives to expose these unethical and unwarranted distributions of power by promoting an awareness of the ways in which value is placed upon a body through social constructions of normality. Such investigations are central to disabilities studies as well according to Garland-Thomson, so the union of the fields is a clearly beneficial one (6). As she states, including feminist theory into disabilities studies would allow DS to take advantage of the major aspects of critical theory central to feminism:

1) that representation structures reality, 2) that the margins define the center, 3) that gender (or disability) is a way of signifying relationships of

power, 4) that human identity is multiple and unstable, 5) that all analysis and evaluation have political implications. (6)

Applying these concepts to DS allows scholars to become aware that just as is the case with the female body, the disabled body too often becomes the defining characteristic of one's existence and that body is too greatly limited by gender or disability to be redeemed either by mind or spirit (7). Such bodies too easily then become "redundant and expendable" (9). As evidence of her claim that female and disabled bodies are expendable, Garland-Thomson lists a number of the ways in which women, the disabled, and ethnic Others have been dis-empowered throughout history. This list includes societal or communal acts such as genocide, lynching, and rehabilitation. Garland-Thomson also mentions medical acts of elimination including sterilization, surgical procedures aimed at fixing the different body, and assisted suicide. The list includes even more examples, but just those presented here make a strong argument for the feminist concern regarding the expendability of the othered body.

To combat this reductionism resulting from cultural definitions of different bodies, feminism strives to increase cultural recognition that "no woman is ever *only* a woman" (Garland-Thomson 17). Any individual woman can claim membership in or be claimed by any number of communities and identity categories, which demonstrates the inaccuracy of cultural definitions of "woman" as an essential and limiting human characteristic. Similarly, people with disabilities are too often considered to be bound by

the essential characteristic of brokenness. However, as Garland-Thomson states, “disability is a broad term [including] categories as varied as sick, deformed, crazy, ugly, old, maimed, afflicted, mad, abnormal, or debilitated” (5). While each of these terms might imply specific or unique characteristics, they share the common function of constructing the identity of any individual placed into the overall community of the disabled. Because people with disabilities face similar limitations and potential dangers resulting from their loss of individual identity, it is important that they align themselves with the efforts of feminist scholars and activists to refute any claims that they are *only* female or disabled.

Another way that Garland-Thomson proposes countering cultural definitions of people with disabilities as *only* disabled is through the promotion of awareness that every person’s life is a movement toward disability. With age comes the reduction and/or loss of mobility, visual and auditory senses, and independence (21). Because all bodies share vulnerability and mortality, Garland-Thomson even goes so far as to claim that a humans we “evolve into disability” (21). This focus on disability’s unifying nature is in some ways a departure from an equality model of feminist theory that, for Garland-Thomson, tends to place great value on individual achievement and autonomy as the path to achieving women’s liberation. A feminist disability theory, however, would promote equality by defining disability as a communal experience shared, in some form or another, by all members of humanity. Difference would not be something to be denied or eliminated, but rather an accepted part of each lived existence. If such a concept of

humanity were promoted, there would exist greater potential for “learning to individually and collectively accommodate bodily limits and evolution” (21). While much of the current discussion has focused on the ways in which feminist theory could contribute to DS, this point from Garland-Thomson provides strong evidence that both fields stand to benefit from collaborative study. This potential bolstering and extension of both fields provides strong support for the legitimacy of each individual field as well as the need for continued collaboration.

Garland-Thomson concludes her discussion by re-iterating the ways in which feminist and disability studies benefit each other as well as the larger “sociopolitical world” (28). As she stated in the opening of her work, DS, just as feminist study, has received criticism for being too narrow in scope and ultimately self-serving. But as Garland-Thomson demonstrates in her argument, disability, “like gender and race, is everywhere, once we know how to look for it” (28). Increase awareness of this fact will benefit everyone because “[as] with gender, race, sexuality, and class: to understand how disability operates is to understand what it is to be fully human” (28).

Rosemarie Garland-Thomson, while clearly a strong advocate, is far from the only DS scholar calling for further study of the natural connections between feminist and disability studies. Susan Wendell’s “Toward a Feminist Theory of Disability,” opens with the simple, clear statement, “[we] need a feminist theory of disability” (104). Wendell points out that sixteen percent of women are disabled, so on a simply logical, statistical level there exists a connection between feminism and disability study. But this is far from

the only reason that such a connection should be made. As Wendell points out, unlike gender, disability is not a “biological given,” and therefore its definitions and evaluations are even more socially constructed than those of women. She, like Garland-Thomson, reminds readers that most people will be disabled at some point during their lives, making disability a shared experience. Unfortunately, those with disabilities are othered because in the eyes of the public they “symbolize failure of control and the threat of pain, limitation, dependency, and death” (104). Not only does such an attitude toward the disabled serve to marginalize them and hinder social movement toward accessibility, it also widens the gap between the able-bodied and a healthy relationship to disability—a state most will experience for at least a portion of their lives. Being aware that marginalization of the disabled can be so destructive to the lives of the disabled and able-bodied alike, Wendell claims that “[if] disabled people and their knowledge were fully integrated into society, everyone’s relation to her/his real body would be liberated” (104). This statement, like so many of Garland-Thomson’s mentioned previously, certainly refutes the claim that feminist and disability studies are narrow and self-serving, and that a fusion of the two would only insulate them more from any study and effort that might benefit the rest of society.

As she continues to examine what exactly a feminist disability theory would be, Wendell makes it clear that an effective theory would not simply be the result of the combination of feminist and disability studies. A truly effective theory would also be social and political in nature. The social aspect is obviously based on the number of

scholars who have pointed out the role of different social constructions of gender and disability. Wendell claims that just making people aware of these social constructions is not enough, though. A feminist disability theory must “include thinking about the ethical, psychological and epistemic issues of living with disability” (105). Wendell believes feminist theory to be capable of creating such awareness not only because it shares so many foundational ideas concerning social constructions of the body, but also because feminist thinkers have, throughout history, proposed many of the most radical changes to cultural attitudes of the body. Among the list of these ideas that Wendell provides are questions such as whether marginalized people should focus their efforts on striving for independence or whether the culture might be better served by a re-assessment of a “value-system which distrusts and de-values dependence on other people and vulnerability in general” (105). She also claims that feminist scholars have questioned the general social ideal that equality for women can be achieved by finding ways to fully integrate women into a male-dominated society, granting women equal power and standing. Instead, these scholars propose the creation of a new social system that does not ignore difference, but rather acknowledges and values it. For Wendell, not only do these ideas clearly align with many of the central themes of DS, but the willingness that feminist scholars have shown throughout the years to propose them makes feminist study a valuable asset to disability study.

Wendell continues her discussion by noting that it is not only members of feminist or disability studies who are responsible for establishing links connecting gender

and disability. As evidence, she mentions the 1983 United Nations definition of disability and its differentiations separating impairment, disability, and handicap:

*Impairment* [-] Any loss or abnormality of psychological, physiological, or or anatomical structure or function. *Disability* [-] 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  
*Handicap* [-] A disadvantage for a given individual, resulting from an impairment or disability, that limits or prevents the fulfillment of a role that is normal, depending on age, sex, social and cultural factors, for that individual. (106)

A seemingly insignificant portion of this statement is mentioned by Wendell as quite significant to both feminist and disability scholars – the definition of roles that are “normal” for any age or sex. Wendell notes the potential dangers that are associated with general social definitions of normal activities of any group categorized by one “essential” characteristic. If the definitions of normal activities for women, the elderly, or the disabled become too limiting, then there will be no expectation of increased accessibility, because no one is being handicapped by an inability to perform a “normal” activity. Because national and international policy statements like the UN definition of disability take such efforts to construct definitions of gender, disability, and age (often a topic of DS), it is only natural that members of each of these fields work together to combat such limiting and potentially dangerous societal attitudes.

Public policy is not the only force working to unite those with disabilities with the rest of society, however. Disability should be viewed by all members of society as a shared communal experience. As she Wendell states, “[the] problems of living with disability are not private problems, separable from the rest of life and the rest of society” (115). Instead, these problems should be shared just “as much as we share the problems of love, work, and family life” (115). This comment further serves to refute the criticism that feminism and disability studies are niche fields focused only on the advancement of a select few members of the population. It becomes much more difficult to marginalize individuals or groups when their experiences cannot be dismissed as alien and/or irrelevant to the general culture. Therefore, the scholarly and activist communities that represent those persons should be willing to collaborate in their efforts to legitimize their experiences as just as “human” as others’.

Wendell places great importance on the understanding of shared experiences and problems, believing it to play a pivotal role in the reduction of societal tendencies to “other” that which seems to be different. She claims that when we “other” an individual or group, we perceive them as “objects of *our* experience,” instead of “fellow *subjects* of experience with whom we might identify” (116). With this statement, Wendell reveals one of the ways in which dominant societal norms retain their authority. Members of the majority group define normality as a reflection of their specific experience, and all other experiences that differ from that in any way are considered to be “the other” and therefore inferior. These essential, definitive qualities of the majority group differ among

communities and cultures, but race, ethnicity, sexuality, gender, and ability are common factors. If, however, we can begin to see that the human experience is not one defined by some specific set of common factors, but rather a unifying combination of unique circumstances, there will be fewer opportunities to draw lines between “us and them.”

As an example of why such significant shifts in the perceptions of the human experience are necessary, Wendell examines the introduction of the term “differently-abled” as a label for people with disabilities. As Wendell notes, the term’s creation was the result of a generally well-intentioned effort to promote language that drew attention away from feelings that disability was somehow “wrong,” and recast it as merely, “different” (117). On the surface, this might appear to be a significant step toward equality and social justice. Further examination, particularly focused on feminist views of dominance and difference, however, reveals this language shift as a clear indicator of the continued status of disability as “other.” The only way in which people with disabilities can be considered to be “differently” abled is if the community has already established a particular definition of normal ability. So, while disability may not be “wrong,” it is definitely still “not normal,” and therefore can only be considered “the other” (117).

This example of a seemingly well-intentioned linguistic shift that Wendell mentions provides strong evidence for her claim that being “the other” to a dominant group is always a complex circumstance (117). While Wendell focuses her discussion on the political complexities that accompany this othered status, her ideas can certainly be extended beyond the political arena. In fact, it is the existence of these complexities that

calls for a field of disability study that places a priority on collaboration with other disciplines and theoretical approaches. As these different perspectives are brought together, it becomes possible for disability scholars and activists to realize the challenges that lie ahead of both the disabled and able-bodied communities concerning the future of equality and accessibility. For example, based on her previous discussions of the role of difference in understanding and assigning human identity, Wendell considers the viability of claims that people with disabilities would be best served to shift the focus of public discourse away from their specific disabilities and toward the many similarities they share with the able-bodied. Proponents of this argument believe that if members of the dominant, able-bodied group become more aware of the similarities they share with the disabled they will be more likely to “identify with the oppressed, recognize their rights, gradually give them equal opportunities, and eventually assimilate them” (117). Many people with disabilities have expressed concerns that they are perceived as merely symbols to the able-bodied. To some able-bodied, the disabled represent an image of “what might have been,” and therefore are all placed into one large group of “everything I managed to avoid.” If, however, people with disabilities were able to promote their similarities to the able-bodied, it is possible that they would begin to be identified as individuals with unique lives and circumstances.

While Wendell admits that this argument is logical and does provide some potential for increased opportunity and access for the disabled, based on her study of feminist theory, she raises some significant concerns. Most specifically, Wendell

wonders what larger messages are being sent by the efforts of the disabled to increase their inclusion into society through assimilation to that society's extant norms. Feminist scholars asked similar questions of movements that called for advancement of women by assuming typically male roles in a patriarchal society. While these efforts might result in women playing larger roles in the society, in the end they would be admitting that those roles can only be filled by people capable of doing so in the traditional masculine ways. This could quite possibly reinforce these discriminatory societal conventions. If people with disabilities place too much emphasis on their similarities with the able-bodied and, as a result, make effort to hide their disabilities, Wendell is concerned that they could inadvertently play a role in the bolstering of the society's ableist attitudes (117). While disabled people may become more active in the masculine/ableist society, they would not be doing anything to challenge the ableist paradigm. Wendell further complicates this scenario by raising questions concerning the opportunities for assimilation that would be available to members of the disabled community. As she claims, because the disabled body is defined under the current ableist paradigm as a fundamentally flawed body, the able-bodied community may be resistant to efforts by the disabled to assimilate into the dominant culture. If this occurs, disabled individuals would be at risk of being rejected by a paradigm they were not even actively challenging – a process that would certainly solidify the existing oppressive able/disabled power structure (117-118).

As she considers the complexities and significant roadblocks that could hinder the movement toward equality and accessibility, Susan Wendell notes another potential

cultural issue that must be addressed by both women and the disabled. As it pertains to challenging paradigms of the dominant group, Wendell is particularly concerned with the current cultural importance that is placed upon independence and the stigma that accompanies a need for or willingness to rely on the assistance of others (118). Wendell's awareness of this problem was the result of hearing numerous statements from "successful" women and disabled people who claimed to be most proud of achieving independence. Whether this independence was personal or professional, the people believed their lives to be legitimized by the fact that they did not need the assistance of any other person. While Wendell notes the unique implications that this issue holds for both women and the disabled, she was particularly struck by the effect that it seemed to have on disabled women. Wendell tells of speaking to women who had become disabled as adults and being told of their struggles with their recent loss of independence. For most of these women, this loss of independence brought with it almost overwhelming feelings of shame and loss of self-esteem (118). These feelings of shame illustrate the effects of cultural stigmas of dependence. Not only are these women forced to deal with the loss of self-esteem that results from their disability, but as Wendell notes, many of them eventually respond by placing significant importance on regaining independence and escaping the negative stigma. For some, this only proves to be a waste of effort that not only fails to improve their situations, but it also reinforces their perceptions of their lives as now invalid. Because she believes this situation to be so potentially destructive to the lives of women and the disabled (and particularly to disabled women), Wendell calls for

feminist and disability scholars and activists to work together to challenge the societal emphasis on dependence. Rather than focusing their efforts on helping individuals hide their dependence on others, Wendell calls for a closer examination on the effects of a social structure that only validates independence. If such efforts are taken by feminist and disability scholars, Wendell believes that we will be able to move from a societal emphasis on independence to a model that enables reciprocity – “[recognition of] each other’s needs, relying on the other, asking and receiving help, delegating responsibility, giving and receiving empathy, respecting boundaries” (119).

## QUEER THEORY

While there are certainly strong arguments made by feminist and disability scholars alike for collaboration, feminist theory is not the only field of study that scholars have identified as a potential contributor and ally to disability studies. Robert McRuer, in his essay, “Compulsory Able-Bodiedness and Queer/Disabled Existence,” explains the ways in which homosexual and disabled people are marginalized by both explicit and implicit cultural definitions of normalcy. To do so, McRuer mentions Adrienne Rich’s “Compulsory Heterosexuality and Lesbian Experience,” in which she claims that a truly inclusive society can no longer tolerate a cultural definition of “‘lesbianism’ as an ‘alternative lifestyle’” (Rich 178). As McRuer considers the significance of Rich’s statement, he is struck by Rich’s concern for “toleration” and how that might very well serve as a form of “confirmation” of the marginalization of gays (McRuer 301). McRuer argues that when terms such as “alternative” are used to describe gay/lesbian existence,

there is a tacit conformation that heterosexuality is the accepted, natural human norm. While it may be true that labeling homosexuality as “alternative” works to remove some negative stigmas, it does not go so far as to fully legitimize gays and lesbians within the overall social framework. “Alternative” may no longer mean “bad,” “evil,” or “sinful,” but it certainly does not mean “normal” either. Homosexuality is still cast as an other, and if an other exists, there must be some sort of foil that represents the natural and accepted. In the case of sexuality in American culture, that accepted norm is heterosexuality, and its role of dominance is bolstered any time difference is labeled as such. While McRuer’s focus is on sexuality and disability, he raises similar concerns to those mentioned by Wendell regarding the use of the term “differently-abled,” which shares much in common with “alternative” in light of these examinations.

After considering the implications of Rich’s assertions regarding “compulsory heterosexuality,” McRuer begins to question how such ideas could be applied to disability studies. In doing so, McRuer establishes the term “compulsory able-bodiedness,” to describe the ways in which the able/disabled social structure resembles that of the gay/straight one described by Rich (301). As has been seen with scholars calling for collaboration between DS and feminist study, McRuer claims that his efforts are a “part of a much larger collective project of unraveling and decomposing both systems” (302). The intention is not to incorporate theory from one field solely to bolster the academic and/or social standing of another. McRuer is convinced that expanding our

awareness of the processes through which marginalized groups become the “compulsory” other holds far greater cultural potential than simply empowering one particular group.

McRuer begins his investigation into the ways in which able-bodiedness has become compulsory by referencing Raymond Williams’s 1983 book *Keywords: A Vocabulary of Culture and Society*. In this work, Williams notes how often words become accepted into the cultural vocabulary based on their function as identifiers of problems (15). According to Williams, what this process reveals is a cultural desire to define the dominant or majority circumstance as normal and everything else as flawed or deficient. These cultural keywords denote the dominant characteristic’s normal status while defining the marginalized specifically in terms of its difference. McRuer connects this claim to queer theory by citing the *Oxford English Dictionary*’s 1971 entry for heterosexuality. According to the *OED*, heterosexuality is “characterized by the normal relations of the sexes” (qtd. In McRuer 302). The inclusion of the term “normal” as an identifier of heterosexuality clearly subordinates homosexuality and all other sexual preferences and identities not hetero. Realizing the influence of the inclusion of the term “normal” into the definition of heterosexuality and other dominant life experiences and circumstances, feminist, queer, and disability scholars have identified “normal” as a powerful keyword in the English language (302). Some evidence of the expanded awareness of this keyword’s significance may be present in the current (2013) *OED* definition of heterosexual which reads: “characterized by a sexual interest in members of the opposite sex.” In light of discussions like those presented by McRuer, the omission of

the term “normal” is quite significant. In the same manner, the current *OED* definition of homosexual does not state or imply any degree of abnormality in the attraction and/or interactions between members of the same gender.

McRuer is certainly not the only DS scholar to identify the labeling and establishment of cultural normality as problematic. Lennard J. Davis introduces the need for further study of normalcy by pointing out that there is probably no aspect of a person’s life around which an average, mean, or norm has not been calculated and/or established (“Constructing” 3). Because our relationship with normality is so pervasive, Davis believes that disabilities studies should focus not only on disability and difference, but also on the concept of normality and how/why it establishes cultural attitudes and definitions. Approaching modern cultural study in this way, according to Davis, allows for the rethinking of the “problem” of disability. This rethinking of normal might even lead to shifting the label of “problem” from disability to normality (3). Understanding the effects of our obsession with the norm, however, will not be fully reached through the analysis of only one particular field or marginalized group.

As he continues to strive to understand the effect of “compulsory-ablebodiedness,” McRuer references Davis’s work and its establishment of a timeline, both linguistically and historically, of the cultural shift(s) toward normality. He also notes that while Davis draws conclusions about society based upon the linguistic history of normality, Rosemarie Garland-Thomson attempts to actively participate in the development of the term and its connotations. In her book, *Extraordinary Bodies*:

*Figuring Physical Disability in American Culture and Literature*, Garland-Thomson introduces the term, “normate” (8). Just as Davis, Garland-Thomson believes that much of human history is defined by the establishment of the norm and the individual’s subsequent efforts to either fit into or rebel against that norm. With this concept in mind, Garland-Thomson defines the term “normate” as “the social figure through which people can represent themselves as definitive human beings” (8). The normate then is able to use the position of cultural acceptance and ideal identity to establish a position of authority and ensure that cultural norms and identities continue to be defined based upon the characteristics demonstrated by the normate. As Garland-Thomson notes, when one begins to truly examine the entire list of traits that make up the normate (holding to the assumption that failure to possess even one will disqualify a person from that status) it becomes evident that the normate actually represents a very small minority of the population. To demonstrate this, Garland-Thomson references a list created by Erving Goffman that defines that American normate as, “a young, married, white, urban, northern, heterosexual, Protestant father of college education, fully employed, of good complexion, weight and height, and a recent record in sports” (8). Garland-Thomson finds the normate a problematic social phenomenon not only because it inappropriately empowers a small minority of the population, but also because it causes the marginalized to attempt to squeeze and contort themselves into the normate mold, just as Cinderella’s step-sisters struggled to squeeze their feet into the glass slipper. They knew it was not their shoe and the identity of the mysterious woman was not their own, but they were

desperate to claim this identity in an attempt to claim access to the benefits that accompanied it.

For Garland-Thomson, a significant part of the American experience is the establishment of the normate followed by a continuous effort by those on the margins to gain entrance into or acceptance of this elite status. She hopes that further analysis of this concept will allow for cultural identities that extend “beyond the simple dichotomies of male/female, white/black, straight/gay, or able-bodied/disabled so that we can examine the subtle interrelations among social identities that are anchored to physical differences” (Garland-Thomson 8). The way in which these dichotomies can be eliminated is through the study of the complexities of human relationships and the raising of cultural awareness that humans are rarely ever members of only one of the groups listed above. When gender, sexuality, race, and ability studies merge their efforts to dispel the myth(s) of the normate, cultural identities have the potential to more appropriately reflect the lives of the actual members of the community. Also, as members of the society become more aware that each individual must be acknowledged as a complex collection of the different traits and communities listed above, it could also be possible to increase awareness of the problematic nature by which marginalized groups are formed and defined. For example, the disabled community should not be assumed to share identical life experiences simply because they are placed into this cultural group of the disabled due to a lack of “normal” abilities. As Garland-Thomson reminds us, a “blind person, an epileptic, a paraplegic, a deaf person, and an amputee...have no shared cultural heritage, traditional activities, or

common physical experience” (15). When marginalized groups are only identified as not the normate, such awareness of their individual lives and circumstances is easily dismissed.

McRuer’s quotation of a 1999 *Salon* article clearly exemplifies this dismissal of everything not fitting the description of the normate:

It’s hard to deny that something called normalcy exists. The human body is a machine, after all—one that has evolved functional parts: lungs for breathing, legs for walking, eyes for seeing, ears for hearing, a tongue for speaking and most crucially for all the academics concerned, a brain for thinking. This is science, not culture. (qtd. in McRuer 303)

This statement represents clearly the concepts that can be employed in the establishment of the normate. Normalcy becomes the only possible result of the quasi-science that has been presented here. According to this model, each part of the human body has a particular function and any person whose body does not fulfill each of these functions cannot be labeled as anything but abnormal. However, Garland-Thomson’s previous comment regarding the rarity of a fully normal individual seems even more significant in light of these notions regarding the clear “facts” of normalcy. By this definition, the need for glasses, any degree of hearing loss, reduced mobility or agility, or even a minor speech difference as simple as a lisp would qualify an individual to be considered abnormal. This leaves a very small number of people to represent what is normal for the species.

As he tries to understand how such definitions of normalcy can exist in spite of even the basic logic presented here, McRuer hypothesizes that one major contributor to this myth of normalcy is capitalism (303). At its core, capitalism is built upon the sale of one's abilities, talents, and work. Therefore, when one cannot contribute to the labor force due to physical or mental limitations, s/he becomes a hindrance or drain on the system. Value to the community and culture becomes clearly measurable in terms of economic contribution. In a nation such as the United States that has established as the foundation of its national ideals and identity its capitalist economic system, it is easy to see how these definitions of individual value and cultural normalcy can override the more logical, rational, and humane ones mentioned by McRuer, Garland-Thomson, Davis, Wendell, and so many others.

McRuer ultimately brings his discussion of compulsory heterosexuality and able-bodiedness back together through the mention of Judith Butler's claims of the heterosexual identity's attempts to "repeat" itself as the cultural norm. As Butler explains in her essay, "Imitation and Gender Subordination," the heterosexual identity is constantly striving to repeat itself in the culture because it is aware of its failure to ever establish itself as the true norm for human identity and interaction. Because it is aware of this reality, the next efforts of the heterosexual identity are simply to define the existence of all other identities as deviations from the norm. Butler refers to this struggle on the part of heterosexuality to establish itself as "gender trouble" (21). McRuer believes that this premise fits into the able/disabled paradigm as well. Disability is a reality of human

life, but its presence negates the ideals of health and independence that are so greatly valued by other aspects of life and culture such as economics. Therefore, because disability cannot be ignored, it must be defined as abnormal—validating by way of its own existence the ideal of able-bodiedness. McRuer argues that that disability scholars have much to gain by considering the ways in which Butler’s “gender trouble” correlates to what McRuer refers to as “ability trouble” (304). As has been seen in others’ works listed previously in this chapter, McRuer believes that such an investigation will not only yield greater awareness for those involved in DS and/or queer studies, but for any individuals or groups that are marginalized by the presence of a communal normate.

Alison Kafer, in her 2013 book *Feminist, Queer, Crip* reveals that while just over a decade may have passed since the publication of McRuer’s work, the heterosexual and able-bodied identities are still struggling to deal with the presence of queer and disabled identities. As Kafer explains, the very presence of disability continues to remind the presently able-bodied members of society that their current status is temporary and a “terrible unending tragedy” still awaits them (2). This, the ideal vision of the future for the able-bodied is one that does not include disability. As Kafer states, “it is the very *absence* of disability that signals this better future” (2). As evidence of this mentality, Kafer presents a quote from James Watson, a geneticist involved in the development of the Human Genome Project. According to Watson, “We already accept that most couples don’t want a Down child. You would have to be crazy to say you wanted one, because that child has no future” (qtd. in Kafer 3). Kafer’s choice to include this quote in her

work stems from the fact that she believes that Watson's claim represents cultural perceptions of disability on a number of different levels. First, Watson's position as a cutting-edge biological scientist provides evidence that modern science has identified disability as a problem for humanity worthy of investing great deals of time and money to solve. The second important element of Watson's claim is that the presence of disability guarantees no future, or at least no good future. And this, according to Watson, is not the opinion of only one scientist or small team of researchers. As he states, "We already accept" that this is the case. In fact, he goes so far as to claim that anyone who does not see this obvious correlation between disability and valueless life is "crazy." Reducing the issue to such a clear, medicalized either/or scenario certainly serves to establish the authority of the able-bodied normate Garland-Thomson describes.

Because medicalization of disability creates such clear, easy definitions of which lives have value and a future and which do not, Tobin Siebers calls on feminist and queer studies to resist this medical model as the standard for evaluating the value of the disabled body ("Disability in Theory" 173). According to Siebers, DS has embraced many of the theories of feminist and queer studies because they provide an alternative to this medical model. The medical model "situates disability exclusively in the individual bodies and strives to cure them by particular treatment, isolating the patient as diseased or defective" (173). A larger social constructionist approach to viewing disability that includes theories found in fields such as feminist and queer studies, however, would make clear the need for advances in social justice by revealing disability as not simply

the limitations or failings of a particular body, but rather the “effect of an environment hostile to some bodies and not to others” (173). If such a constructionist approach is taken, Siebers believes that cultural norms will no longer be determined by the “human ignorance or misunderstanding” that currently accounts for prejudices based on gender, sex, race, and ability (174). For Siebers, the first step in achieving such cultural shifts in a concerted effort to embrace a linguistic model of representation by members of marginalized communities. The foundation of this model is the idea that “[bodies] are linguistic effects” that are defined and valued by their own representations combined with the larger cultural ideologies (174). Such an approach combining elements of numerous differing perspectives and disciplines is needed to refute the medicalization and devaluing of the disabled body.

Kafer strives to extend the efforts of Siebers and others by proposing not only a linguistic model of gender, sexuality, and disability, but also a “politics of crip futurity” (2). She states that her goal is to take disability “elsewhere” to achieve “other ways of being that might be more just and sustainable” and ultimately “valuable and integral” (2). This vision of disability is certainly far-removed from the one described earlier as obviously void of any future. Interestingly, although Kafer agrees with those such as Siebers who would argue that medicalization of disability has had significant negative effects on the value of the lives of the disabled, she does not call for feminist, queer, or disability scholars and advocates to completely reject the medical model. Her reason for this stems from her focus on the future of these marginalized groups. Instead of a

rejection of the medical model, Kafer calls for readings of its potential future(s) through the lenses of feminist, queer, and disability studies and critiques of identity. These examinations, she feels, will yield further insight into the “assumptions and implications” of the medical framework as well as other definitions that serve to marginalize the disabled (4).

Another concern that Kafer expresses with the rejection of the medical model of disability is that she believes some of the most destructive elements of the medical model are not limited only to this perception of disability. Therefore, simply throwing out the medical model will not provide DS scholars the opportunity to really understand how and why these processes are at work in other parts of the culture. Kafer mentions the medical model’s definition of disability as “deviant, pathological, and defective, best understood and addressed in medical terms” (5). Therefore, the only clear approach to addressing this difference is to “treat” or “cure” it. What DS scholars know is that what needs to be “treated” is the social process that would allow a life to be defined as such. Kafer argues that such an end cannot be reached simply by attacking the medical model and then moving on as if that issue is resolved. She reminds readers that the medical model is not limited to doctors and other medical service providers. As the previous comments from geneticist James Watson reveal, what also needs to be addressed is the fact that the culture seems to identify disability as “both objective fact and common sense” (5). As evidence of this claim, Kafer presents the statements of literary critic Denis Dutton who condemned a writing manual for addressing disability language by stating, “it is the

medical condition that is the problem, not the words that describe it” (qtd. in Kafer 5).

What Dutton has expressed is a very common sentiment in the culture—that disability is purely a medical problem and therefore not worthy or in need of further analysis beyond medical fields. Dutton’s comments reflect a mistaken cultural belief that “disability is a self-evident, unchanging, and purely medical phenomenon...not available for debate or dissent” (Kafer 5).

Because the medical model is not the only factor leading to the reduction of disability to defect or pathology, Kafer reminds DS scholars that refuting definitions of disability only in terms of able-bodiedness will require an approach of a much larger scope. Thus she proposes her political/relational model which focuses not on solving the “problem” of disability, but rather the “built environments and social patterns that exclude or stigmatize particular kinds of bodies, minds, and ways of being” (6). To explain the difference in the two models, Kafer mentions a hypothetical case of a wheelchair user whose mobility and access are restricted in certain environments. Under the medical model, this individual’s first choice (and only true hope of being “cured” and “normal”) would be to seek medical help in hope of having her/his body fixed. If that is not an option, then the person is left to simply make the best out of a bad situation, most commonly relying on the assistance of someone else to mitigate the effects of an inaccessible environment. Under Kafer’s political/relational model, however, the problem is not located in the individual or her/his disability, but rather in the “inaccessible buildings, discriminatory attitudes, and ideological systems that attribute normalcy and

deviance to particular minds and bodies” (6). Social and political change become the tools for solving the problem instead of medical intervention and breakthroughs. As Kafer reminds us, such an approach to society is much more likely when multiple voices can come together to reveal the ways their seemingly unique situations are actually the results of similar societal attitudes and actions. For instance, feminist scholars have seen in the past several years a clear example of the ways in which the medicalization of gender functions as a political issue. Arguments and legislation regarding reproductive justice and public healthcare have placed gender studies at the center of much of the nation’s recent political discussions. While dominant cultural ideas tend to drive such discussion, there have certainly been opportunities for the under-represented feminist voices to engage in these discussions in ways that may not have been possible at all without the national political attention given to these issues. Kafer hopes to see disability take its place in similar national discussions and make “the whole terrain of ‘disability’ ... up for debate” (7).

As disability does find its place among the larger national political debates, potential for movement toward a significant reimagining of what disability really is increases. Evidence of such reimagining recently occurring can be found in the Santa Barbara-based organization, People in Search of Safe and Accessible Rooms. Too often we have heard of organizations trying to help people “imagine” the disabled experience by placing non-disabled people in wheelchairs for a few hours or a day. People in Search of Safe and Accessible Rooms, however, is giving those people tape-measures and floor-

plans and placing them in locations such as public restrooms. The goal of this activity is to ask the participants to examine the space and determine where its design increases and decreases accessibility (Kafer 9). Not only is such a program far more likely to lead to pragmatic results and changes, it also frames disability within the public spaces that limit access rather than the individual body that is inhibited by the limitations of the space. When asked to recommend changes, participants focused suggestions on fixing the space and not fixing the disabled body.

Kafer finds efforts such as the one mentioned above significant because not only do they involve disability in the national discussions and political debates, but also because they help “trace the ways in which we have been forged as a group” (12). Such concepts have more potential to be understood by the culture at large when the public becomes aware of the ways in which all minority groups are marginalized by similar social attitudes and practices. This is why she finds it imperative that gender, race, sexuality, and disability studies work together to ensure that the problems addressed are the oppressive cultural attitudes and not the presence of the oppressed group. When individual groups strive for increased access and or justice alone, there is a risk that any changes that come will be specific only to one particular situation and will not serve the larger culture. Kafer quotes Chris Bell’s warning that members of the DS community must avoid becoming advocates of “white disability studies” (Kafer 12). Kafer’s reference to this comment serves as a reminder that oppression of any group in this country, including the disabled, is shaped by and carries the stains of other forms of

oppression present in the nation's history, including those based upon: race, sexuality, gender, class, and economics. While DS advocates may have no intention of promoting any sort of "white disability," Bell and Kafer reveal the ways in which failure to incorporate other narratives and fields of study may eventually lead to this unintended goal.

It was Kafer's awareness of not only benefits, but also the necessity of cooperative efforts among marginalized groups that inspired both her research and her ultimate decision to title her book, *Feminist, Queer, Crip*. As Kafer explains in the book's introduction, she became disabled later in her life, but before she had ever studied feminist theory. As she considered the ways in which her disability situated her within the society, she gained great insights from the study of feminist theory. Most specifically, Kafer explains that feminist theory allowed her to see how questions regarding the naturalness of the feminine body led to justifications of reduced resources and access. Feminism challenged assumptions about "the" feminine body and allowed Kafer to see how similar assumptions regarding "the" disabled body established cultural constructions of ability and disability (14). When she considered the appropriate title of the book, Kafer wanted to clearly combine the fields of feminist, queer, and disability studies, but she also wanted to both engage and embrace some of the rather harsh terms associated with these fields. As essayist Nancy Mairs states, many people may wince or cringe at the use of the term "cripple" but they will not have the same reaction to the term "handicapped" or "disabled" (qtd. in Kafer 15). Kafer, like others in the DS community, admits a desire

to make people wince through this use of the term “crip.” For Kafer, this wincing is an important element in the cultural discussion of disability because it reflects the way that the able-bodied react to the disabled. The normate generally reacts in such a manner to the deviant, with “relentless staring, aggressive questioning, and/or a turning away from difference, a refusal to see” (48). As has been the case for marginalized groups based upon race and gender in the past, when DS chooses to embrace these terms, they manage to turn the wincing back on itself. The culture’s reaction to the use of such terms by the same people whose existence causes the majority itself to wince creates space for potential dialogue and debate about the realities of these societal relationships, including circumstances of ability, race, gender, sexuality, class, or wealth.

Kafer also believes these feminist and queer studies fit well with disability studies because DS has the potential to experience the same types of expansion that have been seen in the other two fields. In essence, feminist and queer theory have expanded to include large numbers and groups of people for whom they were not even originally developed. By focusing their studies and discussions on the larger cultural attitudes and systems of oppression, these two fields have been able to represent and empower others beyond their immediate constituent populations. Disability has already shown the capacity to do the same through its efforts to ensure that mental and emotional illness receive equal representation in the ability/disability discussions. As will be seen in later chapters of this dissertation, those with mental illness have struggled to establish a public voice based upon a number factors, including lack of public visibility and social stigmas

of the mentally ill. Because DS advocates with visible and often un-ignorable impairments like the need for a wheelchair or the loss of limbs have worked to include those with invisible disabilities as well, they have helped to redefine the cultural definitions of disability and exactly who makes up the disabled community. The same process has been going on for some time in queer studies, as evidenced by the works of scholars such as McRuer. Both scholarly and culturally, “queer” remains a contested space where theorists and activist continue to debate exactly who and what belongs in the category of queer. Such debates allow for the types of “big-picture” perspectives of queer identity that Kafer hopes will be a part of the future of DS as well (16).

In the end, what Kafer hopes to find through the combination of DS with queer and feminist studies is a reimagining of disability that mirrors the goals of feminism and queer theory. Queer theorists strive for a politics that does not marginalize or criminalize the queer body, practice, or desire. Feminism works to remove the political and cultural limitations that come from placing all women into a prescriptive, unified category normalized by their status as “woman.” Disability studies envisions a future free from ableist mentalities that focus on the individual body and its need for correction to reclaim its value as a part of the social norm. For Kafer, these hopes for the future stand a far greater chance of becoming a reality if there is a “serious coalition [of] work with other movements, communities, and inquiries” (24).

## COMPOSITION PEDAGOGY AND THEORY

While the purpose of this chapter has been to present a clearly-defined picture of the current and potential relationships and benefits shared by both established and emerging academic disciplines and advocacy movements, it is important to note, even if only briefly, the fact that disability studies scholars are working to expand the field into areas that might not seem as immediately obvious a fit as the ones mentioned above. For example, over the course of the last decade, disability scholars have begun to explore ways in which the composition classroom can serve as a means for appropriate understanding and representation of the disabled community.

Disability scholars' turn toward composition theory and pedagogy is not the result, however, of some simple notion regarding the potential for abuse of authority—"We have the power to assign what these students write about and how they do it, so let's just make sure they say what we want them to say in all the ways we want them to say it." Instead, what DS scholars such as Kenneth Lindblom and Patricia A. Dunn have taken from their investigations of composition studies are ways in which the disabled community can more effectively structure and deliver their arguments. One particular approach that Lindblom and Dunn have proposed comes as the result of discovering Sharon Crowley's claims that logos alone is often not enough to cause people to abandon their established "civic fantasies" (Lindblom and Dunn 170). As it pertains to disability, these "civic fantasies" have been mentioned throughout this chapter thus far—most significantly that the disabled body is a broken, deviant version of the able normate body. As Crowley argues, rational, logical arguments may not be sufficient to persuade people

to re-examine the cultural and/or their individual definitions of disability. If this is the case, then as Lindblom and Dunn claim, DS scholars must take advantage of “the full pallet of rhetorical appeals and a keen sense of *kairos*” (170). One way to achieve this increased awareness of *kairos* throughout the culture is to examine the many different ways in which the university addresses texts and ideas. Some questions that DS scholars could investigate, according to Lindblom and Dunn are: In what ways do we ask students to engage texts? How do we instruct them to create their own? How are both the university as well as the students served by interdisciplinary approaches to teaching? In what ways can core or general education classes work together to serve both their individual needs as well as larger university and social goals (171)?

Exploring questions such as these can certainly provide a clearer picture of what types of learning go on at the university, but when analyzed through the lens of disability theory, such investigations can also reveal new possibilities for interdisciplinary research and cooperation by scholars and advocates working beyond the walls of the university. While Lindblom and Dunn have identified the university, and specifically composition courses, as possible sites for the promotion of a reimagining of disability, their proposal serves as only a starting place for the potentially limitless social arenas in which similar efforts could take place. As they conclude their work, the authors remind disability scholars of the State Farm motto, “We live where you live” (172). Searching for the most effective advertising campaign, corporate researchers realized that the new generation of young adults would be drawn to the claim that State Farm, because of their shared

approach to life in the 21<sup>st</sup> century, could provide them with the type of insurance they needed. This attempt to reach customers through their own experiences, activities, and intentions seems to have been successful for State Farm, and Lindblom and Dunn believe that a similar tactic could serve DS as well. If DS scholars make greater efforts to understand the ways in which people interact with their surrounding world today, they could greatly improve their chances of creating an argument for increased access and justice for the disabled as well as other marginalized groups (172).

Although they get there in a rather different manner than some of the other scholars mentioned throughout this chapter, Lindblom and Dunn's final conclusion to their work does appear to be quite similar to those mentioned previously. The future of disability studies must include continued research into the lived experiences of those with disability, cultural attitudes regarding the body and disability, the experiences of other marginalized groups, the cultural attitudes that have established and sustain that system of dominance, both the struggles and successes of other disciplines as they resist these power structures, the effective means of gaining the adherence of a 21<sup>st</sup> century audience, and much more. Disability study is biological, legal, rhetorical, social, and interdisciplinary. As noted in the previous chapter, Chaim Perelman's work exhibits many of the characteristics listed here. His experience, research, and career are all multifaceted and certainly inter-disciplinary. Much of his work stems from a desire to see justice increased and extended to all members of the society and not just a powerful few. And like so many of the scholars mentioned in this chapter, he demonstrates a strong

belief that how we construct and respond to arguments plays an integral role in the creation, maintenance, and/or rejection of cultural attitudes and norms. Therefore, it is with this awareness of the central themes of Chaim Perlman's work and the nature disability study that this dissertation moves forward exploring the ways in which Perelman's "new" rhetoric can aid DS scholars in analyzing and crafting arguments for a more just future and a removal of the line that separates the able from the disabled.

### CHAPTER III:

#### AUDIENCE AND PRESENCE IN DISABILITY STUDIES

As demonstrated throughout the previous two chapters, Chaim Perelman and disability studies scholars share a desire for an increase in our understanding of justice as well as the processes of argumentation available to achieve such ends. Thus, the remaining chapters of this dissertation will examine the potential advancement toward justice possible through the application of Perelman's theories of argumentation to the general field of disability studies as well as individual arguments presented by members of that field. Before progressing to the individual arguments, however, it is important to examine the audiences being addressed by disability scholars and advocates as well as the ways in which DS scholars can situate themselves within the differing cultural discussions and communities.

#### AUDIENCE

Any analysis of arguments or rhetorical events based upon the ideas of Chaim Perelman must begin with examination of the audience. As mentioned in Chapter I, the audience and the way(s) in which it receives and is affected by the arguments are central to the evaluation of the argument's effectiveness. Because Perelman believes the audience to play such a pivotal role in the creation and evaluation of an argument, examinations of the audience must go much further than simply trying to understand how

many and/or which specific people will immediately encounter (hear, read, etc.) the argument. For Perelman, discussion of audience includes examinations of the particular individuals present, their attitudes and preconceived notions, the rhetor's awareness and/or constructions of the audience, levels of homogeneity among the audience (age, race, gender, culture, sexuality, knowledge, attitudes, etc.), and many other general and context-specific elements.

Perelman defines an argument's audience as "*the ensemble of those whom the speaker wishes to influence*" (TNR 19). It is important to note the distinction between the claim that the audience includes those intended to be influenced and simply those present for the delivery of the argument. Because the rhetor must keep in mind exactly whom s/he is hoping to persuade, the audience becomes a creation of the rhetor—the result of a "more or less systemized construction" (19). And above all else, the rhetor's construction of the audience must be appropriate to the situation. If the rhetor fails to properly understand the needs of the situation and the audience, s/he will be unable to present a successful argument. In fact, Perelman goes so far as to claim that a failure to fully understand the reality of the audience can cause an argument "for" an idea and action to become an argument "against" it (20). Thus, for Perelman, the great rhetor is the one who takes into the formation of the argument the "composite nature of his audience" (22). The use of the term "composite" is significant because it reminds us that even audiences that share a common physical or social setting can vary significantly from individual to individual. So while some arguments are prepared and delivered to a

gathering of like-minded people with similar experiences, this will not always be the case. Even as Perelman begins to introduce his ideas of audience, it becomes quite clear that this element of rhetorical study is far more complex than the rationalist claim that facts will speak for themselves and present an irrefutable argument to all people (17).

## PARTICULAR AND UNIVERSAL AUDIENCES

In *The New Rhetoric* Perelman identifies three major categories of audience: the particular audience, the subject himself or herself, and the universal audience (30). In short, the particular audience is one whose “reactions are known to us, or at least with characteristics we can study” (31). Arguments directed toward the rhetor him/herself are those which many today refer to as one’s inner-dialogue. For Perelman, such mental dialogues lead toward one’s decision to act in a specific manner in a specific circumstance, and therefore are vital elements of discussions of rhetoric and argumentation. The final type of audience described by Perelman is the one for which he has gained the most criticism – the universal audience. According to Perelman’s definition, the universal audience “consists of the whole of mankind, or at least, of all normal, adult persons” (30). Because this concept has been met with significant confusion and criticism, it is important that it is explored further, both in general terms and in relation to its connection to the field of disability studies.

Some critics of Perelman’s theory of the universal audience claim that the notion is too abstract and confusing to aid in the study of argumentation, while others believe that Perelman’s focus on universality and unanimity aligns him too closely with the

rationalists whose claims he strives to discredit. Scholars such as Lisa Ede have expressed confusion based upon whether Perelman's ideas of universality are focused primarily on the content or the context of a particular argument (122). Concerns such as those presented by Ede stem from Perelman's definition of the universal audience which at some points centers on the nature of facts, while at others shifting to discussions of the rhetor's conceptualization of the audience.

Toward the beginning of his discussion of the universal audience in *The New Rhetoric*, Perelman claims that arguments directed toward the universal audience "must convince the reader that the reasons adduced are of a compelling character, that they are self-evident, and possess an absolute and timeless validity, independent of local or historical contingencies" (32). He considers such arguments, "valid for the reason of every man" (32). This description of the universal audience certainly seems to reflect the claims of Cartesian rationalists who would state that Truth is self-evident, and therefore does not require rhetoric to create adherence within the rational mind. Perelman attempts to refute such interpretations with his following claims, however. He is quick to note the inherent dangers associated with assuming that any one individual or even members of any particular era can claim a full grasp on the Truth of existence "analogous to the divine mind" (33). Therefore, Perelman suggests that the universal audience represents the image that the rhetor holds of his audience and what makes up their shared understanding as well as the views to which the rhetor is hoping to persuade the audience toward acceptance.

According to Perelman, each person “constitutes the universal audience from what he knows of his fellow men, in such a way as to transcend the few oppositions he is aware of” (33). Further, each individual as well as each culture has its own concept of what traits make up the universal audience. This assertion by Perelman seems to shift the conversation of universality and unanimity away from role of Truth in unifying an argument’s audience back to the speaker and his/her ability to construct an accurate image of those s/he is trying to persuade. Not only does such an approach to creating arguments hold the most potential for successful argumentation in Perelman’s opinion, but it also allows for much more informative study of people and cultures. If rhetorical scholars acknowledge the universal audience as a complex fusion of the individual members of each audience, the cultural norms that shape public opinion, and the rhetor’s constructions and expectations of the audience, their studies could reveal what people throughout history have considered “*real, true, and objectively valid*” (33). James Crosswhite further develops this claim by stating that “the universal audience is not a pure or transcendental concept. There is always something empirical in it, something which comes from the experience of an author and the traditions of a culture” (166). Ultimately, as Crosswhite asserts, unlike the way the Truths described by Cartesian rationalists present irrefutable evidence that must be accepted by people, the adherence of a universal audience is not a fact, “but a unanimity imagined by an author” (162).

Scott Aikin seems to support Perelman’s belief that the universal audience can serve as a tool for further societal examination with his assertion that understanding the

role of the universal audience in a given argument makes it possible to understand which statements made by the rhetor can be interpreted as facts (239). According to Aikin, facts do share one significant similarity to Cartesian Truths – the ability to unite the audience around an accepted belief. The difference for Perelman and Aikin, however, is that a fact’s acceptance reveals less about its nature than it does about the nature of the universal audience and their willingness or ability to accept it as an indisputable reality. Approaching the evaluation of facts in this way not only allows those studying argument to gain insights into the ways in which a fact becomes culturally accepted, but it also changes the function of that fact within the argument. Unlike the Truths explained by rationalist thinkers, facts do not, in essence, become their own argument. Instead, as Aikin states, facts serve as “*justification*” for the use of accepted ideas as premises for further arguments (239). A fact’s cultural acceptance bolsters its position as a strong basis for the development of further arguments and attempts toward persuasion, while a Cartesian Truth serves as the end-point of argument and debate – a reality not in need of further exploration and/or debate. For rationalists, because Truth is the goal of any argument, inquiry, or debate, the establishment or identification of that truth serves to convince all reasonable audiences. According to Aikin, when considering the effects of a fact on the universal audience, the question of whether that fact “*ought to convince all rational humans*” still remains unanswered (241). The multifaceted nature of the universal audience as well as the rhetor’s understanding and/or constructions of her/his audience makes the relationship between rhetor, facts, and universal audience far more complex

than rationalist philosophers or critics of Perelman's theory of the universal audience would claim.

Aikin not only offers a perspective regarding the notion of universal audience and fact, but he continues his exploration of the topic by questioning the process and effects of a fact achieving a culturally valid status. For Aikin, the construction of an argument upon premises that have established "audience acceptability" demonstrates the connection between argumentation and justice that Perelman claims as the basis for his "new" theory of argumentation (254). When members of an audience are moved by the presentation of facts they have accepted and committed to, "they have moved themselves freely and have invested themselves in the argument" (254). Such an approach to argument creates a type of persuasion that "respects and promotes autonomy" (254). This interpretation of the culturally accepted fact and its role in the construction and effectiveness of persuasion of a universal audience holds the potential to yield interesting insights regarding some of the culturally accepted "facts" of disability that will be discussed later in the chapter.

While Aikin's work demonstrates the distinctions that can be drawn between Truth and fact through the analysis of the universal audience, Crosswhite mentions additional common and problematic dualisms involved with the study of argumentation that can be addressed through comparisons of universal and particular audiences. Just a few of the examples that Crosswhite provides in the opening passages of his article are the dualisms of "reason and emotion," "mind and body, form and content, objective and

subjective, intellect and will” (158). Although Crosswhite believes that the universal audience serves to lessen the effects of these dualities and clarify studies of argument, others like John Ray argue that the universal audience “loses all validity when it is concerned with particular audiences” (375). Ray also accuses Perelman of using the universal audience to create an “infallible rational standard,” that is “transcendental,” and “not determined by empirical experience” (372). As Crosswhite explains, scholars such as Ray contend that rhetoric should not concern itself with the universal, but only with evaluating the effectiveness of a particular argument presented at a particular time to a particular audience. All such reference to “general kinds of claims” seem to be outside the purview of rhetorical examination for critics such as Ray (Crosswhite 161).

Crosswhite provides two separate points to counter the claims of critics such as Ray. The first is that a rhetoric focused only on the particular audience did not fit within Perelman’s overall concept of rhetoric. If rhetoric and argumentation were to be perceived as truly significant role-players in the efforts to achieve a more just society, then there must be some way of examining rhetorical acts in a context that reaches beyond the particular moment of its delivery. Perelman makes his belief quite clear throughout *The New Rhetoric* by turning to a number of different disciplines and types of rhetorical events as examples: “philosophy, history, literature—including fiction and poetry—and the natural and social sciences, as well as law and theology” (Crosswhite 161). If arguments are regularly being presented in such varying disciplines and areas of inquiry, Perelman believes it to be essential that there be an approach to the study of

argument that provides scholars a means to both study and contextualize those arguments.

Not only does Crosswhite recognize the universal audience to be a central tenet of Perelman's overall theory of argumentation, he also believes that its removal from rhetorical analysis would have significant negative effects on the nature of rhetorical study. One reason for such claims is that in Crosswhite's estimation the removal of considerations of a universal audience would leave scholars with a system of rhetorical analysis comprised of only logic on one side and practical reasoning on the other. Philosophical and theoretical reasoning, and even some elements of scientific and social scientific reasoning, would be left somewhere in the middle of these two categories, perhaps ultimately delegitimized due to their lack of clear place within either "legitimate" category of rhetorical analysis (161-2). Crosswhite's second concern is that the removal of the universal or "unaddressed" audience would result in a return to definitions of rhetoric as nothing more than empty flattery employed to win over a particular audience at a particular time. If the universal, reasonable audience could no longer serve as a tool for analyzing and judging arguments, Crosswhite fears that there would be no difference between the effective argument and the valid one. Every argument that persuades a particular audience would have to be labeled valid if the only measuring-stick is the response of the addressed audience at the time of the argument's delivery. However, when the universal audience is inserted into the equation, scholars and critics are

provided greater context and alternative tools with which to test both the argument's effectiveness and its validity (162).

For Crosswhite, the presence and role of the universal audience ultimately reflects the purpose of rhetoric. If rhetoric allows itself to once again fall prey to the attacks of rationalists who argue that the purpose of rhetoric is only to flatter and gain success with particular audiences in particular moments, then rhetoricians will be labeled as those who “do not love good” (162). It will be determined that they care only about gaining the favor and acceptance of an audience while being in no way concerned about “whether their arguments make any deeper claim” (162). This certainly differs from Perelman's characterization of rhetoric which asserts that argumentation and rhetorical analysis can be used to promote justice both within a society's legal arenas as well as throughout the culture at large.

Chapter II included discussion of Alison Kafer's call not only for a disability rhetoric that rejects medicalization and embraces a more linguistic model of disability representation, but also a “politics” of disability rhetoric that allows scholars and activists to address the “assumptions and implications” of the body that shape able/disabled social relationships. In his examination of Perelman's universal audience, Antonio Raul de Velasco explores the role of universal audience as an “always contested—and thus always political—site of appeal through which truths, facts, and presumptions emerge in various contexts of symbolic production” (51). For de Velasco, “politics can be seen as a fundamentally rhetorical struggle over the form and identity of the universal audience”

(51). Because Perelman's universal audience begins with the rhetor's construction of the audience and the effects of cultural attitudes and norms, de Velasco believes that "a politically attuned variety of rhetorical criticism informed by Perelman's work would aim to thematize and make explicit how such assumptions are being called upon to serve as a platform for public discourse" (51). de Velasco believes that Perelman's ultimate goal was to expose the myths of rationalist philosophies, but DS scholars should see Perelman's ideas as a means to expose medicalized and political myths in contemporary society.

## PRESENCE

The importance of Perelman's belief that both universal and particular audiences are constructions of the rhetor becomes clearer in light of other elements of argumentation presented throughout *The New Rhetoric* that are contingent upon constructions of the audience. One such vital part of crafting an argument is the establishment of presence. As will be seen throughout this discussion, the elements of a particular argument or rhetorical situation that are endowed with presence will differ significantly, but they are certainly most successful when they are the result of careful and accurate assessments of the nature of the audience, be it particular or universal.

According to Perelman, presence in an argument is established by "the very fact of selecting certain elements and presenting them to the audience" (*TNR* 116). These choices by the rhetor imply the "importance and pertinency to the discussion" of the elements s/he has presented (116). This process, for Perelman, is an absolutely vital part

of argumentation and its analysis; however, it is completely ignored by rationalist examinations of argument. To illustrate the importance of presence, Perelman offers the following Chinese story:

A king sees an ox on its way to sacrifice. He is moved to pity for it and orders that a sheep be used in its place. He confesses he did so because he could see the ox, but not the sheep. (116)

Perelman then references a study from Piaget which concluded that when two similar objects are placed alongside one another, if one of those objects is positioned in a manner to draw the eye's attention for longer amounts of time or if it is seen more often than the other, that object will be "overestimated" by the viewer in comparison to the other, similar object (116-7). The same process seems to occur psychologically, according to Piaget. As Perelman explains, whatever "is present in the consciousness assumes...an importance that the theory and practice of argumentation must take into consideration" (117).

Just as certain elements can be emphasized in an attempt to endow them with presence, a rhetor can choose to omit or minimize other elements of an argument or a situation in hopes of reducing or eliminating its presence in the audience's consciousness (118). Those who would attack rhetoric as inherently subversive and intended only to persuade particular audiences in specific moments often cite attempts to reduce an idea's or event's presence as a clear example of rhetoric's lack of regard for legitimate truth or justice. When addressing these claims, Perelman once again references the universal

audience's role in negating such intentions. If an argument's value and effectiveness is judged not only by its effects on the particular audience, but also on a universal audience which may have greater knowledge of all elements of a situation, the rhetor cannot hope to craft a successful argument simply by exploiting a particular audience's lack of awareness or understanding (119).

Although Perelman takes great effort to describe presence as a key contributor to any successful argument, he does not provide a great deal of discussion of the theoretical or psychological effects of establishing presence in *The New Rhetoric*. After a brief definition of presence, Perelman transitions quickly to discussions of technique and potential methods available to rhetors for the creation or strengthening of presence. Thomas F. Mader notes this lack of theoretical exploration of the subject (which Perelman, himself, even admits exists within *The New Rhetoric*) and attempts to further explain the purpose and value of establishing presence within an argument. Mader addresses the question of why presence is such a vital part of an argument by stating that "presence is that state of transcendence in which one is freed from the context of his existence and as a result of his freedom is able to *act*" (378). For Mader, this freedom is the result of the rhetor's ability, through the establishment of presence, to break through the "coercive" context of the audience's status quo. He argues that the status quo is coercive because it leads people to choose, especially in circumstances involving the unknown, that which will allow them to avoid the unknown and/or incur the least potential risk. This, he claims, is not any sign of inherent weakness or lack of moral good

in humans, but rather a trait that all species share based upon their need for survival (378). When a rhetor is able to create in the minds of the audience, however, the presence of a reality that is outside the status quo, there is greater opportunity for the members of the audience to act and free themselves from the restraints of their current circumstances.

To explain the possibility of enabling an audience to act beyond their current perceptions of the status quo with presence in argument, Mader imagines a Russian peasant placing his faith in the communist system. This man, according to Mader, is capable of investing not only in his own future, but in the future of all Russians because that future is present to him now. His faith in the communist system and the notion that his sacrifices today will ensure a better tomorrow have provided such a strong sense of presence that he becomes free to act in a manner that may appear, on the surface, to be counter-productive to his current circumstances (379). The essential premise behind Mader's hypothetical example is bolstered by Richard Weaver's claim that moving people to action requires, "not merely to demonstrate that the action advocated is logical, but that the action somehow 'partakes of something greater and finer'" (*Ethics* 18). To convince an audience of this fact, Weaver believes that the rhetor must be able to move beyond discussions of only what is logical and address that which goes beyond logic. One such method for progressing beyond only logic and dialectic is to focus on increasing in the minds of the audience the presence of the actions to which they are being called.

As they continue to explore the effects of presence on an audience, Mader and Weaver both find themselves dealing with another important audience-based issue that Perelman discusses in *The New Rhetoric* – the difference between convincing and persuading. As Perelman explains, depending on one's theories of argumentation and/or the purpose of the particular argument being constructed, definitions of the values and roles of convincing and persuading seem to differ rather significantly. For example, if a rhetor is concerned only with the results of a particular argument, persuasion will surpass convincing because conviction is only the first step in persuading someone to act (27). Conversely, for someone who is only concerned with the creation of rational arguments and gaining adherence through the logical character of the argument, convincing becomes the ultimate end of argumentation. For many rationalists, persuasion is an inherently suspicious goal because persuasion can be achieved through affective means as well as rational argument. Perelman quotes Dumas who claims, "in being persuaded, a person is satisfied with affective and personal reasons" making persuasion "sophistic" (qtd. in Perelman 27).

Perelman is not willing to make such significant evaluations regarding the ethical or argumentative values of either persuading or convincing. Instead, he identifies the central distinction between the two goals as an extension of the universal versus particular audience discussion. For Perelman, a persuasive argument "claims validity for a particular audience," while a convincing argument "presumes to gain the adherence of every rational being" (28). Perelman's decision to attach the universal audience to the

notion of conviction also allows him to address concerns that have been mentioned earlier in the discussion—primarily that the definite facts and unanimity assumed to be characteristic of the universal audience are not based in reality. Claiming that a convincing argument is one directed at a universal audience does not, however, imply that the argument contains irrefutable truths that cannot be denied by the audience. Instead, as Perelman explains, convincing arguments are structured upon constructions and/or generally accepted beliefs regarding the specific issue or circumstance. If the rhetor is able to present an argument that passes the audience’s “judgment” and their “test of facts,” then the rhetor “will have done all he can do to *convince*, if he thinks he is validly addressing such an audience” (28).

Over the years, scholars have continued to wrestle with specific concepts proposed in *The New Rhetoric*, with presence, persuasion, and conviction receiving a significant amount of that attention and examination. Thomas Mader’s analysis of persuasion and conviction differs from Perlman’s explanation in that he does not believe the difference between the two to be a result of differing audiences. Instead, Mader believes persuasion and conviction represent two different stages along the path of moving an audience to action. To further explain his point, he offers the example of discussing blood donation with his college classes. Mader opens his class discussions by asking students whether it is worthwhile to donate blood to a blood bank. Of course, the responses are always overwhelmingly positive. He then asks if students believe there to be a significant need for more blood to be donated to blood banks. Again, the answers are

affirmative. However, when Mader asks how many of his students, based on these beliefs, have actually donated blood, the number is quite small. According to Mader, this can be explained by stating that his students are convinced that it is necessary and noble to donate blood, yet they have not been persuaded to actually do so (375).

As previously noted, Mader believes the value to presence in an argument is found in its ability to make the audience aware of their freedom to act and step outside the confines of the status quo. He extends this thought by stating that presence allows rhetors not only to convince audiences of their freedom to choose, but also to persuade them that they “*must* choose” (381). For Mader, presence in an argument, “makes the individual aware that whatever change is being proposed in a given situation primarily involves a change in *self*” (381). It is this element of argument and action that Mader believes to be at the root of his example of his students and their lack of blood donation. While there may be no words or statistics that can, on their own, cause a person to take the initiative to donate blood, what can cause that person to do so is an awareness that there exists a relationship between the need for more blood in blood banks and her life as an individual. This does not mean, necessarily, that the person must act only out of some sort of fear that a lack of blood may compromise her individual care sometime in the future. Instead, the new donor’s actions could be the result of an awareness that participation in this important civic duty is an element in her own process of self-fulfillment. This process, for Mader, is the source of presence’s value in argument. Presence “is essential in argumentation not only because it compels one to attend to a

problem but also because it compels one to recognize his own significance in relation to reality” (381). When this occurs, the rhetor has managed to both convince and persuade the audience of a need for action.

While scholars may continue to struggle with the precise definition(s) of concepts such as universal and particular audience, presence, and persuading vs. convincing, it is clear that Perelman’s ideas regarding the creation and analysis of arguments based upon examination of the audience have, if nothing else, provided scholars with a way of approaching rhetorical analysis as well as a terminology through which to do so. While some may see the continuing debate and overall flexibility of some of these concepts and terms as weaknesses in Perelman’s theory, others perceive them as exactly the openings necessary for applying and adapting Perelman’s theory to a number of differing disciplines. The remainder of this chapter aims to do just that by examining the role of varying audiences, presence, and processes of convincing and persuading within particular arguments in disability study.

## CLAIMING DISABILITY

Simi Linton’s 1998 book *Claiming Disability* remains today one of the seminal works of disability studies. Linton has made numerous significant contributions to DS throughout her career, but *Claiming Disability* still occupies a special place due to Linton’s ability to both outline a new, burgeoning field as well as demonstrate ways in which this new discipline should both draw from and contribute to existing academic disciplines. In the book’s Forward, Michael Bérubé claims that Linton’s goal is to use

this book to reveal the ways in which society constructs definitions of ability and disability and then propose new academic approaches to the subject of disability that will take it out of only the “‘applied fields’ such as social work or rehabilitation,” and appropriately place it within discussions that will reveal its “complex, overdetermined and sometimes tenuous relations to identity” (viii).

Specifically, Linton’s audience includes members of the university, both individual instructors in individual classrooms as well as administrators and program directors who are in charge of determining course, departmental, college, and university curricula. Addressing such an audience certainly comes with its own set of challenges, but these are compounded for Linton because to fully address many of the issues discussed in the book, there must also be an examination of the ways in which these changes in curriculum will affect students and the culture at large. To ignore these aspects of the audience would render Linton’s work, at best, incomplete, if not, according to some potential critics, void of purpose or value. This challenging issue of audience makes Linton’s work a strong case-study for the insights that can be gained through the application of Perelman’s theory of argument to particular works within the field of disability studies. Within Linton’s work are interesting and complex examples of universal and particular audiences as well as the necessity and challenges of the establishment of presence for the disabled community within both the academic world and the general culture.

As Linton explains, disability scholars must make it their goal to “bring into sharp relief the processes by which disability has been imbued with the meaning(s) it has and to reassign a meaning that is consistent with a sociopolitical analysis of disability” (10). One of the steps in accomplishing such a goal, for Linton, is insuring that the university curriculum reflects such a perspective of disability. Therefore, she wrote *Claiming Disability* with the intention of persuading members of the university to join the cultural movement toward the establishment of a presence and voice for people with disabilities within the society. To do so, Linton points out the changing dynamics of the disabled community with the society, the limitations of the current disability studies curriculum, and the ways in which these two scenarios are at odds with one another.

In her opening chapter, Linton describes the physical presence that disabled people have begun to establish in the society. She claims that the disabled have come out, “not with brown woolen lap robes over our withered legs or dark glasses over our pale eyes,” but rather “straightforward, unmasked, and unapologetic” (3). Linton believes that people with disabilities no longer feel restrained by the shame that for so long has served to limit their willingness and opportunity to function and be visible in the world. Even when those with disabilities did go out into public, they made sure to hide any visible signs of their disability to avoid making themselves feel ashamed and/or making the able-bodied around them feel uncomfortable. This is no longer the case, however. Now, the disabled “are everywhere these days, wheeling and loping down the street, tapping our canes, sucking on our breathing tubes, following our guide dogs, puffing and sipping on

the mouth sticks that propel our motorized chairs” (4). The members of this community, according to Linton, have found the desire and courage to claim their disabilities and their place within society because they have found not only one another, but most importantly a voice for the expression not of despair in light of their fate, but rather their outrage regarding their social position (4). Linton goes on to claim that the symptoms of the disabled have always been present in human existence. What is beginning to change, however, is the development of a public voice to describe those circumstances and “rail against...strategies used to deprive us of rights, opportunity, and the pursuit of pleasure” (4).

One of the ways that people with disabilities are beginning to establish presence in the culture is through the telling of their own stories. As Linton reminds readers, much of human history is linked by the dominant culture’s crafting of the narrative of the “atypical” life (5). When the dominant/majority culture is able to define that which is atypical and determine the value that is placed on such an existence, all members of the culture either choose or are forced to act in accordance with these societal norms. According to Linton, a significant contributor to the social change she describes is the creation of a cultural narrative regarding the negotiation of these norms focused upon and told by members of this atypical community. While the dominant culture continues to perceive this atypical existence as “deficit and loss,” members of the disabled community are now able to explain their lives, with both their ups and their downs, as far more complex than the dominant culture would care to admit (5). This redefining of the

disabled body, as well as other atypical experiences, has begun to provide them with a presence within the general culture – one that Linton does not believe university curriculum fully reflects.

Upon examining the university curriculum of the late 1990s, Linton found what she described as a “paltry and lopsided vision of disability,” which ultimately compromises both the university’s and the general culture’s knowledge base regarding disability (7). If people with disabilities are going to make progress toward access and justice, Linton believes this critical analysis of the university curriculum to be necessary because the academic culture constructs the social knowledge base and therefore contributes to the cultural constructions of the lives of the disabled (7). With this claim, Linton makes her first of many moves to establish presence in this book. Being a member of the university herself, Linton is aware of what it often takes to initiate significant change to curriculum. Therefore, she addresses in the opening chapter of her work the presence of an incongruity currently existing between university curricula and the actual circumstances of the modern society. She also seems aware that her audience is one that is most likely to be sympathetic to the plight of the marginalized. However, while they might be generally inclined to agree that societal changes need to occur, they may not be as quick to agree that their courses and/or programs could or should play a significant role in the initiation of that change. Perelman would claim, at this point, that Linton’s audience may be convinced that change is necessary, but they may need further proof to be fully persuaded that they should play an active role in promoting that change.

As she begins the work of supporting her claim regarding the necessity of a new university curriculum, Linton provides discussion of the ways in which people with disabilities are establishing their presence and voice in an able-bodied culture. One of the most important steps in this process, she believes, is the creation of the terms “ableist” and “ableism” (9). Such terms are important because they provide scholars with a means for examining and explaining the ways in which language is used to promote the dominant culture and devalue the marginalized. As Linton notes, in the same ways that the terms racism and sexism define relationships of power based upon race and gender, ableism implies a cultural belief that the disabled are inherently inferior to the able-bodied (9). When scholars or activists are able to identify particular language as “ableist,” it establishes presence of this relationship. Before there can be any sort of social movement toward the empowerment of a marginalized group, there must be an awareness of the group’s status as marginalized. We are a culture incrementally working toward the reduction and/or removal of anything within the “-ist” category, so establishing the reality of an ableist society is an important step in persuading the public to reject these oppressive values and norms.

As the culture continues to become more conscious of oppressive systems and norms, questions begin to arise regarding who exactly is affected and in what ways. As it pertains to the issue of ableism, one of the first questions that must be addressed is “who ‘qualifies’ as disabled” (12). According to Linton, this question, like so many others that deal with identity status, is truly “confounding” (12). One of the more common responses

to this question among members of the disabled community is to simply state that one is disabled if s/he claims to be so. As Linton states, such a response might not satisfy a worker's compensation lawyer or a government employee in charge of reviewing disability claims, but it does hold a certain creditability within the disabled community. Another response to the question of who can claim disability is that disability is, at its core, a societal construction and distinction resulting in a marginalized status. Those who fall victim to this marginalization do not do so based upon their own claims, but rather their assignment to that status by the norms and values of the society at large (12).

Yet another response, and one that Linton is not personally fond of, is the claim that everyone is disabled in some way or another, therefore we are all united in our shared experience of disability. While Linton agrees with one part of this assertion – that every person has experienced some degree of impaired function of one or more body systems, not all impairments result in disability. For Linton, if one's impairments do not limit the ability to function on a regular basis, or if that person does not consistently identify himself/herself to the public as disabled, then s/he should not be considered disabled. Linton's stance here is an interesting one, because it reveals that she is "not willing or interested in erasing the line between disabled and nondisabled people, as long as disabled people are devalued and discriminated against, and as long as naming the category serves to call attention to that treatment" (13). This portion of Linton's work reveals a significant element of presence as it pertains to her perspectives regarding disability. For Linton, disability and the cultural attitudes associated with it are very real

parts of the culture, and therefore disability is not something that she believes should be dealt with by simply ignoring its presence. To say that any person who deals with minor impairments shares the experiences of the disabled removes the need for a distinction between the disabled and the nondisabled is neither appropriate nor accurate. Just as there is a need for terms such as ableist and ableism, Linton feels there is a need for categories of able-bodied and disabled individuals. To remove that line, whether on account of political correctness or a misunderstanding of the disabled experience, would only serve to reduce the presence of the disabled in the majority consciousness.

According to Linton, the disabled's lack of presence in the public consciousness affects not only the current situation for people with disabilities, but that of future individuals as well. When anthropologists study communities and cultures and find only the strong presence of the majority voice with no representation of minorities' voices or experiences, their studies will result in only the promotion of those majority voices. This problem is exacerbated by situations in which the anthropologist's current environment does not recognize the presence and significance of promoting marginalized voices (104). When scholars who are not inherently mindful of underrepresented voices study past cultures, or when scholars present such studies to an audience that does not express a desire to see the experiences of the marginalized represented, it becomes even more likely that minority lives and experiences will be lost amid the ideas, norms, and expectations of the majority.

Another potential problem that Linton believes to be caused by a lack of presence of disabled voices in anthropological study is the creation of an inaccurate system of measuring societal progress relating to disability. If the actual experiences of the disabled are not represented, then the only markers used for such measurement are medical and technical advances and perceived social progress. However, that social progress is judged only through the perceptions of the able-bodied community and their interpretations of what their actions have done for people with disabilities (104). Because the lived experiences of the disabled cannot be examined or considered through this model of study, any society that can demonstrate evidence of a scientific achievement or a seemingly progressive change in policy will be defined as one striving to improve the situations of its disabled members. Once again, the position of the disabled is determined only by their physical bodies and science's abilities to mitigate their limitations. If those gaps can be argued to be lessened by these advances, this community must be judged favorably. Nowhere in this examination is any discussion of societal norms or attitudes and how disabled individuals were promoted or ostracized by them. These vital parts of the able/disabled relationship are completely omitted from anthropological studies of the type mentioned here by Linton.

Because the need for establishing the presence of disability is so strong both generally in society as well as in the academia, Linton proposes that scholars rethink the roles of disability in the current university curriculum. Linton opens her analysis of the existing curriculum by referencing scholars such as J. E. Butler and J. C. Walters who

assert that as a culture we learn to understand our “American selves” based upon the ways in which we regard “these ignored, distorted, and subordinated people and their histories and legacies” (326). Realizing this, Linton claims that disability scholars and activists had to first establish their presence within the culture and the university as a subordinated community whose histories and legacies had been ignored and/or distorted (72). It would seem that before members of academia could be persuaded that further study of the treatment of the disabled really played a role in defining the American self, they had to be persuaded that those with disabilities actually fit the descriptions of the marginalized groups mentioned by scholars such as Butler and Walters.

Linton then moves to establishing the presence of the effects of the current curriculum on the disabled. To do so, she considers the ways in which current approaches to research and inquiry directly and indirectly bolster existing ableist attitudes throughout the academia. As she begins to explore this topic, Linton provides a list of questions that should be answered by members of the university. This list includes such questions as:

how does the structure and focus of research contribute to ableist notions of disability? What perspectives inform the choice of variables, theories to be tested, interpretive frameworks to be employed, and subjects/objects to be studied? How has the research agenda been influenced by the absence of disabled people in academic positions? (72-3)

This list serves to establish presence in a number of different ways. First, the simple act of listing several different questions one after the next establishes a degree of presence.

According to Perelman, presence can often be created by simply listing relevant information to one's audience. This act could involve something like listing the names of each person affected by a potential decision or mentioning every possible thing that is to be gained by acting in a specific manner. By doing this, the rhetor "[displays] certain elements on which the speaker wishes to center attention" in hopes of causing these elements to "occupy the foreground of the hearer's consciousness" (142). Perelman believes that these clear statements and lists of relevant elements establish presence because "absolute figures have a greater impact on the imagination" (148). Therefore, when specific individuals or groups are mentioned or when particular outcomes are specified, the audience finds it easier to connect with the assertions of the rhetor. In this instance, Linton provides a series of questions as a way of giving presence to her claim that the current role of disability in academic inquiry is one in need of significant study. Another way this list of questions creates presence can be discovered by considering the scope of each of these questions. Linton's list does not focus only on one aspect of academic inquiry. Instead, she questions the role of disability in the overall attitudes of the university, the creation of study and control groups within individual studies, and the absence of people with disabilities among the faculty and administration of universities. In even the few questions presented here, Linton has revealed the comprehensive nature of analysis that she believes should be taking place among universities regarding their role(s) in the construction of current ableist attitudes within the culture.

Linton believes it to be important that members of the university understand the existing relationship connecting disability and the academia because for disability studies to claim a legitimate position in the university it cannot be valued by only those involved in that particular field of research. As Linton claims, “creating the category ‘disability studies’ didn’t create the scholarship” (117). Instead, the scholarship resulted from the organization and combination of a “knowledge base that explains the social and political nature of the ascribed category, disability” (117). This formalization of the field and its central tenets has served as the driving force behind the emergence of disability studies in the university. It was not the result of a single or limited few voices simply declaring their intentions to create a new field of scholarship. In much the same way, disability studies cannot hope to expand its standing within the university simply through the intention of its leading voices to produce more scholarship. Instead, scholars in other fields must be convinced of the ways in which disability studies relates to and can expand their understanding of their respective fields. As Linton explains, “the social, political, and cultural analysis undertaken by disability studies form a prism through which one can gain a broader understanding of society and human experience” (117). Linton strives to create presence in the minds of other members of the university, particularly those in the humanities, that disability studies can serve to enhance their current research and teaching within their fields. If she is able to do this, there is a greater chance of persuading them to include the type of analysis of marginalized voices that exists both currently and historically in disability studies.

While many of Perelman's discussions of presence focus on the need and tools available for the establishment and strengthening of presence, he also notes that sometimes rhetors may find it necessary to reduce or eliminate the presence of an idea or issue within the minds of the audience (118). Along with her many arguments for the establishment of presence of disability studies in the university, examples of Linton's efforts to downplay some attitudes and concerns can be seen as well. One of the most significant attitudes that Linton believes to be present in the minds of scholars is that the establishment of the field of DS is actually "part of an overt agenda" to promote only those things which might benefit the specific community of the disabled (119). To reduce the presence of such concerns regarding ulterior, self-serving motives of DS advocates and scholars, Linton includes a list and clear definition of the goals of a thriving academic field of disability study.

The first desired outcome of expanded DS scholarship is the establishment of disabled people as "complimentary parts of a whole integrated universe" (120). By labeling people with disabilities as parts of the whole serving a complimentary role similar to those served by so many other individuals and communities within the society, Linton can address the concerns that DS is nothing more than a mask for the advancement of a small number of people at the expense of the rest of the society. Instead, what DS allows is not only for the disabled to take their proper place within the society, but also for the general society to benefit from the contributions that people with disabilities will provide. Similarly, the second goal listed by Linton is that "centering

disability perspectives can be advantageous for knowledge development in all content areas” (121). As an example of her theory, Linton cites historical and anthropological studies which examine the treatment of people with disabilities in previous eras and cultures. Many of these studies mentioned by Linton accept the medical model of disability and assume that people with disabilities are inherently inferior to the able-bodied. Therefore, the only element of the culture scholars are able to study is how any given society treats the “weak” and “inferior” members of its population. However, if a more comprehensive study of disability, such as the one accepted by DS scholars, were employed by these historians and anthropologists, their research could be opened up to consideration of issues such as “the mechanisms that a society uses to make disabled people economically vulnerable, powerless, and isolated, and ... what the use of those mechanisms says about a society” (122). Rather than allowing the perception of DS as a self-serving, limited field to persist, Linton provides, even through this brief example, evidence of her claims that application of DS theory to other fields would enrich the scholarship of that field as well. Linton continues throughout the remainder of this chapter to provide more goals of an expanded field of DS, but analysis of just the first two on the list provides a clear sample of the ways in which she is able to not only define the goals of DS, but also to reduce the presence of her critics’ fears.

Another move that Linton makes to persuade scholars to consider the expansion of DS in the academy is to address the effect that such a change would have on students. The most significant issue for Linton is that without an interdisciplinary approach to DS,

“students’ college curriculum will also be out of step with their experience of a range of phenomena related to being disabled in the late-twentieth-century America or of witnessing disability in these circumstances” (158). Of course, faculty and administrators should be persuaded by a need for change based on that evidence alone. If the education that universities provide does not properly prepare students for the realities of the world, the university should be willing to reconsider its approach. Linton exposes a greater reason for concern, however, by claiming that most students will not even notice that their education has not aligned with their experience. For too many of these students, their high school curriculum did not connect disability perspectives with history, literature, current events, or biology courses. Therefore, there is no presence in the minds of these students regarding disability and the lack thereof throughout the academic curriculum. If the university fails to provide a curriculum that can create such a presence, then students will exit higher education with an idea that while disability might have its place in some aspects of society, there are many more in which it is not now nor should be involved in the future. If the role of disability throughout the culture does not have presence in the minds of today’s students, there is a significantly smaller chance of those students creating meaningful change in the future. Linton’s claim that the current curriculum fails to properly serve students both currently and in the future is a strong move toward persuading both faculty and administrators alike that it is absolutely time to analyze and amend the university curriculum and its relationship to disability.

## THE WHEELCHAIR'S RHETORIC

Linton's work provides a strong example for the type of academic arguments being provided by and on behalf of people with disabilities, but that is far from the only type of argument that is being presented to the culture regarding disability. Petra Kuppers examines some of these arguments that occur through public "performances of disability" (80). Kuppers opens her discussion by referencing the attempts made by able-bodied people to understand the experience of the disabled through short-term interactions with assistive technology and/or scenarios created to represent the situations faced by people with disabilities. Some of the most common examples of these "performances" of disability include wheeling around in a wheelchair or possibly wearing a blindfold for an hour or so (80). According to Kuppers, these performances often only serve to widen the gap between the able-bodied and the disabled. Wearing a blindfold or using a wheelchair for a brief time reduces the life of a person with a disability to only the limitations related to that particular ability. Also, any inconveniences and/or lack of access that might be noticed during the participant's experience is directly related to and blamed on the particular impairment and not problematic design or constricting, oppressive cultural attitudes and stigmas (80-1). The most common form of empathy that is created by these experiences is a reinforcement of the stereotypes of people with disabilities as victims. It seems that the real lasting effects of the hour-long "test-drive" of disability can be the establishment of a problematic and incomplete presence of disability in the consciousness of able-bodied people. The most significant factor that impedes the disabled's

interactions with the everyday world appears, to the able-bodied participants, to be their physical impairment, and not “steep [ramps],...nonautomatic doors,...or insufficient audio or textual clues to [their] world” (81). When the disabled body is invested with this much presence in the mind of the able-bodied, the general social notion regarding disability is that the disabled body itself is the element that needs to be removed from the equation in the effort to achieve ultimate accessibility. In spite of the arguments and efforts of scholars and activists such as Simi Linton, the social perception of disability moves closer toward the medical model described earlier rather than ones proposed by members of DS.

Although Kuppers opens her work with a discussion of able-bodied participation in disabled experiences, these are not the most common cultural performances of disability. Instead, when many able-bodied people consider images of disability, their thoughts turn to popular and acclaimed Hollywood presentations of disability. Kuppers mentions that several of these performances of disability by able-bodied actors have resulted in Academy Award wins including: “Jane Wyman for *Johnny Belinda* (1948), Patty Duke for *The Miracle Worker* (1962), [and] Dustin Hoffman for *Rain Man* (1988)” (81). Kuppers also reminds readers that Tom Hanks won, “back-to-back Oscars playing disabled people—for *Philadelphia* in 1993 and *Forrest Gump* in 1994” (81). Russell Crowe also received an Oscar nomination for his performance in *A Beautiful Mind* in 2001.

As Kupperts notes, the film industry clearly has a strong admiration for actors who are able to “portray a way of being that is so strongly associated with the opposite of skill, choice, and ability, underlining the freedom of the nondisabled actor” (81). According to Kupperts, film industry critics as well as members of the general audience consider portrayals of disabled characters by able-bodied actors to be evidence of great skill and achievement on the part of the actor. Such a claim seems to reflect an opinion that able-bodiedness and disability are so widely separated, that when any actor manages to bridge that gap successfully, he or she has truly reached the pinnacle of the craft as evidenced by the presentation of the industry’s most prestigious award to so many such actors. For such a perception to be held by both the film industry as well as its audience, disability must have a presence in the minds of the majority as a state far-removed from normal. It is the presence of this definition of disability that invests Hollywood performances of disability with such great value. These performances rarely initiate discussions regarding the larger societal able/disabled relationships or cause audience members to reconsider constructions of disability. The fact that these constructions fail to enter the public discourse during the height of a performance’s popularity demonstrates the strength of their presence in the social consciousness. The presence of these constructions causes the actors who portray disability to be seen as masters of their craft, while the characters they create remain the unfortunate victims of genetics, medicine, or fate.

To further understand the ways in which social constructions of disability affect audience's reactions to on-screen presentations of disability, Kuppers examines the use of the wheelchair and "how wheelchairs become icons and communicative symbols in nondisabled performances" (81). Kuppers mentions that she is a wheelchair and crutch user herself, and as such she is acutely aware of reactions to the presence of these devices as well as the "negative stereotypes and narrative shortcuts a chair often provides" (81).

Kuppers actually begins her exploration of the use of wheelchairs in film by nondisabled actors with a discussion of the film *Murderball*, in which the documentary's subjects are actual wheelchair users. Such an analysis of the presence of the wheelchair being used by disabled people provides a sort of control for Kuppers' later comparisons of films displaying able-bodied actors in wheelchairs. *Murderball*, which provides a glimpse into lives of wheelchair rugby players both on and off the court, not only displays wheelchairs throughout, it presents them as central to the narrative, providing "freedom, sexiness, and regained masculinity-machismo" to the members of the rugby teams (81). A prime example of the empowering presence of the wheelchair in this film is the encounter one of the athletes has with a newly-disabled young man injured in an automobile accident. The young man is clearly emotional about his injuries and the limitations that accompany his paralysis. His anger and depression regarding his circumstance reflect well the social constructions of the disabled body as weak and defective. However, his demeanor changes drastically upon meeting the rugby player and seeing his chair. The chair is sleek and compact, designed to move quickly and nimbly

around the court, while also being strong enough to withstand repeated crashes—most of them instigated purposefully by the athletes as a part of the game’s strategy. This chair becomes both literally and metaphorically a symbol of agility, power, and durability. In fact, the young man who had only moments ago revealed his anger and heartbreak regarding his now “broken” body embraces this rugby chair. His fascination with the chair is so strong that he winds up sitting in the chair even against the advice of his doctors.

As Kupperts points out, this chair is capable of having such an empowering effect on this young man because unlike so many other film representations of disability, “*Murderball* is disability performance by disabled people: people to whom the chair is not just a narrative, but a tool, a lived experience, and aesthetic statement, and a form of self-identification” (81). This causes disability and its related artifacts and/or tools, such as the wheelchair, to maintain a very different presence in the minds of *Murderball*’s audience. The audience is not surprised by the young man’s reaction to the chair, wondering how anyone could want to be “confined” to this thing. Instead, the film’s depiction of the wheelchair has established a presence that connects the chair with the masculinity, power, and confidence demonstrated by the athletes themselves. Because the audience perceives the rugby chair in such a manner, it is no surprise that the young man cannot wait to strap himself into it.

Kupperts compares the empowerment and mobility demonstrated by the wheelchair in *Murderball* with the presence of Professor Xavier’s wheelchair in the X-

*Men* movies released in 2001, 2003, and 2006. These movies are based on the *Marvel* comics of the same name. In the comics and the films, certain portions of the population have evolved and through genetic mutation now possess super-human abilities. The remainder the human population has not experienced these changes and both fears and despises these mutants and wants them to be confined away from society, if not destroyed all-together. The X-Men, under the direction of their leader, Charles Xavier, also referred to as Professor X (played by Patrick Stewart), fight against discrimination while trying to bridge the gap between humans and mutants.

Charles Xavier is one of the most powerful mutants on the planet. His particular mutant ability is telepathy. Xavier can communicate with others telepathically as well as probe their minds for information with or without their consent. Often (particularly in the televised cartoon versions of the *X-Men* franchise) Xavier's telepathic communications take place through his creation of an alternate reality within the mind of his subject. In this alternate world, Xavier interacts with the person and searches for the information within the subject's subconscious mind. In these alternate worlds of Xavier's creation, he rarely uses his wheelchair. He most often recreates himself as an able-bodied man, able to function with the world without the aid of any assistance. Such moments provide fuel for debates regarding the perceptions of disability that Xavier creates. As Kuppers mentions, some believe that placing one of the strongest mutants on earth in a wheelchair serves to empower those with disabilities. Xavier's loss of mobility in no way reduces his telepathic abilities and certainly does not make him unfit to lead this elite group of

mutants in their life-saving endeavors (84). If this is truly the case though, what is gained by removing Xavier's disability in these alternate worlds of his own creation? It appears that Xavier's own perception of himself is one detached from his disability. The reality of his body is so foreign to him that it is not a part of his mental constructions of his identity. And when he chooses to create a presence of himself within the mind of his audience--literally in these instances—he omits his disability. When he seeks the necessary authority to control these explorations of another's mind, sometimes in spite of their attempted refusal, he recreates himself as able-bodied. These actions create not only a presence of Xavier within the mind of his subject, but also a presence of disability within the minds of the show's audience.

The character of Magneto (played by Ian McKellen) serves as a foil to Xavier both ideologically and physically. As a young boy, Magneto was separated from his family and witnessed first-hand the atrocities of the Nazi's attacks on all types of marginalized groups and individuals. As a result, Magneto has become convinced that humans and mutants cannot hope to live together in peace. Magneto believes that mutants are the future of humanity, and therefore is intent on destroying "regular" humans before they can do the same to mutants. Unlike Xavier whose mutant powers allow him to manipulate others' minds, Magneto is capable to controlling magnetic forces and manipulating any metal object at will. His control of magnetic fields even allows Magneto to fly. Magneto, like Xavier, is believed to be one of the most powerful mutants on the planet. However, Magneto's power or danger comes not from his own body, but

from his ability to control his environment, potentially turning any metallic part of that environment into a weapon. In fact, when Xavier knows that he is going to encounter Magneto, he is forced to use a plastic and glass wheelchair so that his own chair does not become a weapon for Magneto.

Magneto's mutant power provides an interesting notion for DS scholars to consider because he serves as a clear representation of the often-ignored fact that one's ability to effectively function on a daily basis is less a matter of her/his ability/mobility, and more a result of the accessibility of the surrounding environment. When metallic environmental factors are removed, Magneto poses no threat. Conversely, when appropriate elements are present in the environment, Magneto's ability to interact with and manipulate that environment is seemingly limitless. While Magneto and Xavier are both clearly dependent upon particular physical circumstances that allow them to move freely and interact with the world, only Xavier's dependence upon the environment is perceived as a disability. Such reactions to these characters once again clearly demonstrate the presence that disability and its associated items (i.e. wheelchairs) maintain within the public consciousness. As Kupperts notes, Magneto is "highly mobile," both literally and symbolically (86). He can move objects at will and is even able to fly. He is also freed from the concerns with human life and safety that are found at the center of almost all of Xavier's beliefs. Magneto is capable of transgressing, both his physical setting as well as the accepted moral codes of the society. "Magneto is expansive," while "Xavier is contained," both by his chair and his ideals (86).

Kuppers concludes her work by stating that in film and on the stage, “wheelchairs become rhetorical devices carrying narratives and marking identities. An attention to the rhetoric of the wheelchair-object can make a spectacle of difference” (88). Clearly, it can be argued that wheelchairs, along with other assistive technology, establish a presence within an audience’s mind regarding disability. Without the type of critical analysis that Kuppers performs and calls for, the general cultural perception of wheelchairs will carry narratives that do not reflect their role for the disabled as “transporters full of weight, texture, and sensation” (88).

Like Kuppers, Simi Linton calls for a transformation of the role of disability in the public consciousness. Linton centers her discussion on the academia, asking faculty and administration alike to consider the ways in which their curriculum both reflect and construct inaccurate narratives of both ability and disability. While she addresses a particular audience with her book, Linton ultimately hopes to reach a universal audience as cultural constructions of disability are brought closer to the realities of everyday life. While their works differ in several significant ways, ultimately Kuppers and Linton provide examples of the ways in which we are persuaded and convinced of certain definitions and attitudes regarding the body. Each discussion allows readers to consider what cultural attitudes are present within the general consciousness as well as what changes may be required to ensure a more accurate, accessible, and just cultural relationship with the body, ability, and disability.

The application of Perelman's theory of presence to the texts listed in this chapter provides DS scholars an opportunity to consider the ways in which disability's presence in the culture is constructed. While disability advocates such as Linton strive to promote a cultural presence for the disabled that more accurately reflects each individual lived experience, Kuppers provides evidence that scholars and advocates such as Linton are not the only ones contributing to the development of disability's societal presence. If an argument's presence is truly an essential element of its potential success, then it is vital that disability scholars pay specific attention to the development of the presence of disability in the culture. Continued study of the ways in which arguments both within and outside of DS contribute to the construction of that presence is an important step in that analysis.

## CHAPTER IV

### TECHNIQUES OF ARGUMENTATION IN DISABILITY STUDIES

While concepts such as presence and audience are instrumental to Perelman's theory of argumentation, the majority of *The New Rhetoric* (over 300 pages) is devoted to Perelman's examinations of what he terms the "techniques of argumentation." These techniques play a role in the process of argumentation and persuasion that Perelman has outlined thus far in the book. Perelman opens his discussion of the techniques of argumentation by insisting that "discourse is an act which, like every other act, can, for the hearer, become an object of thought" (189). This process of thought by the audience is essential to Perelman's theory because it allows for argument and rhetoric to function in ways that Cartesian philosophies do not.

As Perelman states, "the mental activity of the hearer can often be guided by the speaker either by supplying certain arguments bearing on the nature of his own theses or by supplying certain items of information which will encourage his hearers to reason in some particular way" (189). Unlike rationalist philosophers who perceive Truth as the only element involved in convincing a rational audience toward action, Perelman believes the true value of argumentation lies in its ability to affect the "mental activity" that takes place within each member of an audience upon encountering an argument. To ignore these mental activities and an argument's effect on them, for Perelman, dooms any analysis of argument and rhetoric to failure (190). Unlike the system of proofs, "where

demonstrative processes operate within an isolated system, argumentation is characterized by a constant interaction among all its elements” (190). Because Perelman believes argumentation to be a combination of many elements, each of them contributing in a particular way to affect the mental activities of the audience, the specific techniques and types of argument that are employed by a rhetor within any one argument are worthy of analysis, both to increase the understanding of that argument’s effectiveness as well as to make it possible to further understand the rhetor, issue, and audience involved in any given argument.

Perelman separates the techniques of argumentation into two “loci of argumentation” – “processes of association” and “processes of disassociation” (190). Processes of association allow the audience to combine separate elements, establishing a unity between them that makes it possible to evaluate each element by means of the other. Processes of dissociation, conversely, serve to separate elements which are generally perceived as connected or perhaps combined to form a whole or unified group. Such arguments might challenge the group as a whole, the role played by any individual element, or the perceived bonds that allow for connection of the elements. Ultimately, arguments of association and disassociation allow and/or require the audience to understand an element through comparisons to other related elements. Whether connections are being formed or challenged, the relationship to related elements plays an important role in directing the mental activities of the audience.

Within each of the loci of association, Perelman mentions other categories or umbrella concepts under which certain types of arguments are placed. Techniques of association include “quasi-logical arguments,” “arguments based on the structure of reality,” and “the relations establishing the structure of reality.” While there are several particular arguments listed within the loci of disassociation, they are all simply grouped under that heading rather than being further categorized like the arguments of association. While one can certainly find examples of disability scholars and activists presenting arguments of disassociation, this study will focus only on the loci of association, analyzing samples of arguments representing each of the three major, umbrella categories.

#### QUASI-LOGICAL ARGUMENTS

Perelman begins his discussion of specific techniques of argumentation by noting that it may seem to readers and critics alike that his theories promote the same reductive perspectives of argumentation that have been used for centuries to dismiss any definition of logic that was not based on formal reasoning. Perelman notes that while his intention is to “set forth the formal scheme on the model of which the argument is constructed and...to display the operations of reduction which make it possible to insert the data into this scheme and which aim at making the data comparable, similar, homogeneous,” he does not intend for that analysis to be mistaken for a promotion of such arguments as the only means through which complex issues can be considered or reasoned (193). Perelman makes it clear that the type of reductions and simplifications that result from formal

reasoning, while potentially effective in some situations, are not appropriate in all circumstances, and therefore, should not be considered the sole means of valid argument and reason. While these formal techniques should not be perceived as the beginning and end of reasoning, Perelman admits that “since there are formal proofs of recognized validity, quasi-logical arguments derive their persuasive strength from their similarity with these well-established modes of reasoning” (193). Even though Perelman does not endorse the formal approaches as the only means of reasoning, he is quite aware of their accepted cultural value. Because audiences have a tendency to recognize such arguments as valid, it is important for rhetorical scholars to study both the ways in which they lead to audience adherence as well as the reasons they hold such cultural significance.

The first example of a quasi-logical argument that Perelman analyzes is the attempt to establish contradiction and/or incompatibility. According to Perelman, when one asserts a proposition and its negation within the same system, the rhetor establishes “a contradiction...[making] the system inconsistent and thereby unstable” (195). It is Perelman’s belief that one commonly-accepted element of formal reasoning is the notion that contradictory elements cannot co-exist. Therefore, if one is able to present an argument that reveals the presence of a contradiction or incompatibility, members of the audience will experience an inherent desire to take some sort of action to resolve that issue.

For a rhetor, a circumstance in which the audience believes her/his argument to contain a contradiction is potentially fatal to that argument. A contradiction represents at

least two elements which cannot possibly exist together. Therefore, a portion or even all of the rhetor's argument will be regarded by the audience as invalid due to the fact that it is not compatible with known and/or accepted realities. An argument containing a contradiction will ultimately crumble around that contradiction. While an incompatibility certainly reduces the validity of an argument, it does not doom it to the certain failure that a contradiction does. Unlike a contradiction, which places some part of the argument at odds with reality, an incompatibility could be the result not only of facts and accepted truths, but also of the processes of reasoning that have been applied to the rhetor's argument. If the rhetor is able to establish that an incompatibility perceived in her/his argument is the result of formal reasoning processes, s/he will be able to avoid the possibility of that incompatibility causing the rejection of the argument by the audience. While the difference between these two concepts may seemingly be one of degrees, those degrees of difference can be vital to the success of an argument. In fact, Perelman claims that when a rhetor is accused of presenting a contradictory argument, that person might be best served by making the claim that her/his argument contains only an incompatibility which can be resolved rather than a contradiction (195-6). Such a statement serves to demonstrate the significance of perceived contradictions within any particular argument as well as the need to avoid and/or alter such perceptions by the rhetor.

Because compatibility plays such a significant role in the success of arguments, Perelman examines the way in which a rhetor can present his/her own arguments as

compatible as well as techniques available for establishing opposing arguments as incompatible or contradictory. As he begins this discussion, Perelman even goes so far as to claim that the techniques used to reveal incompatibility as well as those that reestablish a relationship of compatibility “are among the most important ones in any argumentation” (201). Part of this opinion is based upon Perelman’s belief that an incompatibility or contradiction present the audience with an “unavoidable choice between two propositions involved” in the rhetorical situation (201). If one of those two propositions is based upon already established and accepted cultural beliefs, then the audience will feel that it has no choice but to reject at least portions of the rhetor’s claim.

One proposed strategy for establishing incompatibility of an opposing argument is to state that among two mutually exclusive theses, one of them is always true. If the audience accepts the static nature of one thesis, then claims made by one’s opponent to the contrary will be dismissed immediately, not based on their specific merit or logic, but rather, simply because they are incompatible with a universally true and accepted notion (201-2). Perelman continues this discussion by exploring ways in which a rhetor might strive to disprove this perceived incompatibility. Often, this reestablishment of compatibility comes not from a reevaluation of either of these opposing theses, but rather the problematic nature of their relationship. For example, one might be able to account for an incompatibility simply by noting that a division in time separates the two elements and allows both to exist without challenging the validity of either element. If this division

of time can be established, the incompatibility can be eliminated without requiring the audience to alter its perception or definition of either element of the argument (202).

Tobin Siebers, in “Disability in Theory: From Social Constructionism to the New Realism of the Body,” asserts that the disabled body itself becomes an argument, and in doing so it identifies a contradiction between societal definitions of the body and reality. According to Siebers,

[disability] offers a challenge to the representation of the body—this is often said. Usually, it means that the disabled body provides insight into the fact that all bodies are socially constructed—that social attitudes and institutions determine far greater than biological fact the representation of the body’s reality. (173)

The notion that biological fact is the basis for placing value on the body, regardless of its level of ability, is central to the medical model of disability that has been referenced throughout this dissertation. As Siebers explains, the medical model, “situates disability exclusively in individual bodies and tries to cure them by particular treatment” (173). According to this model, there exists a prototypical, properly functioning human body, and any body that does not match this template is defective and must be repaired or cured to restore it to proper working order. Siebers asserts that appropriate study of disability draws attention to the need for a reevaluation of ability and the concept of the proper function of the body. When the disabled body is accurately placed into the context of society, there exists an incompatibility between perceived function of the body and the

reality of everyday life. As Perelman states, once an incompatibility is pointed out, efforts must be taken to rectify the situation through the removal of the incompatibility. For Siebers, the incompatibility between the medical model and reality can be removed by admitting that the medical model is a flawed notion and replacing it with one that more accurately portrays the relationships connecting the body, disability, and reality.

Siebers believes that the social constructionist model provides scholars the opportunity to replace the medical model with a more appropriate and compatible system. As Siebers explains, the social constructionist approach to disability “makes it possible to see disability as the effect of an environment hostile to some bodies and not to others, requiring advances in social justice rather than medicine” (173). This perception of disability does not ignore the differences separating the able and disabled body, nor does it imply that people with disabilities do not experience difficulties while navigating the day-to-day tasks of life. Where the social constructionist theory differs from the medical model is in its placement of the “blame” regarding these struggles. While the medical model proposes a need to rehabilitate or cure the problematic disabled body, the social constructionist model calls for changes to the environment, both physical and cultural, that refuses access to those with disabilities. Shifting the focus away from the disabled body and on to the environment allows for the removal of the incompatibility that Siebers believes currently exists within the medical model’s construction of disability. If Siebers would have limited his argument to simply a claim that the disabled body is not the biological fact that it is believed to be, he would have succeeded in identifying the

incompatibility, but he would have provided his audience with no way of reconciling this incompatibility—and therefore no direct opportunity for a change of perspective or action. Labeling the environment as the most significant factor regarding issues of disability helps to guide the audience as they make the “unavoidable choice between two propositions,” that Perelman mentions in *The New Rhetoric* (201).

Perelman also claims that identity and definition play an integral role in the formation of quasi-logical arguments. He explains that identification and definition are significant because these processes often allow rhetors to reduce issues or concepts down to their essential characteristics—more specifically, the characteristics that the rhetor wants the audience to perceive as essential. Perelman is aware of the belief that identifying or defining a concept is too simple and self-evident to be considered an argument. His response to this criticism is to note that while some definitions are quite self-evident, others are not, and some issues and situations may provide opportunities for identifications and reductions that are not immediately obvious or agreed upon by all involved parties. In these types of circumstances, the definitions provided by the rhetor become much more malleable elements of the argument that can be adapted to fit the context and employed to persuade the audience (210).

To further explain the ways in which definitions can serve as arguments, Perelman identifies four types of definition. The normative definition indicates “the manner in which a word is to be used” (210). While this definition may be provided by the rhetor within the context of a particular argument, Perelman notes that the normative

definition is one that the rhetor believes should be used by all people. The second type of definition, the descriptive definition, “indicate[s] what meaning is given to a word in a certain environment at a particular time” (211). Unlike the first type of definition that strives to establish a norm, the focus of the descriptive definition is the unique circumstance in which the rhetor is positioned at the time of the delivery of the argument. The condensed definition serves as an extension of the second type, pointing out the “essential elements of a descriptive definition” (211). As the name implies, the condensed definition intensifies the focus on and/or understanding of a concept by reducing discussions of it down to only the element(s) that the rhetor perceives as central to the particular situation. The final type of definition listed by Perelman is the complex definition, which is a combination of portions of the previously-mentioned three types. Even from the brief descriptions provided here, it is quite clear that that Perelman’s idea of the definition is far from the self-evident reality that others might initially believe it to be.

Perelman continues his analysis by stating that the “argumentative character of definitions always presents two closely connected aspects which must nevertheless be distinguished, since they deal with two phases of the reasoning: definitions can be supported or validated by argument; they themselves are arguments” (213). This assertion by Perelman clearly demonstrates his belief that the definition serves a far greater argumentative purpose than simply clarifying or reiterating self-evident truths. While rationalists would argue that the definition is self-evident, Perelman claims that, at times,

the purpose of a particular argument may be to validate an existing definition. If it is possible for a definition to need validation via argument, that definition cannot be considered self-evident. For rationalists then, the definition must be immediately thrown-out as invalid. Even a willingness on their part to consider such an argument for its validity is a violation of their own premise.

The second possible characteristic of a definition that Perelman mentions moves even further from the rationalist concept of definition. By stating that definitions can themselves be arguments, Perelman implies that cultural variations and/or particular usages of a term by the rhetor could require the audience to make a choice regarding the accepted use of a definition in a particular situation (214). This description of the definition places significant value on several parts of the rhetorical situation concerning the construction and acceptance of a definition, and ultimately, it empowers the audience to determine the validity of the definition. Whether the accepted definition of a term or concept is the result of perceived self-evidence or a successful argument, Perelman believes that particular definition and any terms that might be considered synonymous and/or interchangeable with it are the result of a process of identification that is inextricably linked to a specific circumstance. Because the definition involves so many variables pertaining to the rhetorical situation, yet still holds a self-evident status in the minds of most audiences, Perelman considers its use by a rhetor to be an example of a quasi-logical argument.

The application of Perelman's concept of the definition as a quasi-logical argument to Tobin Siebers' "Disability in Theory" provides a number of interesting insights regarding Siebers' claims as well as potentially new aspects to consider pertaining to identification and definition as factors in argument and culture. According to Siebers, "the disabled body changes the process of representation itself" (172). People with disabilities often perform tasks in different ways and with different parts of their body than do able-bodied people (i.e. a blind person's use of her hands to "see"). This is only one of the many examples of the ways in which the disabled body calls for a change in the definition of the body's function and the "normal" ways in which humans interact with the environment. As Siebers states, "[different] bodies require and create new modes of representation" (172).

Siebers believes that disability is in need of such a complete reconsideration of its definitions that it may even be necessary to question the degree to which the social construction model provides an appropriate definition. According to Siebers, there are two forms of social construction theory that are accepted in the academia—strong and weak. The weak form of social constructionism asserts that "the dominant ideas, attitudes, and customs of a society influence the perception of bodies" (174). In essence, weak social constructionism gives all power and responsibility to define marginalized identities to the dominant group. Realities associated with the marginalized groups do not play any role in this scenario. Strong construction, however, "does not rely on human ignorance or misunderstanding to account for prejudices," but rather, employs a

“linguistic model that describes representation itself as a primary ideological force” (174). For proponents of a strong social constructionist model, not only do existing dominant cultural attitudes determine the definition and value of the marginalized group, but the process of representation itself must be considered as a significant contributor to the process. In fact, representation should not only be considered an element of the strong constructionist model, it is the primary factor in the process. Cultural attitudes, the foundation of the weak construction model, are secondary to linguistic and rhetorical representation in the strong model.

Siebers points out these differences because he believes that disability provides complex issues that complicate matters for proponents of either constructionist model. No matter which model one tries to employ, it is clear that disability “exposes...the constraints imposed on bodies by social codes and norms” (174). Because these constraints are so clearly recognizable when legitimately examining disability, it is tempting to believe that they are the only contributing factors to the definitions of disability. However, disability scholars have begun to realize that such a perspective ignores that actual physical difficulties that people with disabilities face when interacting with the environment on a day-to-day basis. Basically, if disability becomes defined as a result of only societal constraints, it could result in a movement to shift cultural attitudes, which would be positive. But if that shift is not accompanied with efforts to improve accessibility and accommodation, then disabled individuals could actually experience a net loss in their daily lives as a result of these changes (175). Another danger, according

to Siebers, is the possibility that defining the disabled body only in terms of social conventions could begin to present disabled individuals with images of their own bodies that do not match their personal identifications or experiences. The concerns raised by Siebers regarding the use of the social construction model demonstrate quite well his belief that the disabled body is “difficult for the theory of social construction to absorb: disability is at once it’s best example and a significant counterexample” (175).

Applying Perelman’s concepts of argument to the issues raised by Siebers, it appears that as disability scholars attempt to reconcile incompatibilities separating definitions of the disabled body from the realities of disability through the application of social constructionist models, they have created a completely new incompatibility that must be addressed within their own model. This incompatibility is clearly demonstrated in Siebers’ comment that disability is both social construction’s “best example” and a “significant counterexample.” It seems that disability is misrepresented by both strong and weak constructions, yet there are also elements of each concept that promote positive and accurate perceptions of disability. Siebers’ identification of this incompatibility serves as a call to disability scholars and activists to further explore the use of the social constructionist model to define disability. While he does not call for the abandonment of the model, he does reveal concern about its degree of effectiveness and the potential harm of the resulting misrepresentations of disability. Perelman’s theory of incompatibility lends credence to these concerns by stating that if such an incompatibility exists, members of the audience (in this case the culture at large, including disabled and able-

bodied) will be forced, in the face of the incompatibility, to take action by accepting one concept while rejecting another. Ultimately, the incompatibilities that Siebers points out within the social constructionist model – an approach that should serve to demonstrate the complexity of disability – could force individuals to accept more narrow, limited definitions of disability that dismiss complexities that are essential to reaching true awareness and accessibility.

Siebers' work provides another opportunity for application of Perelman's discussions of definition and identity through its examination of pain and its effect of perceptions of disability. As Siebers notes, pain is "a subjective phenomenon, perhaps the most subjective of phenomena" (176). Just a simple consideration of the clichés and idioms regarding pain provides evidence of Siebers' claim: "S/he has a high pain-tolerance," "Pain is weakness leaving the body," "Pain is temporary; glory is forever," "No pain, no gain." Just these few examples identify pain as a variable, the significance of which is determined only by a person's ability to ignore or overcome it, temporary, associated with weakness, and a necessary evil along the path to power, success, and glory. Because pain is so subjective and because its severity and effects depend on the situation and the individual, the treatment of pain is a very individual endeavor. This has a significant effect on people with disabilities due to the connections between pain and disability, both real and socially constructed.

If pain and disability continued to be defined medically and culturally as synonymous, then the treatment of disability will continue to be addressed in the same

manner as pain – individually. Such an approach to disability is problematic because in such a scenario, “people with disabilities are robbed of a sense of political community by those whom they need to address their pain” (Siebers 176). As a result, people with disabilities find it difficult to establish a unified cultural and political voice. This significantly limits movement toward civil rights for the disabled because political action groups that are considered by the public to represent the interests of a group of under-represented members of the society cannot as easily be formed when the society itself does not recognize a strong connection among the members of the group. In the end, people with disabilities “must fight against their individuality rather than to establish it,” because individuality could weaken their collective voice (176).

The struggle between defining disability as a wholly individual or communal struggle provides an interesting slant on Perelman’s discussion of the types of definition, most specifically “condensed” vs. “complex” definitions. The condensed definition focuses on “essential” elements of the descriptive definition, while complex definitions combine elements of any or all of the three other types (211). According to Siebers, many members of society consider pain to be an essential element of disability, and they use this to create a condensed definition of disability. The disabled existence is one filled with pain, both physical and psychological. Such a condensed definition of disability dismisses countless other aspects of the lives of the disabled and reduces their “complex” lives to only one “essential” experience – pain. The complexity demonstrated through social construction models is replaced by this one, definitive element. Also, as Siebers

states, not only does this condensed definition alter perceptions of individual experiences, it also significantly reduces the possibility of establishing a collective voice. If an essential element of pain is its individual nature, and if that nature is *the* essential characteristic of disability, then disability ceases to be a unifying element of the human existence.

As Siebers concludes his work, he claims that “the body has its own forces and...we need to recognize them if we are to get a less one-sided picture of how bodies and their representations affect each other for good and for bad” (180). The political struggle of people with disabilities is significant and it “requires a realistic conception of the disabled body” (180). Throughout his discussion, Siebers provides explanations of the misrepresentations of the disabled body that exist in the society. He considers ways in which societal attitudes and norms, combined with realities of the disabled body have shaped those representations. Combining these discussions with Perelman’s exploration of the role of quasi-logical arguments in influencing audience opinions and leading to persuasion creates a clearer picture of the ways in which these attitudes are formed and how they continue to affect current and future arguments made by and on behalf of people with disabilities.

#### ARGUMENTS BASED ON THE STRUCTURE OF REALITY

While quasi-logical arguments are granted authority based upon their relationship to logical or mathematical forms, arguments based on the structure of reality are validated by establishing a “solidarity between accepted judgments and others which one wishes to

promote” (Perelman 261). As Perelman claims, successful arguments of this type will result in members of the audience accepting the premises of the argument without questioning exactly what structures the argument is built upon or how those structures are implemented into the argument. As Mark Noe explains, arguments based on the structure of reality are comprised of assertions that have not achieved wide acceptance and emphasize their own structures, relying on that structure to bolster the credibility of the current claim (427). The crucial element of the relationship between the argument and the accepted structure is that it be strong enough to allow for the development of new the new ideas or directions presented by the rhetor (261).

Perelman focuses on two major types of relationships upon which the rhetor could choose to base his argument. The first type is derived from a relation of succession. One approach to crafting such an argument is to “unite a phenomenon to its consequences or causes.” A second approach unites a “person to his actions,” while other relations of succession can be created by linking “a group to the individuals who form it,” or “an essence to its manifestation” (262). The second major type of argument based on the structure of reality takes advantage of a “symbolic tie, which links the symbol to what it symbolizes, [constituting] a relation of coexistence” (262). While Perelman admits that what follows in his discussion is far from an exhaustive list of the types of possible arguments based on the structure of reality, he feels that the examples he provides serve to demonstrate the ways in which the rhetor can take advantage of socially-accepted structures to persuade an audience.

According to Mark Noe, arguments based on the structure of reality “often surface at the intersection of two or more cultures” (422). This characteristic location of such arguments at the intersection of cultures certainly defines them as worthy of further investigation in this particular instance. When examining the types of arguments that Perelman proposes throughout this section of the book in light of disability studies, one of the relationships that seems to hold significant potential for productive analysis is the “interaction of act and person” (296). As Perelman states, often an argument can include an “influence of acts on the concept of person and that on the person of his acts” (296). In fact, Perelman believes that some examples of this relationship can be so strong and of such a reciprocal nature that it is almost impossible, even through careful analysis, to determine which element of the relationship is more strongly affected by its connection to the other. Noe believes the act-person relationship to be so strong that it ultimately, “connects narrative and rhetoric as a moral and ethical system,” establishing justice as “the guiding trope” for this type of argument of coexistence (428). If this type of argument holds such potential to determine systems of justice, morality, and ethics, it is certainly a necessary part of the analysis of arguments related to disability studies and activism.

Perelman states that our “reaction of the act on the agent is such as to modify constantly our concept of the person, whether one is dealing with new acts attributed to him or old acts to which reference is made” (296). The relationship works in the other direction when the acts and arguments presented by the rhetor must be “considered the

essence of the person and the acts which are but the manifestation of that essence is fixed once and for all” (297). It is this element of the relationship that will be the focus of the following disability studies analysis. Of particular importance is Perelman’s claim that acts and arguments are perceived by the audience to be the essence of the rhetor – an essence that is “fixed for once and for all.” Perelman does mention a possibility of audience and/or societal shifts in perspective regarding the rhetor’s essence, but those shifts occur only as the result of the introduction of new information or evidence. Once perceptions of the rhetors change, there is a possibility of the audience reassessing the ways in which the rhetor is identified, even going so far as to consider previous acts or elements of her character that had not been included in existing identifications (297).

Perelman believes that it is rare that particular arguments result in only direct upward or downward movement of the audience’s perception the rhetor. Instead, the more common scenario is one in which “the person serves as a kind of relay permitting the passage from known acts to unknown acts, from the knowledge of past acts to the prediction of future acts” (298). As Perelman explains, it is important that acts or arguments be considered as “characteristic” of the rhetor. Perelman stresses the significance of this relationship so that readers can recognize the effect that perceptions of the rhetor have on the reaction to the argument. As he states, “the idea one has of a person, instead of being the outcome of argument, is rather its starting point and is used either to foresee certain unknown acts, or to interpret known acts in a particular way, or else to transfer to the act the judgment passed on the agent” (299). One of the effects of

this transference of identification is that ambiguous arguments can achieve their “full significance and meaning” through what the audience knows about the rhetor (300). The audience’s ability or tendency to use perceptions of the rhetor as the starting point of its response to the argument is particularly important when considering arguments made by people with disabilities – one that may alter the process in different ways depending on the nature of the disability. In fact, the audience’s knowledge of the rhetor holds the potential to not only influence the response to the argument, but also “the criterion upon which it should be judged” (301).

The final element of the act/agent relationship that Perelman explores is the role of “prestige” (303). Perelman states that an audience’s reaction to the argument and the rhetor is often influenced by factors that “social psychology has attributed very great importance” (303). These social values and conventions cause some persons to be viewed with a positive quality that Perelman labels prestige. Perelman notes a number of proposed definitions of prestige ranging from qualities that draw others to follow a particular person to characteristics that audiences are prone to imitate. Though Perelman does not provide an exact definition, it is clear that the perception of the rhetor plays a significant role in reactions to the argument. And, of course, the process can work in the opposite way as well. While a perception of prestige can bolster a rhetor’s argument, it is also possible for a rhetor’s reputation to be so bad that audiences become resistant to the argument before hearing even the first word (303). Just as the creation of prestige is a complex issue, there are many ways that a rhetor can acquire a negative reputation. While

previous actions can certainly establish a bad reputation, so can cultural attitudes and norms regarding either the individual rhetor or a particular group with which the rhetor is associated. Unfortunately, disability has a strong potential of demonstrating this negative act/agent relationship and reducing the effectiveness of arguments presented by people with disabilities.

One example of the ways in which the presence of disability can affect an argument can be found in Catherine Prendergast's "On the Rhetorics of Mental Disability." Prendergast explains that her work is the result of communications with her friend Barbara and witnessing her struggles to deal with medical diagnosis and cultural attitudes regarding her schizophrenia. While there have been a number of references to physical disability throughout this dissertation, Prendergast's work serves as a reminder that the issues of balancing medical models of disability and cultural constructions of the "properly" functioning body affect individuals whose disability is not immediately visible as well. In fact, as Prendergast notes, people with mental illness experience a particularly difficult struggle to avoid allowing their disability to be their sole identifying characteristic. As has been discussed previously, one concern of DS scholars regarding the medical model is that it establishes the disabled body as defective no matter the nature of the impairment or its effect on the individual's everyday activities. Prendergast examines the role of medical diagnosis in the construction of this cultural definition. She references the work of Berkenkotter and Ravotas who claim that "the client becomes the sum of his or her symptoms" (271). With authoritative medical texts such as the

*Diagnostic and Statistical Manual* providing clear, definitive, and final say regarding illnesses and conditions, it does not require a large leap from medical professionals to begin to see patients as compilations of the symptoms and descriptions listed in the text. This scenario is particularly problematic for individuals with mental illness.

One struggle that the mentally ill face when dealing with diagnosis stems from the absolute necessity of a diagnosis for the individual to gain access to any necessary aid or accommodation. Unlike people with visible disabilities, mentally ill individuals have only their medical diagnosis to “prove” their need of assistance. If someone were to see a wheelchair user sitting at the base of a flight of stairs in a building with no elevator, the problem and need for action would be clear. However, someone with an invisible disability cannot capitalize on such “obvious” situations. Not only does the need for a diagnosis require the mentally ill to jump through many potentially lengthy, expensive, and frustrating hoops, but at the end of the process the individual is provided with a diagnosis that will hopefully allow for increased aid and most likely also unfortunately expose him to the cultural stigmas associated with mental illness. As Prendergast notes, the irony is that the document that should, allegedly, provide the individual with access could also place him in need of liberation from the cultural, and most specifically the rhetorical, limitations of mental illness (49-50).

To further develop her claim that diagnosis and cultural definitions of disability are problematic for the mentally ill, Prendergast mentions a number of studies that have shown the high numbers of prison inmates with mental illness. In spite of their illnesses,

these inmates do not receive adequate mental health care, and they are often only separated from other inmates by different prison-issued clothing and schedules that keep them away from the general population. In fact, Prendergast states that some inmates see how poorly those with mental illness are treated by inmates and prison officials alike, and based on this, they choose not to disclose their own issues with mental illness (51). Not only is this scenario destructive to these specific inmates, but when members of the society become aware of the high numbers of mentally ill inmates currently in the prison system, there arises a cultural stigma of criminality associated with mental illness (52).

Even the mentally ill who are able to avoid criminal labels due to their condition still find themselves lacking certain freedoms and opportunities that members of the general society often take for granted. One example that Prendergast mentions is being granted a status of having insight. While this term may mean very little most people, having “no insight” in clinical terms means that a “patient does not recognize that he or she has a disease” (53). While lack of insight is a symptom of some mental illnesses, as Prendergast notes, this characteristic has become assumed by many able-bodied people to be present in all cases of mental disability. Therefore, people with disabilities are dismissed as somehow not even able to fully understand their own situations. To add even greater complexity to this problem, some people with schizophrenia actually experience loss of insight due to their use of antipsychotic medications (53). Of course, as Prendergast notes, such complexity involved with the issue is not a part of the cultural conversation regarding mental illness. Instead, the mentally ill become identified as, at

worst dangers to themselves and others who need to be institutionalized or imprisoned, or, at best, unfortunate victims not even capable of understanding how sad their situation really is.

In light of all the issues mentioned throughout her work, when Prendergast considers the situations of mentally ill individuals, she concludes that to be “disabled mentally is to be disabled rhetorically” (57). As her friend Barbra once stated, a life with disability is “a life denied significance” (57). Prendergast bluntly asserts, “[if] people think you’re crazy, they don’t listen to you” (57). And when, as stated previously, people with disabilities are defined as only the sum of their symptoms, any connection to mental illness brings with it a loss of rhetorical authority and certainly the loss of the prestige that Perelman identified as a key element in the process of persuasion.

Immediately following his introduction of the concept of prestige, Perelman explores the effectiveness of an argument from authority. These are arguments, “whose whole significance is conditioned by prestige” (305). Perelman goes onto explain that the “prestige argument appears in its most characteristic form in the argument from authority, which uses the acts or opinions of a person or group of persons as a means of proof in support of a thesis” (305). Clearly, such an argument is not available to an individual with mental illness since the presence of mental illness removes that person’s rhetorical authority and leaves him or her, as Prendergast claims, “disabled rhetorically.” But the effects of mental illness on arguments of authority go further than simply removing one potential type of argument from the mentally ill rhetor’s repertoire. The fact that there

exists such a type of argument that is based solely on the authority of the rhetor places even more significance on Prendergast's claims that true attention must be paid to medical and cultural definitions of mental disability that work to rob the mentally ill of their voice and rhetorical authority. As Perelman claims, arguments from authority can be toppled by questioning the legitimacy of the rhetor's claim to authority (307). While other types of arguments might not be completely negated by such attacks on the rhetor's authority, it has been demonstrated throughout these discussions that when a rhetor's authority is limited, so too is the potential effectiveness of her argument. Therefore, the issues clearly present in this one type of argumentation can be understood to contribute to the marginalization and potential silencing of mentally ill individuals in a number of rhetorical situations.

#### ARGUMENTS ESTABLISHING THE STRUCTURE OF REALITY

After examining the ways in which rhetors can craft arguments by revealing relationships between their claims and accepted realities, Perelman shifts his focus to arguments that work to establish or shape the audience's concepts of reality. Perelman believes that there are two major categories of these arguments: ones that "establish reality by resort to the particular case," and ones that employ reasoning through analogy (350, 371). The particular arguments examined in this chapter will focus on the first category, establishment of the particular case. Within this category are several different types of arguments that make unique contributions to the rhetor's attempt to persuade. Perelman provides a brief introduction to these contributions by stating that "an example"

makes it possible for the rhetor to establish generalizations, “an illustration” allows the rhetor to further develop an already established belief or concept, and “a model” moves the audience toward persuasion by encouraging the imitation of an individual or action (350).

An argument by example “assumes earlier agreement on the possibility at arriving at a generalization from particular cases” (350). One potential effect of this implied agreement is the rhetor’s tendency to expect the audience to move from the example to a specific, intended conclusion without a clear statement of the rule or logic that might justify that move (352). Perelman refers to such an argument as one that moves “from the particular to the particular” (352). When one attempts to refute such an argument, often the approach will be to question the nature of the example and the degree to which its presence in the situation justifies the audience’s movement toward the orator’s particular stated conclusion (353). For an argument by example to be effective or to avoid discredit through counterargument, it is vital that the provided example be perceived as fact by the audience. As stated in previous chapters, depending on the audience and rhetorical situation, some facts may be defined by the audience as only that which can be proven by mathematical logic, while other audiences may consider any culturally-accepted notion as fact. No matter how the audience arrives at this conclusion, it is imperative that the example be granted this status.

As Mark Noe notes, the process of moving from the “real” of a fact to the acceptance of the values for which the rhetor argues is not only significant in its

particular instance, but also in a much larger context as well. Such movement from the accepted real to the establishment of new realities makes the study of any historical moment “more than an intellectual/literary exercise,” but rather a clear demonstration of the continued need for rhetorical study of the individual arguments that affect such historical shifts (424). Therefore, to further understand the benefits of the application of Perelman’s concept of arguments of example to DS, the following discussion will focus on ways in which the disabled body serves as an example defining cultural ideals regarding ability, normality, and the value of life.

In the introduction of her book *Freakery: Cultural Spectacles of the Extraordinary Body*, Rosemarie Garland-Thomson describes the processes by which people with disabilities became labeled as “freaks” and the effects of those labels not only on those individuals, but on the culture as a whole. Garland-Thomson opens her discussion by claiming that people who are “visually different” have always sparked the imagination of their able-bodied fellow human beings (1). During some eras, these different bodies were labeled as “monstrous,” while more recently, the popular descriptor has been “freak” (1). History, mythology, and religion are filled with examples of different bodies representing “otherness.” The presence of disability in both the real and imagined world demonstrates “that the extraordinary body is fundamental to the narratives by which we make sense of ourselves and our world” (Garland-Thomson 1). From Garland-Thomson’s perspective, the presence of the disabled body throughout human history has been a key contributor to both individual and cultural constructions of

meaning and purpose. The disabled body, in essence, has served as an argument that all-too-often was invested with meaning and value not by the disabled individual, but rather by members of the surrounding able-bodied community who determined what conclusions they intended the disabled body to move them toward.

Some of the realities that able-bodied people have believed the disabled body to be evidence of are “God’s design, divine wrath, or nature’s abundance” (Garland-Thomson 1). As Garland-Thomson states, disabled bodies “are rare, unique, material, and confounding of cultural categories[;] they function as magnets to which culture secures its anxieties, questions, and needs at any given moment” (2). The visibility of the disabled body allows it to fulfill the criterion of being recognized as accepted cultural fact that Perelman described as essential to the relationship between an example and the conclusion to which the audience is supposed to be drawn. This circumstance requires an modification of Perelman’s argumentative structure because the members of the society are the ones formulating these arguments in an attempt to understand their own reality. So while elements of the world may be unknown by the able-bodied community, as Garland-Thomson states, among the realities that are clear to them is the presence of anxiety and uncertainty. The disabled body, then, becomes an example of their crafted narratives that remove these anxieties.

Garland-Thomson further develops this point by calling on readers to consider that the disabled body has never throughout history been able to represent only itself. Instead, the “extraordinary body betokens something else, becomes revelatory, sustains

narrative, exists socially in a realm of hyper-representation” (3). As members of a culture search for explanations of the world, they tend to make connections between the known and the unknown, hoping that those connections will reduce uncertainty. At times throughout history, the disabled body has been perceived as the result of human fallibility and God’s wrath. More recently, genetics and environmental factors have become central to the research and discussion concerning disability. While these beliefs and circumstances differ in many ways, one significant connection they share is the role of disability in the process of advancing cultural understanding of the world. If divine wrath could be understood through good/evil – reward/punishment models, then believers could claim a greater understanding of how and why certain realities of the world occurred. Similarly, the more that the disabled body reveals about genetics and human development, the more people can claim to know about science and the body. In both circumstances, the extraordinary body represents not simply itself, but rather an essential element in the creation of a cultural narrative.

Interestingly, Garland-Thomson believes that the extraordinary body “emerges from culture-bound expectations even as it violates them” (3). According to Perelman, one effective approach to discrediting the argument from example is to attack the proposed relationship linking the example and the desired conclusion. If the example and conclusion are reasonable or logical, and therefore difficult to negate through argumentation, then one’s best chance for a successful rebuttal would be to acknowledge the validity of example and conclusion but attempt to prove that the two are not related in

the way(s) stated by the original rhetor. For Garland-Thomson, this approach is not necessarily effective in dealing with circumstances relating to disability. As she states, even when the extraordinary body “violates” the expectations of the culture, those violations are interpreted as the types of exceptions that prove the cultural rules to be true. The disabled body proves the rule by playing the role of the foil to the “normal” able body. Rather than consider the possibility that the disabled body should be perceived as clearly visible evidence of inaccurate constructions of normality and the body (therefore calling into question the cultural paradigms), abled bodied people use the disabled body to clarify their definitions of what constitutes a healthy, normal body.

As her discussion continues, Garland-Thomson considers the ways in which the disabled body represented elements of the burgeoning democratic, industrialized society. As she states, the dreams of democracy brought with it fears of the unknown. While the possibility of liberty and personal freedom presented potentially limitless opportunities for success, it also presented new and real opportunities for failure, both individually and nationally. This new economic model, based upon a market that, in theory, directs and corrects itself was also littered with potential pit-falls. Garland-Thomson believes that the disabled body represented this environment of limitless potential and possible disaster quite well. While personal and professional success stories could be found throughout the nation, so too could stories of people suffering all manner of illness and disability, often without any clear explanation of how or why the individual was facing the particular circumstance (12). In this way, the disabled body served as an example of the realities

and uncertainties facing a new nation. But that is not the only connection that Garland-Thomson notes. In light of the fascination associated with the extraordinary body during the early stages of the nation's history, some creative entrepreneurs saw in these bodies economic opportunities. These early "freak shows" took advantage of the cultural fascination with the same bodies that caused such great anxiety and discomfort. As Garland-Thomson states, "the freak body represented at once boundless liberty and appalling disorder, the former the promise and the latter the threat of democracy" (12).

The discussions presented by Garland-Thomson throughout the introduction to *Freakery* continue to add complexity to Perelman's notion of argument and example. While Perelman focused his examination of specific arguments presented by rhetors to a particular audience, the rhetorical situations mentioned by Garland-Thomson are far more fluid in nature, often casting both individual bodies as well as the entire community of the disabled as the arguments made both to and on behalf of the general society. This expansion of Perelman's claim may call for reconsideration of the arguments to which he paid closest attention, but the central tenets of his theory still apply, and in doing so they offer insightful new ways of understanding the types of able/disabled relationships that Garland-Thomson and many other DS scholars explore in their work.

## CHAPTER V

### CONCLUSION

In the conclusion of *The New Rhetoric*, Chaim Perelman claims that his willingness to engage in such an ambitious study of rhetoric and argumentation was rooted in a strong desire to “combat uncompromising...absolutism” (510). The result of this absolutism, in his interpretation, was the creation of “dualisms of reason and imagination, of knowledge and opinion, of irrefutable self-evidence and deceptive will, of a universally accepted objectivity and an incommunicable subjectivity, of a reality binding on everybody and values that are purely individual” (510). While such dualisms were undoubtedly problematic for Perelman in regard to logic, reason, and argument, the ripple of their impact reaches far beyond analysis of philosophy and argumentation theory. While some may criticize or misrepresent Perelman’s work as an exploration too narrowed by its focus on specific arguments and techniques upon which they are based, it is clear that Perelman believed the only way to see the “big picture” was through a detailed examination of its intricate parts.

While *The New Rhetoric* has much to offer rhetorical scholars, Perelman is the first to admit that it is far from being the ultimate, authoritative argument and logic text. In fact, he opens the book’s conclusion by asserting that “[far] from exhausting the subject, we have barely scratched its surface and, at times, have done no more than point to its richness” (509). Perelman acknowledges that his work does not provide a complete

vision of the techniques or uses of argument. Instead, what he believes *The New Rhetoric* contributes to argumentation study is a framework which can be potentially added to and filled out, and ultimately used to explore arguments in different disciplines with different audiences, revealing the ways in which ideas are communicated, modified, and organized. The study of these transformations and the models and systems through which they occur holds great potential to answer and raise many other questions yet unexplored or imagined by Perelman or other scholars (509).

It is in the spirit of the intentions that Perelman has listed here that this dissertation applies a number of concepts explored in *The New Rhetoric* to the field of disability studies. For Perelman, true “human freedom” is only attainable with the existence of an argumentation that is free from arbitrary definitions or boundaries that fail to fully and accurately represent the lives of individuals and communities (514). Such an approach to argument is the only one that contains any hope of achieving the type of justice described in this dissertation’s opening chapter. As discussed, Perelman made his intentions for *The New Rhetoric* quite clear – to refute the definitions of logic and rhetoric that had dominated philosophical study for the previous three centuries. Perelman seemed keenly aware that to do so, he could not simply engage in any sort of vague, generalized discussion that would fit into the existing narrative of rhetorical study. Instead, he understood the need to engage in a logical, argument-based analysis that could yield, what was at least for Perelman, some sort of quantifiable result.

Perelman also knew that the types of significant changes he was calling for in the study of philosophy and rhetoric would not come easily. When considering his statements regarding the difficulty of initiating such changes, one can easily substitute the concerns facing his discipline with those facing disability studies today. As Perelman states,

[all] language is the language of a community, be this a community bound by biological ties, or by the practice of a common discipline or technique. The terms used, their meaning, their definition, can only be understood in the context of the habits, ways of thought, methods, external circumstances, and traditions known to the users of those terms. A deviation from usage requires justification. (513)

The description is strikingly fitting to the challenges faced by those trying to change the current identifications of and responses to disability. As scholars such as James C. Wilson and Cynthia Lewiecki-Wilson state, recent studies in post-modern rhetoric have revealed each utterance as the result of both a unique circumstance and “a shared code” comprised of historical events, social attitudes and conventions, and previous utterances (18). Such a definition of individual utterances bolsters the legitimacy of examinations of specific, individual arguments presented within DS. If any utterance carries with it some connection to both its particular circumstance and shared cultural codes, then further analysis of that utterance certainly contains potential for understanding that extends beyond just the simple mechanics of that argument’s construction.

As Perelman claims, due to the complex nature of societal attitudes and norms combined with their clear connection to the arguments they shape (both in their creation and their reception) any type of change requires justification. This claim is not limited to argumentation study or any other specific discipline. The premise holds true throughout the academic world, and most importantly, throughout the culture at large. Therefore, in spite of cultural and/or academic boundaries and labels, rhetorical scholars have much to gain from the application of Perelman's ideas to arguments in different fields. For instance, Chapter II provides discussion of Robert McRuer's analysis of the use of the term "alternative" as a descriptor of the gay/lesbian life (301). According to McRuer, this term was initially added to the lexicon of homosexuality in an attempt to remove negative terminology that had previously described gay/lesbian people. While on the surface the use of this term seemed to demonstrate the positive effect of placing greater emphasis on politically correct language, McRuer argues that, while not as starkly offensive, use of the term "alternative" still demonstrates the influence of cultural attitudes on discussions of sexuality. To label homosexuality as "alternative" implies that there is a norm from which this alternative lifestyle deviates. It appears that although those speaking on behalf of the gay and lesbian community were able to initiate a change in the terminology used by members of the society, they were not able to convince the community of the justification of a complete change of attitude. As his discussion continues, McRuer considers the way that similar arguments and linguistic shifts have affected (as well as

failed to affect) the lives of people with disabilities. He concludes that a similar phenomenon can be seen in the study of language and disability.

McRuer's work clearly demonstrates a need for further study and advocacy on behalf of both queer studies and disability studies. However, it also demonstrates a need for the type of argumentation theory that Perelman provides in *The New Rhetoric*. Even though McRuer's work provides insightful and important connections between these two fields, its focus on only these two particular disciplines potentially limits its scope of effectiveness. If studies such as McRuer's can apply the premises involved with his analysis of queer and disability theory to a topic with an even wider focus, the likelihood of justifying and initiating larger-scale social change is increased. One such approach to widening the scope of these discipline-specific arguments is to focus not only on particular issues and arguments, but also on the processes through which these arguments are both created and received.

As Perelman explains throughout *The New Rhetoric*, for rhetorical scholars to engage in the types of analysis and application of argument that he describes, they will have to acknowledge the same complexity of argumentation study that they call for people to acknowledge regarding issues of culture, gender, race, disability, sexuality, etc. Thus, advocacy and scholarship should include not only issue-specific consideration and/or cultural analysis, but also examination of the techniques employed in the creation of arguments both for and against the expansion of rights and access. For instance, when Alison Kafer explored the negative impact of James Watson's claims regarding the

hopeless and futureless nature of a life with Down's Syndrome, she was particularly struck by his claim that "[w]e already accept" that no couple wants a child with Down's Syndrome, and only a "crazy" person would ever claim to want a child with Down's (Kafer 3). Kafer examines a number of elements that contribute to Watson's claim and the cultural attitudes that it reflects. While Kafer's analysis of Watson's argument provides significant insight into the particular issue she examines, application of Perelman's theory of argumentation could provide new contexts in which to consider the argument, resulting in increased awareness of the particular argument, the social setting in which it is presented, and the process of crafting and delivering an argument in that environment. This synthesis of disciplines, theories, and individual circumstances contains potential to contribute to progress in both disability studies and rhetorical scholarship.

As stated previously in this dissertation, one factor currently limiting the expansion of DS is the belief that the field offers little in the way of scholarly inquiry, but rather exists only as a self-serving means of promotion for a small portion of the society. Perelman's work has also been criticized as limited in its scope, providing little more than a list of formulas and moderately useful categories of argument. Seizing opportunities to integrate theory and perspective from DS and *The New Rhetoric* could result in the quieting of some of these criticisms and the acceptance of each as a viable contributor to study not immediately associated with either.

Ultimately, the comparisons, analysis, and synthesis found in the chapters of this dissertation are presented to demonstrate not only the possibility of applying concepts from Chaim Perelman's *The New Rhetoric* to arguments within the field of disability studies, but also to reveal the ways in which both DS and argumentation theory benefit from such collaboration. Neither DS scholars nor rhetoric scholars familiar with Perelman's work are in need of convincing of the importance of their field or of its potential to contribute to other studies. What is lacking, however, are works aimed at both audiences making the claim to each about the benefits of their collaboration. As was seen throughout Chapter II, members of DS seem strongly convinced that certain fields, specifically feminist and queer studies, have much to offer DS as well as much to gain from such an association. Clearly, DS is a field willing to engage in collaboration, but further growth cannot be limited only to expansion of existing scholarly relationships. A similar claim can be made for many of the ideas found in *The New Rhetoric*. This work is often criticized for the fact that most of its examples come from literary texts and not practical, "real-world" situations. Therefore, rather than accepting the narrative that this work is not relevant to examination of argument outside the literary world, rhetorical scholars valuing Perelman's ideas need to engage in the types of inquiry and analysis that are considered to be lacking in *The New Rhetoric*.

Undoubtedly, Chaim Perelman's *The New Rhetoric* is not the only significant rhetorical text that has much to offer disability studies or any other scholarly field currently striving to promote justice and access. It is certainly my to state or even imply

such a claim. Instead, this dissertation serves as an example of the type of in-depth collaboration and exploration that is possible between a work such as Perelman's – one steeped in rhetorical theory – and DS – a field focused on a wide ranges of issues including medicine, cultural attitudes, social construction, politics, the body, normalcy, and more. All the points at which the paths of these fields of study diverge are clear; the surprising revelation of further analysis, however, is how many points of convergence exist as well.

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