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Foundations

The Merriam-Webster Online Dictionary (2010c) defines *foundations* as structures, principles, tenets, or axioms on which to build. Because strong foundations create sound scaffolding for the development of thinking and theory, the chapters in Section 1 look back in history to provide a chronological set of ideas and structures on which to ground current analyses of disability. However, foundations are not static or monistic. The theoretical lenses through which we look back influence not only what we see but also how we interpret and then use our observations to make sense of knowledge and to guide how we apply learning to diverse contexts.

In this chapter, we briefly introduce you to the language and theory through which we analyze disability past, present, and future: Explanatory Legitimacy Theory. This theory is embedded within and builds on the genre of legitimacy theories, which have a long, interdisciplinary history. According to Morris Zelditch (2001), legitimacy theories can be traced as far back as the writings of Thucydides in 423 BCE, in which questions were posed and answered about the moral correctness of power and its muscled acquisition. Although legitimacy theory was birthed by political theory, questions of legitimation have been asked of numerous domains, including but not limited to social norms and rules, distributive justice, and psychology. And while there are differences in the application of legitimacy theories to diverse substantive questions, what all have in common is their search for credibility and normative acceptance. That is to say, legitimacy theory examines the basis on which a phenomenon is seen as genuine or authentic.

Legitimacy theories have posited a range of factors that determine the authenticity or acceptability of laws, rules, or determinations. These elements can be explicit, such as public consensus about genuineness, or tacit, such as efforts to obscure power brokering (Zelditch, 2001). Among legitimacy theorists, Weber (1958) is perhaps best recognized for his assertion that social order inherent in values, norms, and beliefs cannot be maintained without acceptance of this order as valid. Applied to group interaction, legitimacy theory has the potential to denude the normative beliefs that underpin hierarchies, power relationships, and categorization and to expose the values that imbue category status and acceptable responses.

In the tradition of legitimacy theories, Explanatory Legitimacy Theory seeks to analyze, detangle, and clarify categorization and response by focusing on the source of authentication and valuation of explanations for category membership. Rather than political power as its object and subject, Explanatory Legitimacy Theory is concerned with the credibility, value, and acceptance of causal theories which parse and assign humans into groups and then fashion responses to group members.

Moreover, drawing on the work of Shilling (2008), Explanatory Legitimacy synthesizes pragmatism within its foundation in legitimacy, providing the analytic framework for looking at purpose to frame how and why values are applied to explanations and responses to specific groups.

Given the debates about the nature of disability, Explanatory Legitimacy provokes thought and analysis of diverse perspectives and has the potential to validate the use of each within different purposive contexts. Capitalizing on the clarity of seminal legitimacy thinkers such as Habermas (2003) and Parsons (1956), the Explanatory Legitimacy framework clarifies theory types so that each can be compared to those similar in structure and subject.

As we will discuss in Chapters 2 and 3, numerous definitions and models of disability have been advanced and published within the latter part of the 20th and early 21st centuries. The dynamic presence in which models and approaches advance, recede, coexist, or conflict suggests the pluralistic boundaries and influences on the term and its usage and response to it. Explanatory Legitimacy lays bare the axiological context for each model, critically evaluating each for use on its own or in concert with others.

Disability: Description, Explanation, Legitimacy

We present the key principles and language of Explanatory Legitimacy Theory here only to frame our presentation of foundations. Once the foundations have been explored through the lens of the theory, the chronological

bedrock will be set on which contemporary trends can be located, analyzed, and prodded for future directions.

In Explanatory Legitimacy Theory, we build on historical and current analyses and debates by defining disability as a human phenomenon comprised of the three interactive elements: description, explanation, and legitimacy. Parsing and distinguishing dialogue into these three divisions enhances the clarity of discussions and comparative analysis by labeling the level at which conversations about human characteristics take place.

Description encompasses the full range of human activity (what people do and do not do and how they do what they do), appearance, and experience. Three intersecting dimensions of description—typical/atypical, observable/reportable, and diversity patina/diversity depth—are germane to the discussion of disability. The typical/atypical dimension is a dynamic categorical system of norms and standards of human activity, appearance, and experience. Typical involves activity, appearance, and experience as most frequently occurring and expected in a specified context. Atypical refers to activity, appearance, and experience outside of what is considered typical. For example, typical walking for an adult would consist of a two-legged gait that follows the alternating advancement of each leg with heel strike preceding toe strike. Atypical walking might involve the use of crutches for ambulation.

The observable/reportable axis speaks to the degree of abstraction and inference that is brought to description. Observable phenomena include activity and appearance and fall under the rubric of those that can be sensed and agreed on, while reportable phenomena, which we denote as experience, are known through inference or telling. An example of an observable phenomenon is walking, and an example of a reportable phenomenon is pain when walking. Identifying abstraction even at the point of description is critical to understanding how diverse views emerge and are reified. We address these points in detail in Chapter 4.

The diversity axis addresses human difference. It spans a continuum from what we refer to as *bodies and backgrounds* diversity patina to the diversity depth. Patina is defined as the surface appearance of a material as a result of exposure (e.g., silver patina; Farlex, 2010d). While it is unique to each object, patina articulates with its exterior environment and thus divulges only a shallow, public appearance. Encased in this part of the axis are the current identity dialogues that refer to race, culture, gender, ethnicity, sexual orientation, and more recently disability (DePoy & Gilson, 2004) and age. Diversity depth, at the other extreme, comprises ideas and individuality that cannot be nomothetically coagulated and essentialized.

The second element of Explanatory Legitimacy leading to the categorization of disability is the set of explanations for doing, appearance, and

experience. Different from description, which answers “what” questions, explanation engages with the “whys” of human description. Following with our example of walking, a medical explanation for pain in ambulation might be the diagnosis of arthritis, while an explanation in the exterior environment might be the presence of stairs as barriers that require ambulatory activity that causes pain.

The third definitional element of disability is legitimacy. It is not until this element that humans are purposively situated in categories to which group responses are attributed. Legitimacy is therefore divided into subelements: judgment and response. Judgment refers to axiological assessment of groups and/or individuals (sometimes competing) regarding whether what one does (and thus what one does not do) throughout life, how one looks, and the degree to which one’s experiences fit within what is typical and have valid and acceptable explanations that authenticate group membership. Responses are the legitimate actions (both negative and positive) that are deemed credible and appropriate by those rendering the value judgments about legitimacy of group membership. Legitimacy is embedded within a purposive contextual backdrop.

We have selected the term *legitimacy* to explicate the primacy of judgment about acceptability and worth in shaping differential definitions of disability and in determining community, social, and policy responses to those who fit within diverse disability classifications. As we will see in subsequent chapters, many complex factors come to bear on legitimacy. Only some of these factors have been identified in the current literature. They include social values, economic benefit, cultural beliefs, and power structures (Jost & Major, 2002).

To briefly illustrate, let us return to our walking example and consider two people, Ann and Barbara, both of whom walk with a clumsy gait (observable) and are unable to navigate an escalator or stairs to access the second floor of a public building. The descriptive element in this example refers to the limitations experienced by Ann and Barbara in their mobility and access to the second story. Further, because these gaits are out of the ordinary, both walking and access are atypical. Descriptively, then, what both individuals do (walk) and do not do (ascend stairs or an escalator) are atypical and observable.

The next element is explanation. From a medical explanatory perspective, Ann’s atypical gait and lack of access are attributed to a diagnosis of cerebral palsy and Barbara’s to alcohol dependence. If, however, the environment is seen as the explanatory locus, the presence of the escalator and stairs and social conventions are explanations for limited access, not the atypical

walking due to a diagnostic condition. Note that we still have not identified either person as disabled.

Now we come to the determination element of our theory: legitimacy. Because we assert that disability is a judgment about authenticity and worth, legitimate membership in the disability category is determined by who makes the judgment, in what context, and under what set of rules. In this case, both Ann and Barbara name themselves disabled not because of their diagnostic conditions but because of the environment. Ann sees the escalator and stairs as the disabling environmental factors, while Barbara identifies social pressures and nonacceptance as the disabling elements in her life. If we look at the medical community, Ann and Barbara are also considered disabled since both have enduring medical-diagnostic conditions that interfere with their “typical functioning.” However, if we now look at eligibility criteria for public assistance, Ann is disabled but Barbara is not. The judgment is rendered on the explanation, not on the description. Further, the legitimate response differs. Ann can obtain public safety net support, and Barbara cannot. In determining who is worthy of public support, the legitimacy or adequacy of the explanation for atypical activity is a function of social, economic, and cultural value. Implicit in the denial of disability status for Barbara is the notion that she is responsible for her own circumstance, is not authentically disabled, and thus is not deserving of a support response.

Before looking back in time, we highlight a major issue in theory and analysis: applying contemporary language to historical discussion. We address this point in detail in Chapters 2 and 3. In these chapters, we draw attention to the term *body*. Although popular vernacular implies that the body is limited to the flesh container and its organic contents, reference to the body throughout this work refers not only to one’s organic anatomy and physiology but also to the range of human phenomena that derive from bodies in action, thought, belief, and experience (Baudrillard, 1995; DePoy & Gilson, 2007). This definition is potent in integrating the multiple elements of *embodied* human experience and thus in conceptualizing diversity beyond observed patina characteristics of the organic body. Thus the body and its function include but are not limited to physiology and anatomy. Rather, the body is comprised of the sensory body, the emotional body, the spiritual body, the economic body, the productive body, the expressive body, the body of ideas and meanings, and the body in multiple garb and spaces.

We are now ready to visit the history of earlier civilizations, always keeping the theoretical tools of Explanatory Legitimacy intact and poised for analysis.

