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Disability and the Justification of Inequality in American History

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Since the political revolutions of the eighteenth century, social and political thinkers have challenged ostensibly rational justifications for inequalities based on gender, race, and ethnicity. Disability has been largely absent from that effort, despite its prominence in debates over equality. Not only has disability justified the inequality of disabled people but of

other groups as well. In the three great citizenship debates of the 19th century and early 20th centuries: women's suffrage, African American freedom, and immigration restriction, disability played a substantive role. Opponents of equality for women cited their supposed physical, intellectual, and psychological disabilities: physical frailty, irrationality, and emotional instability. Supporters of racial inequality and immigration restriction invoked the supposed disabilities of particular races and ethnic groups. Thus, while disabled people are one of the minority groups historically assigned inferior status, disability has functioned for all such groups as a justification of that status.

A common argument for slavery was that the impaired intelligence of African Americans made them incapable of equality with other Americans. Medical authorities explained that it is the "a deficiency of cerebral matter in the cranium, and an excess of nervous matter distributed to the organs of sensation and assimilation, [caused] that debasement of mind, which has rendered the people of Africa unable to take care of themselves." [1] Education was "at the expense of the body, shortening the existence," resulting in bodies "dwarfed or destroyed" by unnatural exertion. [2] African Americans would be even further disabled by freedom. Dr. Samuel Cartwright, in 1851, claimed that a "disease of the mind" that caused slaves to run away, which he termed "drapetomania," struck slaves whose masters had "made themselves too familiar with them, treating them as equals." "Dysaesthesia aethiopsis," whose symptoms included a desire to avoid work and cause mischief, was nearly universal among free blacks and a "common occurrence on badly-governed plantations." [3] Medical journals reported that deafness and blindness were far more common among free blacks than slaves. Senator John C. Calhoun of South Carolina alleged that the "number of deaf and dumb, blind, idiots, and insane, of the negroes in the States that have changed the ancient relation between the races" was seven times higher than in the slave states. [4] In 1896, the North Carolina Medical Journal still thought it worthwhile to inquire into "the effect of freedom upon the mental and physical health of the negroes of the South." It found "more congenital defects," a dramatic increase in mental illness and tuberculosis, and overall a "harvest of mental and physical degeneration." [5]

During the debate over women's suffrage, suffrage opponents pointed to women's physical, intellectual, and psychological defects. Paralleling slavery arguments, they claimed both that women's disabilities made them incapable of equality and that its burden would result in even greater disability. Their "great temperamental disabilities," the fact that "woman lacks endurance in things mental," that "she lacks nervous stability," meant that political participation would lead to "nervous prostration" and "hysteria." A prominent

neurophysiologist, Charles L. Dana, estimated that enfranchising women would increase insanity among them, and “throw into the electorate a mass of voters of delicate nervous stability . . . which might do injury to itself.” Edward Clarke, in *Sex in Education; or, A Fair Chance for Girls*, maintained that, already, overuse of the brain was responsible for “numberless pale, weak, neuralgic, dyspeptic, hysterical, menorrhagic, dysmenorrhoeic girls and women.” Special education designed for frail constitutions would ensure “a future secure from neuralgia, uterine disease, hysteria, and other derangements of the nervous system.” A presenter at the Medical Society of New York in 1891 cautioned that inappropriate education incapacitated women for motherhood: “her reproductive organs are dwarfed, deformed, weakened, and diseased.” *Popular Science Monthly* maintained that educated women were “sick and suffering before marriage and are physically disabled from performing physiological functions in a normal manner.”[6]

Disability figured not only in arguments against equality but also for equality. Rather than challenging the notion that disability justified inequality, like anti-slavery writers before them, suffragists denied that women had disabilities and therefore deserved citizenship rights. This argument was already in evidence in 1848 at the Seneca Falls Woman’s Rights Convention, where delegates resolved that “the equality of human rights results necessarily from the fact of the identity of the race in capabilities and responsibilities,” and further that “being invested by the Creator with the same capabilities ... it is demonstrably the right and duty of woman” to participate in political life. Frederick Douglass proclaimed that “the true basis of rights was the capacity of individuals.”[7] Suffragists turned the rhetorical power of the disability argument to their own uses in posters depicting women surrounded by slope-browed, wild-eyed men, identified implicitly or explicitly as “idiots” and “lunatics,” with captions such as “Women and her Political Peers,” or “It’s time I got out of this place. Where shall I find the key?” They asked why women should be classed with “idiots, lunatics, persons under guardianship and felons,” and charged that women were “thrust outside the pale of political consideration with minors, paupers, lunatics, traitors, [and] idiots.”[8]

American immigration policy makers have long sought to exclude disabled people. The Immigration Act of 1882 prohibited entry to any “lunatic, idiot, or any person unable to take care of himself or herself without becoming a public charge.” “Lunatics” and “idiots” were automatically excluded, while the “public charge” provision targeted disabled people more generally. The bar for admission was steadily raised over the next four decades. The Act of 1891 replaced the phrase “unable to take care of himself or herself,” with “likely to become a public charge.” The 1907 law excluded anyone with a “mental or physical defect being of a

nature which may affect the ability of such alien to earn a living,” and regulations for inspectors directed them to exclude persons with “any mental abnormality whatever.” The 1917 regulations listed possible reasons for exclusion, among them arthritis, asthma, bunions, deafness, deformities, flat feet, heart disease, hernia, hysteria, poor eyesight, poor physical development, spinal curvature, vascular disease of the heart, and varicose veins.[9]

In short, the exclusion of disabled people was central to immigration policy. By 1896, the *Atlantic Monthly* could confidently claim that the necessity of “straining out” immigrants who were “deaf, dumb, blind, idiotic, insane, pauper, or criminal” was “now conceded by men of all shades of opinion.” And by 1907, the Commissioner General of Immigration could assert without fear of contradiction that “the exclusion from this country of the morally, mentally, and physically deficient is the principal object to be accomplished by the immigration laws.”[10]

Once such laws were firmly established, attention turned to undesirable ethnic groups, and for this task the concept of disability was a powerful tool. In 1924, a quota system was instituted that severely limited the numbers of immigrants from southern and eastern Europe. A rhetoric of “defective races,” rooted in claims that certain nationalities were prone to congenital defects, was an essential element in configuring the image of the “inferior immigrant.” References to “the slow-witted Slav,” the “neurotic condition of our Jewish immigrants,” and the “degenerate and psychopathic types, which are so conspicuous and numerous among the immigrants” was pervasive in the debate. As a sociologist noted, “the physiognomy of certain groups unmistakably proclaims inferiority of type.” Among immigrants that he observed at Ellis Island, “in every face there was something wrong.” Moreover, Italians were “dwarfish,” Portuguese, Greeks, and Syrians were “undersized,” and Jews were “very poor in physique . . . the polar opposite of our pioneer breed.”[11] The issues of ethnicity and disability were so intertwined in the immigration debate as to be inseparable.

The attribution of disease or disability to oppressed groups has a long history. Yet, while many have pointed out the injustice of such attributions, few have asked why they are such powerful tools for inequality and what this tells us about historical attitudes toward disability. The reflexive denial of disability among those seeking equality suggests tacit acknowledgement across the political spectrum that when disability is present, inequality is indeed justified. This may go a long way toward explaining why discrimination against disabled people has been so persistent and the struggle for disability rights so difficult.

Footnotes:

- [1] Samuel A. Cartwright, "Report on the Diseases and Physical Peculiarities of the Negro Race," *New Orleans Medical and Surgical Journal* 7 (May 1851): 693.
- [2] John H. Van Evrie, *White Supremacy and Negro Subordination, or Negroes a Subordinate Race* (New York: Van Evrie, Horton, and Co., 1868), 121.
- [3] Cartwright, "Report," 707-710.
- [4] Noted in Samuel Forry, "On the Relative Proportion of Centenarians, of Deaf and Dumb, of Blind, and of Insane in the Races of European and African Origin," *New York Journal of Medicine and the Collateral Sciences* 2 (May 1844): 313. John C. Calhoun, "Mr. Calhoun to Mr. Pakenham," in Richard K. Cralle, ed., *The Works of John C. Calhoun* (New York: D. Appleton, 1888), vol. 5:337.
- [5] J. F. Miller, "The Effects of Emancipation upon the Mental and Physical Health of the Negro of the South," *North Carolina Medical Journal* 38 (Nov. 20, 1896): 285-294.
- [6] Grace Duffield Goodwin, *Anti-Suffrage: Ten Good Reasons* (New York: Duffield and Co., 1913), 91-92 (in Smithsonian Institution Archives, Collection 60—Warshaw Collection, "Women," Box 3). Dana quoted in Jane Jerome Camhi, *Women Against Women: American Anti-Suffragism, 1880-1920* (New York: Carlson Publishing Co., 1994), 18. Edward Clarke, *Sex in Education; or, A Fair Chance for Girls* (New York: Arno Press, 1972 [1873]), 12, 18, 22, 62. William Warren Potter, "How Should Girls Be Educated? A Public Health Problem for Mothers, Educators, and Physicians," *Transactions of the Medical Society of the State of New York* (1891): 48. A. Laphorn Smith, "Higher Education of Women and Race Suicide," *Popular Science Monthly* (March 1905), in *Men's Ideas/Women's Realities: Popular Science, 1870-1915* (New York: Pergamon Press, 1985), 149.
- [7] *Woman's Rights Conventions: Seneca Falls and Rochester, 1848* (New York: Arno Press, Inc., 1969), 4-6; [originally published as *Proceedings of the Woman's Rights Convention, Held at Seneca Falls and Rochester, N.Y., July and August, 1848* (New York: Robert J. Johnston, Printer, 1870), 4-6.
- [8] Lisa Tickner, *The Spectacle of Women: Imagery of the Suffrage Campaign, 1907-14* (University of Chicago Press, 1988), illustration IV; Alice Sheppard, *Cartooning for Suffrage* (University of New Mexico Press, 1994), 30. Stanton, Elizabeth Cady, Susan B. Anthony, Matilda Joslyn Gage, eds., *History of Woman Suffrage, V. 2*, (New York: Arno Press, 1969

[1881]) 288. Elizabeth Cady Stanton, “Address to the National Woman Convention, Washington, D.C., January 19, 1869,” in Mari Jo and Paul Buhle, *The Concise History of Woman Suffrage* (University of Illinois Press, 1978), 256.

[9] United States Statutes at Large (Washington: Government Printing Office, 1883), vol. 22: 214. Emphases added. United States Statutes at Large (Washington: Government Printing Office, 1891), vol. 26: 1084; United States Statutes at Large (Washington: Government Printing Office, 1907), vol. 34: 899. United States Public Health Service, *Regulations Governing the Medical Inspection of Aliens* (Washington: Government Printing Office, 1917), 16-19.

[10] Francis A. Walker, “Restriction of Immigration,” *Atlantic Monthly* 77 (June, 1896): 822. U.S. Bureau of Immigration, *Annual Report of the Commissioner of Immigration* (Washington: Government Printing Office, 1907), 62.

[11] Thomas Wray Grayson, “The Effect of the Modern Immigrant on our Industrial Centers,” in *Medical Problems of Immigration* (Easton, Penn.: American Academy of Medicine, 1913), 103, 107-109. Edward Alsworth Ross, *The Old World and the New: The Significance of Past and Present Immigration to the American People* (New York: The Century Co., 1914), 285-290.

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