

What's Wrong with "You Say You're Happy, but ... " Reasoning?

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Disability-positive philosophers often note a troubling tendency to dismiss what disabled people say about their well-being.¹ Here is an example from Elizabeth Barnes:

It's fair to say that most people today think it's 'common sense' that being disabled is less good than being non-disabled ... But most people in the 1950's thought that it was 'common sense' that being gay was less good than being straight. And Europeans in the 1200's probably would have thought that it was 'common sense' that being female was less good than being male ... In her groundbreaking book *Epistemic Injustice*, Miranda Fricker characterizes ways in which prejudice can cause uniquely epistemic types of harm. One of the main such forms of harm she highlights is testimonial injustice. In cases of testimonial injustice, a speaker is not believed or given due credence (where others would be) specifically because they are a member of a group that is the subject of stigma. (Barnes 2016, 134–135)

In effect, Barnes argues that failing to believe physically² disabled persons when they make positive claims about their well-being often is to commit epistemic injustice. Similarly, Sara Goering notes a "troubling tendency in much mainstream bioethics to discount the views of disabled people" (Goering 2008, 126). According to both authors, then, there is something deeply wrong with common forms of "you say you're happy, but ... " reasoning, particularly when this reasoning is more quick and instinctive than carefully thought out.³

I agree that a skeptical tendency in this context is often troubling. But what exactly is the problem with it? I argue that increasingly common epistemological answers, such as "it ignores lived experience," "it commits testimonial injustice," or "it rests on a view of adaptive preferences that overgeneralizes" are less convincing than is sometimes supposed. Or, put another way, these considerations, while they give us good reasons to trust

people when they claim to value being disabled, do not go as far in supporting testimony according to which physical disabilities do not make people worse off. I then make the case for more openness to certain stronger forms of disability-positive testimony⁴ by arguing that common varieties of disability-positive skepticism threaten everyone's well-being and are further challenged by an argument from moral risk.

"It Ignores Lived Experience"

We typically refrain from questioning claims and experiences that others are thought to have special access to. So, for instance, if someone tells me that I am mistaken to claim that I live in Minnesota, I am going to be puzzled. Or, if someone doesn't believe me when I say that I am physically attracted to a certain individual, I might become annoyed. Of course, my interlocutors are free to produce arguments for their skepticism. But I would be willing to bet on the basis of my experience that "you say you live in city X, but ... " reasoning and "you say you're attracted to person X, but ... " reasoning will rarely be persuasive once filled in.

It is tempting to think something similar about testimony concerning well-being. So, if someone doesn't believe me when I say that my life has been worth living so far, then, in the absence of very impressive and surprising information, I am going to be puzzled. My bewilderment will only increase, moreover, if the same person goes on to reject my testimony that I enjoyed my trip to Costa Rica last year. True, it's possible that I am mistaken about my memories and experiences (Haybron 2007), and global assessments of well-being are far from straightforward (Marsh 2014). But "you say you're happy, but ... " reasoning is also fallible.

These observations lead me to think about disability and testimony. Perhaps what's wrong with skepticism about disability-positive testimony is that it downplays the authority of lived experience—an authority that traditionally marginalized groups often think about (Crasnow 2013, 417). So, if a deaf person—call her Anita—claims to be happy and to value being deaf, it seems wise to take her word for it, at least if we understand "happiness" in sufficiently subjective ways. Given her lived experience, after all, she seems better positioned than a hearing person to know whether she likes being deaf. Indeed, her lived experience, while fallible, seems a far better guide to the truth about what she values than, say, the intuitions of a stranger who imagines that her life must be a constant nightmare.

I fully concur with these ideas. If the question is whether someone is happy being disabled or whether she would wish her identity away, the argument from lived experience strikes me as quite powerful. But what about stronger forms of disability-positive testimony like the following?

Being blind is not subpar, overall. I would not have been better off (assuming it would still be me) if I had been born a seeing person. I am also not worse off than seeing persons in my socio-economic rank.

Being in a wheelchair makes me worse off than other people and worse off than I used to be, but only in virtue of the social prejudices and limitations I now encounter, and not in virtue of its intrinsic features.

Being deaf comes with costs, including intrinsic costs that have nothing to do with society or prejudice (I can't hear beautiful music or the voices of loved ones). But being deaf doesn't inherently make me worse off since it permits equally good things (I can feel music and enjoy deaf community that I wouldn't have otherwise accessed).

Stronger forms of testimony like these do get made.⁵ And, in response to them, I want to argue not that they are false, only that appeals to an individual's lived experience by itself won't clearly justify them, let alone put notable epistemic pressure on hearers to believe them. And the reason is that an individual's experience is often too limited to ground comparative and counterfactual claims about their well-being.

I do not mean to be entirely skeptical about our comparative and counterfactual reasoning abilities. Perhaps one can reasonably believe and assert, on the basis of limited experience, that if one had been born into serious poverty then one would have been worse off. In addition, one needn't have experienced too much isolation to reasonably surmise that involuntary solitary confinement would likely lower one's emotional happiness. My point is just that counterfactual and comparative claims about well-being or happiness that are rooted in an individual's experience can easily go astray. For instance, suppose I tell my friend that I would have been less happy had I become a lawyer in Australia as opposed to a philosopher in Minnesota. I might—and in fact do—feel confident in my judgment given my current identity as a philosopher in North America. But I would also understand if my interlocutor didn't quite believe me or didn't think that this was the kind of thing I am in a position to know. Indeed, if I am fully honest with myself, I do probably lack knowledge about such matters. I am not even sure that I should have firm beliefs about them.⁶ Maybe I would have liked being a lawyer more than I realize. This is not to say anything bad about philosophy or to express an interest in switching careers, only to highlight the limits of my imagination—limits that have taken me astray before.⁷

Similarly, if Anita testifies that, matters of prejudice aside, she wouldn't have preferred life as a hearing person, one might wonder how she knows this. Even if she is correct in her judgment, her lived experience, by itself, is arguably not what is getting her to the truth. In saying this, note that I

am not assuming that hearing is objectively conducive to human flourishing such that, if you lack it, you are automatically worse off overall no matter how you feel about the matter. This Aristotelian claim, if true, would certainly undermine much deaf-positive testimony. But my claim is weaker. Even if we restrict ourselves to purely subjective well-being, lived experience remains fairly limited (on various theories of subjective well-being).⁸ And the reason, again, is that lived experiences are limited to one's actual experiences, while comparative and counterfactual claims often go well beyond one's actual experiences.

Or, put another way, the problem, it might be thought, is that Anita doesn't have nearly enough experience to make the claims she wants to make. We could change the scenario so that Anita was once a hearing person and still claims that being deaf is not worse overall. In that case, her testimony will certainly make a much stronger claim on her hearers. Even this case is not entirely straightforward, however. For, as others have noted, it is possible that the transition costs involved in becoming deaf, even if deafness is itself neutral, could have a negative impact on global or overall well-being.⁹

Of course, if we discovered that those who become deaf in general fare as well as hearing persons, this would help. For then population level data could be used to extend Anita's experiential knowledge, justifying counterfactuals such as, "If I had always been a hearing person, I would not likely have been subjectively happier in any relevant sense." But notice that this largely empirically based strategy, even if sound,¹⁰ would no longer be rooted in an individual's lived experience. And my point is just that many have not experienced hearing and do not know what it's like.¹¹ When such persons make counterfactual or comparative claims about their well-being, their testimony might not be fully authoritative.

These epistemic limitations, again, do not merely afflict disabled persons. This explains why those in the deaf community might be a bit skeptical when a hearing person confidently proclaims that (a) he would be less happy had he been born deaf, or (b) he is happier than the average deaf person now. Unless his testimony is supplemented with something beyond his limited experience, we might not find it persuasive.¹² We might even think he is a textbook example of how human beings in general overestimate their ability to do affective forecasting—a bit like those who, mistakenly, insist that they would be emotionally far happier for life if they won the lottery (Ott 2009).¹³

So, in short, while individual appeals to lived experience give us reasons to believe all sorts of interesting disability-positive testimony, there are important limits to what it can show even at the level of subjective well-being. I suspect that many philosophers, including some who hold a mere-

difference view of disability, will agree with this claim. Since one often hears appeals to the epistemic value of lived experience in discussions about disability and well-being, however, it is worth getting clearer on its limits.

“It Commits Testimonial Injustice”

A second challenge to disability-positive skepticism makes appeal to testimonial injustice. As Miranda Fricker notes, testimonial injustice occurs “when prejudice causes a hearer to give a deflated level of credibility to a speaker’s word” (Fricker 2007, 1). An example from Fricker is if the police do not believe you because you are black. Another example is if a female politician’s arguments are taken less seriously merely because she is female. In these cases, we harm speakers not just socially but in their capacity as knowers and givers of knowledge.

In her book, *The Minority Body*, Elizabeth Barnes applies these ideas from social epistemology to disability-positive testimony (Barnes 2016, chap. 4). If we are generally disposed to believe what non-disabled people say about their well-being but regularly downgrade what disabled persons say about their well-being, then we may well commit epistemic injustice. Maybe we are failing to believe disabled persons, in a relevant sense, merely because they are disabled.

I find Barnes’s discussion valuable in all sorts of ways. I especially like her argument that we have terrible track records when it comes to listening to and reasoning about what marginalized groups say about their well-being—including sexual minorities, racial minorities, and women—and agree that this should make us more open to hearing disabled voices now. Such an argument goes beyond the claim that non-disabled people have certain biases or lack certain relevant experiences. It is largely inductive. Despite my praise, however, I confess that I am still not fully clear about the scope of Barnes’s testimonial injustice attribution or worry. Consider the following claims,

1. “I value being disabled and wouldn’t wish my disability away – I’m happy and not in spite of my disability.”
2. “My disability does not make me worse off – or at least it wouldn’t do so in a just society.”
3. “Physically disabled people in general are not worse off than physically non- disabled people in general – or at least they wouldn’t be in a just society.”

Some passages from Barnes lead me to think she is restricting her focus to

something like claim 1. She says, for instance: "I argue that skepticism about the testimony of disabled people who claim to value being disabled is a type of testimonial injustice" (Barnes 2016, 120). Other passages, however, lead me to think she might intend to include claims 2 and 3 in her argument. For instance, she cites the following testimony from Harriet McBryde Johnson:

Are we "worse off"? I don't think so. Not in any meaningful sense. There are too many variables. For those of us with congenital conditions, disability shapes all we are. Those disabled later in life adapt. We take constraints that no one would choose and build rich and satisfying lives within them.

Barnes not only seems to endorse this testimony, which is directed at Peter Singer; she also seems to imply that others should as well so as to avoid committing epistemic injustice.¹⁴ To clarify, even on this interpretation, Barnes is not saying that one automatically commits injustice by failing to believe testimony like McBryde Johnson's. I think she means only that common dismissals of claims 2 and 3 commit testimonial injustice, particularly when those dismissals are heavily guided by the bare intuition that disability is obviously bad.

In any case, whatever the nature and scope of Barnes's testimonial injustice worry, since forms of testimony like 1, 2, and 3 all get made, it is worth considering how easily failing to believe them would be epistemically irresponsible or otherwise commit epistemic injustice. Beginning with claim 1, I think Barnes's argument can do a lot of work here. We have already seen that lived experience can speak to what people value. If we have failed to appreciate this fact before, then Barnes's inductive argument gives us further reason to trust people who claim to value being disabled (at least if we bracket worries about adaptation that we explore in the next section). Indeed, when it comes to testimony like 1, merely failing to believe it, let alone disbelieving it, seems unjust.

As for claim 2, I think the force of this testimony, while real, is more defeasible and context-dependent. Sometimes it makes a strong claim on us. For instance, quick dismissals of dwarf-positive testimony made solely on the basis of an arguably mistaken intuition that there is an inherent connection between size and well-being seem unreasonable and unjust. Once again, our intuitions about the well-being of minorities have often taken us astray in the past. And, once again, we should be wary of relying on them now. To be fair, though, one can imagine other cases less reliant on intuition. For instance, someone might reason that their brother (who has been blind from birth) does not know what it's like to see and so isn't in a good position to assert that he is no worse off in virtue of being blind. It is not clear to me that such reasoning is uncommon or that it commits testimonial injustice. Much will

naturally depend on the details of the testimonial exchange, however.

Turning to claim 3, this type of testimony strikes me as the least authoritative. In particular, I can imagine a skeptic arguing that testimony surrounding disability and well-being is notably less uniform than McBryde Johnson implies—and notably less uniform than testimony surrounding being female, for instance. More accurately, for all we know, goes the worry, a decent number of persons with diverse disabilities will report that their disability is a negative-difference. Call this the problem of mixed testimony. For instance, Eric Steinhart says,

My disabilities are not goods in any sense. Even if all social stigma and shame were removed, my disabilities would not be goods in any sense. They are not moral evils for which I am responsible. But they are natural evils. And the intrinsic value of full human flourishing entails that we ought to strive to eliminate them. (Steinhart 2016)

Although Steinhart spends most of his time reflecting on depression, whereas Barnes is focused only on physical disability, he also includes his physical osteoarthritis in his negative testimony. In addition, some persons with osteogenesis claim to be happy overall but to “hate” their disability. For instance, Ellen Painter Dollar notes that disabilities are not “value-neutral manifestations of human diversity” (Dollar 2012). She goes on to say this:

Bones are not supposed to crack under the weight of a laptop computer. They are not supposed to snap when a little girl is simply dancing in her living room. A routine fall from a scooter should not land a child in the emergency room with multiple fractures. Forty-something-year-old knees should not be completely stripped of their cartilage. No matter how much good (wisdom, love, understanding, compassion) comes out of living with this capricious disorder, the disorder itself is not good.

Turning to the empirical data—although much more work needs to be done¹⁵—this only seems to corroborate the worry. For instance, in one study, most persons with locked-in syndrome, 58%, declared they did not wish to be resuscitated in the case of cardiac arrest (Bruno et al. 2011).¹⁶ In addition, some studies suggest that late-term disabilities not infrequently have a lasting negative impact on subjective well-being even following adaptation (Lucas 2007). When it comes to degenerative conditions, finally, some of their effects get worse over time, and many seem to be deeply frustrated about this nonsocial fact.¹⁷

Testimony like this is no doubt going to be as complex, multifaceted, and occasionally mixed with bad arguments as disability-positive testimony.

What's more, it's often hard to tease apart the social from nonsocial causes of dissatisfaction.¹⁸ But the testifiers in question often don't seem to be saying that their disability is merely a local harm or a social harm or a predominately extrinsic harm. And the point is that Barnes spends almost no time reflecting on actual cases of disability-negative testimony. To be sure, Barnes is very clear that being disabled, like being gay, can make life harder and isn't a "big, grand party" (Barnes 2016, 78).¹⁹ She also notes that not every disabled person would say no to a "cure" even in a world without ableism. But that's not the same thing as reflecting on the problem of mixed testimony, its extent, or how it might impact her arguments.

I think that the problem could make it harder to heavily rely on testimony in defending a value-neutral model of disability.²⁰ But my point is different. If enough disabled people do, or would, more closely resemble Steinhart than McBride Johnson when testifying about their well-being, this could reveal that claim 3 is false—at least if voices like Steinhart's are deemed trustworthy.²¹ It could do so by lowering the average well-being of physically disabled persons. In fact, even if it turns out that a small minority of disabled persons, say 5% or 10%, really dislike their disability in virtue of its physical features, this could still pull the average well-being of physically disabled persons down. Factoring in earlier worries about whether temporary transition costs are powerful enough to make a global impact on well-being only makes it harder to assert 3.

To clarify, the idea here is not that claim 3 is in fact false. I doubt that we have enough data to make decisive claims about 3 either way. The idea is that, for all we know, claim 3 is false. And this epistemic possibility seems sufficient to cast doubt on there being a pro tanto duty or even just a strong reason for informed persons to believe testimony like 3. Naturally, some might object to these claims. But we have seen enough to wonder if maybe some disability rights activists are too quick to speak for disabled people in general.

"It Rests on a View of Adaptive Preferences that Overgeneralizes"

A third challenge to disability-positive skepticism is that it frequently rests on a misguided psychological attempt to explain away people's testimony. The explanation I have in mind goes roughly as follows. Many disabled people claim to be happy and indeed claim to prefer being disabled. But it's not that they have good reasons for saying these things; it's rather that their minds gradually cause them to adapt to their circumstances, however limiting, and to change their beliefs and preferences after the fact. They're a lot like "happy

slaves”²² or “happy oppressed women” in this regard. If we factor in a status quo bias that makes people prefer what is familiar, then we have further psychological grounds for suspicion toward these predictably optimistic first-person reports.

In response to this challenge, Sara Goering thinks there are relevant differences between disabled persons and happy slaves or happy oppressed women. But she doesn’t develop the point (Goering 2008, 131). Barnes notes that the strategy is notably more powerful than all other attempts to dismiss disability-positive testimony (Barnes 2016, 142). But she thinks that, aside from committing epistemic injustice, it overgeneralizes (Barnes 2009). I want to focus on the overgeneralization worry here. According to this worry, if the adaptive preference strategy could be used to explain away disability-positive testimony, it could be used to explain away all kinds of testimony in ways that seem implausible. For instance, consider:

You say you’re happy being gay and indeed prefer this identity, but that’s just your adaptive preferences talking—and keeping you from seeing the unfortunate truth about your life.

You say you’re happy being female and indeed prefer this identity, but that’s just your adaptive preferences talking—and keeping you from seeing the unfortunate truth about your life.

Clearly, many are going to think that there is something very wrong with these forms of reasoning. And Barnes thinks this shows that the adaptive preference strategy overgeneralizes. Since it could be used to explain away gay-positive testimony or female-positive testimony, it clearly can’t be trusted.

Once again, I think Barnes’s response is clever and interesting and advances the debate. But, once again, I think she overstates its force. In particular, I don’t see why a disability-positive skeptic should endorse the claim that the strategy can be used to explain away these other forms of testimony. After all, she will think, let us suppose, that it is just false that being female or being gay is inherently subpar. She thus won’t think the strategy legitimately overgeneralizes: she uses it only where it seems right to her. The fact that other people can mimic her strategy in ways that she deems illegitimate won’t deter her from using her strategy in ways that she deems legitimate. To be sure, many disabled persons will understandably not be impressed if told that their preferences and beliefs are merely adaptive. In fact, many might feel that the very decision to label their preferences adaptive “begs the question”²³ against them (Barnes 2009, 7).

For, as Barnes notes, to invoke the adaptive preference strategy – under Martha Nussbaum’s conception of adaptive preferences anyhow²⁴ – we already “need to assume that being disabled is somehow bad or suboptimal,” which is “precisely what’s up for debate” (Barnes 2016, 133). But there is a difference between what one can permissibly believe and what one can assert or philosophically demonstrate. There is also a difference between vocalizing one’s skepticism and keeping it to oneself. The defender of the adaptive preference strategy needn’t be arguing that everyone should affirm her claims, nor must she suppose that appeals to it would be dialectically effective in an exchange with someone who disagrees with her. The question (or at any rate one question) is whether she is reasonable in privately believing that much, even if not all, disability-positive testimony is problematically adaptive.

Perhaps it will be objected that the answer is “no.” For Barnes’s inductive strategy, recall, speaks against allowing a feeling of counterintuitiveness to heavily guide one’s beliefs about the testimony of minorities – and places a burden on disability-positive skeptics to justify their stance with arguments. Unfortunately, however, even this inductive strategy is less persuasive now if Barnes’s overgeneralization reasoning is endorsed. After all, many people (perhaps including Barnes)²⁵ think they reasonably resist the testimony of certain minorities, such as non-morally motivated hermits,²⁶ when they say that, lacking the capacity and desire to enjoy relationships with other people is just a way of being different. But it is hard to come up with a compelling argument for the intuitive judgment that a hermit’s way of life really is suboptimal. Perhaps this can be done. But the attempts that I have heard do not make me confident.²⁷

Relatedly, it would likely be very hard to give hermits an argument that they will find compelling for why they are deluded (especially if they really are). They will think we are the problem and that we make unfair assumptions about them. They might even call on Barnes’s inductive strategy to support their claims: “You’ve been wrong before when it comes to reasoning about the well-being of minorities, so you should be very wary of rejecting our hermit-positive testimony now by way of a story of adaptive preference or something else that privileges your judgments over ours.”

The worry here, to clarify, is not this: unless we are willing to accept anyone’s testimony about their well-being, then Barnes’s own inductive strategy itself overgeneralizes since it can be applied to any old minority group. For Barnes can, and to some extent does, claim that we can reasonably downgrade the testimony of victims of Stockholm syndrome, who come to prefer having been kidnapped, if we can invoke independent and reasonable claims about how their psychological conditions make them unreliable testifiers. The worry is more specific: unless we are willing to accept some

forms of testimony that many, perhaps including Barnes, want to resist, then, if overgeneralization is a problem for the adaptive preference strategy, it is also a problem for Barnes's original inductive argument. For both methods can generalize in ways that lead to unwanted conclusions. Or, put another way, there seems to be a conflict between Barnes' inductive arguments for trusting minority voices and her worries about overgeneralization.

What is needed, then, is an explanation for why overgeneralization with respect to adaptive preference arguments for skepticism about minority voices is problematic, whereas overgeneralization with respect to inductive arguments for trusting minority voices is not. Now, it may be that the answer is just that hermits are objectively mistaken about their well-being whereas disabled persons are not. This purely externalist explanation, if true, would certainly be relevant. But, if we are looking for our arguments (and epistemic injustice attributions) to have independent traction in contexts of disagreement, as Barnes to her credit seems to be, then we need something more. Otherwise, the disability-positive skeptic will feel at liberty to make an exactly parallel move. She will claim that the externalist considerations favor her view and that the very decision to use induction to support disability, but not hermits, unjustifiably stacks the deck in favor of a mere-difference view of disability. She might add that she only accepts testimony from groups whom she deems reliable informants and that induction shouldn't be used against her view any more than it should be used to defend hermits.

“It Challenges Everyone’s Well-Being – and Is Further Morally Risky”

So far, I have largely been playing the role of the skeptic or the devil's advocate. But I don't really want to side with the devil. My goal is to get clearer on what might be wrong with downgrading common forms of disability-positive testimony—particularly claims 1 and 2²⁸—and to get clearer on our grounds for trust. I think the three explanations we have considered, though not without some merit, do less work than we might hope. So, I want to offer some fairly brief and tentative but hopefully worthwhile alternatives. These alternatives could stand on their own. But combining them with other explanations is likely the best way to improve the overall case for trust.

My first explanation is largely pragmatic. One thing that is wrong with (or at least undesirable about) the skeptical tendency we have been considering is that it is bad for everyone, including the skeptic. It's bad for disabled persons for obvious reasons. Being believed to have a notably worse life than other people sucks and, for many, might be the worst part about being disabled. But another far less commonly appreciated consideration is

that disability-positive skepticism is bad for the skeptic. It's bad for the skeptic not just because they might one day become disabled. It is bad for the skeptic now.

Why? If disabled people are as systematically deceived as many assume, then we need an explanation for how such a large portion of our species could be so deceived about their well-being. But the main explanations on offer, recall, appeal to human psychology (Barnes 2009). Such appeals are extremely common. They pose a wider problem now, however. For if natural psychological processes are what lead disabled persons to adapt to (and even come to prefer) terrible and unchangeable truths about their life, this increases the likelihood that human beings in general have distorted pictures of their well-being. There are two main reasons for this. First, the same psychological factors and processes that lead disabled persons to adapt are also very much operative in the minds of others, including disability-positive skeptics. Second, there are many notable harms and benefits, given this kind of reasoning, that human beings in general fail to fully appreciate, in part, because of adaptation.

Beginning with the benefits, we human beings aren't clearly much subjectively happier now than we were 100 years ago, and this despite how many common markers of well-being (longevity, liberty, wealth, education, and valuable forms of technology) have increased—in some cases exponentially.²⁹ So we are not obviously sensitive to gradual increases in objective well-being, goes the worry. More than this, the tragic features of human lives often do not have a lasting impact on our feelings and judgments about life— at least not for the roughly 80% of us who have an optimism bias and who are fairly quick to adapt. As I have noted elsewhere,

Life presents us with very bad things: we get depressed, we get cancer, we often fail to get what we want, and we must eventually lose everything, including those who brought us into existence. Given the severity of these things, it might be wondered how our quality of life assessments could be high in the absence of serious biases Serious harms aside, we perhaps especially fail to appreciate the mild and mundane minuses in life, something that Benatar nicely draws our attention to.... And yet these factors, when added up, may have significant impact on how our lives actually go. (If we were anywhere nearly as harsh as the average movie critic in assessing the narratives of our lives the results might be sobering.) (Marsh 2014, 444–445)

In this paper, I was partly responding to David Benatar's attempt to explain away people's basic optimism about their lives. I argued that Benatar overstates the psychologically based case for radical pessimism when he says that various distorting biases and adaptive processes keep us from seeing that

all of our lives come out very bad on the standard theories of well-being. But the point remains. Our lives contain a lot of bad that we often don't fully appreciate. So, if we are highly comfortable with "you say you're happy, but ..." reasoning toward disabled persons, we ought to turn this reasoning on ourselves. But, when we do that, it is not easy to see, given arguments I raised, how we can resist the conclusion that our lives may well be notably worse than we think or at any rate much harder to assess than we think.

True, some self-questioning is no doubt good for us. But the present argument is conditional. If we don't want to go too far down the road of well-being skepticism, and if we want to maintain our current degree of optimism about our lives, then we ought to be a little more trusting of disability-positive testimony. This pragmatic argument, like all pragmatic arguments, won't appeal to everyone. For instance, those who think that we should seek to follow the argument where it leads, even if the outcome is unfortunate, might resist the current strategy. I get their stance (Marsh 2017). But such persons should keep in mind a purely epistemic point that is often missed in these discussions. Seriously questioning the well-being of disabled persons without also questioning oneself or non-disabled people seems inconsistent and selectively skeptical. It does not follow the argument where it leads.

My final explanation of what's wrong with disability-positive skepticism takes the form of an argument from moral risk. As Dan Moller has noted, given a traditional Catholic view of ethics "the mere risk of making a deep moral mistake [in contexts of notable uncertainty] rules out certain acts" (Moller 2011b, 425). To see how such risk arguments work, consider the case of climate change skepticism. Even if you're not fully convinced by the empirical arguments that the environment is in serious danger, these matters are complicated, and there is a serious epistemic risk that you are wrong. If you're wrong, moreover, you might be very wrong. And your actions might cause serious harm—not least if lots of others are skeptical like you and behave like you.

Of course, if you're extremely confident that you're right, then maybe you're fine (subjectively speaking) in living as you do. But matters as controversial and high-stakes as this rarely permit such confidence. So we might think that uncertainty in this context, assuming it is also believed that climate skepticism is our riskiest option, generates strong reasons for climate skeptics to change their ways. Perhaps something similar can be said about acts of disability-positive skepticism. Barnes and others might be right about the nature and value of disability. And, if they are, then acts of disability-positive skepticism could be very painful and objectively disrespectful to disabled persons. The argument here, notice, is not inductive and does not rest on ideas about epistemic injustice. For, even if we had never been mistaken about minorities in the past, and even if there were no such thing as epistemic injustice, the present moral risks concerning pain and disrespect

would still arise. Maybe the risk of serious moral wrongdoing under conditions of notable uncertainty by itself makes a strong claim on us.

Indeed, given what is at stake, and given how complicated well-being is (just read Barnes's claims about the ways in which local and global well-being can fail to interact), then, even if we set aside well-known ableist biases, we might question our distrusting tendencies a bit more. To be sure, we cannot simply decide what to believe about disability, however risky our skeptical attitudes might be. But the argument still has force since it can motivate actions or omissions that might indirectly influence people's beliefs. For instance, the argument might motivate more skeptics to listen harder to disabled voices or to read more work in the area. These actions might, in turn, soften people's skeptical stances.

I realize that arguments from moral risk are complex and don't always favor a single course of action.³⁰ Such arguments also can have implications that some won't like.³¹ But, despite these considerations, many people find it natural to worry about the risk of wrongdoing in contexts of uncertainty about the objective status of one's actions. Of course, being too positive about the value of disability could be bad for disabled persons if it resulted in providing disabled persons with fewer resources or accommodations in the future. But few would disagree with this point (Amundson 2010, 376–377). A more serious challenge, it seems to me, concerns how far risk-based arguments can extend. For it might be thought that we also risk harming hermits in failing to believe their words and that this very fact, on the present reasoning, gives us reason to trust hermit-positive testimony. This is a tricky matter that I cannot fully resolve here. But, whatever we say about it, there are far more disabled persons than non-morally motivated hermits. So, disability-positive skepticism is far riskier than hermit-positive skepticism.

Finally, even if no single argument is sufficient to require trust, which may be the case, the disjunction of various arguments – epistemic, pragmatic, and moral – might prove more powerful. I think the disjunction ought to be sufficiently powerful to motivate more people to at least try to trust disability-positive testimony more than they do.

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Notes:

⁽¹⁾ The terms "happiness" and "well-being" will be used interchangeably at various points when the distinction is less important. At other points, which the context should make clear, "happiness" will be used to denote subjective features of a life (e.g., positive states of mind, or life satisfaction) and "well-being" will be used to denote an objective condition (e.g., a flourishing life, or a life with certain objective goods). Naturally, how much trust we should have in people's prudential testimony could depend on our theory of well-being or happiness, but there may be quite a bit of agreement across theories.

⁽²⁾ Like Barnes, I am restricting my focus entirely to physical disability. And, like Barnes, I

will not consider whether physically disabled people have equal value or inherent worth or moral status. I think they clearly do. But the value of persons and the value of their lives are distinct, and I am focused only on the latter, prudential, value here.

⁽³⁾ To clarify, neither Barnes—whose work I shall focus on here—nor Conly claim that disabled people are infallible testifiers. They just think that they are normally more trustworthy than skeptics who insist that disabled people are not happy at all, not as happy as other people, or not as happy as they think (or claim). These authors also worry about common forms of “you say you’re happy but ...” reasoning such as the following: “You say you’re happy, but your testimony has an unreliable causal origin and so isn’t to be trusted.” Or: “You say you value your minority identity, but you only say this because it is personally and politically advantageous for you to do so. You don’t really believe it.”

⁽⁴⁾ I borrow the phrase “disability-positive testimony” from Barnes.

⁽⁵⁾ For instance, Deborah Kent remarks: “I will always believe that blindness is a neutral trait, neither to be prized nor shunned. Very few people, including those dearest to me share that conviction” (Johnson 2001).

⁽⁶⁾ I have neither been to Australia nor have I practiced law. And although philosophy fits my personality very well, being a lawyer might as well.

⁽⁷⁾ For instance, I have also often claimed that my life would have contained notably less happiness had I not taken up the guitar. But although losing my current ability to play the guitar would surely be bad for me now, given my actual interests, it’s harder to assess my life in worlds in which I never develop these interests.

⁽⁸⁾ Maybe our lives would contain more pleasure, life satisfaction, affect balance, meaning, fulfilled desires, or be more enjoyable in a host of ways in other worlds that we don’t currently inhabit. Our actual experience isn’t a fully reliable guide to these matters.

⁽⁹⁾ On this view, painful transitions between states that are deemed inherently neutral might make a global (or all things considered) negative difference to someone’s life even if she is glad about the end result and no longer suffers (Campbell and Stramondo 2017).

⁽¹⁰⁾ It is worth noting that the population-level argument, even if supported by data, wouldn’t fully warrant the kinds of testimony that we have been considering, which are neither probabilistic nor made in light of the science of well-being, and which occasionally include claims about objective well-being.

⁽¹¹⁾ See L. A. Paul’s work for a related discussion about whether becoming disabled is a transformative experience (Paul 2014, 56–70).

⁽¹²⁾ True, fewer persons would be offended if a hearing person merely asserted (c) that he is as happy as the average deaf person. But it is not clear to me that this weaker testimony is warranted by the speaker’s lived experience either.

(¹³) Such individuals might have lots of practice imagining their winnings, to be sure, just as disabled persons might have often imagined their lives in different bodies. But their judgments aren't clearly reliable.

(¹⁴) If Barnes meant to imply only that testimonial claims like 3 but not 1 and 2 can be fairly easily resisted, this would have been a good place to clarify this. Instead, she says, "McBryde Johnson's experiences reflect a common theme for those in the disability rights community. They make claims, repeatedly, about the value of disability and about the value of their own well-being. And yet those claims can't seem to get past the stereotypes and presuppositions that people have about disability. And this, I contend, is a classic example of testimonial injustice" (Barnes 2016, 138)

(¹⁵) Physical disability is a very big and diverse tent, after all, and empirical work on its connection to well-being is still being done and replicated.

(¹⁶) Some patients reported to be doing rather well, and many found this study surprising. But few patients claimed to be as happy as they were prior to their disability, and it seems reasonable to suppose that those who don't want to be resuscitated aren't flourishing.

(¹⁷) I recall David Wasserman once making this point. Some might think that Duchenne muscular dystrophy (DMD) is a good example here (Yamaguchi and Suzuki 2013).

(¹⁸) No doubt it can also be difficult to tease apart local versus global harms, but this very fact also makes it hard to assert claim 3.

(¹⁹) Many mistakenly attribute to mere-difference views the idea that disability is harm-free. But Barnes notes that disabilities can be harmful, in a restricted sense, just like being gay or having a female body can be. In all three cases, however, the harms do not easily create a global or overall negative difference.

(²⁰) For even if it's logically consistent with some mere-difference views that there is mixed testimony (say because it's logically consistent with some mere-difference views that some disabilities are negative-differences), the more negative testimony there is, the less applicable the mere-difference label will become. Also, in light of testimony like McBryde Johnson's, Barnes is suspicious of attempts to say that any particular disability is bad. This constrains how she might reply to the problem.

(²¹) Objection: Wouldn't trusting voices like Steinhart's also require trusting those who claim that being gay is bad for them and warrants conversion therapy? Response: Gay-negative testimony is almost always colored by the belief that living as a gay person is inherently immoral, whereas disability-negative testimony almost always lacks a moral component. Besides, if there were more gay-negative testimony than there seems to be (say enough people claimed that not being able to create a child with the person they love is a global intrinsic harm), this additional testimony presumably would pose an evidential problem for comparably strong forms of gay-positive testimony.

(²²) As one author puts it, "Although happy slave examples are simplistic and fraught with

hazards (not the least of which is that if they are completely imaginary), they do demonstrate the logical coherence of a claim that people can be mistaken about their QOL" (Amundson 2010, 374).

(²³) Barnes no longer seems to use this phrase but now focuses on worries about disagreement and independent traction.

(²⁴) Not all adaptive explanations assume that disability is bad, of course. Some take the form of an epistemic sensitivity challenge, such as the following: because of adaptation, a testifier would say *x* about her life whether or not *x* was true (Marsh 2014, 450)—which suggests that her testimony is not trustworthy.

(²⁵) Barnes doesn't discuss the hermit case to my recollection. But I recall her once noting that disability pride would be incoherent if the reasoning that grounds it could be applied to being a jerk. I think the hermit case is harder and more interesting.

(²⁶) We are not talking about hermits who value relationships with other people but sacrifice this interest in order to increase their relationship with the divine or to achieve something moral. We are talking about those who don't desire or value relationships with other people and who don't see this as a well-being deficit.

(²⁷) Some "Rawlsians" might focus on idealized conditions and relational goods. On this view, if only the hermit knew what it was like to have relationships, if only he took into account his current and future desires, if only he rationally weighed and balanced his various preferences into a coherent whole, it is likely that he would come to prefer a more social life despite his current preferences to be alone. Given full information and complete rationality, in other words, the hermit would choose not to be a hermit, which is comparatively bad for him. But, stated this way, this conditional response assumes that we know what people would choose under ideal circumstances and which ways of life are best, which are two of the very matters in question. To clarify, I personally think that relationships are objectively valuable and choice-worthy. But the challenge is how to argue for this claim on the ground without assuming too much. In my experience, arguments about what groups would prefer under ideal conditions are rarely subjectively persuasive to those who don't already agree with them. This explains why gay people, blind people, and females are rarely impressed by similarly structured arguments according to which they would never choose their identities under ideal conditions.

(²⁸) Until the problem of mixed testimony is resolved, I won't argue for trusting claim 3.

(²⁹) I recall hearing Paul Bloom once make a similar point. Also, Dan Moller has argued that some version of the Easterlin Paradox must obtain for beings like us (Moller 2011a).

(³⁰) Sometimes every course of action or inaction may be comparably risky.

(³¹) For instance, Moller (2011b) notes that, in his experience, many people are more open to risk-based arguments against eating meat than risk-based arguments against having an abortion. For criticisms of risk-based arguments, see Weatherson 2014.