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Killing in the Name of Care

Joel Michael Reynolds

Abstract: On 26 July 2016, Satoshi Uematsu murdered 19 and injured 26 at a caregiving facility in Sagamihara, Japan, making it the country's worst mass killing since WWII. In this article, I offer an analysis of the Sagamihara 19 massacre. I draw on the work of Julia Kristeva and Emmanuel Levinas to argue that claims about disability experience are insufficient to justify normative projects. In short, disability is normatively ambiguous.

Keywords: disability, ableism, eugenics, vulnerability, hate crimes

Blessed are they who will not get better.
Blessed are those who shock the pool . . .
Save ourselves from what's above, while we
Save ourselves, at last, from you.

—Jim Ferris, “For the Betterment of Humanity”

The justification of the neighbour's pain is
certainly the source of all immorality.

—Levinas, *Totality and Infinity*

On 26 July 2016, in the city of Sagamihara, Japan, bordering Tokyo, Satoshi Uematsu set out on a stabbing spree to fulfill his desire that “all the handicapped should disappear.”¹ He murdered 19, slitting their throats while they slept, and injured 26 others at Tsukui Lily Garden, a residential care facility for people with disabilities of which he was a former employee. It was the worst mass killing in Japan since World War II. Yet, as both the *New York Times* Tokyo bureau chief Motoko Rich and American historian and journalist David Perry have noted, this event was followed

¹Motoko Rich and Jonathan Soble, “Knife Attacker Wanted to Rid Japan of the Disabled, Authorities Say.” For the purposes at hand, I will use the terms “killing” and “murder” interchangeably.

by a conspicuous public silence.² This is especially concerning given that, at least in a U.S. context, disabled people are two and a half times more likely to experience violence than nondisabled people, and “roughly a third to a half of all people killed by police are disabled.”³ Tellingly, Uematsu did not articulate his actions in terms of anger, hatred, or mistake, but instead as a reflective desire for improving social policies pertaining to selective euthanasia of people with disabilities. In this way, his actions can be seen as a case of what I call *caring killing*.

My aim in this paper is to analyze how such an act of killing could be justified through an appeal to caring. I show that justifications leveraging experiences of disability for various social or political ends necessarily rely upon various values and ethical frameworks. It is the values and frameworks, not any intrinsic meaning of disability experiences themselves, that determine the particular normative force of disability in any given case. Contrary to both those who would and those who would not justify the logic of Uematsu’s actions, I argue that experiences of disability do not in and of themselves produce normative force. The trail of arguments I present here leads to the following conclusion: the idea that a form of embodiment reliably leads to determinate norms is mistaken, whether or not, but especially if, such form is assumed to be suffered. This idea is also morally dangerous, for it just as easily supports humanistic as it does eugenic ends. To defend this conclusion, I proceed in three steps.

First, I describe the phenomenon of *caring killing*, which I define as any normative justification dependent upon the *erasure* of the prima facie contradiction between the responses of caring and killing. Second, I examine the role of disability, at once tragic and transformative, in the “new humanism” of Julia Kristeva. While Kristeva understands disability to support the principle of vulnerability in the service of a renewed humanism and egalitarianism, I show how both disability and vulnerability are normatively ambiguous and in fact offer no defense, principled or otherwise, against caring killing.

Third, I turn to Emmanuel Levinas’s account of suffering and of encounter with the face of the other, an encounter which evokes the contradictory responses of a temptation to murder and a call to care. I show that Levinas’s account (a) clarifies why the phenomenon of disability would fail to produce either humanist, eugenic, or any other norms, and (b) explains the professed rationale of Uematsu’s action in terms of the *erasure* of the contradiction between killing and caring. In this light, neither Uematsu’s contemporary, unreflective ableism,

²Rich, “After Mass Knife Attack in Japan, Disabled Victims Are Still in the Shadows”; David Perry, “Violence, Disability, and the Lessons of Sagami-hara.” See also Kwiyeon Ha and Linda Sieg, “Japan Confronts Disability Stigma After Attack.”

³David M. Perry and Lawrence Carter-Long, “The Ruderman White Paper on Media Coverage of Law Enforcement Use of Force and Disability.” See also Debra McKinney, “The Invisible Hate Crime.”

nor Kristeva's humanistic valorizations of disability, nor Levinas's response ethics offers the resources to resist eugenic logics such as that of caring killing. I close by discussing the broader implications of this analysis, especially in light of the fact that the Sagamihara 19 massacre is one of the first unabashedly eugenic events of the twenty-first century.

Caring Killing

In an interview after the killing, Uematsu explained the rationale behind his actions lucidly: "my aim is a world where people with multiple disabilities who have extreme difficulty living at home or being active in society can be euthanized with the consent of their guardians."⁴ The level of specificity here is crucial, for it distinguishes his action as one of caring killing from that of careless or cruel killing. People with "multiple disabilities" are singled out, and it is those with disabilities who also "have extreme difficulty living"—who, in other words, are taken to fundamentally suffer their existence. Such people are further assumed to suffer whether with respect to the home, a space typically conceived in modern times as one of care, or with respect to society, a space typically conceived as one of civic and economic participation.

It is also recognized, in a move that invokes the fact that Uematsu himself was a caregiver, that guardians should, or perhaps must, have a role in this decision. He does not clarify whether this decision originates from or is meaningfully determined by the person with a disability in question, nor whether they are to have the final say. However, it seems safe to assume that Uematsu was not concerned with either of those questions given the nature of his actions.

On an abstract level, Uematsu's claim is about the normative considerations of and resulting sociopolitical choices for certain forms of life as they are assumed to be experienced in community with others. It's a claim about what we, as a society, should be able to do with certain bodies in certain contexts of care, contexts of *prima facie* ethical concern. In short, this is *a scene of care* for Uematsu. In this paper, I aim to call into question the complex, yet crucial relationship between norms, choices, experiences, and social ontology put on display by Uematsu's words and actions and also by public responses to the Sagamihara massacre.

At the same time that it passes under the auspices of amelioration, caring killing is a claim Uematsu wields—and others since time immemorial have wielded—as a justification for unjustly ending life. It is a claim under the cover of which he ended the life of 19 people who had not asked for death, who had neither *de facto* nor *de jure* given him any such cover. Those to whom he just

⁴Rich and Soble, "Knife Attacker." To be clear, I am interested in neither psychologizing or psychoanalyzing Uematsu, nor that of Japan as a nation-state. I am instead focusing on the *rationale* offered by Uematsu and the way in which that claim does or does not claim others.

years earlier pledged care, he delivered death, transforming their putative experiences of suffering into the absence of any experience at all. By what alchemy does such a transformation occur? Does the suffering of the other ever call for this conversion? Is *caring killing* justifiable?

While it can be used to describe a certain type of act, I will use the term “caring killing” to pick out any normative justification that erases the *prima facie* contradiction between caring and killing through claiming that an act or set of actions can be an *ethical response* precisely by simultaneously accomplishing the aims of each contradictory term. Across history, caring killing has been used to defend many types of practices: exposure, mercy killings, honor killings, selective infanticide as defended by some utilitarian philosophers, and any form of eugenics that culminates in death.

For Uematsu, certain cases of disability claim us. They have normative force, which is to say, they deliver a prescriptive principle or otherwise guide action. He further takes this normative force to lead one to kill in certain cases.⁵ In analyzing and assessing Uematsu’s logic, I suggest that the underlying philosophical issue turns on the question of disability’s normative force. This is what’s at stake when we debate killing in the name of care. If it turns out that disability has no such normative force, then appeals to the suffering or flourishing of people with disabilities—either in general or in specific cases—will not in and of themselves be action-guiding. One must, instead, argue about values. Such arguments about values, if they are to be more than armchair exercises, certainly must take appeals concerning the lived experiences and hedonic qualities of disability seriously, but those appeals will not suffice on their own to normatively guide action.

To be clear, I here limit my analysis to cases in which the decision to kill is primarily or substantively in the hands of the killer or killers and without any explicit guidance or input from those killed. I do not make any claims about practices such as suicide or physician-assisted suicide, proxy decision-making devices such as DNRs (an order to withhold cardiopulmonary resuscitation or advanced cardiac life support when someone’s heart stops or when one stops breathing), advanced directives, or the like. With a provisional grasp upon the logic of Uematsu’s actions in mind, I now turn to analyze, as a contrast case, the meaning of disability in the context of Julia Kristeva’s political project for a new humanism.

Disability and Kristeva’s New Humanism

Kristeva has increasingly given a central role to disability in her political writings since the 2003 *Letter to the President of the Republic on People in a Situation*

⁵Out of respect for those who were killed, among other reasons, I do not use terms such as “euthanasia” that, regardless of their other semantic and pragmatic effects and regardless of the speaker’s intent, serve to finesse the meaning of certain instances of killing.

of *Disability*. She there argues that disability reveals and reminds us of what it means to be human. It is because of this that disability harbors the potential for a renewed humanism. Kristeva asserts that experiences of disability produce the principle of *vulnerability*, and she understands this principle to explicitly guide our action towards caring for one another insofar as we are human. Disability, then, acts as a foundation for a “renewed humanism.” This humanism, she hopes, is one that goes beyond Enlightenment ideals or principles such as liberty, equality, and fraternity by including a new principle: vulnerability.⁶

For Kristeva, the argument for vulnerability as a central feature of the political subject is made by reference to experiences of disability. That is to say, disability is not simply an example in this ambitious project for a renewed egalitarian vision; it is a stimulus or catalyst. It is through recognizing, reflecting upon, exposure to, and attunement with experiences of disability that one discovers the fundamental role of vulnerability for the *polis*. However, Kristeva’s description of disability is not merely positive and transformative; it does not merely reveal to one a vulnerability that would assist in forging better, more caring communal futures. Disability is also tragic. Having said this, Kristeva’s use of the term “tragic” in the pieces under discussion and in my engagement with them do not harken to Attic or other established forms of tragedy, and the term should be heard in the flatter sense of being merely negative and unfortunate.

For Kristeva, disability is a positive catalyst for a more egalitarian political order precisely because it “represents the modern face of the tragic.” The fact of disability as a component of human existence and the myriad experiences of disability instruct humans about the type of beings we are: *mortal*. We find ourselves thrown into the world without ultimate control of our fate or that of others, beholden to numerous forces ever outstripping our efforts. While Kristeva variously describes disability as an “extreme state” of human life, as “testing,” and as a source of courage insofar as one notes the “extraordinary . . . capacity for survival of . . . disabled bodies,” disability is ultimately a sign by which we come to know ourselves as fundamentally finite and *dependent* on others.⁷ This is why, for Kristeva, disability is the paradigmatic experience wielded to support arguments for the inclusion of the principle of vulnerability

⁶Julia Kristeva, “Liberty, Equality, Fraternity, and . . . Vulnerability.”

⁷Kristeva, “A Tragedy and a Dream: Disability Revisited.” It is worth noting that this essay has been reprinted as recently as August 2015 in Richard Kearney and Brian Treanor, eds., *Carnal Hermeneutics*. Unfortunately, Kristeva’s discussions of disability do not engage decades of disability activism and scholarship spanning the humanities and social sciences. She does refer to at least two disability studies scholars, Nancy Eiesland and Henri-Jacques Stiker, in “A Tragedy” and “Liberty,” respectively, but her claims seem at odds with the takeaways of those texts. Kristeva also explicitly refers to disability activism, but she treats it as a monolithic group or movement and does not address various social models of disability and how “disability” is typically not rejected as a term, but instead is paired with “impairment” (“Liberty,” 226).

in egalitarian political projects, a principle powerful enough to initiate a “new humanism.” While I do not deny that disability can function to reveal vulnerability, I will argue that neither disability nor vulnerability serves as a principle because neither of their respective meanings and the lived experiences to which they refer yield determinate norms. Disability and vulnerability are normatively ambiguous.

An important clarification is in order. The claim that disability and vulnerability are normatively ambiguous is not merely a case of the application of Hume’s Law, of the dictum that prescription cannot be derived from description. It is not so insofar as (a) both disability and vulnerability are taken by most philosophers to be phenomena that involve appraisal, which is to say, phenomena that are not characterized solely by sensory-discriminative aspects, but also affective-motivational aspects and that are thereby profoundly shaped by historical and cultural forces, and (b) the character of those appraisals are taken to carry specifically moral import by virtue of their link to suffering, an experience most moral theories seek to ameliorate, annul, or otherwise mitigate. Put differently, I am not claiming that disability is purely a question of “states of affairs” and that one cannot move from states of affairs to norms; I am instead claiming that experiences of disability are so thoroughly social and evaluative that the meaning of disability in any given context is sufficiently ambiguous. It is ambiguous enough that appeals to its *meaning* will not suffice for normative justification. Normative force is a high bar.⁸

The Normativity of Disability

To better see how and why disability and vulnerability are normatively ambiguous, take Kristeva’s claim that “the disabled person opens a narcissistic identity wound in the person who is not disabled; he [or she or they] inflicts a threat of physical or psychical death, fear of collapse, and, beyond that, the anxiety of seeing the very borders of the human species explode. And so the disabled person is inevitably exposed to a discrimination that cannot be shared.”⁹ Social scientific and humanistic research on disability indeed appear to support this psychoanalytic claim about the effect of disability on (temporarily) able-bodied people; indeed, this claim helps explain the intense stigmatization that people with disabilities often face and the high prevalence of disability hate crimes and other types of crimes focused upon various groups of people with disabilities,

⁸Among other requirements, that bar will require what Robert Brandom, explaining Hegel, calls a “recognitive community.” As he puts it, “on the side of the *force* of norms, normative bindingness or validity is intelligible only in the context of a recognitive community, in which the attitudes of recognizing and being recognized, claiming authority and undertaking responsibility oneself and attributing those statuses to others, play an essential role.”; See Robert B. Brandom, *A Spirit of Trust: A Reading of Hegel’s Phenomenology*, 479.

⁹Kristeva, “Liberty,” 251.

including the high prevalence of sexual abuse by caregivers for those requiring care.¹⁰ At the same time as one reproaches these responses, one could interpret them to mean that disability might in fact undermine egalitarian goals. On Kristeva's own account, experiences of disability can, for many, invoke aspects of the human condition that most normative theories seek to diminish: physical or psychical demise and suffering, death, etc.

One might respond, as would I, that disability only has such an effect *from the perspective of a fundamental ableism* and its attendant fears of corporeal transition and variability. That is to say, such a narcissistic identity wound would be opened only if one were under the illusion that human bodies are all more or less the same and are stable over the course of a life. It would be opened only if one unreflectively tied one's life to a static set of abilities one takes to be under one's own control. Just as one can only take inspiration or courage from a disabled person doing something ordinary by assuming that their life is defined by pain, suffering, and disadvantage, one is threatened by disability only if one has assumed oneself to be what Rosemarie Garland-Thomson calls the *normate*, the unchanging, indefatigable exemplar of able-bodiedness who enjoys its apposite panoply of social privileges.¹¹

It should go without saying that the manner in which one analyzes Kristeva's claim about the psychoanalytic effects of disability will depend upon one's epistemic and larger ideological framework. That is to say, it will not be decided by merely referring to or pointing out various experiences of disability. This divergence in interpretation suggests, at minimum, the following: *that* disability is a constitutive feature of the world does not indicate *how* we should respond to it. The charge of ableism I marshalled against those who might experience a narcissistic identity wound by encountering a person with a disability is not a charge whose normative force is grounded in facts about disability, in the many experiences of disability that actually exist in the world. It is a charge predicated upon the *value* that people should be treated equally and that differential privileging of people based upon ability is morally blameworthy. To bring this argument to a head and at risk of belaboring the point: without other normative supports, one can leverage experiences of disability to support all manner of values. One can make disability worth either caring for or killing for. Or both at once, as in the case of *caring killing*.

The Heterogeneity of Disability

One might object to the thesis that disability does not produce determinate norms on other grounds. For example, one might counter that the primary issue

¹⁰Mark Sherry, *Disability Hate Crimes: Does Anyone Really Hate Disabled People?*; Marti Hause and Ari Melber, "Half of People Killed by Police Have a Disability: Report."

¹¹Rosemarie Garland-Thomson, *Extraordinary Bodies: Figuring Physical Disability in American Culture and Literature*; Joel Michael Reynolds, "Normate."

in the example under discussion is simply that Kristeva's account of disability is wrong and that, if altered, her use of disability for a renewed humanism is tenable. Call this *the objection from disability theory*. To explore this objection, a brief conceptual digression concerning the basic vocabulary of disability theory is in order.

Across disability studies scholarship and disability activism, the "medical model" of disability is shorthand for the view that disability is an individual tragedy or misfortune due to genetic or environmental causes. By contrast, "social models" of disability, sometimes inaccurately referred to as "*the social model*," hold that disability is primarily a result of ableism and related social responses to impairment. For example, what makes someone with learning impairments disabled is less those learning impairments and more the inaccessibility (and too often subpar quality) of their education in systems that are built for "normal" learning, more the various forms of social segregation they will face when it comes to housing and the labor market, and more the many oppressions, discriminations, and stigmas experienced in a world hostile to intellectual disability of all sorts. While various social models of disability draw upon different theoretical resources—e.g., Marxism in the UK and civil rights discourses in the US—they all point to the way that *society*, not individual bodies, is the mechanism that creates disadvantages pertaining to impairment.

When one attends carefully to the heterogeneity of disability, it becomes clear that both the medical and social models are onto something. Someone with neuropathic pain or epilepsy will in many respects be well served by the medical model: no matter how accessible their environment and no matter how supportive their social milieu may be, medical intervention at the level of their individual body will likely be needed and helpful. As Erik Parens has sagaciously argued, analysis of the diverse phenomena captured by the term "disability" will more often than not require a binocular view that critically combines medical and social models of disability, among other more complex models.¹²

Having now very briefly sketched various models of disability, let us return to the objection from disability theory. Jan Grue argues that Kristeva's account falters by ignoring the role of ableism in her conceptualization and deployment of disability and by unreflectively ascribing to the medical model of disability and ignoring social models. This leads Kristeva to treat disability as fundamentally other or different from normal ways of being, undermining her own political goals.¹³ Grue does not, to my knowledge, explicitly address whether a more accurate theoretical understanding of disability might save Kristeva's project. Josh Dohmen, while being sympathetic to Grue's critiques, has recently drawn upon

¹²Erik Parens, "Choosing Flourishing: Toward a More 'Binocular' Way of Thinking About Disability"; see also Parens, *Shaping Our Selves: On Technology, Flourishing, and a Habit of Thinking*.

¹³Jan Grue, "Rhetorics of Difference: Julia Kristeva and Disability."

Kristeva's earlier work on abjection to instead offer a generous reading wherein Kristeva's account, with alteration, is in fact compatible with social models of disability. Her project is thereby able to overcome the objection from disability theory.¹⁴ Contra both Grue and Dohmen, I contend that the question of whether Kristeva's ambivalent understanding of disability contradicts or fits with extant models of disability misses the forest for the trees. The problem with Kristeva's account is less an issue of alignment with extant models of disability and more an issue with the heterogeneity of disability.

Insights from experiences of short stature do not neatly align, if they align at all, with insights from experiences of Tay-Sachs. Insights from either of those experiences of disability do not neatly align with those from blindness or Ehlers-Danlos. Nor do any of the latter neatly align with d/Deafness, mobility-based impairments, or various forms of autism. And so on. Some disabilities are world-creating, a few are world-destroying, and most are somewhere in between.¹⁵ While d/Deafness can allow one to enter a rich cultural world and set of linguistically-based communities, Tay-Sachs or Lesch-Nyhan syndrome will by nearly any account destroy or profoundly restrict even the most basic conditions for a world. Most disabilities fall between the extremes of such examples—shaping and conditioning but not totalizing experience. Disability is ever singularized through the full complexity of one's social position, historical context, and the forms of ableism ever shaping and shaped by it.

While there are many historical, philosophical, political, and other insights that can be gleaned from various forms of disabled experience, these differ significantly and can even contradict one another. As with the facts of any given disability, the putative fact of disability as such, whatever that means, does not serve to tell one how to treat humans as such.¹⁶ This is not simply a question of the naturalistic fallacy. It is also a question of misunderstanding the nature of disability, namely, the fact that experiences of disability are profoundly heterogeneous. Given this, the *meaning* of disability is profoundly heterogeneous. It is not the objection from disability theory, but the objection from disability heterogeneity that demonstrates the misguided nature of any project that seeks to leverage the meaning of disability in and of itself for normative ends.

The Politics of Disability

However, even if one accepts the objection from disability heterogeneity, one might argue that it is the *political* meaning of disability—the communities of those fighting for concrete political goods such as equal rights and representation,

¹⁴Josh Dohmen, "Disability as Subject: Kristeva, Disability, and Resistance."

¹⁵Joel Michael Reynolds, "Worldcreation: A Critical Phenomenology of Disability and Care."

¹⁶I am here not broaching the patent speciesism assumed in this formulation and assumed in this paper as whole. On this point, see the brilliant work by Sunaura Taylor, *Beasts of Burden: Animal and Disability Liberation*.

livable wages, accessible transportation, etc., for people with disabilities—that is at issue. The de facto heterogeneity of disability does not annul the political use of disability precisely insofar as the meaning of disability is constituted by political associations and communities. I think, however, that this argument fails as well.

Consider disability and literary theorist Lennard J. Davis's call for a "post-identitarian" understanding of disability.¹⁷ He asserts that the emergence of the modern concept of disability, typically dated to the mid-nineteenth century, is paradigmatically "dismodernist." With this term he means to highlight the way that disability destabilizes historically dominant understandings of the body since the fifteenth and sixteenth centuries onward.

In effect, we do have to acknowledge that, unlike race, class, gender, sexual preference, and the like, disability is a relatively new category. Although the category has existed for a long time, its present form as a political and cultural formation has only been around since the 1970s, and has come into some kind of greater visibility since the late 1980s. The political and academic movement around disability is at best a first- or second-wave enterprise . . . I want to make clear that disability is itself an unstable category. I think it would be a major error for disability scholars and advocates to define the category in the by-now very problematic and depleted guise of one among many identities. . . . [Disability] must not ignore the instability of its self-definitions but *acknowledge that their instability allows disability to transcend the problems of identity politics*.¹⁸

In Davis's "dismodernist" and in many senses *post*-social model of disability, the set of experiences to which the term "disability" refers functions to disorient everyone for whom the domain of disability obtains or will obtain—which is to say, everyone. The *sense*, the meaning and orientation, of disability functions as a hermeneutic of corporeal instability.

The rationale provided by Uematsu demonstrates this: as he understood it, he hoped that his actions would lead to what could, sadly and unironically, be termed a more *humane* world. To recall his claim analyzed above, "my aim is a world where people with multiple disabilities who have extreme difficulty living at home or being active in society can be euthanized with the consent of their guardians."¹⁹ Without bringing other values in for support, one cannot cut down this argument because such an appeal to disability—or vulnerability—does not

¹⁷Kristeva, "Lettre Au Président De La République Sur Les Citoyens En Situation De Handicap, à l'usage." See also Kristeva, "At the Limits of Living: To Joseph Grigely." Prior to Kristeva's own explicit discussions of disability, other scholars have discussed her concept of "abjection" in relation to disability. See, e.g., Janet L. McCabe and Dave Holmes, "Reversing Kristeva's First Instance of Abjection: The Formation of Self Reconsidered."

¹⁸Lennard J. Davis, *The Disability Studies Reader*, 263, 71; my italics.

¹⁹Rich and Soble, "Knife Attacker."

decide the matter.²⁰ Kristeva's ambivalent conception of disability as both tragic and transformative cannot undercut it. On the contrary, by figuring disability as simultaneously tragic and transformative, Kristeva lays bare the normative ambiguity of disability, inadvertently supporting the possibility of Uematsu's claim of *caring killing*. The use of vulnerability or disability *as such* for humanistic ends is an opening to eugenics, one which has been capitalized upon since time immemorial to select who is worthy or unworthy of life and of the social supports life demands.

If, as I've argued, experiences of disability or vulnerability do not in and of themselves offer determinate norms, if they can work towards both tragic and transformative understandings of disability, then what is one to make of Uematsu's claim? As a caregiver, Uematsu had intimate experiences with people with disabilities, and he took these encounters to imply values and norms supporting caring killing. As a caregiver, Kristeva had intimate experiences with at least one person with disabilities, her son, and she took this encounter to imply values supporting a new humanism and a stronger foundation for egalitarianism. I'll now turn to Levinas, arguing that his account of the face and of the suffering of the other provide a compelling route to better understand the phenomenon of caring killing, the normative ambiguity of disability and vulnerability, and the variability of responses to each.

Suffering and the Contradictions of Encounter with the Other

At the core of both Uematsu's common sense ableism and Kristeva's humanistic valorizations of disability is the question of response to and responsibility towards another's suffering. Each makes assumptions about who suffers, about the character and meaning of that suffering, and about the type of responses it should prompt, which is to say, about the *ethical* response to another's suffering. For Uematsu, certain types of disability are assumed to be forms of life that are fundamentally suffered, and he takes such suffering to call for social action to end such suffering. For Kristeva, all types of disability are assumed to be forms of life the suffering of which attunes us to the universality of human vulnerability, and she takes such suffering to call for a more humanistic, egalitarian political future.

I argued above that disability calls for no such things, whether with respect to the specific types of disability referred to by Uematsu or the generalization of

²⁰For the purposes at hand, I am operating from a bird's-eye view concerning discourses on vulnerability and not engaging the many nuanced understandings of it that span multiple literatures and fields, especially feminist bioethics. For example, an insightful taxonomy of vulnerability that marks differences between inherent, situational, and pathogenic vulnerability has been offered by Wendy Rogers, Catriona Mackenzie, and Susan Dodds in "Why Bioethics Needs a Concept of Vulnerability." With these distinctions in mind, Kristeva vacillates between referring to inherent, situational, and pathogenic vulnerability, as do I in this article.

disability referred to by Kristeva. The conceptual movement *disability* → *suffering/vulnerability* → *norms* is unfounded without substantive argumentation concerning the meaning of each, the reasons linking each of the terms, and the larger normative framework in which those meanings, reasons, and linkages are taken to obtain in any given case. To further defend this, I now turn to Levinas. I do so because Levinas provides an account of ethical subjectivity in which the suffering of the other is central and, at the same time, in which my experience of the other's suffering is normatively ambiguous. For Levinas, although I become a subject through response to the suffering of the other, the encounter with the other evokes the *contradictory* responses of killing or caring, of leaving the other to starve or giving them the bread from my own mouth.

To see how Levinas comes to such a conclusion, it is helpful to engage his account of the relationship between the body and suffering. In *Otherwise than Being*, Levinas writes, “the body is neither an obstacle opposed to the soul, nor a tomb that imprisons it, but that by which the self is susceptibility itself. Incarnation is an extreme passivity; to be exposed to sickness, suffering, death, is to be exposed to compassion, and, as a self, to the gift that costs.”²¹ To be embodied, which is to say, to be the sort of beings we are, is to be fundamentally open to the world and to others. The possibility of suffering is a condition *sine qua non* of being a human animal and certainly, though I do not address the topic here, being certain sorts of non-human animals. Yet, for Levinas, that I am, that I exist at all, is not simply a question of my exposure to suffering by virtue of being embodied, but of my *response* to the other's suffering.

In the essay, “Useless Suffering,” Levinas argues that suffering, an experience that categorically outstrips pain, cannot be understood as a mere sensation, a mere given, but as an excess of givenness. In his preferred paradoxical formulation: suffering is a givenness of refusal.²² That is to say, we experience suffering *in its resistance* to our ability to experience *tout court*. The experience of suffering is not one sensation among others; suffering is the experience of being unable to experience. In defining suffering in this manner, Levinas provocatively renders the Greek *pathein* not as a homograph (both “to experi-

²¹Levinas, *Otherwise than Being or Beyond Essence*, 195n12; *Autrement Qu'être Ou Au-Delà De L'essence*. I do not here follow the various hermeneutic threads offered by heeding Levinas's different uses of the terms *Autre* and *autre*. Given the aims at hand, I use the term “the other” throughout. By not capitalizing the term, I do so for simplicity and do not mean to indicate a decision about whether Levinas's claims relate solely to humans or also to non-human animals, etc.

²²Levinas, “Useless Suffering,” 156–67; translated by Richard Cohen. This essay has also been translated by Michael B. Smith and Barbara Harshav in Levinas, *Entre Nous: On Thinking-of-the-Other*, 91–101. “La Souffrance Inutile” first appeared in *Giornale di Metafisica* in 1982 and was reprinted two years later in *Les Cahiers de la Nuit Surveillée*, 329–38. Citations will appear in-text hereafter based on Cohen's translation.

ence” and “to suffer”), but as a contronym. To experience is to not be suffering; to suffer is to not be experiencing.

This contronymic structure is constitutive of the self. In *Otherwise than Being*, Levinas writes, “the incarnation of the self and its possibilities of gratuitous pain must be understood in function of the absolute accusative characteristic of the self, a passivity prior to all passivity at the bottom of matter becoming flesh.”²³ The suffering that institutes and constitutes the subject is that suffering by and through which *I am possible* as the type of being I am in the first place. While the experience of suffering forecloses on the possibilities of existence, it is the possibility of suffering that opens up existence, that makes experience itself first possible.²⁴ It is because I am already-in-response, beholden, more passive than any passivity wrought in a metaphysics of presence, that I am embodied.

Levinas continues in “Useless Suffering,” “the least one can say about suffering is that in its own phenomenality, intrinsically, it is useless, ‘for nothing.’”²⁵ He does not claim that suffering cannot be appropriated into human projects, that it cannot be excised from its own domain and placed into various forms of existential service, such as Epicurean, Nietzschean, or Sartrean freedom. He claims, instead, that such a use is extrinsic to the lived experience of suffering itself. Suffering is *given* as useless, senseless. “In suffering sensibility is a vulnerability”—suffering is the condition of the possibility of experience turned against itself. Though the possibility of suffering is one of the conditions of the possibility of being human, the experience of suffering is an experience of the loss or destruction of experience. In its extreme forms—chronic pain, torture, starvation, solitary confinement, the depths of depression—it is an experience at the edge of death, an experience of experience turned against itself.

Levinas’s phenomenological (or, more accurately, supra-phenomenological) approach here seems to take methodological cues from Aristotle. In *Nicomachean Ethics*, Aristotle proceeds to find the meaning, the sense and orientation, of an ethical human life by inquiring into the *hou heneka* of our actions, that-for-the-sake-of-which things are done. One asks about *aims* and *ends*, for this is the touchstone that will reveal the *sens* of purposive action. What is paradigmatic about the experience of suffering is the refusal of the *hou heneka*. To suffer is to undergo experience without a that-for-the-sake-of-which, without a why.

²³Levinas, *Otherwise than Being*, 196n21.

²⁴Many phenomena might be taken as evidence of this, whether the Shoah, the trans-Atlantic slave trade, solitary confinement, or other forms of extreme torture, annihilation, and calculated death. See Lisa Guenther, *Solitary Confinement: Social Death and Its Afterlives*, and Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World*.

²⁵Levinas, “Useless Suffering,” 158.

For the sufferer, then, suffering is in and of itself useless, but Levinas contends that this self-enclosure can be opened by the other. “For pure suffering, which is intrinsically meaningless and condemned to itself without exit, a beyond takes shape in the inter-human . . . in the suffering of suffering, [my] suffering for the useless suffering of the other person, the *just* suffering in me for the unjustifiable suffering of the Other . . . the ethical perspective of the inter-human opens onto suffering.”²⁶ The only meaning the suffering of the Other suffers is that of my helping, of my attending to the other. It is “this attention to the Other which . . . can be affirmed as the very bond of human subjectivity, even to the point of being raised to a supreme ethical principle.”²⁷

On the way to asking whether this understanding of suffering could rationalize or justify caring killing, one must first note that justification is here left entirely to the side. That is to say, while giving a profound meaning to suffering, Levinas’s account neither constitutes a theodicy, nor what could be termed an *anthropodicy*: a naturalistic justification of human suffering.

“The justification of the neighbour’s pain,” Levinas avows, “is certainly the source of all immorality.”²⁸ All examples of such justificatory thinking—whether suffering as part of the process towards some personal end, such as spiritual refinement, or some social end, such as a particular type of community—function to render suffering bearable through an *ex post facto* *rationalization*.²⁹ These accounts negate the intrinsic uselessness of suffering and respond to it not through the ethical injunction to help the other, but via an account that trades upon the value of that suffering’s *use* after the fact. For Levinas, suffering is only “meaningful in me, useless in the Other.”³⁰ Its meaningfulness in me is only so in *response* to the other, a response that does not search for justification of their suffering or of the demand of my response to it. The distance between the other’s suffering put to use by me and the other’s suffering to which I respond with care is the distance between evil and ethics.

The Faces of Response

Yet this is not the whole story. While I am incarnated as a subject through my response to the suffering of the other, my response to this encounter cuts in opposing directions. That is to say, making the suffering of the other meaningful in me through a response that attends to their suffering is not the only response available to me. As Levinas writes in *Otherwise than Being*, “giving has meaning only as a tearing from oneself despite oneself . . . the immediacy of the sensible is the immediacy of enjoyment and its frustration. It is the gift painfully torn up,

²⁶Levinas, “Useless Suffering”; my italics.

²⁷Levinas, “Useless Suffering,” 150. I hear Theodor Adorno, 16 years earlier, stating: “the need to let suffering speak is a condition of all truth.” *Negative Dialectics*, 17–18.

²⁸Levinas, *Totality and Infinity: An Essay on Exteriority*, 163.

²⁹Levinas, *Totality and Infinity: An Essay on Exteriority*, 159–60.

³⁰Levinas, *Totality and Infinity: An Essay on Exteriority*, 164.

and in the tearing up, immediately spoiling this very enjoyment. It is not a gift of the heart, but of the bread from one's mouth, of one's own mouthful of bread."³¹ I can reflectively and through praxis take up the call to responsibility, grounded in the suffering of the other which institutes and constitutes me and in response to the encounter with their face. That is to say, I can provide them with the very bread from my mouth. Alternatively, however, I can reject this call, hearing it as an assault, as a threat that goes so deep and so far, it can only be neutralized by killing the other, withholding from them the very bread that would sustain them, the very water that would quench their thirst, the very clothing and shelter that would cover their nudity and protect their body, reserving these instead for myself in response to the threat they are taken to pose to my own survival.

As Levinas writes in *Ethics and Infinity*, "the face is exposed, menaced, as if inviting us to an act of violence. At the same time, the face is what forbids us to kill."³² There is no clear path from the suffering of the other to one helping, feeding, and clothing them, from an encounter with the face of the other to caring for them. On the contrary, exposure to the face and suffering of the other can just as easily lead to putting them out of their suffering as it can to increasing it.

Murder exercises a power over what escapes power. It is still a power, for the face expresses itself in the sensible, but already impotency, because the face rends the sensible. The alterity that is expressed in the face provides the unique "matter" possible for total negation. I can wish to kill only an existent absolutely independent, which exceeds my powers infinitely, and therefore does not oppose them but paralyzes the very power of power. The Other is the sole being I can wish to kill [*Autruï est le seul être que je peux vouloir tuer*]. . . . The epiphany of the face brings forth the possibility of gauging *the infinity of the temptation to murder*, not only as a temptation to total destruction, but also as the purely ethical impossibility of this temptation and attempt.³³

To return to the question of the normativity of disability and vulnerability, an answer can now be proposed. Neither disability, vulnerability, nor any suffering attached to either *in and of itself* provides a normative ground for response. It is not the vulnerability, suffering, or face of the other that determines the measure of my response, but the meaning of the encounter with them as expressed in my response and the reasons put forward for it. The suffering of the other

³¹Levinas, *Otherwise than Being*, 74.

³²Levinas, *Ethics and Infinity*, 85–86.

³³Levinas, *Totality and Infinity*, 198–99 (my italics); *Totalité et Infini: Essai sur l'extériorité*, 216–17. Of course, one cannot in fact kill the other for Levinas. Murder is of the world; the other is not. It is in light of this infinite impotence, this impossibility (I cannot kill the sole being I could wish to kill), that one must judge Satoshi Uematsu's desire to murder "all the handicapped." He ultimately failed in his task not because of his actions, but because of his aims. He did not extinguish that power which made him feel inadequate, that responsibility which he took up as an affront, for that power outstrips any action he could take through the violence of murder.

only takes on meaning through my response to it. I—and we, as societies and communities—decide the values we hold such experiences to harbor through our very response to them.

In this light, the logic of Uematsu's action can be clarified. Caring killing *erases* the contradiction between caring and killing, a contradiction which for Levinas is at the very heart of "the incarnation of the self." So far from being a scene of care *tout court*, as Uematsu would have us believe, the Sagamihara massacre is a scene of the kenosis of the ethical in the name of the ethical. It is a scene of simultaneously providing and refusing a meaning to the other's suffering by removing the condition of the possibility of their suffering, their life. Mirroring the phenomenon of suffering itself, it is a giving of refusal.

One might counter that Uematsu's action is not an erasure of this contradiction, but simply an act of killing—there's nothing caring about it. I think, though, that this argument requires one to assume that Uematsu was disingenuous when he spoke of the suffering of those he targeted for murder. Especially in light of the way that his arguments are similar to any number of eugenic arguments made across history, I find it important to instead believe him on that point. If the argument shifts to a question of whether or not the people in question were *really* suffering or whether Uematsu *really* thought they were, we miss the normative forest for the putatively empirical trees. We make the mistake of thinking this is really a question of knowledge of suffering or intents concerning its amelioration. As I hope to have made clear, neither such knowledge, nor the character of one's intent, will decide *how* one should respond to the other. It is in this light that I argue that Uematsu's action should be understood in terms of caring killing.

The primary conclusion that the trail of arguments presented here lead to is the following: the idea that a form of embodiment reliably leads to determinate norms is false, whether or not but especially if that form is assumed to be suffered. This idea is also morally dangerous, for it just as easily supports humanistic as it does eugenic ends. I have argued this is the case even for a thinker like Levinas, who has, arguably more so than any other in the twentieth century, given pride of place to the suffering of the other. Although the suffering of the other institutes me as a subject, is the very "incarnation of the self," it is my response to their suffering that gives meaning to their suffering; the sheer fact of their suffering does not, in and of itself, decide the character of my meaning-conferring response. This is what places response, whether and in what way I respond, at the very heart of human existence for Levinas or, in his famous formulation, this is what makes *ethics first philosophy*.

However much thinkers like Kristeva and Levinas might invoke principles, experiences, or phenomena that seem to lead directly to normative measures by which we might judge and decide how to act, their analyses betray the exact op-

posite and offer no more guidance than the assumptions behind and explanation provided by Uematsu.

Eugenics and the Desire for Individual Ability

The Sagami-hara 19 massacre is one of the first unabashedly eugenic events of the twenty-first century. To be clear, I use the term “eugenics” to refer to any apparatus—any set of arguments, ideologies, individual, group, or cultural practices, institutions, etc.—that functions to delimit which types of humans should be in the world. Historically, eugenic practices explicitly aimed at people with disabilities have typically been defended through appeals to (ableist) common sense, to expected consequences of resource allocation and the differential social value of human life, or to the moral demand to ameliorate suffering. Each of these responses can take cover under the veneer of “no one wants to be abnormal,” an idea which assumes abnormality to entail increased dependency. As Margrit Shildrick writes, “what the subject must abject in order to secure her own being is some part of herself that cannot be owned. . . . In Kristevan terms, any form of anomalous embodiment—and particularly that which overtly contests the discursive ideal—is highly productive of anxiety, insofar as it threatens to overflow the boundaries of ‘the self’s clean and proper body.’”³⁴ Evidence concerning disability hate crimes would suggest that this anxiety can breed hate to the point of murder.³⁵

Insofar as the desire to murder the other is precipitated by the anxiety-inducing realization of one’s egoistic impotence and existential porosity, of one’s ultimate and binding call to care for the other as borne specifically through a profound dependence on them, *this desire is a desire for ability understood as individual power*.³⁶ This is a desire for *ability itself* as cast in the hearth of ableism. The core claim of caring killing is based upon a logic that seeks to overcome the dependency and responsibility out of which, for Levinas, one can come to be at all.³⁷ Seen in this light, eugenics arises from the desire to deny or downplay and ultimately expunge dependency from the human condition, supporting and venerating instead the mythology of individual ability.

³⁴*Dangerous Discourses of Disability, Subjectivity and Sexuality*, 22. See Julia Kristeva and Kelly Oliver, *The Portable Kristeva*, 71.

³⁵Sherry, *Disability Hate Crimes*.

³⁶Joel Michael Reynolds, *Ethics After Ableism: Disability, Pain, and the History of Morality*.

³⁷It is a hyperbolic form of such desire, wherein that which is taken to make one less-able, *dis-abled*, is understood as a threat that must be killed—a threat above all threats, in fact, as can be seen in the enormous role fear and mocking of disability played in the 2016 U.S. presidential election (I’m thinking specifically of Donald J. Trump’s book *Great Again: How to Fix Our Crippled America*, timed to release during the height of his campaign).

In “Lessons from Anarchist Eugenics,” Anne O’Byrne writes, “in practice, the sheer scope of 20th century eugenic ambitions required a large, authoritative apparatus of knowledge, education, medicine, surgery, social manipulation, publicizing, policing, and enforcement. In contrast to the eugenic communities of the 19th century, these later political movements saw no sense in modest eugenic schemes. They envisioned programs carried out on the scale of entire populations, since any trace of contagion, unwholesomeness or degeneracy that remained would be a threat to health.”³⁸ Following Rosemarie Garland-Thomson, it is important to note that although modern forms of eugenics are typically tied to Francis Galton and the horrors of highly orchestrated state-level policies like the Nazi’s *Aktion T4* euthanasia program,

the ideology and practice of controlling who reproduces, how they reproduce, and what they reproduce in the interest of shaping the composition of a particular population group long predate the industrial age. All communities—from tribal kinship groups to modern nation-states—control the composition of their population through practices that encourage valued members to flourish and discourage less valued members of the group from thriving. Social orders create structures to control which individuals are included in or excluded from group membership, as well as the traits that appear in the individuals who make up the sanctioned population. In this way, a collective social body takes shape through the ways a community distributes resources, manages reproduction and sexuality, structures family units, builds environments, and disseminates cultural narratives.³⁹

Garland-Thomson belabors this point precisely in order to bring into sharper focus an insight that much philosophical, anthropological, and other historically minded inquiry into eugenics has missed: “whatever the formal, functional, sensory, or developmental manifestations, the devalued human variations that eugenic logic targets are understood as *disabilities*: the flaws, excesses, deficiencies, or pathologies a particular social order disavows at a particular time.”⁴⁰ At the core of eugenic and other genocidal logics is a determination concerning which abilities decide worth and which humans do, can, could, and should have such abilities. Especially given the fact that disability has been largely omitted or outwardly denigrated across the history of philosophy, this should cause pause.⁴¹ In order to decide *which* abilities determine individual worth, one must assume that abilities are non-relational and further assume that one can move

³⁸Anne O’Byrne, “Lessons from Anarchist Eugenics,” 104–5.

³⁹Rosemarie Garland-Thomson, “Eugenics,” 215–16. I do not here discuss the practice of eugenics and, by extension, acts of genocides, as they relate to settler colonialism. On this important point, see Patrick Wolfe, “Settler Colonialism and the Elimination of the Native.”

⁴⁰Garland-Thomson, “Eugenics,” 217; my italics.

⁴¹Joel Michael Reynolds, “Merleau-Ponty, World-Creating Blindness, and the Phenomenology of Non-Normate Bodies.”

from claims concerning ability and disability to norms. That movement, I've argued here, is deeply misguided.

Put differently, understood as emerging from the desire for individual ability, eugenics is a temptation. It is a temptation powerful enough that its recognition as a temptation too often fails to preemptively bar argument and action and questionable norms ("fitness," "intelligence," "productivity") in its service. We have yet to fully appreciate the gravity of tempting norms held forth in the night of the eugenic. At the outset of *Broken Hegemonies*, Reiner Schürmann proclaims,

Our century has taught us much more about the troubled conditions of the law than about laws, norms, authorities, places . . . and ultimate *topoi*. . . .

The ease with which a whole age nonetheless continues to graze, in spite of exterminations still alive in our memories and planetary asphyxiations already in our throats, gives grounds for perplexity. To think is to linger on the conditions in which one is living. . . . This assigns to philosophy, or to whatever takes its place, the task of showing the tragic condition beneath all principled constructions.

. . . from under the most solid normative constructions, the tragic pierces through. *Pathei mathos*, 'to suffer is to understand.'⁴²

I have argued that Levinas's account of suffering breaks the equivalence of suffering and experience/knowing, figuring the core insight of Attic tragedy as one of opposites: to suffer is to not experience; to experience is not to suffer. With "exterminations still alive in our memories and planetary asphyxiations already in our throats," what would it mean to oppose suffering from experience? Would it not mean to refuse the normativity of suffering itself, to refuse it an ethical meaning, and to instead demand a response that gives it one meaning alone: refusal? A refusal of experiences that refuse meaning. This, I offer, is the paradigm of anti-eugenic ethical response.

Griefwork and the Global Silence of the Abled

It is in these terms that I interpret the global silence over the Sagamihara 19 massacre. If, as Judith Butler has incisively argued, lives are grieved inequitably due to legacies of dehumanization and in the service of perpetuating domination, then the inequitable grief over the Sagamihara 19 tells us something powerful about the state of able-bodied perceptions of the worth of disabled lives.⁴³ It tells us about a reflex at the heart of dehumanization, collapsing the absolute call of responsibility with the call for extermination of those whose abilities are deemed worth less or worthless. The lack of equity for people with disabilities across multiple domains of griefwork—whether at the level of family, community, nation, or globe—tells us volumes about which relations of care bind and

⁴²Reiner Schürmann, *Broken Hegemonies*, 3–4.

⁴³Judith Butler, *Frames of War: When Is Life Grievable?*

which do not, which relations of care operate with dominant forms of sociopolitical power and which do not.

Grief over the *injustice* of lives lived with disability—injustice caused primarily by mutable social conditions, entrenched structures of ableist oppression and discrimination, and the like—is not grief over the *plight* of the disabled, a grief to which Kristeva too often falls prey in her writings on disability. Grief through pity, as with grief that culminates in charity, is not grief at all.⁴⁴ Such grief is the bad faith parade of a response that misses or is actively ignorant of the constitution and character of the suffering of the other. It is a duplicitous grief, for it says and does nothing about the structural conditions of injustice that brought about the lived conditions of the grieved and inequitably ungrieved. The logic of caring killing, as expressed in word and act by Uematsu, is based on a sham care that trades the grief of injustice with the grief of pity, the responsibility of interdependence with the resentment of individuality, and the demand for equity with the deletion of ableist undesirability.

The actions of Satoshi Uematsu and the global silence of the abled following in its wake are ramifications of a deep-seated ableism and active contempt toward people with disabilities, practices of care, and the invariable interdependency of human life. And in this respect, our century is off to no better a start than any before it. To be clear, such actions and their resultant silence are expressions of hatred towards not just people with disabilities, but towards the very variabilities, vulnerabilities, and exposures through which we could ever be human at all.⁴⁵ They are, in this sense, a hatred of the condition of human being-in-the-world and an undercutting of the possibility of societal organizations that might more equitably support it.

From Ambiguity to Eugenics

While I have argued that the varied phenomena of disability do not produce determinate norms, what makes the judgments behind caring killing eugenic are the way they link the value of life to a *group* of people. Insofar as one is committed to even a folk form of egalitarianism, this is morally blameworthy. One could interpret such a claim about the value of certain types of life to imply a greater deference to individual choice. Yet, insofar as egalitarianism is a utopian project—a project based upon the hope for a future social organization that has never yet existed—the social and political implications following from the normative ambiguity of disability demand instead a greater deference to the social, political, and, in a word, institutional supports of a wide range of diversity of human abilities.

⁴⁴Paul K. Longmore, *Telethons: Spectacle, Disability, and the Business of Charity*; Joseph P. Shapiro, *No Pity: People with Disabilities Forging a New Civil Rights Movement*.

⁴⁵Sherry, *Disability Hate Crimes*.

That is to say, the social and political implications of disability demand far more of theory and praxis than the canonical history of ideas has ever mustered. They suggest that the categories by which we group people—especially, and I would argue most decisively, by vectors of ability—fundamentally shape the material reality and historical possibilities of social reproduction. In this sense, both Kristeva and Levinas miss the Marxist insight at the core of the experience of the other and its reciprocal implications with the experience of our embodiment and social reality: “the first fact to be established for the study of history is the corporeal organization of human beings.”⁴⁶ Or, as I would put it: the first fact to be established for the study and realization of a *just* social order is the corporeal organization of human beings.

In my view, neither Uematsu, nor Kristeva, nor anyone making such simplistic arguments of the form *disability* → *suffering/vulnerability* → *norms* properly ground their claims. I take this position to have wide-ranging theoretical and practical consequences insofar as empirical claims about the suffering or flourishing of people with disabilities are regularly, and too often surreptitiously, used as principles or guides to determine action. Examples include principles which support or condemn the development of certain biomedical technologies, à la transhumanist thinkers and their critics, and principles which concern bringing a fetus to term, à la backers and detractors of disability-selective abortion. Insofar as one takes my arguments to extend beyond claims about disability to other categories and concepts by which we group humans, the implications are even wider. If disability, in and of itself, offers no such normative force, then these debates cannot be decided based upon claims about lived experience and the various appraisals arising from it, however important those claims are—and they are.⁴⁷ This is so whether they are borne out through the reflective methods of phenomenology, the various empirical methods of the social sciences, or some other approach.

The normative force of our being-with-others is fundamentally ambiguous. It is an inescapable part of the human condition to deliberate over what is and what ought to be without reducing our claims, and the force they are taken to wield, to either. It is in this sense that the human is condemned to the *ethical*. If Levinas’s account of encounter with the face and suffering of the other is taken as an account of the ground of normative force and if it is basically right, then it offers a powerful insight into the nature of beings like us: we are instituted and constituted as ethical beings by our relations with others just as much as we are undone by them. We are all in the naturalistic situation: ethics begins and ends

⁴⁶Karl Marx, “Die Deutsche Ideologie,” 20.

⁴⁷I have elsewhere argued that the question of normativity in relation to the meaning of embodied experience is best approached through sites of praxis. For an examination of one such site, see Joel Michael Reynolds, “Infinite Responsibility in the Bedpan: Response Ethics, Care Ethics, and the Phenomenology of Dependency Work.”

by dealing with the fact that values arise from where we find ourselves, and where we find ourselves will never alone justify our values.⁴⁸

Bibliography

- Adorno, Theodor W. *Negative Dialectics*. Translated by E. B. Ashton. New York: Continuum, 2007.
- Brandom, Robert B. *A Spirit of Trust: A Semantic Reading of Hegel's Phenomenology*. Cambridge, MA: Belknap Press of Harvard University Press, 2019.
<https://doi.org/10.2307/j.ctvfjczmk>
- Butler, Judith. *Frames of War: When Is Life Grievable?* London: Verso, 2010.
- Davis, Lennard J. *The Disability Studies Reader*. 4th ed. New York: Routledge, 2013.
<https://doi.org/10.4324/9780203077887>
- Dohmen, Josh. "Disability as Abject: Kristeva, Disability, and Resistance." *Hypatia* 31, no. 4 (2016): 762–78. <https://doi.org/10.1111/hypa.12266>
- Garland-Thomson, Rosemarie. "Eugenics." In *Keywords for Disability Studies*, edited by Rachel Adams, David Serlin, and Benjamin Reiss. New York: NYU Press, 2015.
- Garland-Thomson, Rosemarie. *Extraordinary Bodies: Figuring Physical Disability in American Culture and Literature*. New York: Columbia University Press, 1997.
- Grue, Jan. "Rhetorics of Difference: Julia Kristeva and Disability." *Scandinavian Journal of Disability Research* 15, no. 1 (2013): 45–57.
<https://doi.org/10.1080/15017419.2012.660705>
- Guenther, Lisa. *Solitary Confinement: Social Death and Its Afterlives*. Minneapolis: University Of Minnesota Press, 2013.
<https://doi.org/10.5749/minnesota/9780816679584.001.0001>
- Ha, Kwiyeon, and Linda Sieg. "Japan Confronts Disability Stigma After Attack." *Taipei Times*, 16 September 2016.
- Hause, Marti, and Ari Melber. "Half of People Killed by Police Have a Disability: Report." *NBC News*, 16 March 2016.
- Kearney, Richard, and Brian Treanor. *Carnal Hermeneutics*. Perspectives in Continental Philosophy. New York: Fordham University Press, 2015.
<https://doi.org/10.5422/fordham/9780823265886.001.0001>
- Kristeva, Julia. "At the Limits of Living: To Joseph Grigely." *Atenea* 25 (2005).
- Kristeva, Julia. "Lettre Au Président De La République Sur Les Citoyens En Situation De Handicap, à l'usage." Paris: Fayard, 2003.

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- Kristeva, Julia. "Liberty, Equality, Fraternity, and . . . Vulnerability." Translated by Jeanine Herman. *Women's Studies Quarterly* 38, nos. 1–2 (2010): 251–68. <https://doi.org/10.1353/wsqr.0.0203>
- Kristeva, Julia. "A Tragedy and a Dream: Disability Revisited." *Irish Theological Quarterly* 78, no. 3 (2013): 219–30. <https://doi.org/10.1177/0021140013484427>
- Kristeva, Julia, and Kelly Oliver. *The Portable Kristeva*. European Perspectives. Updated ed. New York: Columbia University Press, 2002.
- Levinas, Emmanuel. *Autrement Qu'être Ou Au-Delà De L'essence*. Livre De Poche Biblio Essais. Paris: Martinus Nijhoff, 1978.
- Levinas, Emmanuel. *Entre Nous: On Thinking-of-the-Other*. Translated by Michael B. Smith and Barbara Harshav. New York: Columbia University Press, 1998.
- Levinas, Emmanuel. *Otherwise than Being or Beyond Essence*. Translated by Alphonso Lingis. Martinus Nijhoff Philosophy Texts. Hague: M. Nijhoff, 1974; Boston: Kluwer, 1981.
- Levinas, Emmanuel. "La Souffrance Inutile." *Giornale di Metafisica* 4 (1982): 13–26. Reprinted in *Les Cahiers de la Nuit Surveillée: Numéro 3: Emmanuel Levinas*, edited by Jacques Rolland. Paris: Verdier, 1984.
- Levinas, Emmanuel. *Totalité et Infini: Essai sur l'extériorité*. Livre de Poche Biblio Essais. Paris: Martinus Nijhoff, 1971.
- Levinas, Emmanuel. *Totality and Infinity: An Essay on Exteriority*. Translated by Alphonso Lingis. Pittsburgh: Duquesne University Press, 1969.
- Levinas, Emmanuel. "Useless Suffering." Translated by Richard A. Cohen. In *The Provocation of Levinas: Rethinking the Other*, edited by Robert Bernasconi and David Wood. Warwick Studies in Philosophy and Literature, 156–67. London; New York: Routledge, 1988.
- Longmore, Paul K. *Telethons: Spectacle, Disability, and the Business of Charity*. Oxford: Oxford University Press, 2015. <https://doi.org/10.1093/acprof:oso/9780190262075.001.0001>
- Marx, Karl. "Die Deutsche Ideologie." In *Marx-Engels Werke*, vol. 3. Berlin: Dietz Verlag, 1973.
- McCabe, Janet L., and Dave Holmes. "Reversing Kristeva's First Instance of Abjection: The Formation of Self Reconsidered." *Nursing Inquiry* 18, no. 1 (2011): 77. <https://doi.org/10.1111/j.1440-1800.2010.00499.x>
- McKinney, Debra. "The Invisible Hate Crime." *Intelligence Report: Confronting Hate*. Southern Poverty Law Center, Fall 2018.
- O'Byrne, Anne. "Lessons from Anarchist Eugenics." *Metodo* 5, no. 2 (2017): 104–22. <https://doi.org/10.19079/metodo.5.2.103>
- Parens, Erik. "Choosing Flourishing: Toward a More 'Binocular' Way of Thinking About Disability." *Kennedy Institute of Ethics Journal* 27, no. 2 (2017): 135–50. <https://doi.org/10.1353/ken.2017.0013>
- Parens, Erik. *Shaping Our Selves: On Technology, Flourishing, and a Habit of Thinking*. Oxford: Oxford University Press, 2015. <https://doi.org/10.1093/acprof:oso/9780190211745.001.0001>
- Perry, David. "Violence, Disability, and the Lessons of Sagami-hara." *Pacific Standard*, 26 July 2016.

- Perry, David M., and Lawrence Carter Long. "The Ruderman White Paper on Media Coverage of Law Enforcement Use of Force and Disability." Ruderman Family Foundation, March 2016.
- Reynolds, Joel Michael. *Ethics After Ableism: Disability, Pain, and the History of Morality*. Minneapolis: University of Minnesota Press, forthcoming.
- Reynolds, Joel Michael. "Infinite Responsibility in the Bedpan: Response Ethics, Care Ethics, and the Phenomenology of Dependency Work." *Hypatia* 31, no. 4 (2016): 779–94. <https://doi.org/10.1111/hypa.12292>
- Reynolds, Joel Michael. "Merleau-Ponty, World-Creating Blindness, and the Phenomenology of Non-Normate Bodies." *Chiasmi International* 19 (2017): 419–34. <https://doi.org/10.5840/chiasmi20171934>
- Reynolds, Joel Michael. "Normate." In *50 Concepts for a Critical Phenomenology*, edited by Ann Murphy, Gayle Salamon, and Gail Weiss. Evanston, IL: Northwestern University Press, 2019.
- Reynolds, Joel Michael. "Worldcreation: A Critical Phenomenology of Disability and Care." In *Philosophy of Disability: New Perspectives*, edited by Kelly Oliver and Melinda Hall. Lanham, MD: Rowman & Littlefield, forthcoming.
- Rich, Motoko. "After Mass Knife Attack in Japan, Disabled Victims Are Still in the Shadows." *New York Times*, 8 September 2016.
- Rich, Motoko, and Jonathan Soble. "Knife Attacker Wanted to Rid Japan of the Disabled, Authorities Say." *New York Times*, 26 July 2016.
- Rogers, Wendy, Catriona Mackenzie, and Susan Dodds. "Why Bioethics Needs a Concept of Vulnerability." *International Journal of Feminist Approaches to Bioethics* 5, no. 2 (2012): 11–38. <https://doi.org/10.3138/ijfab.5.2.11>
- Scarry, Elaine. *The Body in Pain: The Making and Unmaking of the World*. New York: Oxford University Press, 1985.
- Schürmann, Reiner. *Broken Hegemonies*. Translated by Reginald Lilly. Studies in Continental Thought. Bloomington, IN: Indiana University Press, 2003.
- Shapiro, Joseph P. *No Pity: People with Disabilities Forging a New Civil Rights Movement*. 1st ed. New York: Three Rivers Press, 1993.
- Sherry, Mark. *Disability Hate Crimes: Does Anyone Really Hate Disabled People?* Burlington, VT: Ashgate, 2010.
- Shildrick, Margrit. *Dangerous Discourses of Disability, Subjectivity and Sexuality*. Basingstoke; New York: Palgrave Macmillan, 2009. <https://doi.org/10.1057/9780230244641>
- Taylor, Sunaura. *Beasts of Burden: Animal and Disability Liberation*. New York: The New Press, 2016.
- Wolfe, Patrick. "Settler Colonialism and the Elimination of the Native." *Journal of Genocide Research* 8, no. 4 (2006): 387–409. <https://doi.org/10.1080/14623520601056240>