

## Dis/abled decolonial human and citizen futures

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DOI:

[10.1080/13621025.2022.2091236](https://doi.org/10.1080/13621025.2022.2091236)

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*Document Version*

Publisher's PDF, also known as Version of record

*Citation for published version (Harvard):*

Kiwan, D 2022, 'Dis/abled decolonial human and citizen futures', *Citizenship Studies*, vol. 26, no. 4-5, pp. 530-538. <https://doi.org/10.1080/13621025.2022.2091236>

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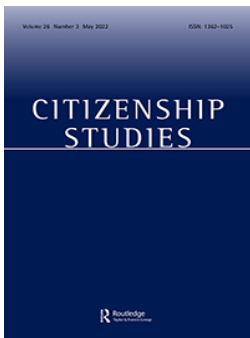
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To cite this article: Dina Kiwan (2022): Dis/abled decolonial human and citizen futures, Citizenship Studies, DOI: [10.1080/13621025.2022.2091236](https://doi.org/10.1080/13621025.2022.2091236)

To link to this article: <https://doi.org/10.1080/13621025.2022.2091236>



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Published online: 27 Jun 2022.



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## Dis/abled decolonial human and citizen futures

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### ABSTRACT

This article utilises the dual methodological lens of disability and decolonisation in order to critically examine, in interdisciplinary and global perspective, what it will mean to be both a ‘human’ and a ‘citizen’ in the 21<sup>st</sup> century. I propose the development of an epistemological framework and methodology of the dis/abling and decolonising of knowledge on humanness and citizenship in order to anticipate demographic, environmental, and technological futures. Firstly, I critically examine how critical disability approaches challenge the able-ist premises of liberal political theory. Secondly, by critically analysing US immigration and US/UK eugenics movements, I illustrate the able-ist, raced, and colonial constructs of human-ness and citizenship using a dual decolonial and disability methodological lens. Finally, I look towards anticipating human and citizen futures through the case of artificial intelligence, where I illustrate both its reification of a raced and able-ist status quo on the one hand, and the potential for changing terrains of the bounds of human-ness and citizenship.

### ARTICLE HISTORY

Received 17 February 2022  
Accepted 18 April 2022

### KEYWORDS

Artificial intelligence (AI);  
citizen; decolonisation;  
disability; future/s; human

## Introduction

This article utilises the dual methodological lens of disability and decolonisation in order to critically examine, in interdisciplinary and global perspective, what it will mean to be both a ‘human’ and a ‘citizen’ in the 21<sup>st</sup> century. Disability is a contested concept, with ‘medical’ models foregrounding physical or cognitive deficits, in contrast to ‘social models’ that foreground the limitations imposed on people by the structural, cultural, discursive, and practical constraints of an ‘able-ist’ society. According to the World Health Organization, disability covers impairments, limitations in activity and barriers to participation, but it is not just a health problem, and rather emerges due to barriers in society. Recent research across political theory, sociology and disability studies recognizes bodies as relational, and in terms of their intersectionalities as gendered, racialized, dis/abled or classed bodies. The contestation in conceptions of disability is also reflected in language, with ‘person first’ language – i.e. ‘disabled persons’ – preferred by the UK disability movement, in contrast to the UN’s use of ‘persons with disabilities’. Whilst recognising the rationale of the UK disability movement, this article will use the terminology of ‘persons with disabilities’, to signal its global framing.

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The development of an epistemological framework and methodology of the dis/abling and decolonising of knowledge on humanness and citizenship is in order to anticipate demographic, environmental, and technological futures. Demographic statistics estimate that 15%, or 1 billion people globally have disabilities (WHO, 2021), with everyone expected to have experienced impairment either temporarily or permanently at some point in their life. This figure is skewed with the majority of those with disabilities living in the Global South. It is predicted by the UN that by 2050, there will be 2 billion people, or 20–25% of the global population with disabilities, exacerbated by conflict, pollution, and the effects of climate change leading to intensified mass migration, with 1 billion people who will be displaced as a result. It is also estimated that 2 billion people will need assistive technologies but 90% will not have access to them. It is also expected that a third of the global population will be living in ‘fragile’ contexts.

Reflecting on these thought-provoking statistics, this article examines the implications for evolving understandings of ‘humanness’ and ‘citizenship’ in two key areas. Firstly, it challenges dominant ‘able-ist’ assumptions upon which human-ness and political citizenship are predicated. Secondly, the decolonisation of disability has important implications for conceptions of citizenship as it highlights how the production of disability in the Global South has been used to exclude others from humanness and citizenship. This process cannot be understood without it being located historically – often rooted in colonialism, and which continues in the form of neo-colonial power today – through war, economic resources, migration, and global pollution. Finally, I take the case of artificial intelligence. Critically examining developments in artificial intelligence and other new and speculative technologies unmasks dominant conceptions of what counts as human as well as illustrating how dominant able-ist and raced conceptions of citizenship are reified.

## Disability and decolonisation as methodology

As noted in the introduction, I use ‘disability’ to critically interrogate assumed premises of ‘humanness’ and ‘citizenship’. This methodological approach stands in contrast to an approach where the focus is on disabled people as the subject of study. As such, critical disability studies is a method of analysis of power that does not depend on disability being the subject of analysis per se. I utilise a methodological approach where the starting point is a future-oriented awareness of the changing nature of global demographics situated in relation to environmental, political, socio-cultural and global health challenges. From this orientation, I firstly interrogate dominant constructions of the ‘human’ and the ‘citizen’ using the methodological lens of disability. Indeed, as Goodley succinctly puts it: ‘to start with disability but never end with it: disability is *the* space from which to think through a host of political, theoretical and practical issues that are relevant to all’ (Goodley 2016, 157). This approach takes the position of understanding and using critical disability studies as a methodology rather than a scholarly field. This entails the focus being on the interrogation of our social and political systems, examining how they create disability, and placing disability at the centre of this analysis.

In addition to disability, I argue that the epistemological framework and methodology of the decolonisation of knowledge is fundamentally implicated in how we anticipate human and citizen futures. The historical context to modern theories of ‘race’ can be situated in relation to the justification of the emergence of European empires in the late

eighteenth and nineteenth centuries, where the right of conquest was predicated on notions of differential intellect. These dominant constructions of citizenship therefore invoke ‘moral’ and ‘legal’ claims, thus delimiting the bounds of citizenship by race, gender, and class and by extension – ability. De Gobineau, known as the father of modern racism, is known for his classification of the races into White, Black, and Yellow, attributing the ‘White’ race with the highest intellect and morality. As such, it has been argued that dis/ability is ‘inherently colonial’ given that it is ‘not fundamentally a question of medicine or health, but of politics and power’ (Presley 2019). Therefore, I use the dual methodological lens of disability and decolonisation, highlighting the entanglement of race and disability and the implications for understanding both human-ness and citizenship.

## 1. Disability, human-ness, and citizenship

In political theory, there has been the most focus on cognitive capacity in defining the boundaries of ‘human-ness’ and citizenship. However, in practice, other types of disabilities – including physical and sensory disabilities – restrict access to citizenship rights. This illustrates that whilst political liberal theory takes as status quo the exclusion of people with intellectual/learning disabilities, the state excludes categories of people with disabilities that can shift over time, for example, during periods of austerity due to different interpretations of the law (Berggren et al. 2021). These different stances illustrate different disciplinary approaches – political/legal theoretical approaches in the former and sociological approaches in the latter, which complement one another. Sociological approaches to rights and citizenship recognise the gap between legal entitlement and practice, engaging with social and institutional structures of power and available resources. Nash (2009)’s categorisation of levels of citizenship is useful in this regard. Coining the term, ‘marginal citizens’, she describes this as a second-status group, where marginality can be understood in terms of economic marginalisation, or through discrimination by race, ethnicity, or religion. Although she does not refer to people with disabilities in her classification, their marginalisation would place them in this category – at least within the Western democratic liberal state context. In some instances, those with intellectual/learning difficulties may be thought of as ‘quasi-citizens’ the third category – which describes those that do not have political rights – as in the case of long-term residents or political refugees.

In this section, I focus on the normative claims of liberal political theory and aim to illustrate how radical critiques from feminist and critical race theorists have enabled a method through which to critique underpinning assumptions. This methodological approach has more recently been utilised in challenges to what has been coined the ‘capacity contract’ (Simplican 2015), where the premise of cognitive capacity is taken as a given for the basis of rights in liberal theories of justice. In addition, I juxtapose the work of disability studies, which has challenged the prioritisation of specific cognitive abilities and the default integrity assigned to human bodies, and insists on the recognition of the human form as diverse and malleable. Bringing together insights from these fields, I illustrate through legal and medical examples, the pathologisation, de-humanisation, and criminalisation of those deemed to be ‘abnormal’.

Following Pateman's feminist critique and Mills' racial critique of Rawls, Simplican's (2015) *The Capacity Contract* is a seminal work interrogating liberal political theory with respect to intellectual disability, exposing its able-ist premises, and illustrating how liberal theory has largely dismissed the question of intellectual disability. According to Kant, having the capacity to reason was a precondition for personhood (Simplican 2015). Where it has been addressed, rights are typically denied to those with cognitive disabilities, and instead framed in terms of charity, care, and responsibility for the wider community. Participating in a democracy is premised on the notion of 'capacity' – being able to reason, reflect, deliberate, debate. Simplican, like Mills and Pateman, reveals the oppressive nature of social contract theory, but also critiques Pateman and Mills for neglecting the issue of disability. Simplican critiques feminist and anti-racist arguments that exclusion of women and non-White populations on the basis of presumed lesser cognitive capacity is incorrect, since any differences in measured cognitive capacity are a result of patriarchal and racist systems of oppression rather than being an essentialist absolute. As such, these feminist and anti-racist rebuttals leave untouched the assumption that the disabled cannot fully participate as citizens, in effect adopting a medical model of disability, as opposed to a social model of disability that constructs disability as located in the disabling barriers of the lived environment. Related to the primacy of 'capacity' and the ideal human and citizen, enlightenment paradigms also presume human exceptionalism, assuming the primacy of human bodies, experiences, and needs above all other organic forms of life. Not only is interdependence invoked in terms of communities of care but it also highlights agencies of microbial life, non-human animals, and climate change. The global Covid-19 pandemic has also amplified these questions of human exceptionalism in the context of environmental relationality.

The pathologisation, criminalisation, dehumanisation – and by extension – exclusion from citizenship of those who statistically deviate from the norm is culturally bound and historically specific. Darwinian evolutionary perspectives of disability have left a legacy in how disability has been understood. Those with intellectual disabilities have been perceived, in evolutionary terms, to be an 'intermediary rung on the evolutionary ladder connecting humans and primates' (Gelb 2008). Such socio-historical and political constructions of knowledge are clearly evident in legal and medical discourses. For example, the rise of eugenics and the associations between lower evolutionary status, the greater exhibition of emotion, and both disabled and 'indigenous peoples' illustrate how colonising knowledge undertook the creation of the raced and classed 'sub-human'/ disabled other. In a similar vein, the Diagnostic and Statistical Manual (DSMII) for the American Psychiatric Association (DSM) classified homosexuality as a mental disorder until 1973. Theories of pathology viewed homosexuality as a disease or condition that deviates from 'normal' heterosexual development, whilst at the same time was constructed as a 'social evil' (Drescher 2015), vestiges of religious pronouncements on homosexuality. Indeed, a range of pre-modern religious pronouncements of immoral behaviour, for example, '*demonic possession, drunkenness, and sodomy* were transformed into the scientific categories of *insanity, alcoholism, and homosexuality*' (ibid, Drescher 2015, 568).

Critiques of how disability is coded in law have followed feminist critiques of paternalist assumptions embedded in law, and also that the legal abstraction of the person with disabilities does not engage with the nuanced complexity of their lived experiences. Typically, disability in law has been constructed as a deficit, based on a medical model

of disability; assessments of capacity are central to the operationalisation of the law with respect to decision-making – regarding treatment in the healthcare system, being held in psychiatric detention, or criminal responsibility in the criminal justice system – where in many cases a person’s legal capacity is removed based on judgements of insufficient cognitive capacity. This, however, contravenes the CRPD (Convention of the Rights of Persons with Disabilities), introduced in 2006 which requires that regardless of cognitive capacity, a person must not be denied the opportunity to exercise legal agency.

## 2. Decolonisation of disability, human-ness, and citizenship

Critical disability studies have argued for placing the analysis of disability at the centre of understanding empire and colonialism, given that up to three-quarters of the world’s disabled people are living in the Global South. In addition, there is a strong correlation between disability and poverty. However, the study of disability is predominantly of disability in the Global North, or conducted by Global North scholars studying the Global South. This is conceived as a postcolonial form of empire in which knowledge is imposed on or appropriated in different contexts as a technology of imperial biopower.

In this section, I argue that it is necessary to bring together two areas of work – firstly, postcolonial critiques of citizenship, and secondly, critical disability studies’ decolonisation of disability – in order to gain insight into the dual colonising-disabling constructions of personhood and citizenship. This is not only a historical phenomenon but an ongoing construction of the raced other as sub-person and sub-citizen, predicated on disability.

Able-ist constructions of citizenship are exemplified in the long history of immigration to the United States, where immigration restrictions were based on medical grounds; as such disabled immigrants were not ‘ideal’ citizens and were deemed a burden to society. Indeed, in 1907, the US Commissioner General of Immigration could assert without fear of contradiction that ‘the exclusion from this country of the morally, mentally, and physically deficient is the principal object to be accomplished by the immigration laws’ (U.S. Bureau of Immigration 1907; see also Walker 1896). Historically, there were three categories of health conditions, with Class A including contagious diseases, but notably ‘conditions displayed by “insane persons”, “the ignorant representatives of emotions races”’ (Wolfe 2019). In addition to the intersecting variables of discrimination by disability and race, class also played an important role, with those first- and second-class passengers disembarking for inspections at Ellis Island being treated more favourably (ibid, Nakamura 2019).

From the late nineteenth century to the mid-twentieth century in the US, immigration was also restricted based on a racially determined hierarchy of immigrants. At this time, eugenics, a scientifically legitimated racism informed a wide range of policies, and notably immigration, but also in reproductive policies, where there were forced sterilisations of those considered unfit to reproduce due to poverty, disability, or mental health. In the US, there were such sterilisation programmes for ‘mentally feeble women’ and those in prisons until the 1970s. Eugenics rationalised privilege and the discourse of meritocracy. It has been argued widely that Herrnstein and Murray’s (Herrnstein and Murray 1996) theory of intelligence in *The Bell Curve* is underpinned by a eugenics logic not only in terms of the methodology and interpretation of the research findings but their



policy extrapolations. They argued that intelligence is influenced by both genetic and environmental factors, and that race and intelligence were correlated, with Black Americans being the lowest performers on IQ tests, that could not be accounted for by lower socioeconomic status. They went on to draw policy recommendations where they call for the cutting of welfare support to low-income women on the logic that poor women are 'disproportionately at the low end of the intelligence distribution'. They also conclude that socio-economic policies to support low-income children's living standards promote the procreation of poor women with low IQ.

In the UK, it is argued that both race and class were central to the British eugenics movement, with Galton first coining the term in 1883 (Campbell 2007). It is of note that it was championed by an upper middle class of the intellectually elite including doctors, scientists, and lawyers mainly concerned with the perceived problem of the urban poor. The passing of the 1913 Mental Deficiency Act is attributed to The British Eugenics movement, which gave the power to 'institutionalise and segregate, to limit the propagation of the feeble-minded' (Campbell 2007, 13). 'Feeble-minded' was a broad category including the poor, women on benefits, or pregnant women out of wedlock. These negative eugenics methods have been replaced by positive eugenics methods in contemporary society, where the same principles underpin pre-natal genetic testing, screening requirements for sperm and egg donors, for example, where there is a marketplace based on such criteria as 'intelligence', 'attractiveness' and 'health'.

Eugenics principles also underpinned rationalisations and operationalisations of empire, illustrating how the production of knowledge on disability, produced largely by the Global North, is inherently colonial (Presley 2019). Racial inequality was deemed a scientific fact, explained in evolutionary terms: 'There is no natural equality of human races, any more than there is any natural equality of human beings; they are the product of their past evolution moulded by selection and heredity. As far as we can understand it, evolution is largely an irreversible process' (Pearson 1912, cited in Campbell 2007). The rise of empire was rationalised in terms of the superiority of the imperialists in racial terms, accompanied with warnings of the risk of 'degeneration' through association of those deemed to have lesser mental capacities. In Foucauldian terms, empire is a global technology of biopower. I now turn to future-oriented forms of biopower, examined through a focus on artificial intelligence.

### **The case of artificial intelligence: in/exclusive human and citizen futures**

In this final section, I take the case of artificial intelligence and other new and speculative technologies to highlight the changing embodiment of disability, and how it raises critical issues in how we understand what it means to be a human and a citizen in the future. Technological developments in AI, robotics and other speculative technologies, and their applications to health is increasingly inevitable, and the bringing together of the body and technological implants raises philosophical and legal questions arising from the joining of bodies with medical devices. I argue that the critical analysis of AI in this regard unmasks dominant conceptions of what counts as human as well as illustrating how dominant able-ist and raced conceptions of citizenship are on the one hand, reified, but also, on the other hand, have the potential to open up new ways to understand humanness and citizenship.



Indeed, recent work in critical posthumanism has sought to decentralize normative views of the body through both understanding their entanglement with environments, artefacts, and other beings and exploring speculative technologies such as cyborg bodies, advanced prostheses, and the intensified relationships between humans and machines. Robotics, artificial intelligence (AI), interfaces, data systems, biometric and other computational apparatuses each work through disaggregating the capacities of parts of bodies. Donna Haraway's seminal *A Cyborg Manifesto* is important with respect to its positioning of a half-way identity between humans and technologies, which has been compared to queer constructions of identity as liminal and blurring of distinct boundaries (Cox 2018). The *Cyborg Manifesto* was written with political intent to empower women in moving away from essentialist notions of identity and to contest oppressive systems. Not only does her work problematise essentialist categories of 'women' and 'homosexual', but fundamentally it challenges us to question our assumptions of who is a human, and addresses the discourse of people with disabilities not being seen as fully human. The cyborg disrupts the notion of a holistic being, potentially reflecting a post-humanist stance. Prosthetic limbs, organ transplants, and technological devices raise philosophical questions of to what extent that person is still wholly the same person. As computer learning becomes more advanced, similarly, it raises questions of the boundaries of what can be considered to be distinctively human capacities. It fundamentally and provocatively blurs the boundaries between abled and disabled. This may be understood as inclusive, however the term, 'techno-ablism' has been coined to refer to a discourse of technology able-ing the disabled, and thereby reinforcing a medical model of disability (Shew 2020). The deaf community's resistance to cochlear implants reflects their view that they are not in fact disabled, similar to the successful campaigning of the autistic community claiming neurodiversity rather than disability.

However, current practices in the field of AI reproduce and reinforce bias of 'outliers' from the norms. Rather than creating more objective systems, algorithms programmed in these technologies reflect structural power, as they work with the data that they are given. For example, racial bias occurs in AI technology such as facial recognition or automatic speech recognition. Gender bias also occurs through cultural association in machine learning. There has been relatively little attention to disability with respect to AI bias. Unsurprisingly, the marginalisation of disability in the real world, like race and gender, is reflected in AI algorithms. For example, it has been shown that wheelchair users are misrecognised as non-human, not only by human car drivers but by car vision systems developed based on data that lack wheelchairs in their training datasets; similarly, Alexa may not recognise the speech of a deaf person (Nakamura 2019). Given AI systems' increasingly pervasive role in the future, it is critical that new paradigms be developed that account for diversity rather than predictive norms.

Not only does AI perpetuate the disabled body as not quite human but it also does not recognise the disabled body as citizen. AI enables models of political legitimization that rely upon an algorithmically defined politics of exceptionalism, and standards of normative bodies. The widespread use of electronic fingerprinting, iris recognition, voice recognition, and DNA scans, are arguably translating bodies into biometric data that does not take account of experienced notions of difference (Rao 2018). This making of 'biometric bodies' is a trend that is set to increase yet poses recognition challenges and problems of authentication, leading to further

exclusion as millions of people, for a variety of reasons, may not have recognisable biometric attributes. With the re-invigoration and justification of state securitisation, and an accompanied militarisation and orientation towards the state and the securing of borders, these technologies are demonstrably both racist, sexist, and able-ist. Surveillance studies have largely tended to focus on the raced and gendered nature of discriminatory surveillance, with an almost complete absence of examining the inter-relationship between surveillance, biopolitics, and disability (Saltes 2013). Using the term, 'disability surveillance', Saltes (2013) argues that this mode of biopower operates on perceived notions of risk to an 'able-ist system', where people are reduced to (unworthy) bodies.

## Conclusion

This article has attempted to open a discussion about human and citizen futures, reflecting on projected demographic trends into the future 21<sup>st</sup> century. Whilst the exclusion of over 1 billion people globally from recognition as persons and citizens is a stark statistic, these figures are set to increase, with up to one-quarter of the global population predicted to be/become disabled by 2050. In addition, this is skewed to three-quarters of those with disabilities living in the Global South, in conditions of conflict, crisis, poverty, global climate change, influenced by neo/colonialism. Firstly, I have argued for challenging the exclusive able-ist assumptions of political liberal theory. In addition, using critical disability studies and decolonial methodologies, I have highlighted how the Global North's history of immigration and empire are dually able-ist and raced in their conceptions of human-ness and citizenship. The production of new knowledge emerging from the Global South has important potential to challenge the hegemony of the Global North's production of knowledge on the nature of 'humanness' and what denotes citizenship. Finally, taking the future-oriented field of AI, I illustrate how this field has the potential on the one hand to both reify, as well as fundamentally challenge exclusive conceptions of humanness and citizenship, and it is critically important to attend to how this is being used politically by states within the global context. This calls for areas of research in migration studies, refugee studies, surveillance studies, international politics and development studies to address the exclusion of those with disabilities, in addition to other axes of exclusion. The intensification and state of flux of current demographic trends requires a futures-oriented methodology that embraces the dual methodological lens of disability and decolonisation. The urgent tasks of understanding how 'human-ness' and 'citizenship' are changing and the practical and political implications of this across legal, educational, medical, technological, and economic domains necessitates an interdisciplinary collaborative endeavour between the humanities, sciences, and social sciences.

## Disclosure statement

No potential conflict of interest was reported by the author(s).

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