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Uncovering Ableism in Martha Fineman's Ontological Vulnerability and Resilience Theory: A Critical Disability Theory Perspective

La révélation du capacitisme dans Ontological Vulnerability and Resilience Theory: A Critical Disability Theory Perspective de Martha Fineman

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Abstract
This paper begins with the premise that language contributes to the concept of disability and then engages a Critical Disability Theory (CDT) approach to scrutinize the rhetoric and language used by Martha Fineman in her work on ontological vulnerability and resilience. This paper will demonstrate that because the language used in Fineman's ontological vulnerability theory and resilience model are highly susceptible to an ableist interpretation, her work inadvertently reinforces the notion that non-disabled people are fully human, while those with disabilities are insufficiently human. As a result, her scholarship may contribute to the prolonged oppression and othering of people with disabilities. The first part of the paper explains what CDT is, focusing largely on how ableism produces and sustains the co-constitutional concepts of disability and ability, and how CDT can be used as an approach for probing Fineman's scholarship. The second part introduces ontological vulnerability and resilience theories, with a particular focus on Fineman's work. The third part applies a CDT approach to uncover how Fineman's language and rhetoric concerning vulnerability and resilience contribute to the construction of disability and ability. Finally, I highlight potential ways CDT scholars may reframe ontological vulnerability theory to overcome this issue.

Résumé
Cet article débute avec la prémisse que le langage contribue au concept du handicap et, ensuite, il se sert du cadre de la théorie critique du handicap (Critical Disability Theory (CDT)) afin de scruter la rhétorique et le langage utilisé par Martha Fineman dans son œuvre sur la vulnérabilité et la résilience ontologique. Le papier va démontrer que le langage utilisé dans la théorie de la vulnérabilité ontologique et dans le modèle de résilience proposés par Fineman est fortement susceptible d'être interprété comme validiste ; ainsi, par inadvertance, son œuvre renforce la notion que les personnes non handicapées sont des humains idéals, tandis que les personnes avec des handicaps sont des humains insuffisants. Par conséquent, son érudition peut contribuer à la prolongation

de l’oppression et de l’aliénation des personnes avec des handicaps. La première partie du papier explique ce qui est entendu par le CDT en se concentrant principalement sur la manière dont le capacitisme produit et maintient les concepts co-constitutionnels du handicap et de la capacité, et sur la manière dont le CDT peut être utilisé comme un cadre pour enquêter l’érudition de Fineman. La deuxième partie introduit les théories sur la vulnérabilité et la résilience ontologiques avec une concentration précise sur le travail de Fineman. La troisième partie applique le cadre du CDT afin de dévoiler la manière dont le langage et la rhétorique de Fineman concernant la vulnérabilité et la résilience contribuent à la construction du handicap et de la capacité. Finalement, je souligne des façons potentielles dont les chercheurs et les chercheuses du CDT peuvent recadrer la théorie de la vulnérabilité ontologique afin de surmonter les problèmes issus de celle-ci.

Keywords
Critical Disability Theory (CDT), Vulnerability Theory, Resilience Theory, Critical Feminist Theory, Martha Fineman

Mots clés
La théorie critique du handicap, la théorie de la vulnérabilité, la théorie de la résilience, la théorie critique du féminisme, Martha Fineman

INTRODUCTION

The creation of Critical Disability Theory (CDT), sometimes used interchangeably with Critical Disability Studies but distinct from Disability Studies, marks the critical turn to interrogating the idea of "dis/ability" (see Goodley, 2014, 2018). Scholars (see Ben-Moshe & Magaña, 2014; Crenshaw, 1991; Hirschmann, 2013; Schalk, 2017) have highlighted how social identities like disability, race, gender, and class intersect, emphasizing that a critical analysis of one must meaningfully consider the others. Ignoring these intersections risks creating gaps or inconsistencies in theoretical frameworks (see Hirschmann, 2013; Wickenden, 2023).

This paper argues that Martha Fineman's (2000, 2004, 2010, 2015, 2016, 2017, 2019, 2021, 2022) scholarship on ontological vulnerability theory and resilience theory is inconsistent with CDT, as her framing of these concepts inadvertently reinforces the oppression of disabled people. While scholars (see Cole, 2016; Hughes, 2007; Scully, 2013) have critiqued the concept of ontological vulnerability — that is, that vulnerability is an innate, universal, and continuous aspect of human existence — few have examined the role of language in this framework. Using a CDT approach, I demonstrate how Fineman's rhetoric and language render her work susceptible to an ableist interpretation, ultimately reinforcing rather than dismantling the structures that construct and maintain the co-constitutive concepts of dis/ability.

To develop this argument, the paper proceeds in four parts. First, I introduce CDT and explain how it works to identify and challenge normative assumptions about being human. Second, I outline Fineman's theories of vulnerability and resilience, situating them within her broader scholarship. Third, I apply a CDT lens to Fineman's work,

focusing on how the language she engages when describing the concepts of ontological vulnerability and resilience contributes to the reproduction of dis/ability. Finally, I conclude by exploring potential paths CDT scholars may take to overcome the troubling implications of Fineman's scholarship.

Part I: Critical Disability Theory

An Overview

CDT refers to a "diverse, interdisciplinary set of theoretical approaches" (Hall, 2019, para. 1) that "seek to theorize disability as a cultural, political, and social phenomenon" (Hall, 2019, section 5, para. 1) rather than a medical condition (Hall, 2019; Retief & Letšosa, 2018). As noted by Hosking (2008) and others (see Bohman, 2005; Rocco, 2005; Sztobryn-Giercuszkiewicz, 2017), CDT encompasses various distinct but overlapping elements. However, at its core, CDT is a framework that centres disability and challenges ableist attitudes and normative assumptions about being human by amplifying the perspectives and experiences of disabled people (see Campbell, 2009; Gleeson, 1999; Goodley, 2013; Hosking, 2008; Meekosha & Shuttleworth, 2009; Rocco, 2005; Siebers, 2008; Sztobryn-Giercuszkiewicz, 2017).

Campbell (2001) defines ableism as "a network of beliefs, processes and practices that produces a particular kind of self and body (the corporeal standard) projected as the perfect, species-typical and therefore essential and fully human" (p. 44, Footnote 5). Such ableist attitudes are often invisible or subtle, since able-bodied people may unintentionally hold negative views about people with disabilities (Rocco, 2005).

Alongside these ableist networks, processes, and practices, there are matching systems in place that, at best, mischaracterize disability as a deviation from what it

means to be human, and, at worst, mischaracterize disabled people as insufficiently human (Campbell, 2001). This two-step process — that is, the creation of attributes and qualities of a “normal” (i.e. able-bodied) human in contradistinction to the qualities of the “not really human” (i.e. people with disabilities) — is vital to sustaining the system of ableism (Campbell, 2001). Goodley (2018) coined the expression “dis/ability complex” to underscore the fact that we cannot consider the concept of “disability” without engaging in matched discussions of “ability.”

The dis/ability complex manifests when able-bodied people endorse laws, policies, and cultural values that uphold positive norms about abled-bodied people while reinforcing oppressive norms about people with disabilities (Van Aswegan & Shevlin, 2019). One example is section 38(1) of Canada’s Immigration and Refugee Protection Act (2001). This Act replaced the Immigration Act (1985), which previously barred applicants from entering Canada if they had a “disease, disorder, or disability or other impairment” that “might reasonably be expected to cause excessive demands on health or social services” (s. 19(1)(a)(ii)). While the Immigration and Refugee Protection Act (2001) no longer explicitly mentions “disability,” it produces a similar effect as its predecessor; section 38(1) of the Act states that “[a] foreign national is inadmissible to Canada… if their health condition might reasonably be expected to cause excessive demand on health or social services.”

The Council of Canadians with Disabilities (2017) argue that this provision disproportionately harms people with disabilities (see also El-Lahib & Wehbi, 2012). They claim it serves as the “basis [for] the ongoing, arbitrary exclusion of persons with disabilities from immigrating to Canada” (The Council of Canadians with Disabilities,

2017, p. 4). The Immigration and Refugee Protection Act (2001) is just one example of how able-bodied people use the law to normalize the oppression of disabled people.

CDT as a Conceptual Framework

To serve as an adequate basis for critical inquiry and, in turn, legitimately challenge the oppression of people with disabilities, CDT must satisfy three criteria (see Horkheimer, 1982, as cited in Bohman, 2005). Namely, CDT must meet each criterion while also being "explanatory, practical and normative" (Bohman, 2005, Hosking, 2008, p. 3). Put differently, CDT "must explain what is wrong with current social reality, identify the actors to change it, and provide both clear norms for criticism and achievable practical goals for social transformation" (Bohman, 2005, para. 3).

CDT satisfies these criteria by first viewing the concept of disability as the by-product of social, cultural, and political systems led by able-bodied people that promote ableist and disablist assumptions about being human (Hosking, 2008; Schalk, 2017). Second, since dis/ability is a concept constructed through able-bodied people, it is able-bodied people who frequently have the power to challenge and reshape oppressive norms; however, this requires spotlighting the lived experiences of people with disabilities and promoting their agency (Badry, 2018; Hosking, 2008). Finally, by challenging the notion that there is no single acceptable mode of human embodiment, as noted by Shildrick (2012; see also Asch, 2017; Rocco, 2005), CDT seeks to encourage social transformation.

In this paper, I use CDT to offer a theoretically grounded critique of Fineman's scholarship on ontological vulnerability and resilience theory. Notably, Hosking (2008) identifies language as being a key theme of CDT because language "influences the

concept of disability and the status of disabled people" (p. 13). By centring disability and confronting ableist narratives, a CDT approach can reveal how the language and rhetoric employed by Fineman may contribute to the prolonged oppression and othering of people with disabilities.

Part II: Vulnerability Theory

Scholars in various disciplines have taken up the concept of vulnerability (Ferrarese, 2016), including Critical Feminist Theory (CFT) scholars. It is unsurprising that CFT scholars are engaged in conversations about vulnerability given that the broad aim of CFT is to interrogate the intersection of social identities to understand how power structures perpetuate inequality and oppression so that these same structures can be dismantled (Bannerji, 2011; Razack, 1998; Rhode, 1990). The theme of vulnerability is particularly prevalent in CFT scholarship on care ethics (see Dodds, 2013; Kittay, 1999). Specifically, CFT scholars often root our need for care in our shared vulnerability (Re, 2019). Despite the concept of vulnerability being commonplace in CFT scholarship, the concept is viewed differently; according to Mackenzie et al. (2013), how CFT scholars view the idea of vulnerability can be split into two camps.

Some theorists think of vulnerability in terms of susceptibility to harmful wrongs, exploitation, or threats to a person's interests or autonomy (see Goodin, 1986, as cited in Mackenzie et al., 2013, p. 6). Under this account, while everyone is potentially vulnerable to having their interests threatened, inequalities of power, dependency, and capacity render certain individuals or groups *particularly* susceptible to harm or exploitation by others (see Community Living British Columbia, 2011; Slayter, 2016).

Those who endorse this narrower understanding of vulnerability generally accept that certain identifiable people or groups possess “special vulnerabilities” (Scully, 2013, p. 204). In other words, certain people are *already* injured — be it materially or non-materially — and are thus “predisposed to compound additional harm” (Kottow, 2003, p. 460). Under this view, persons with disabilities (see Hemingway & Priestley, 2006), impoverished persons (see Adger, 2006), or disabled people who are also poor (see Traustadóttir & Rice, 2012), for example, harbour these special vulnerabilities.

Countless critical theorists, including CDT and CFT scholars (see Burghardt, 2013; Satz, 2008), including Fineman (2017), have critiqued this version of vulnerability theory which proposes that some people, like those with disabilities, have particular vulnerabilities. Demarcating disabled people as vulnerable leads to misrepresenting people with disabilities as passive, fragile, and in need of protection (Fineman, 2017; Roulstone, et al., 2011). Promoting the view that disabled people need special protection also perpetuates the idea that disabled people lack or have diminished autonomy, which can, in turn, serve as justification for their oppression and exclusion from broader society (Burghardt, 2013; Roulstone, et al., 2011). In light of these criticisms, CFT scholars, including Butler (2004, 2009), Nussbaum (2006), Mackenzie et al. (2013), and Fineman (see 2019, 2021) view vulnerability in ontological terms. Ontological vulnerability is defined “in terms of the ultimately unavoidable bad things that are intrinsic to the material and biological nature of embodied human beings” (Scully, 2013, p. 218).

Martha Fineman and Ontological Vulnerability

Leading the ontological vulnerability camp is legal and feminist theorist Martha Fineman. Fineman (2022) offers various but similar descriptions of ontological vulnerability throughout her works. At times, she characterizes vulnerability to the susceptibility to either bad *or* good changes to our physical body or social status over time (Fineman, 2022). However, Fineman discusses positive changes much less frequently, and, as Scully (2013) points out, vulnerability is not usually used to describe the odds of good things happening. At other points in her scholarship, Fineman (2016) describes vulnerability in ways that are more clearly reflective of its Latin root *vulnus*, meaning *wound* (Mackenzie et al., 2013). For example, she connects vulnerability to the perpetual risk we share of becoming dependent due to harm, injury, or other misfortunes as a consequence of our embodiment (Fineman, 2016).

Fineman's (2017) aim in using the theory of ontological vulnerability is two-fold. The first goal is to use the ontological nature of vulnerability to obligate the state to respond to our vulnerability through the provision of, for example, programs and services (Fineman, 2010, 2016). Under a liberalist account of the legal subject, the state is a restrained actor in our lives; it shall not interfere with the independent, liberty-seeking individual (Ferguson, et al., 2022). However, the reality of the legal subject's vulnerability suggests that the state has a duty to "actively assume broad societal responsibility to ensure substantive equality between citizens and others to whom it owes some obligation" (Fineman, 2010, p. 256). Fineman (2010) states that intervention should take the form of institutions and relationships that confer resilience in the face of our inherent vulnerabilities as humans.

Second, when vulnerability is "*the* primal human condition" (Fineman, 2017, p. 142), Fineman argues that we are forced to reorient the legal subject so that it is representative of the true human experience. In traditional liberalist terms, social and political theorists and society at large generally valorize the legal subject as an autonomous, rational, self-preserving individual (Fineman, 2004, 2016). Consequently, under Fineman's (2016) account, anti-discrimination laws and notions of formal equality are founded on an impoverished version of what it means to be human and thus cannot achieve substantive equity (Mackenzie et al., 2013). By considering the legal subject as a vulnerable rather than an autonomous subject, Fineman (2016) thinks we have a new theoretical framework for assessing inequality and disadvantage. Notably, according to Fineman (2010), this new theoretical framework precludes the possibility of using vulnerability as a basis for comparison, bias, discrimination, or social disadvantage.

Resilience Theory

The concept of resilience is central to Fineman's vulnerability thesis since resilience is a mechanism for redressing our vulnerability (Fineman, 2017). Like vulnerability, resilience theory has been a topic of interest in various fields of study, such as social work, education, and psychology (Van Breda, 2001). At its core, resilience theory is about the ways in which people overcome adversity (see Fletcher & Sarkar, 2013; Southwick, et al., 2014; Van Breda, 2001). Fineman (2015) understands resilience as an individual's ability to possess or command the resources and assets necessary to cushion and recover from the setbacks that they encounter throughout their life.

Under Fineman's account, resilience is not something we are born with but rather is a quality we accumulate throughout our lives by existing within positive social structures, relationships, and institutions (Fineman, 2015; 2017). Broad categories of

resilience-building resources and assets that social institutions can provide include physical, human, social, ecological/environmental, and existential (Fineman, 2010). For example, social assets or resources include the social networks from which we gain support and strength (Fineman, 2010). Physical assets, like housing, food, and entertainment, both establish our present quality of life and determine our future quality of life through savings or investments (Fineman, 2010, 2017).. What unites these resources and assets is that their development and procurement can be facilitated by the state (Fineman, 2010, 2015). Fineman (2015), therefore, uses the concept of resilience to augment her claim that "the state should be among the most powerful and pervasive mediators of institutional change or vulnerability" (p. 106).

Part III: Applying a Critical Disability Theory Approach

A handful of scholars, such as CFT scholars Scully (2013) and Cole (2016), and CDT scholar Hughes (2007), have critiqued the general concept of ontological vulnerability. However, they do not comprehensively examine the role of language — specifically, how the rhetoric of ontological vulnerability influences the construction of dis/ability (Hosking, 2008). Even fewer scholars have directly critiqued Fineman's work on ontological vulnerability and resilience theories. Among them, Davis and Aldieri (2021) argue that the rhetoric of ontological vulnerability and its accompanying resilience model constitutes a "limited rubric under which to organize against neoliberal forces" (p. 321). While these perspectives offer valuable insights, they do not tell the complete story.

This paper employs a CDT approach to develop a more precise critique of Fineman's contributions to ontological vulnerability theory and resilience theory.

Specifically, I use the co-constitutive concepts of dis/ability as a “category of analysis” (Hall, 2019, section 1.1, para. 5) to reveal how the language and rhetoric used throughout Fineman’s scholarship may contribute to the ongoing oppression of disabled people. Before advancing the argument that Fineman’s work conflicts with the core principles of CDT, it is necessary to examine how the rhetoric of dis/ability functions within broader social discourse.

The Rhetoric of Disability and the Ableist Conflation of Disability

The overlapping frameworks of the tragedy model and medical model of disability — both rooted in liberal notions of autonomy — have long shaped the language and rhetoric surrounding disability (Pothier & Devlin, 2006). The tragedy model portrays people with disabilities as victims of their impairment (Retief & Lešosa, 2018), suggesting that they have either been born or struck with misfortune and require help, pity, or prayer from others (Ndlovu, 2021). Similarly, the medical model views disability as an individual affliction caused by genetic or environmental defects and regularly uses words like “misfortune” to describe impairment and disability (Berghs et al., 2016). In the medical model of disability, the hope is that through extensive medical intervention, disability can be prevented, cured, or at least rehabilitated so that people with disabilities can lead more typical, and thus fulfilling lives (Marks, 1997).

While contemporary social policies and programs for people with disabilities have increasingly adopted social or human rights-based approaches to disability, negative connotations rooted in the tragedy and medical models remain “gallingly entrenched” (Reynolds, 2017, p. 150) in social attitudes and narratives of disability. One of the key reasons for this persistence is the ableist conflation of disability with pain and suffering

(Reynolds, 2017). Reynolds (2017) explains that this conflation occurs when disability is used interchangeably with expressions of "pain, suffering, hardship, disadvantage, morbidity, misfortune, and mortality" (p. 152).

This ableist conflation of pain and suffering manifests both subtly and overtly. A striking example of this conflation came to light in a poll commissioned by Disaboom in 2008, which revealed that fifty-two percent of Americans would rather be dead than disabled (Sibonney, 2008) despite research showing that disabled people consistently report a quality of life as good as or better than non-disabled people (van Leeuwen et al., 2012).

In the Canadian context, this conflation was perhaps most evident in the 1990s, when Robert Latimer killed his twelve-year-old daughter, Tracy, who had cerebral palsy and used a wheelchair (*R v. Latimer*, 1997; Council of Canadians with Disabilities, 2000). Latimer claimed he killed Tracy to end her pain and suffering, and the public overwhelmingly supported him (Issa, 2019). A poll conducted by the *Calgary Sun* reported that ninety-two percent of respondents believed Latimer was justified in killing his daughter (Sobsey, n.d.).

The media coverage of the case reinforced ableist narratives by frequently omitting Tracy's name, referring to her only as Robert Latimer's daughter who "suffered" from severe cerebral palsy (Janz, 2009).[1] This erasure of Tracy's identity exemplifies society's tendency to portray significant deviations from able-bodied norms as incompatible with being fully human (see Campbell, 2001). Meanwhile, Latimer's actions were described as "merciful" rather than criminal (Janz, 2009). The sympathetic

[1] My aim is not to argue that Tracy did not experience pain. Rather, I aim to say that the language used in the media coverage of the killing and subsequent trial can shed light on the rhetoric of dis/ability.

language attributed to Latimer's killing of Tracy in subsequent media coverage suggests that society views a disabled life as a life not worth living.

Problematizing the Language and Rhetoric of Fineman's Scholarship

Fundamentally, CDT seeks to identify and challenge ableist assumptions about what it means to be human (Campbell, 2009; Goodley, 2013; Hosking, 2008; Meekosha & Shuttleworth, 2009; Siebers, 2008). From this perspective, I posit that Fineman's vulnerability thesis and her attendant resilience model present at least four significant issues.

First, her framing of ontological vulnerability engages language that risks reinforcing traditional ableist narratives by encouraging abled-bodied people to regard themselves as fundamentally distinct from those who are disabled. Second, Fineman's emphasis on physical dependencies, such as those arising from illness or age, when describing ontological vulnerability neglects the omnipresent relational dependencies that *all* individuals experience. This oversight allows non-disabled individuals to preserve an illusion of individual independence and autonomy while casting disabled individuals as lacking these qualities. Third, Fineman's use of the term "undone" to describe the manifestation of vulnerability raises concerns about whether she perceives disabled people as incomplete or less than fully human. If so, this contradicts her goal of ontologizing vulnerability to prevent it from being used as a ground for comparison, bias, and oppression (Fineman, 2016). Finally, her resilience model risks reinforcing neoliberal ideals of individualized self-management which, in turn, serve only to further marginalize people with disabilities.

Fineman's Language Risks Reinforcing Ableist Narratives

Fineman's work adopts language historically used to describe disability in negative terms, thereby risking the reinforcement of traditional ableist narratives. Reynold (2017) explains that disability is often linked to misfortune, pain and suffering. What is less evident in disability literature, however, is whether the linking of disability with misfortune, harm, and the like necessarily means that people *also* have a reverse tendency to associate ideas about misfortune and bodily harm with disability. Fineman's (2016) own words provide insight into this issue:

> The [ontological] vulnerability approach recognizes that individuals are anchored at each end of their lives by dependency and the absence of capacity. Of course, between these ends, loss of capacity and dependence may also occur, temporarily for many and permanently for some as a result of disability or illness… On an individual level, the concept of vulnerability (unlike that of liberal autonomy) captures this present potential for each of us to become dependent based on our persistent susceptibility to misfortune and catastrophe. (p. 12)

Here, Fineman explicitly links disability to loss of capacity and independence, thereby associating dependency with susceptibility to misfortune and catastrophe. In doing so, she suggests a relationship between misfortune and disability. Given dominant societal attitudes toward disability and vulnerability, this framing risks reinforcing the ableist assumption that disabled individuals are inherently or "especially" vulnerable.

However, Fineman might dispute this interpretation. In a 2022 podcast interview with Money on the Left, Fineman discussed her vulnerability theory; she asserted that her use of "vulnerable" and "vulnerability" occupies "no position" and is a neutral term (Ferguson, et al., 2022, 53:32). In contrast, CDT challenges the notion of linguistic neutrality (Hosking, 2008; Wilson & Leweicki-Wilson, 2001). Language is inherently shaped by historical and social contexts, and it has long been used to sustain the

oppression of disabled people (Hosking, 2008). When society assigns negative labels to certain traits, those traits take on negative social connotations (Hosking, 2008; Wilson & Leweicki-Wilson, 2001). Fineman's use of "vulnerability" and "vulnerable" is no exception. By linking disability with misfortune, pain, and suffering, her framework inadvertently reinforces ableist binaries between disability/ability and either vulnerable/not vulnerable or extra-vulnerable/"normally" vulnerable (see Clough, 2017).

Fineman's View on Dependency Fuels Able-Bodied Illusions of Invulnerability

A second issue with Fineman's theory of ontological vulnerability is its disproportionate focus on inevitable and biological dependencies when defining what we are vulnerable to. Indeed, Fineman (2016) acknowledges other forms of dependency, such as economic, psychological, and emotional dependencies. However, because she questions whether these types of dependencies are universally experienced, she views them as being poor foundations for encouraging state responsiveness (Fineman, 2000, 2016). In contrast, she presents physical dependency as an inescapable human experience, since all people rely on caregivers in childhood and old age (Fineman, 2016). Furthermore, Fineman asserts that all people also share an ever-present risk of *becoming* dependent during adulthood — because of illness or disability, for example — "based upon our persistent susceptibility to misfortune and catastrophe" (Fineman, 2016, p. 12).

This interpretation is problematic from the perspective of CDT because it implies that unless vulnerability manifests in a physical way, abled-bodied people exist in a liminal state — always at risk of becoming dependent but not actively dependent. Consequently, able-bodied people remain separate and above people with disabilities,

whereas disabled individuals are perceived as exceptionally dependent and vulnerable (Scully, 2013).

By narrowly construing dependency within her ontological vulnerability theory, Fineman overlooks the pervasive ways in which all people rely on one another to meet their needs and flourish; everyone relies on each other to provide some service or perform a function that we are unable or unwilling to do individually (Scully, 2013). For instance, we rely on the snowplough operator to clear our roads, the grocery clerk to stock shelves, the meteorologist to inform us of the weather, and our friends and family to offer love, care, and support. By naturalizing these dependencies to the point that they become invisible, able-bodied people effectively maintain the illusion of autonomy without threatening their status as the ideal human form (Scully, 2013).

Fineman's Scholarship Dehumanizes People with Disabilities

A third issue with Fineman's work is her use of the term "undone" to describe the manifestation of vulnerability. In one article, Fineman (2016) states:

> Our embodied humanity carries with it the ever-constant possibility of dependency as a result of disease, epidemics, resistant viruses, or other biologically based catastrophes. Our bodies are also vulnerable to other forces in our physical environment: *There is the constant possibility that we can be injured and undone* [emphasis added] by errant weather systems, such as those that produce flood, drought, famine, and fire. (p. 9)

The word "undone" generally means incomplete and unfinished (Collins English Dictionary, n.d.a). This suggests that when an individual's vulnerability manifests — whether due to injury, illness, or disability — they become *less than whole*. This framing aligns with ableist narratives that cast disabled individuals as inherently incomplete or lacking the qualities that the ideal human ought to possess. Furthermore, the word "undone" may also evoke the phrase "coming undone," which is often used in pop

culture to describe someone experiencing a mental health crisis (see Pryal, 2013, pp. 161-162; Purdy et al., 2019; Sporer et al., 2019, p. 2670). Accordingly, Fineman's use of the term "undone" to describe the materialization of vulnerability risks perpetuating harmful narratives about people with psychiatric disabilities.

To understand why this language is concerning, one must remember how ableism and disablism operate in tandem. Campbell (2001) explains that the process of ableism constructs an idealized version of the human body-mind as self-sufficient, fully capable, and physically intact. When people deviate from this norm, they are thus deemed inferior, damaged, or insufficiently human. When Fineman describes those whose vulnerabilities manifest as being "undone" by illness or catastrophe, she implicitly suggests that disability diminishes a person's status as a complete human being. This not only contradicts her broader goal of eliminating vulnerability as a basis for discrimination (Fineman, 2016) but also reinforces the dis/ability binary, further marginalizing disabled individuals.

Fineman's Resilience Theory Supports State Capitalism

Finally, as Davis and Aldieri (2021) explain, although Fineman's outward aim is to challenge neoliberalism by encouraging state responsiveness, the rhetoric of her resilience model continues to emphasize individual responsibility and a commitment to state capitalism. The self-management aspect of resilience is evident in her argument that social institutions, which help distribute wealth and property, confer resilience (Fineman, 2016). She argues, for example, that securely investing money in a state-regulated bank for retirement builds resilience (Fineman, 2016). However, Fineman overlooks the individual's responsibility within these institutions; she disregards the fact

that engaging in resilience-building activities, such as acquiring, saving, and growing wealth, requires individuals to comply with and participate in the market (Davis & Aldieri, 2021). Furthermore, Fineman's use of language with a "commercial flavour" (see Weil, 2005, p. 81), such as 'human capital,' suggests that the market she refers to is capitalist (Davis & Aldieri, 2021).

Presupposing a person's participation in a capitalist market to build resilience perpetuates harmful ableist ideologies (Hahn, 1987; Heath, 2015; Pimental & Monteleone, 2019; Russell, 2019). In particular, the capitalist system favours able-bodied means of production, with wealth being distributed according to these preferences (Pimental & Monteleone, 2019). People with disabilities, on the other hand, face inherent economic discrimination within the capitalist system in part because employers believe they will incur additional nonstandard production costs if they hire a disabled worker instead of a "normal" worker (Pimental & Monteleone, 2019; Russell, 2019). Census data tends to confirm this view. In Canada, persons with disabilities are less likely to be employed and, if they are employed, are more likely to earn lower wages (Government of Canada, S.C., 2023). When the state responds to vulnerabilities by providing resilience-conferring programs rooted in capitalism, individuals who are unable or unwilling to participate in the capitalist market are left with the impossible task of building resilience on their own.

In summary, by spotlighting invisible (see Rocco, 2005) ableist narratives that are animated through language, I have suggested that Fineman's goal of ontologizing vulnerability is compromised. In particular, through Fineman's framing of ontological vulnerability, able-bodied people can favourably position themselves as not truly

vulnerable — in part because they can acquire the tools and resources necessary to be resilient — while casting people with disabilities as especially vulnerable. In other words, those who are at a constant risk of becoming "undone" represent the normative human, whereas those who are actively undone are not truly human at all. It is precisely this two-step process that sustains the system of ableism (Campbell, 2001), thereby prolonging the oppression of disabled people.

Part IV: The Way Forward

Despite these issues with Fineman's work, her goal of encouraging state responsiveness is laudable. To inspire state responsiveness, completely disregarding Fineman's ontological vulnerability theory and resilience model may not be necessary; if ontological vulnerability theory is properly reconfigured, it could still encourage state responsiveness without contributing to negative attitudes about disability. Instead of hyper-fixating on the ever-present risk of becoming dependent "based upon our persistent susceptibility to misfortune and catastrophe" (Fineman, 2016, p. 12), we should strive to spotlight our ubiquitous relational dependencies (see Scully, 2013). By highlighting the dependencies that we all actively share, regardless of who we are, we might sidestep the othering effect in Fineman's ontological vulnerability thesis. However, further inquiry is needed to explore this possibility, including whether a relational perspective on dependency can appropriately address the overlapping ideologies of race, gender, class, and disability, ensuring that such frameworks can respond to the oppression uniquely experienced by different group identities. I encourage CDT scholars to pursue this line of inquiry.

Conclusion

Fineman's work on ontological vulnerability theory has been considered a significant improvement over traditional conceptualizations of vulnerability, which have received considerable reproach (see Clough, 2019; Cunniff Gilson, 2016; Dodds, 2008). While Fineman's ontological vulnerability theory and resilience theory has faced occasional general criticism, the language it employs has remained largely under-scrutinized. When examined using a CDT approach — which centres disability and confronts ableist narratives facilitated by language and policy — the rhetoric of Fineman's ontological vulnerability theory and resilience model upholds harmful discourse about dis/ability. In particular, Fineman's scholarship may inadvertently reinforce a distinction between people with and without disabilities, thereby prolonging the oppression of the former. However, wholesale rejection of Fineman's scholarship may not be warranted. A theory of ontological vulnerability that emphasizes how all people are always, already dependent on one another may better overcome the 'othering' effect in Fineman's scholarship, though further inquiry on this subject is encouraged.

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