

FGSS 4035 Intersectional Disability Studies Group Project on Economic In/justice Podcast Episode #1 — Sri & George

Sri:

This is “Assessing Intersectional Disability,” a podcast where complex topics around intersectional disability and economic in/justice collide. Today our conversation will be centered around the impact of legal systems and policy restricting economic justice. Hello, my name is Sri Ravisankar and I am a student at Cornell University's Intersectional Disability Studies course with Professor Heinemann. Before diving into today's topic, I want to provide a trigger warning. In this episode, we'll be discussing themes of ableism, legal policies and personal accounts. If you find these topics distressing, please consider skipping this episode or reaching out for support. Remember, your well-being is important to us.

George:

Hello, my name is George Benziger and I am a junior here at Cornell also taking Intersectional Disability Studies. And the sort of reasoning that's kept us going when designing this podcast episode is, like Sri said, to offer more information to our listeners about the legal system and how current policy perpetuates economic injustice. The landscape surrounding disability rights is complex yet crucial. By shedding light on this topic, we don't just plan to talk about current policies, but we also aim to empower our listeners to advocate for change and hold institutions accountable.

Sri:

Thank you, George. So let's just dive straight into the content, something that I am very curious to hear is, and this might seem like a very broad question, but what is wrong with the system? The reason that I ask that is because a study called '[The Sociology of Disability-Based Economic Inequality](#)' by Pettinicchio, Maroto and Brooks notes that "Disability shapes experiences with economic insecurity and poverty but, historically, it has seldom been the focus" (Pettinicchio et al, 2022). It is unfortunate to see disability as a highly stigmatized status characteristic, especially in our legal systems. So, could you talk a little bit about how our legal system perpetuates and constructs these barriers?

George:

Yes, laws and policies in the United States perpetuate cycles of poverty – the subminimum wage and low supplemental security income for individuals with disabilities, are just two examples. Under the current system individuals with disabilities, if they are not denied benefits, can receive only [\\$943 per month](#). When we extend this out to a year it comes out to only \$11,316 per year – far below the \$15,060 poverty line. To compound this issue, individuals who work have their benefits reduced by \$1 for every \$2 that they earn, thus limiting people's opportunities to work.

Sri:

Yes, these policies surrounding SSI clearly perpetuate cycles of poverty. What about the subminimum wage?

George:

So according to Section 14c of the Fair Labor Standards Act, employers are allowed to hire people with disabilities at a wage below the federal minimum. This was initially designed to help veterans with disabilities find jobs in the wake of World War II. However, today it allows employers to pay people with disabilities far less than the minimum wage, with 50% of people employed under 14c making less than \$3.50 per hour.

Sri:

Thank you for sharing this information with us. It reminds me that this is not just about legal jargon; it's about real people facing real challenges. The fact that Section 14c of the Fair Labor Standards Act allows employers to hire individuals with disabilities for less than the minimum wage is appalling, to say the least!

George:

Yes! But, the supplemental security income and subminimum wage are just two examples. There are many more out there...

Sri:

Yeah, another example of economic injustice can be seen in our criminal legal system. It is disappointing the system is still unable to address [Black Disabled People's Intersectional Identities](#). A 2022 report by Robin and McCoy, highlights how Black people are overrepresented in our prisons. While there is limited data, they mention two statistics that emphasize the seriousness

of this issue. First, “Black disabled people were at even higher risk of arrest by age 28 (55 percent) compared with white disabled people (40 percent)” (Robin and McCoy, 2022). The second statistic is that, “Black people are more likely to be convicted and subjected to harsher sentences (including custodial sentences and longer sentences) than white people and have their probation revoked at higher rates” (Robin and McCoy, 2022).

George:

You know, because of structural racism and systematic disinvestment, these statistics show the compounded impact of how Black disabled people are disproportionately incarcerated and criminalized for reasons connected to their disability. As we delve deeper into this topic, we are really starting to see how the intersection of ableism and racism marginalizes disabled people of color.

Sri:

Exactly, but what is more shocking is that these injustices in our criminal legal system lead to disparate economic outcomes. Upon reentry, there are socially constructed barriers that limit accessibility to housing and employment opportunities. These barriers are far more exacerbated for disabled people of color because they experience societal biases, racism, and ableism when searching for housing and employment. But, this is just one example. I want to go back to your examples of the SSI and subminimum wage. Can you share why you think this disparity exists?

George:

Yeah, so according to Jennifer Pokempner and Dorothy Roberts one of the major issues with SSI is that the Social Security Administration interprets its definition of disability in an exclusionary manner – creating a much more arduous process for people with disabilities to receive SSI benefits.

Sri:

George, if it's alright with you I want to sit with the story of [Micheal Sheldon](#) for a minute because I feel that it ties closely into your point on how arduous it is to receive SSI benefits. In 2006, Micheal Sheldon tumbled 50 feet down a slope and struck a mound of boulders headfirst (Rein, 2023). He had over eight surgeries, but his disabilities made it impossible for him to return to work. For over a decade, the Social Security Administration continuously denied Sheldon's full claim for disability benefits, paying approximately \$1,415 a month. As the Washington Post writes, “Even after three federal judges found significant errors with how his case was handled and sent it back to Social Security for new hearings, the agency continued to reject Sheldon” (Rein, 2023). He was a person navigating everyday life, and then all of a sudden he encountered barriers and discrimination solely because of his disability. This is a reality that thousands of other disabled individuals face, but unfortunately, the legal system is designed in a way where they have to battle years to receive any benefits.

George:

Absolutely, Sri. Thousands of disabled Americans battle for years because of the appeals process. It is so difficult to receive benefits with the current systems of appeals in the Social Security disability benefits process. So the first major issue in the appeals process is the number of people who are denied benefits in the first place – in 2022 only 38% of applicants were approved. Next, after an appeal to the Social Security Administration, 85% of appeals are denied after a ruling by an administrative law judge. Often the decisions made by Administrative Law Judges are problematic as they often do not use information from primary care providers, according to the Washington Post. After that few cases are appealed further and the ones that do are often remanded back to the Social Security Administration where, again, they look to find reasons to again deny peoples' claims. Some of these issues can be traced back to politics surrounding how to limit welfare use, but when these attacks on welfare take place often people who should qualify for benefits, often do not receive them.

Sri:

I'm glad that you bring up the appeals system impacting disability rights, highlighting its significance. Your discussion of the many loopholes that the Social Security Administration and Administrative Law Judges can use to deny claims is particularly important, because it highlights that the barriers that people face are not just individual, but rather connected to a much larger system of systemic prejudice and legal landscapes created without consideration of intersectional disabilities. I think this highlights why politics and grassroots activism are so important because these are effective ways to change the status quo that harms so many people. So George could you discuss some of the important work that is being done to fight the systems of ableism that perpetuates cycles of poverty for individuals with disabilities?

George:

Absolutely one source of activism that is particularly powerful is through social media and blogging. Someone who does a phenomenal job with this is Makahla Jackson. She is active on instagram where she spreads awareness about the negative effects of the ableist society we live in. In one of her recent posts on instagram Makahla Jackson discusses several of the policies that trap people with disabilities in cycles of poverty like the subminimum wage and the many inequities of SSI. On top of sharing content from other sources she has several blog posts on the website, Medium, where she connects some of her personal experiences with the economic issues that many people with disabilities face. Finally I'd like to point out that she makes her social media content as accessible as possible – she writes descriptions of her pictures and including subtitles in her videos!

Sri:

This is a great example! By using social media as a tool to advocate for change we can make activism more accessible for all people so that they can have their voices heard! As a matter of fact, our podcast also has its own instagram page ([@asessing_pod](#)) where we design posts to heighten awareness of intersectional issues. And also highlight our new episodes. Although our efforts are on a smaller scale, it is our way of showing that social media can be an especially important tool for disability justice.

George:

Yes, I completely agree with you! I think the growing use of social media really presents an exciting opportunity to foster a diverse community of activists. With that we would like to thank everyone for listening in today! We will have another podcast for you all in the next few days!

Instagram Notification:

Tune in to our first episode, with Sri & George, where our conversation will be centered around the impact of legal systems and policy restricting economic justice!

Recording:

<https://riverside.fm/dashboard/studios/sri-ravisankars-studio/recordings/729d88ae-f43b-46ea-80c4-9a89fc8480c0?share-token=1fd5262f2ede7ecd66fe&content-shared=recording>

Transcript:

<https://docs.google.com/document/d/1TTV2wGL8ADg3dLgJWUhBaYktmMRC5vFH/edit?usp=sharing&oid=106892332685757323302&rtpof=true&sd=true>



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