

With all the recent interest in disability rights, the proposition that the incapacitated and disabled face worsening problems in institutions, hospitals and nursing homes may appear doubtful. An analysis of the ongoing threat to disability rights will seem gratuitously incommensurate amid the general optimism about information technology and globalization. But discomfiture at the conceptual lessons of the twentieth century should not make the discussion taboo. Eugenics, the right to life, access to treatment and care in hospitals, and the subjection of the incapacitated to non-therapeutic research, clinical drug trials and tissue removal are undoubtedly matters of the utmost importance to each one of us. These matters affect the disabled, to be sure, but they affect all people in that every one of us becomes disabled when we lose the capacity to communicate and find ourselves in hospitals or nursing homes. There is an assumption in Western jurisprudence that widening access to information technology and developing central databases bearing medical, biometric and other personal information can only enhance the autonomy of the disabled, increase efficiency and promote disability rights. This paper challenges those fundamental assumptions. If, as will be argued, the lessons of the twentieth century have been forgotten, and if sensitive, medical and personal information is in the hands of new, unaccountable and unreliable parties, we are destined to repeat, more spectacularly given the efficiency of new technologies, the mistakes of that benighted century. As we shall see, disability rights are selective in the context of overweening financial, medical and research interests. In an age of pervasive eugenics, where the inherent dignity of every human being and the objectivity of ethics is doubted, information technology and colossal medical databases are likely to threaten rather than promote disability rights and encourage grave systematic human rights abuse.

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