

Politics and Differently Abled Persons in India in the 21st Century.

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Abstract

Politics is a major and an integral part of society. Every individual who is physically impaired also involved and affects the political process. The concept of disabled person has modified into differently abled person as disability depends upon the almighty's decision or not in our hand so it's never be neglected. India is a democratic and developing country; differently abled people are also a part of among the people. Without their political inclusion and participation we cannot imagine the development of a democratic state. People possessing the nationality of a country are called citizens. All citizens have the right to say about, to regulate or to access their own country's progress and prosperity. The main motto of this presentation is to identify the Political Rights of Indian citizen. It also identifies the Political Rights of differently abled persons in 21st century. As the Article 29 of UNCRPD (United Nations Convention on the Rights of Persons with Disabilities) said that, all people with disabilities have the same right to take part in politics like other citizens. Convention says that governments must be confirmed about the accessibility of differently abled persons in election process. This means: Making sure that the ways of voting and the voting papers are easy to use and understand. Being assure differently abled people can vote secretly as other citizens can. During vote every Govt. can allow an assistant with each differently abled person to express their own choice or to elect easily. This study describes about the Electoral Rights of physical and sensory disabled persons and related to this it examines the effectiveness of "The Right to Vote for All" in India. Numerous discrimination differently abled people have witnessed as they are considered 'inferior' and 'abnormal' and received uneven treatment. Although, the Disability Rights Movement in 1970s said about the equality, but the differently abled still faces discrimination to take part in elections. In our country, the exclusion of differently abled people from political participation takes place at all levels in different ways. Present investigation find out the issues of differently abled person's political participation and explores how to cope up with this for political and electoral inclusion.

Keywords: Differently Abled, Political Participation, 21st Century

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INTRODUCTION

Politics is like roots of a banyan tree by which the tree clings and spreads its branches to develop a

country. A nation is strengthening through the individualistic and socialistic aims and this is not outside the realm of politics. Hence, we can say politics enroots in everywhere and every aspects

of society. Every individual who is physically impaired also involved and affects the political process. The concept of disabled person has modified into differently abled person because disability is not in our hand and never goes away. History reveals that the disabled persons not only much neglected by society but also even their family members always feels pity for them. In our country, people with disabilities go through with various deprivations in their live. Early 1970s, it was apprehended that “a family with a child who has a disability is a family with disability”, because having them affects the family member’s wellbeing, the parent’s responsibility, financial resources, the occupation, the time management, physical and mental health and even divorce also occurred between parents because of their differently abled baby. Consequently, it affects children’s life and the lives of their patron.¹² However, this concept has converted to a certain degree. Now society raises voice about their inclusion rather than exclusion. It is said that ‘even though the person has an impairment that cannot be changed, she or he is still of equal intrinsic worth. It is society that must come to terms with their disability and accept them as they are’. Therefore, disabilities have transferred from the individual to social. As politics is a major and strong segment of society, accordingly there is a requirement for their inclusion in the political sphere as well. We know that India is a democratic and developing country; differently abled people are also a part of among the people. The Census of India 2011 report revealed that disabled persons constitute 2.21% of the total population, as compared to global average of 15% (WHO). Without their political inclusion and participation, we can’t imagine the development of a democratic state. Political interest and participation can approach in many ways representing of citizen’s neighborhoods, regions and nations that should be reflected diversity in terms of physical or mental shape and ability as well.¹¹ By voting, citizens are participating in the democratic process. Citizens vote for leaders to represent them and their ideas, and the leaders support the citizen’s interest. A political leader or the national leader is always elected by its citizen including differently abled persons.

Objectives

The purpose of this study implies-

1. To identify the Political Rights of India.
2. To identify the Political Rights of differently abled persons in 21st century.
3. To study the Electoral Rights of persons with physical and sensory disabilities in India.
4. To examine the effectiveness of “The Right to Vote for All” in India.
5. To find out the issues of differently abled persons political participation.
6. To explore the solutions for political and electoral inclusion.

Differently Abled Persons

According to the Rights of Persons with Disabilities Act 2016 “Person with Disability” means a person with long term physical, mental, intellectual or sensory disturbances that creates an interaction barrier, hinders his/her complete and effective participation in society equally and normally.

Differently abled means having a disability, or we can say a person who is unable to ensure himself partially or entirely. It often describes in terms of lack of normal functioning of physical, mental, or psychological process.⁶ It is also defined as learning difficulties or difficulties in adjusting socially, interfaces with a person’s natural growth and development.

WHO defines that ‘differently abled is a person who has impairment that produces functional limitations, restrictions in activities or has social handicap’. Differently abled reflect interactivity between a person’s body and the society in which he or she lives and determines the future of that and which is a complex situation.⁴ They are seen as being restricted in performing daily life activities because of their complexity and interdependent factors, such as some related to the person, some to the environment or some socially & politically arrangements.

As Giulio and philipov opined, the social concept of disability reveals that, in a nation differently abled person’s life affected by the physical or attitudinal barriers established in a society. As a result the cultural and social welfare difference reflects in different ways on families having a differently abled person. Although in the past three decades, the vision of differently abled has shifted from individual trauma to a more social phenomenon.⁵

Political Rights in India

People having the nationality of a country are called citizens. All citizens have the right to say how their country is run. This means, they have

the political rights as our constitution states. India has numerous political rights¹³, such as:

- The right to vote in election.
- The right to be a candidate in election.
- The right to participate in politics.
- Political rights include natural justice in law, like the rights of the accused, including the right to a fair trial.
- The right to seek redress or a legal remedy.
- Rights of participation in civil society and politics like freedom of association.
- Obtaining a job in public service where people work equally for their country and its citizens.
- The right to assemble or public meeting.
- The right to petition.
- The right to criticize government.
- The right of self defense.

Political Rights of Differently Abled Persons in India in the 21st Century

The UNCRPD (United Nations Convention on the Rights of Persons with Disabilities) (drafted 13th December 2006) on the right of persons with disabilities is a list of rights that people with disabilities have. India became the part of the UNCRPD in 2007.²

The Article 29 of the United Nations Convention is about the right to take part in politics. This article says that, all people with disabilities have the same right to take part in politics like other citizens.

The Convention also asks governments to make sure that people with disabilities have the same chances to take part in politics as anyone else. After participating in politics, they can make sure that governments make good laws and decisions for disabled people. The right to vote and stand for elections is very important. It gives differently abled persons a scope of making important decisions. It also means that people with disabilities are all equal before the law.

The Right to Stand for elections and be involved in politics for people with disabilities

People with disabilities have the right to stand for elections and to record their vote like others. After all nobody can be stopped from becoming an electoral candidate merely because of his disabilities. In many countries like our India

mentally unsound people under guardianship cannot stand for an election and it is against the Article 29 of the Convention.

People with disabilities have the right to stand for elections. And they also have the right to get extra support to have the same chances as candidates without a disability. People with disabilities who are elected should get the support they need to do their job well. Governments should encourage differently abled persons to stand for elections and get involved in politics. They could use new technologies to make it easier for people with disabilities to get involved in active politics.

Electoral Rights of persons with physical and sensory disabilities in India

According to the Rule 25 and Rule 27G of The Conduct of Elections Rules 1961, an elector who is unable to vote himself due to his illiteracy, blindness or other physical infirmity, he/ she'll be provided an officer competent to attest his signature, to record his vote and sign his declaration on behalf of that elector. Again rule 32, Rule 40A, Rule 49D (f) and Rule 49P (f) of The Conduct of Elections Rules 1961 also provide that persons with physically challenged, blindness and not able to move easily without any assistance, presiding officer should prioritize them and allow a companion not less than 18 years, to recording the vote on behalf of them. It is also monitored that polling stations should be set up in the easy access area by providing easy entrance for PWDs and the old aged persons to avoid any inconvenience.

"The Right to Vote for All"- Does it actually work in India?

The convention says that everyone has the right to vote, but in India mentally challenged people don't have the right to vote. According to the section 16 (1) (b) of The People Act 1950, a person shall be disqualified for registration in an electoral role if he is of unsound mind and stands so declared by the competent court. And under section 16 (2), person's name may be removed from an electoral roll if he is so declared by a competent authority even after being registered on the electoral roll. As usually we know that the mentally challenged people can't have the right to vote. That means a person who is declared by The Hon'ble Court as an unsound mind can't vote equally like others.

However, in many countries, people with intellectual disabilities and mental illness can

vote because they are under guardianship or having legal approval. Hence, the law allows them to make vital decisions in their lives.

In India, to elect or select the best leader or guardian for our nation, legal institutions also strengthen the election process to choose the right people, for the people and by the people who are mentally sound.

Issues of Differently Abled Persons to Take Part in Elections:

Numerous discriminations differently abled people have witnessed as they are considered 'inferior' and 'abnormal' and received uneven treatment. Although the Disability Rights Movement in 1970s said about equality, but the differently abled still faces discrimination to take part in elections. In our country, the exclusion of differently abled people from political participation takes place at all levels in different ways. Generally there have many issues to participate in elections are describing bellow:

- Deficiency of political empowerment.
- They do not know about their right to vote or stand for elections.
- Information about elections and voting is difficult to understand for differently abled people.
- The polling station is hard to find out and enter.
- Lack of appropriate data regarding differently abled peoples in constituencies.
- Inaccessibility of the voting process, like not introducing Braille electronic voting machines.⁸
- Obstructions to participation in Party Politics.
- Financial obstruction.
- Inadequate representations at all three levels of governance.
- Indian Political Parties generally do not seem the differently abled as the large electorate. That's why that political parties shows less interest to specifically address their needs.

Accessibility

Convention says that governments must make sure that differently abled persons have easy access in elections. This means: Making sure that the ways of polling and the polling papers are easy to use and understand. Making sure people with disabilities can vote in secret as other

citizens. Allowing a person with disability to choose someone to help them express their choice in elections, like an assistant.

Many countries try to make it easier for differently abled persons to participate in elections. Some countries train people who organize elections to support people with disabilities. Some countries make the polling stations accessible. Some countries allow people with disabilities to vote in other places. It is important that these other places are only used when it is impossible or very hard to vote normally.

All polling stations should be easy accessible. Some countries have campaigns to tell people with disabilities about their right to vote. Most countries allow people with disabilities to choose someone, to help them vote. But all countries must still make efforts to allow people with disabilities to play a part in politics.

- Governments should find out information about how many people with disabilities take part in politics.¹¹
- Government should explore what makes it difficult for differently abled persons to take a role in politics. What support differently abled persons need to participate in politics?
- India should have spread the political empowerment to differently abled.
- Enforcing some policy commitment is also essential for enhancement of their political participation.
- At the young stage of differently abled persons, Preventive health programs are useful to strengthen.
- Community-Based Rehabilitation (CBR) Approach is needed to achieve their full integration among their communities.⁹
- Governments, voluntary organizations, and professional associations should arrange social campaigns, increasing public awareness and understanding of differently abled for propagation of the awareness regarding them.
- Collaboration within the states to reduce the community's disability and local - cultural factors that hinders them.
- The election commission of India and the state election commissions shall ensure about the accessibility of polling stations and the electoral process.
- Simultaneously countries should work and make it easier to inclusion of differently

abled persons in politics.

- Finally, last but not the least the differently abled persons have to resume the process of change in their selves, in their mind and in their awareness.

CONCLUSIONS

Differently abled persons still have many ups and downs when it comes to the elections or their political participation. Govt. should determine that people with disabilities get all the support they need to enjoy their political rights. Many countries try to make it easier for disabled persons to take a role in elections as anyone else. However, an increasing number of disabled people are now joining politics, including large number of women from many rural portion of India. Like Mr. Jaipal Reddy afflicted with polio played a prompt and an outstanding role in the Andhra Pradesh Separation Movement. Then he was the oil and petroleum minister and plays vital role in urban planning field and the field of science & technology etc. Or Mr. Sadhan Gupta was the first Indian blind parliamentarian and popularly known as a profound debater. He is also the founder of National Federation for Blind People in India.¹⁵ Smt. Minati Barik, the first wheelchair candidate who won an election in Odisha (Kantabania Gram Panchayat) she improved the hygiene and sanitation of her village.¹⁵ Or Usha Kiran Naik, the General Secretary of the NGO in Karnataka and the Chikballapur district president of the Swaraj India party and is also actively working with differently abled women and people with HIV in Karnataka.¹⁴ But yet, very few numbers of differently abled persons participate in politics and much more needs to be done. To enhance differently abled person's confidence level, they need to give some examples of that kind of political personality. They need to be much more aware about their rights or abilities and have enthusiasm to enter politics. At the edge of this conversation we can define that, this disability is not a single part of anyone else, it's the disability of any country. As Kymlicka and Norman (1994) stated "Stability of a modern democracy depends, not only on the justice of its basic structure but also on the qualities and attitudes of its citizens".³ To overcome these not only the government but also the entire citizens must come forward consciously and have to work together.

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