

Theory Relating to Physically Handicapped and Disability Rights

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Abstract:

Here an attempt is made to present a brief explanation on physically handicapped theories. Under the head of other model, here also attempted to study the physically handicapped at different angles. Disability rights initiative provides legal aid, policies and rules in conformity with the UN convention on rights of persons with disabilities.

Introduction:

India is the largest democratic country in the world and is on its way to become a key player in the global scenario. It is our responsibility to ensure that this developmental cycle touches all the citizens of this country that is able and, especially, the physically handicapped, who are often referred to as the invisible minority. But before we stamp them as minority, let us consider the recent census reports. According to the 2011 census the government figure for the physically handicapped was 2.7% of the entire population. A reserved guess would place that figure between seven to ten crores. The National Policy identifies the Persons with Disabilities (PWD) as necessary and valuable assets of this country and the basic goal is to create an atmosphere for them in conjunction with the basic constitutional rights i.e. equality, freedom, justice and dignity. This will also guarantee equal opportunities for the PWD thereby ensuring the protection of their rights and enabling their full participation in the society.

Physically handicapped are those things that prevent people with impairment from functioning properly in the society. Many studies argue that disabilities can occur at birth but in some cases, disability is acquired later in life. Common disabilities include physical deformities that affect the upper and lower limbs, manual dexterity problems, inability to coordinate body organs and others.

The cause of the disability may be due to old age, a viral infection such as polio, a hereditary condition and paralysis or amputation. Other

disabilities include speech and hearing impairment. This category includes individuals suffering hearing impairment; some partially while others totally, a condition also known as deafness. There are a number of individuals who have problems with speech, where others cannot speak and are said to be mute. Sufferers of speech impairment may stutter and stammer while speaking while others may have voice disorders. However, People suffering from disabilities face a lot of challenges every day. Simple tasks that ordinary people perform on a daily basis as routine are extremely delicate and difficult to those suffering from disabilities. Thus accomplishing simple tasks such as taking a shower, dressing up, brushing teeth or even having a meal are tasks that may take much longer than normal and in many cases, may require the assistance of others. Individuals with disabilities are faced with stigma and discrimination from the society where they live. Most people look down on them and treat them as special. Disabled people may find it hard to socialize with members of the society. With above back drop the study assumed great significance to study the problems and prospects of physically handicapped.

Definitions of Physically Handicapped:

According to the medical model, disability lies in the individuals, as it is equated with those restrictions of activity. Faced with the line of thinking, individuals would feel pressured to work on 'their' restrictions, bearing the burden of adjusting to their environment through cures, treatment or rehabilitation.

According to World trade organization disabilities are an umbrella term, covering impairments, activity limitations, and participation restrictions.

According to Equal Opportunities, Protection of Rights and Full Participation Act, 1995, "Person with disability" means a person suffering from not less than forty per cent of any disability as certified by a medical authority (any hospital or institution, specified for the purposes of this Act by notification by the appropriate Government). As per the act "Disability" means Blindness, Low vision, Leprosy-cured; Hearing impairment; Loco motor disability, Mental retardation; and Mental illness.

Research Methodology:

The size of physically handicapped population is very large in Belgaum district like other district. In view of the said reasons the study of all handicapped in Belgaum district is very difficult and it is time consuming and it is not manageable by the researcher to complete the study on time hence, the study has adopted cluster sampling method and has been divided into different stratum like ten taluka and each taluka has taken 30 sample physically handicapped respondents by adopting simple random sampling techniques. Therefore, the total sample respondents' is 300 while selecting sample respondents from each taluka of Belgaum district, equal weightage has been given to different types of physically handicapped.

Theory relating to physically handicapped

Here an attempt is made to present a brief explanation on physically handicapped theories.

The medical model

According to medical model disability as a problem of the person, directly caused by disease, trauma, or other health conditions which therefore requires sustained medical care in the form of individual treatment by professionals. In the medical model, management of the disability is aimed at a cure, or the individual's adjustment and behavioral change that would lead to an almost-cure or effective cure.

The social model

The social model argues that the disability is type of impairment and it is socially created problem and a matter of the full integration of individual into society. In this model, disability is not an attribute of an individual, but rather a complex collection of conditions, many of which are created by the social environment. Hence, the management of the

problem requires social action and it is the collective responsibility of society at large to make the environmental modifications necessary for the full participation of people with disabilities in all areas of social life. The issue is both cultural and ideological requiring individual, community, and large-scale social change. From this perspective, equal access for someone with an impairment/disability is a human rights issue of major concern. Some says that medical humanities are a fruitful field where the gap between the medical and the social model of disability might be bridged. Recently, the social model of disability has come under criticism. While recognizing the importance played by the social model in stressing the responsibility of society, many scholars, especially.

Other models

Under the head of other model, here also attempted to study the physically handicapped at different angles.

Spectrum model – It deals with the range of visibility, audibility and sensibility under which people function. The model asserts that disability does not necessarily mean reduced spectrum of operations. Rather, disability is often defined according to thresholds set on a continuum of disability.

Moral model – It concerned with the attitude that people are morally responsible for their own disability. For example, disability may be seen as a result of bad actions of parents if congenital or as a result of practicing witchcraft if not. Echoes of this can be seen in the doctrine of karma in Indian religions. It also includes notions that a disability gives a person "special abilities to perceive, reflect, transcend, be spiritual.

Professional model – This model provided a traditional response to disability issues and can be seen as an offshoot of the medical model. Within its framework, professionals follow a process of identifying the impairment and its limitations (using the medical model), and taking the necessary action to improve the position of the disabled person. This has tended to produce a system in which an authoritarian, over-active service provider prescribes and acts for a passive client.

Tragedy model - It argue that that disabled people as victims of circumstance who deserve of pity this, along with the medical model, are the models most used by non-disabled people to define and explain disability.

Legitimacy model – It speak that disability as a value-based determination about which explanations for the atypical are legitimate for membership in the disability category. This viewpoint allows for multiple explanations and models to be considered as purposive and viable.

Economic model- It argue that disability in terms of reduced ability to work, the related loss of productivity and economic effects on the individual, employer and society in general.

Empowering model – It stated that, it allows the person with a disability and family to decide the course of their treatment and what services they wish to benefit from. This, in turn, turns the professional into a service provider whose role is to offer guidance and carry out the client’s decisions. This model "empowers" the individual to pursue their own goals.

Disability Rights

Most of the research report and research findings pointed out that around 70 million disabled Indians are treated as second-class citizens and are forced to confront segregation, discrimination, barriers and stereotypes. An entire range of disability issues -- such as the causes of disability, care, rehabilitation, empowerment, mainstreaming through education, employment, health care, and transportation – wait to be practically resolved. The Disability Rights Initiative is recognized as the only one of its kind in providing a comprehensive range of socio-legal support services to India’s disabled community. However, the Disability Rights Initiative provides legal aid, takes up high-impact public interest litigation, provides access to the legal system and campaigns to improve facilities for persons with all types of disabilities. We engage in out-of-court advocacy and have initiated extensive work on law reform for people with disabilities. This stems from the obligation of the state to bring all its laws, policies and rules in conformity with the UN Convention on Rights of Persons with Disabilities, which has been signed and ratified by India.

Together with all HRLN Units, the Disability Rights Initiative team has built country-wide alliances with national organizations like the Rajiv Gandhi Foundation, Leprosy Mission, National federation of the Blind, National Association of the Deaf and others. We have also cemented state wise alliances with Disabled People’s Organizations and NGOs working on disability. We work, in particular, with the movements of persons with disabilities in various states of the country. Our team is recognized as a resource base for awareness raising and utilization of the law for persons with disabilities, making “know your rights” information available in accessible communication formats including Braille, audio books, videos with sign language, and interpretation for the hearing impaired. The outreach efforts of the Disability Rights Initiative have resulted in a database that captures an encyclopedic overview of the different Indian organizations dedicated to working against disability. These include but are not limited to the disabilities identified under the Persons with Disabilities Act (visual, hearing and locomotive impairment, mental illness, mental retardation, leprosy-cured) as well as those listed under the National Trust Act (autism, mental retardation, multiple disabilities, cerebral palsy). Additionally, we work in solidarity with those affected by un-recognized disorders such as speech impairment, multiple dystrophy, dwarfism and spinal issues categorized under orthopedic disabilities.

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