CONCLUSIONS AND ASSESSMENTS

In the analyses presented in the preceding pages, covering various aspects of the perennial problem of disability, especially the promotion and protection of rights of the disabled persons, carry its own derivative evaluation. In this chapter, an overall assessment is attempted to indicate the ground so far traversed and the arduous path that lies ahead to reach the objective of providing human dignity, which a disabled person deserves. Finally, an attempt is made to explore the impact of the disability rights movement on policy formulations in India.

From the foregoing analysis, one thing that is clearly discernible is that the problems, which persons with disabilities are confronted with, are exacerbated by the social environment. On the other hand, a disabled individual cannot live away from society. Indeed, disabled person needs support and understanding from fellow human beings -- something which is rarely obtainable. What is, therefore, utmost necessary is attitudinal change, which involves the question of their human rights and dignity.

Disabled persons are first and foremost human beings: with the same basic human needs as the rest of humanity. Physiological needs of food, warmth, shelter, sex, and those needs that contribute to self-fulfilment; safety, security, love, a sense of belonging, self-esteem, social esteem, opportunity for new experiences, personal growth and creativity or mastery.
As a result of biological insult or the denial of a basic human need, love or stimulation for instance, persons with disabilities are disadvantaged compared with their non-disabled fellows. Many caring strategies for the disabled deny basic needs, undermine their essential personhood and overlook their special needs. What is, thus, required is a recognition of the ordinary and special needs of individuals, who are otherwise disabled and the implementation of policies by national governments in this regard.

The role of the United Nations' in the promotion and protection of human rights of disabled persons has been of limited success. The most striking shortcoming in this context is that the United Nations, itself, is merely a voluntary association of sovereign Member States and, hence, several human rights instruments evolved and adopted by the United Nations and other international organisations -- both governmental and non-governmental -- are lacking legally binding force. Of course, it is the joint responsibility of Governments, the community and disabled persons themselves to achieve the goal of mainstreaming; the principal obligation to remove the obstacles hindering the integration and full participation of persons with disabilities lies with the Governments and the people of countries concerned.

I

As discussed in the first two chapters, the phenomena of disability is as old as human civilisation. Public
attitudes towards persons with disabilities have passed through four phases: exposure and destruction, care and patronage, education and vocational training, and social assimilation. During pre-historic times, few infants with severe disabilities survived past infancy; since infanticide was then an established social practice in several communities.

Thus, from pre-historic times through the ancient civilisations of Mesopotamia, Greece and Rome, the social perception towards persons with disabilities was characterised by diversities. The social perception towards the disabled individuals ranged from kindness to extreme cruelty. The key-issue during this period was whether disabled infants should be allowed to survive or not. Cross-culturally, the most common justification cited for infanticide (of disabled infants) was the belief that they represented an evil spirit, probably the offspring of a human mother and a super-natural being. There was, thus, linkage between 'evil spirits' or 'parental misconduct' and the birth of a disabled infant.

During the medieval ages, characterised by the pivotal role of the church in society, the fate of disabled persons varied greatly. Starting from the later phase of the Middle Ages and continuing through the Eighteenth century, such disadvantaged people were even subjected to persecution and execution for practising witchcraft. Living conditions were harsh for disabled persons, but more so in case of persons with mental retardation.
Following the advent of the 'Renaissance', radical changes started ushering in the social structure. The conceptual framework of rehabilitation was sought to be widened. Both the scientific study and human treatment of persons with disabilities progressed rapidly in the early phase of the Roman empire. That is why, prior to the industrialisation of Europe, disabled persons were largely integrated into community roles, protected by ties of kinship and also ensured participation in wider social networks. However, with increased urbanisation, disabled persons in Europe came to be detached from traditional support networks and, thus, were made objects of social control.

Insofar as the historicity of social perception towards disabled persons in Indian society is concerned, though the barbaric practice of infanticide was never practised, disabled people continued to be viewed as second class citizens, as is substantiated by ancient folk-lore and texts. However, it has ever been the part and parcel of the cultural heritage of India to provide help and sustenance to the poor and the destitute. The religions of India, such as, Hinduism, Muslim, Buddhism, Jainism and Christian also reinforced the spiritual significance of compassion, charity, philanthropy and mutual assistance. Apart from all these, the custom of the joint family, kinship, guild-system and other social institutions provided stimulus to the philanthropic activities.
It may be observed that as long as the State and joint family system continued to foster care and protection to the disabled, disability was not regarded as a social problem. The headman of the community was generally entrusted with the responsibility of taking special care and custody of disadvantaged people. This euphoria of social-security and services was carried over till the medieval period, especially during the Gupta dynasties.

During the early British imperialism, radical changes were witnessed in India society as a result of the Western education; thereby motivating social reformers to render services in this regard. The reformers espoused for equality of rights for the disadvantaged and eradication of institutions perpetuating discriminatory practices; such as, untouchability, sati, child marriage and restriction on widow-remarriage. The voluntary organisations like Arya Mahila Samaj, Anjuman-e-Islam, Ramkrishna Mission, Theosophical Society, Servants of India Society and a plethora of Christian missionaries contributed significantly in providing welfare services to the disabled and other disadvantaged strata of society.

On the other hand, the enormous advances in medicine, science, technology and communication during the Nineteenth and Twentieth centuries ushered in revolutionary changes in the lives of disabled people. The methods of natural science were sought to be applied on a large scale in conquering infectious diseases, generating low-cost energies in quan-
tities undreamed of until recently, and generally brought about overall progress. The disability rights movement which gathered momentum since the years following 1970, further provided a new conceptual framework, thereby signalling a mass movement for the social integration of such persons. Thus, throughout human history, societies have sought to define what did and did not constitute a disability.

During the recent couple of years, there has been a remarkable shift in social perception towards disabled persons and the issue of disability has metamorphosed from a purely medical/clinical problem to a socio-political one. The basic thrust of this approach is on the re-integration of disabled persons as well as on removal of the barriers faced by them in their everyday lives. The problems faced by disabled persons are now regarded as a manifestation of external deficiencies in the social and economic order rather than as an indication of internal or individual shortcomings. Nevertheless, the major obstacle to the development of an integrated approach to the study of this area of public policy is still continuing and the development of a well-conceived definition has eluded so far.

Normally, two approaches are applied at the global level in order to evaluate the prevalence of disability. First is through the rates of application for and allowance of disability benefits in the various programmes of disability insurance, compensation and assistance. The second approach is through representative surveys which provide information from probability samples about their
disabilities. In India, the rehabilitative measures designed to alleviate the status of disabled persons are based on these projections.

The enormity of the problem of disability can be gauged from the fact that more than half a billion population in the world (which accounts for ten per cent of the global population) are affected by physical, sensory or intellectual impairments. Ironically, out of this population, children constitute one-third and eighty per cent of the whole disability population is reported to be concentrated in Third World societies.

However, the degree of disability problem in society varies from country to country. While developing countries are badly in the grip of poverty and mal-nutrition related disabilities, thus affecting mostly children and poverty-striken population; developed societies, on the other hand, are greatly affected by disabilities arising out of industrial accidents and growing number of elderly population. However, two trends are more or less similar in both societies: firstly, wars, industrialisation, disease, accidents and other emerging social problems contribute to make disability an ongoing problem in both the societies. Secondly, the lack of comprehensive policies concerning the prevention of disability and the rehabilitation of disabled persons suggests that most of them are dependent on the assistance provided by their families as well as public, thus imposing additional burdens on the families and society.
Like other citizens, persons with disabilities have the same hopes, aspirations and rights. This basic and simple proposition is, however, not widely appreciated. No country, not even in terms of economic prosperity, has been able to solve the problem of mainstreaming its disabled population into active social and economic life. Of course, as long as the problem of unemployment is rampant, the disabled would suffer more than most. In Third World societies, their prospects of securing employment in the open labour market are, so to say, the least; whereas in the industrialised countries, the rate of unemployment among the disabled is often double than that of non-disabled workers.

Cynics would assume this to be merely a question of lack of opportunity for the disabled and a problem which deserves to be tackled with the improvement in the economic sector. Indeed, such a short-sighted and discriminatory approach tends to undermine not only the basic human rights of the persons with disabilities but also the economic benefits accruing to the disabled, their families and the State itself if they were to be productively employed. It is a depressing picture, with the disabled experiencing feelings of inadequacy, dependency and insecurity, often opting of society or turning to begging as a means of sustenance.

II

The global movement to achieve human rights for such disadvantaged persons, however, is a recent phenomenon, having gathered momentum with the inception of the United
Nations system; though even before its coming into existence, some efforts in this direction had been made under the League of Nations, especially the ILO during the inter-war period. Since then, the ILO has adopted a plethora of human rights instruments in the form of resolutions, recommendations and conventions, and thus, provided guidelines to Member States insofar as the vocational aspect concerns. Thus, it has contributed remarkably in the promotion of decent standards of living, satisfactory conditions of work and pay, and adequate employment opportunities for working class everywhere.

The underlying assumption behind all these ILO activities is to promote the vocational rehabilitation of disabled persons. During the UN Decade of Disabled Persons, the ILO has developed community-based methods to address the employment needs of such persons. ILO’s technical cooperation project have assisted several countries in the development of community-based programmes providing vocational skills and employment to disabled people. The ILO has, thus, been committed to ensuring the participation of disabled and dis-advantaged strata of society, especially in training and employment.

Over the years, the United Nations and other international organisations -- both governmental and non-governmental -- have oriented their activities towards the appalling human problem of disability and rehabilitation of persons with disabilities. The incorporation of the human
rights provisions in the UN Charter and the adoption of the Universal Declaration of Human Rights, followed by two Covenants (International Covenant of Civil and Political Rights as well as Economic, Social and Cultural Rights) and the Declaration on the Rights of Disabled Persons (1975), manifest the deep and growing resolve of mankind towards ameliorating the status of disabled persons.

The emergence of the disability rights movement brought with it major innovations, including a strong cross-disability unity and major legal re-definitions of disability. It is, indisputably, the case that the disability movement has pursued the goals of autonomy and integration in addition to achievement of rights. During the early 1980s, these activities received a big boost with the General Assembly designating 1981 as the 'International Year of Disabled Persons (IYDP; which has greatly succeeded in focusing the global attention on three relatively recent social developments of paramount significance.

They are: firstly, the progressive awakening of persons with disabilities to their status as a disadvantaged minority, and to the need for them to assert themselves; secondly, the growing realisation that historically the disabled have been relegated to the role of little more than 'objects of condescension and charity'; and finally, the emerging global resolve to protect the right of such disadvantaged people as potentially productive and contributing citizens. Briefly stated, the major stimulus of the observance of the IYDP lay in providing full
participation of persons with disabilities in their social interactions as well as equality in living conditions.

These initiatives have provided further impetus to the disability rights movement and contributed significantly in giving it a sense of cohesiveness at both national and international levels. The most noteworthy outcome of the IYDP was the adoption by the General Assembly of the World Programme of Action concerning Disabled Persons in December 1982, which marked a departure from the traditional approach of charity towards empowerment of disabled persons.

The General Assembly, further, proclaimed the period 1983 to 1992 as the United Nations Decade of Disabled Persons to encourage policy-makers, planners, legislators and others to adopt enlightened disability policies so as to be implemented within a time-frame. Thus the world Programme of Action has, explicitly, legitimised the rights of persons with disabilities to equality of opportunities, thereby extending the horizon of human rights.

During the mid-term appraisal of the decade, which was made by an expert conference in 1987, it was corroborated that the results so far had been rather limited. The experts wanted a stronger leadership from the world organisation and, hence, proposed that a convention on the rights of disabled persons be elaborated. This proposal was rejected twice by the General Assembly of the United Nations, but finally after much heat and dust a novel type of instrument i.e. Standard Rules on the Equalization of Opportunities for
Persons with Disabilities was adopted in 1993. The Standard Rules Instruments encapsulates the World Programme and adds the ideological development during the decade. Above all, the stronger emphasis on the human rights perspective, which started evolving since the decade of 1970s, has been maintained.

The UN Decade of disabled Persons has achieved most of the objectives set forth by the World Programmed of Action. Through the work of participating UN agencies in close co-operation with governments and NGOs as well as inter-governmental organizations around the world, major breakthrough was achieved in the field of prevention of disabling diseases. The decade has also witnessed proliferation in universal childhood immunization programmes, improvements in maternal and child-health care and nutrition as well as sustainable agricultural development.

The Decade has, thus, contributed positively in generating global awareness towards the needs and rights of persons with disabilities. National organizations of disabled persons have played their active role in formulating and consolidating disability policies in several countries, including India. New legislation aiming at ensuring the rights of such disadvantaged persons was enacted in many countries.

III

If this projection by the United Nations is accepted as a yardstick so as to ascertain the quantum of persons
incapacitated by various disabling conditions in our country, it comes around a staggering figure of more than 90 million; which, indeed, is very agonising. Though the Government of India surveys made so far give us a partial statistical figure regarding the magnitude of the problem of disability. According to the survey calculation, the disabled persons constitute just 1.9 per cent of the total population of India, whereas, the real situation is quite reverse.

As noted above, India has a long tradition of providing succour and rehabilitation to disadvantaged persons since ancient times. The ancient Indian anthologies, scriptures, folk-tales and historical relics corroborate this fact. Moreover, a galaxy of social reformers ranging from Buddha to Gandhi have also emphasised and disseminated the underlying philosophy and ethos of Indian society: Live and let others live.

Though majority of the Indian population constitutes the Hindus, there are also the Muslims, Christians, Jew, Sikhs, Buddhists and Parsis. The caste system has, traditionally, moulded the Hindu doctrine of purity of descent. Despite modernisation and proscriptive laws which make it illegal to discriminate against citizens who are at the lower rug of the class structure, the caste system still continues to be a determining factor in our society.

Following the UN instruments of human rights, India has taken various measures since the independence for the
physical and vocational rehabilitation of disabled persons. These measures include the opening of special employment exchanges, Vocational Rehabilitation Centers (VRCs), sheltered workshops, job reservation in certain identified positions at all levels (including Group A and B services) of the Government of India, State Governments, Public Sector Undertakings and Autonomous Bodies (including Central and State Universities as well as other academic institutions) financial assistance to the disabled for their physical and vocational rehabilitation and granting of incentives to the employers.

In order to achieve the goal of vocational rehabilitation of persons with disabilities, public financial allocation has been generously earmarked in our successive five year plans. The IYDP gave a new dimension to the mainstreaming of such disadvantaged persons. A number of schemes were launched by the Government of India so as to fulfil its obligations in the light of the UN resolutions and declarations regarding disabled persons. The global disability rights movement has had, thus, tremendous impact on disability policy formulations in India. The recent enactment by our parliament of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Bill 1995, has given a new thrust to the disability rights movement in India.

In order to be eligible for these schemes, the minimum prescribed percentage of disability is forty. However, the major lacuna of the Government of India’s policies and
programmes is that it does not differentiate the severe cases of disability from the less severe ones; such as, persons who are totally blind and those who have just one eye; those who only limp while commuting and those whose both legs are completely paralysed. Notwithstanding all these measures, disabled persons have yet to obtain adequate opportunities and their vision of becoming part of the mainstream society is still as far away as ever.

Poverty is, probably the major determinant of disabilities in several Third World countries like India; where it manifests itself in various forms and affects health policies; including poor housing, environmental sanitation and water supply, uncontrolled vector occurrence, un-employment and under-employment, low-educational level, high morbidity and mortality as well as poor access to health services. Population explosion, coupled with several other determinants such as those of ever-rising inflation, persistent poverty, expanding the burdensome government, and growing longevity have further exacerbated the problem everywhere. Despite so many measures taken by the Government of India, persons with disabilities are, still, faced with multitudinous problems in diverse areas of their lives. These problems range from architectural to attitudinal barriers; which bedevil the process of rehabilitation.

As a result of discrimination faced by disabled persons in education and in the employment sector, their potentialities are untapped by the society. Many persons
with disabilities are endowed with capabilities to work and live in an independent setting, however, they are often directed to welfare systems rather than to labour markets. As a case in point, hardly two per cent disabled population in rural areas and five per cent in urban areas in our country is covered by existing rehabilitation and welfare services.

IV

Rehabilitation is the most important means by which the problem of disability can be effectively overcome. Rehabilitation services are often provided by specialized institutions. However, there exists a growing trend towards placing greater emphasis on the integration of services in general public facilities. There has been an evolution in both the content and the spirit of the rehabilitation activities. Traditional practice viewed rehabilitation as a pattern of therapies and services provided to disabled persons in an institutional setting, often under medical authority. This is gradually being replaced by programmes which involve communities and families and help them to support the efforts of their disabled members to overcome the disabling effects of impairment within a normal social environment. Increasingly it is being recognized that even severely disabled persons can, to a great extent, live independently if the necessary support services are provided.

The rights of persons with disabilities to participate in their societies can be achieved primarily through
political and social actions. Many countries have taken important steps to eliminate or reduce barriers to full participation. Legislation has in many cases been enacted to guarantee to disabled persons the rights to, and opportunities for, schooling, employment and access to community facilities, to remove cultural and physical barriers and to proscribe discrimination against disabled persons.

The recently enacted Indian Legislation may be also considered to be a major and path breaking exercise in the direction of fulfilling the commitment of the Government of India towards the human rights norms. The legislation is designed to protect the civil rights of individuals with disabilities. It takes aim at discrimination and articulates goals for equal opportunity, full participation, independent living, and economic self-sufficiency. It documents that people with disabilities, as a group, occupy an inferior status in our society, and are severely disadvantaged socially, vocationally, economically, and educationally. Briefly stated, it calls for a clear and comprehensive national mandate for the elimination of discrimination against disabled persons and provides enforceable standards for doing so. Thus, the Act has the potential to affect the lives of substantial numbers of people who are physically, sensorally and mentally disabled. However, it would be too early to evaluate its effectiveness.

While considering some meaningful and constructive steps for the promotion of human rights of disabled persons
and their rehabilitation as well as integration into the mainstream of socio-economic life, one cannot but take cognisance of the fact that the problem of disability is merely a syndrome; the root causes are embedded in mass poverty, illiteracy and social segregation. The remedy for this human suffering and tribulation, therefore, does not lie either in prescribing certain norms and standards by the UN and other international bodies -- both Governmental and Non-Governmental as well as National Governments or displaying some favours to the disadvantaged people. The state exchequer cannot be converted into a charity fund for meeting the needs of persons with disabilities of such a vast magnitude. The only permanent solution could be their own foot with dignity and decency. The following suggestions may be offered in this regard:

The first and foremost step to be taken for a permanent solution to the problem of disability is to generate social awareness about the basic causes of disability, its prevention prospects and rehabilitation as well as mainstreaming the persons with disabilities.

Endless numbers of questionnaires, the most meticulously standardized procedures, and years of research have produced unimpressive findings. The literature invariably reports the unremarkable fact that the people with disabilities are negatively valued in society.  


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Education can go a long way in creating such awareness not only in terms of prevention of the incidence of disability but also in terms of promotion of better understanding of human rights and obligations of disadvantaged persons, and, thus, prove to be an effective weapon in eradicating the pervasive dogmatic ideas and superstitions attached with the incidence of disability in a developing and tradition-bound society like ours.

In order to expedite the mainstreaming of persons with disabilities, the development and promotion of community-based approach to rehabilitation is essential. The traditional approach to disability prevention and rehabilitation was predominantly institution-based.

That is why, this approach failed to appreciate the fact that through community mobilisation and action, the disabled can be motivated to play a constructive role in the planning and delivery of services. Nor does such an approach facilitate their mainstreaming into the communities. Thus, according to the traditional approach, disabled persons are regarded as mere objects of the services provided and thus systematically alienated from the mainstream socio-economic development.

Community-based approach to rehabilitation, (CBR) on the other hand, seeks to promote an active partnership between the community and service providers and policy makers\(^2\). The

CBR approach is based on the philosophy that the beneficiaries of the services are entitled to equal opportunities to participate in decision-making on matters affecting their lives. Such kind of participatory system can be properly implemented at the community-level as well as the level of social interactions.

The development of technical aids and devices may be the other major step in the physical and vocational rehabilitation of disabled persons. Technical aids and devices can provide a level of physical independence to them. Technology has a vast potential to ameliorate the lives of persons with disabilities.

It helps to determine how we interact with one another, and with our environment. It influences our patterns of work and leisure: where and how we live, how we get back and forth from home to work, and what specific activities will fill our days at the workplace.

New Technology (NT), as developed in the Western advanced countries has opened new vistas of integration of such disadvantaged persons into the work-force as well as the social system. It includes the broad spectrum of products, tools and aids with the latest applications of science and technology. Analytically, the NT could be sub-


divided into the following four categories:

(1) Product technology, the technology incorporated in the final product of the organisation;

(2) Process technology, the technology needed to make the final product;

(3) Access technology, such technology includes special aids and adaptation facilitating the vocational rehabilitation of persons with disabilities; and

(4) Indirect technology, technology, though not available at the workplace, yet contributing in broadening the employment prospects for disabled persons.

The following illustration clarifies this point more precisely:

A worker might manufacture a 'high-tech' product (new technology, such as, computer using hand assembly, apply a high-tech device like a laser cutter (new process technology) to produce traditional clothing products, select a job through a computer-based job physically only because of the assistance of some NT product like a large-pring-adapted microcomputer (new access technology).6

Steps should be taken by each country to allow the disabled to have financial and physical access to the technical aids and devices. Ideally, technology should be adapted to meet specific needs as well as provide solutions to the physical and vocational barriers faced by disadvantaged persons. This suggests that the needs and areas of barriers should be identified first and then the

5 Ibid.

6 Ibid.
search for appropriate technology should begin. This process, however, can be successful provide there is involvement of multi-disciplinary experts besides the disabled consumers\(^7\).

Rehabilitation techniques should be simplified and made more economical. In a Third World society like ours, all efforts should be geared toward the development, of indigenous technologies so as not to depend exclusively on costly and sophisticated as well as imported equipments, new ingredients and technology. Dr. Ramalingaswami rightly holds the view:

We cannot hope to solve our rehabilitation problems by 'xerox-copying' technologies developed in the west. They are inappropriate and too expensive. We need an innovative effort to develop new indigenous technologies suitable to our conditions and accessible to our people and affordable by them\(^8\).

Disability prevention and rehabilitation should be incorporated as an integral and high priority component of national socio-economic policies and development plans. Action in these fields should be recognised as legitimate targets for developmental assistance.

\(^7\)William Shalinsky, "Inter-disciplinary and Inter-Organizational Concerns in the Development of Technology for Physically disabled Persons", Disability, Handicap & Society, vol.4, no. 1, 1989, pp.

Allocations of financial resources for the rehabilitation of the disabled should be enhanced by all countries, particularly in developing societies like India so as to broaden the scope of the existing educational, medical, social and vocational systems. The biggest of all terror in the country is the terror of poverty to the poor family. They live day and night, and their whole lives in it... 40 per cent people living below the poverty line has become a matter-of-fact thing. The country is divided into haves and have-nots.

The NGOs have been frequently advocating for enhancement of financial allocations. While the proportion of total government expenditure to GNP increased in most developed and developing countries between 1972 and 1981, expenditures related to disability did not increase proportionately.

In our country also, endowments have been increased from plan to plan and Rs. 211.50 lakhs have been earmarked for this purpose in the Eighth Plan. The allocation for the current year being Rs. 41.90 lakhs for plan expenditure and Rs. 17.21 for non-plan expenditure. Paradoxically, while disability is perceived as a problem, it is not regarded as a priority area.

9Remarks made by Justice Rajinder Sachar, the former Chief Justice of Delhi High Court, at a Seminar in New Delhi, cited in, "Terror of Poverty is the Biggest Terror", The Times of India, 16th September, 1995.

In order to fill this gap, a National Finance and Development Corporation should be instituted for disabled persons through legislation. The endowments of such corporation should consist of appropriation from the Consolidated Fund of India and all business establishments and multinational companies operative in the country be legally mandated to contribute to it. Moreover, cent percent deduction provided to all contributors so as to promote the tendency of generous endowments.

Society should realise that the disabled are not second-class citizens. Disability does not impinge their liberty and equality of opportunity. The disabled are also social beings with the same hopes, aspirations and rights as others have. Every effort should be made to ensure the persons with disabilities their right to participation in and contribution to all aspects of socio-economic and political life.

While there has been noticeable increase in the participation of persons with disabilities in various sectors of society, basic knowledge about disability has grown considerably and the flow of information on disability issues has increased rapidly, especially in industrialised societies. Notwithstanding all these noteworthy achievements, they are not yet integrated with the decision-making process at national and international levels.

Specific and up-to-date data are often inadequate. Difference in definitions within and among countries, the technical shortcomings of censuses and surveys, and
particular social attitudes make it difficult to establish reliable data and research thus providing a weak basis for policy formulations. Efforts to promote the growth and impact of organizations of disabled persons should be spearheaded at the global level.

Efficient and dedicated government officials and rehabilitation experts have to be posted to undertake the rehabilitation role with sincerity and commitment.

There can be no denying the fact that even the most modern, well-equipped and well-staffed institutions have a somewhat dehumanizing character, since institutionalization is based on the assumption that such persons are incapable of leading an independent life as members of the community. The very fact that they are segregated from society promotes this tendency and causes inmates to develop what has been called and "institutional mentality", itself a further disability in that it impedes their reintegration into the community.

A decisive step in combating discrimination against persons with disabilities could be a systematic review of national laws and the adoption (in both theory and practice) of the principles and guidelines underlying various international instruments. This may restrict the scope for discrimination against such disadvantaged persons. In order to achieve this goal, what is necessary is to institute special cells in each departments of the Government; which may be oversee the day to day redressal of the grievances
arising out of the violation of the basic rights guaranteed to the disabled people.

The installation of camps for disabled persons in public buildings, schools, polling studies, etc. should not be construed as the recognition of special privileges on their behalf, but merely a compliance by Governments with their legal obligation to guarantee education for all and the exercise of political rights also for everyone, on an equal basis.

The definition of these specific rights of disabled persons as their actual needs, the satisfaction of which is an essential prerequisite enabling them to enjoy human rights at part with others, engenders obligations for Governments in addition to obligations of society. In the specific case of forced institutionalization, apart from the interests of the individual, society must do whatever it can to avoid that institutionalization. This entails, inter alia, the primarily obligation of the community to adapt to the elementary needs of persons with disabilities.

Thus, what is discussed here is just suggestive and indicative of various steps that could be initiated for promotion of human rights of disabled persons. The problems involved in the task are so complex in nature and so vast in their dimension, particularly in India, that any writing on the subject could by no means be comprehensive or inclusive of all aspects. There can be no single headed approach which may be effective in all countries and under all situations. In our society, the situation with respect to the human
rights of such persons is different in a variety of ways.

The hard realities are that the disabled community is not only still far away from the goal of being integrated into the society but gross violations of their rights appear to be on the increase. This fact assumes special significance in a developing country like ours where around 800 million population still lives at the margin of existence, enduring hunger, sickness, homelessness and lack of regular employment.

What is noted above is not by way of apologia to gross violations of human rights that abound, today, throughout the world. The point at emphasis is that let us not evaluate the developments during the last couple of decades by any ideal vision. Age-old institutions, beliefs, disparities and discriminatory practices in our country cannot be eradicated in a short span of time.

The foregoing analysis leads to the inevitable conclusion that the United Nations' role in the promotion of human rights of disabled persons has several limitations. The human rights instruments related to the disabled persons are yet to be articulated in the form of conventions, which may be binding on the State power. What is more is that United Nations is merely the voluntary association of sovereign Member States. So far, no provision made for monitoring mechanism so as to protect the rights of the most vulnerable strata of society -- i.e. disabled persons.

It is the onerous responsibility of Governments, the
community and disabled persons themselves to realise the goal of mainstreaming; the principal obligation to remove irritants in the promotion of the human rights of such disadvantaged people lies with Governments.

It may be recalled that only through integration of disabled persons into the mainstream of life, the society would be restoring to them their basic human dignity. Keeping them apart is tantamount to treating them as second-class citizens. This integration would help society understand better about the potential of their disabled citizens.

The problem of disability, however, is of such a colossal magnitude in India that as of now any worthwhile effort to meet the challenge does not seem to be in sight. Nevertheless, there is enough scope for optimism and let us hope for the day when, with all the necessary changes in social perceptions and with greater opportunities available, the disabled would feel that they are no longer disabled.