

Translation of the Constitution of India in the Indian Sign Language: Need & Significance

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ABSTRACT

The Indian Constitution is the supreme law of India. It is available in 23 languages and in braille format it is under its way to ensure that it is accessible to almost all Indian. Persons with Hearing Impairment are not exceptional and have right to access the constitution of India in their own language for their information and education, to increase awareness & gain knowledge; and to improve self-esteem etc. However, there are no efforts documented in literature to translate the Indian Constitution in Indian sign language for persons with hearing impairment. Though, India houses the largest portion of population with hearing impairment in the world. This article attempts to advocate the translation of Indian Constitutions in Indian sign language by delineating its need and significance. It also tries to convince all stakeholders of hearing impairment by scrutinizing RPWD Act, 2016 to understand its implications for ensuring accessibility of information and education to persons with hearing impairment.

Keywords: Indian constitution, Indian sign language, hearing impairment, accessibility, right to education act-2010, rights of persons with disabilities act-2016

INTRODUCTION

The word 'Constitution' is a derived from French which means body of fundamental principles or established guidelines to govern a state, country or other organization. The constitution of any country describes about duties, rules and regulations, which helps a country in governing itself. Thus, almost every country has its own constitution including the India. The Constitution of India is the supreme law of India which was passed by the Constituent Assembly on November 26, 1949, and came into effect on January 26, 1950. Every year, the country celebrates 26 January as Republic Day (a national festival) as the day of adoption of the Constitution. Dr B. R. Ambedkar was a chairman of Indian constitution committee and considered as the father of Indian Constitution.

The Indian constitution is the world's lengthiest written document for a sovereign nation and the second-longest active constitution in the world, after the Constitution of Alabama. The constitution has a preamble and 448 articles, which are grouped into 25 parts, 12 schedules

and five appendices. The constitution of India has been amended 103 times; the latest amendment became effective on 14 January 2019. The original 1950 constitution of India document is preserved in a helium filled case at the Parliament house in New Delhi. Apart from the English version, an official Hindi translation is also available.

The constitution of India defines the fundamental political principles and establishes the structure, procedures, powers and duties of the government. It also describes the fundamental rights, directive principles and duties of citizens. Therefore, it is necessary that the constitution of India must be available in every language of India. For this reason, the constitution of Indian has been translated into about 21 languages of India which includes Assamese, Bengali, Bodo, Dogri, Gujarati, Kannada, Kashmiri, Konkani, Maithili, Malayalam, Manipuri, Marathi, Nepali, Odia, Punjabi, Sanskrit, Santhali, Sindhi, Tamil, Telugu and Urdu.

Need of Translation of the COI in the Indian Sign Language:

The census of India (2011) cites roughly 7.1 million people with "hearing and speech disability." In contrast to this India's National Association of the Deaf (2018), estimates that 18 million people roughly 1 percent of the Indian population are deaf. Thus, India houses the largest deaf community in the world and majority of them are unable to read and write. Position statement ASHA (2001) reveals that despite significant improvement in detection of hearing difficulties, diagnostics and intervention techniques, the effects of prelingual deafness on speech and language development are still severe even with most acclaimed technology such as hearing aid & cochlear implant.

Children with hearing impairment lag behind in spoken language abilities and acquire spoken language slowly even in optimal circumstances worldwide. In general, their language skills (reading and writing) after finishing matriculate education are at the same level as those of a hearing third or fourth graders (ASHA, 2001). A well-informed report (2011) estimate that 90% of deaf communicate in signs and 99% of them are not even the matriculate in India. Gordon, & Raymond G., Jr. (2005) estimated that there were about 2.7 million native Indian sign language users in India in year 2003.

The sign language is so natural language to persons with hearing impairment as the spoken language to normal hearing persons. Thus, the sign language is first language of persons with hearing impairment. The majority of persons with hearing impairment recognize themselves with deaf community & culture and considered themselves as linguistic minority. The sign languages have genetic histories of the deaf and are inseparable from deaf community. To stress the importance of sign language, LjubicaPribanić, (2006) stated that without sign language it is impossible to envision the spiritual and social life of the Deaf community. The Right to Education Act - 2010 ensures free and compulsory elementary education in the inclusive education and knowledge transformation should happen in the most appropriate language to deaf

& blind child. The Rights of People with Disabilities Act, 2016 (RPWD-2016) Section 16 (v): ensure that the education to persons who are blind or deaf or both is imparted in the most appropriate languages and modes and means of communication and Section 17 (f) asks to promote the use of appropriate augmentative and alternative modes including means and formats of communication, Braille and sign language to supplement the use of one's own speech to fulfill the daily communication needs of persons with speech, communication or language disabilities and enables them to participate and contribute to their community and society.

Thus, RPWD-2016 not only ensures education in most appropriate language but also suggest accessibility to television programs with sign language interpretation or sub-titles to safeguard equal opportunities in education, employment and quality of life for persons with hearing impairment. However, persons with hearing impairment, yet to receive constitutional benefit enshrine in various legislations and constitutional acts of India. Probably, majority of persons with hearing impairment may not be aware of these constitutional provisions. The lack information resources and accessible education of all kinds including constitution of India in most preferred language of the disable persons deprives them from their fundamental rights. Educational and communication is two most important fundamental rights. Every person has the right to education irrespective of her/his caste, creed, race, religion, region and disability. Though, Right to Education acts provide free and compulsory inclusive education to children 4-16 years. But the education is incomplete without the knowledge of Constitution of India.

The Constitution of India is a supreme law and made by keeping in mind the political, social, economic, cultural, and legal aspects of countrymen. The constitution of India dictates fundamental rights, directive principles and duties of citizens. Dr. B. R. Ambedkar once stated that "Constitution is not a mere lawyers document, it is a vehicle of Life, and its spirit is always the spirit of Age."

The statement emphasizes a point here that the constitution of India should be made available to each member of this country. For this reason, It is available in 23 languages and the constitution of India in braille is already under progress though the visual population constitute only 8.8 million whereas persons with hearing impairment are double in population.

In spite hearing impaired are outnumbered as compared to other disabilities in India. The author did not find even mention of Constitution of India in Indian sign language in rigorous literature search. Therefore, it is felt that the holy book of democracy "The constitution of India" must be made available in Indian Sign language to persons with hearing impaired in particular and to others population in general.

Significance of Translation of the COI in the Indian Sign Language:

The availability of Indian Constitution has multifaceted significance for the country in general and persons with hearing impairment in particular. Some are mentioned here

- a) India would be probably the first country or at least one among the only very few countries in the world who envisage the Idea of translating the constitution in sign language and making available to its citizen with hearing impairment.
- b) It will fulfill the constitutional requirement of The Rights of People with Disabilities Act, 2016 which talks about accessible information and education to persons with disabilities.
- c) It may help person with hearing impairment in preparation of various state and central civil services competitive examination or may facilitate study of law as a career option for them. The constitution of India is one of the main sources of Information.
- d) It can enhance the self-esteem of Indian sign language users ensuring that persons with hearing impairment can have access to television programs with sign language

interpretation or sub-titles, equal opportunities in education and employment.

- e) It may promote sign language and earn recognition in general population as a language. It will enhance the communication between persons with hearing impairment and so-called able bodies.
- f) It may heighten better inclusive society as per the statement of Bonaventura Parents' Organization, Denmark, "If I accept another person's language, I have accepted the person...if I refuse the language, I thereby refuse the person, because the language is a part of the self"

CONCLUSIONS & RECOMMENDATIONS

India is home to the largest deaf population in the world and majority of them cannot read and write. Thus, they lack information resources of all kinds including constitution of India. As a result of this, they face multiple problems when it comes to political socialization & interaction, education, mental health, access to financial, legal & medical services. About 99% of deaf adults use sign language to communicate each other. The Indian constitution is not only the supreme law but a chief source of information. Since, sign language is first language for persons with hearing impairment, most of the hearing impaired are more fluent in sign language.

Hence, it is highly recommended that the Indian Constitution may be made available in Indian Sign Language at the earliest. This will create awareness among persons with hearing impairment about constitution of India and their fundamental rights. This will enable them to exercise Equal Opportunities, Protection of Rights and Full Participation in inclusive society. This will be possible only happen when the person with hearing impairment are empowered with sufficient knowledge of Indian constitution in their own language i.e. Indian Sign language. The order is very high, but we shall overcome one day with the help of all stakeholders in disability sector and The Indian Constitution in Indian Sign Language will be a reality.

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