Inclusive Library for the Empowerment of Challenged Persons: A Human Rights Perspective

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Abstract:
Human rights and empowerment of the challenged persons are intimately connected with the issues pertaining to the designing and developing inclusive libraries and the role of challenged friendly librarians. Libraries like educational institutions and states’ information and publicity departments have distinct role and responsibilities in enabling the challenged fraternity to enjoy the human rights to access information for empowerment. Although like educational institutions they are the better luminous centres of knowledge and information, their accessibility, enabling environment and inclusivity determine their utility, credibility and democratic credentials. Human rights of the challenged persons embodied in United Nations Convention on the Rights of Persons with Disabilities, constitution of India and challenged friendly social legislations find fruition even through libraries. Hence in this paper, it is attempted to focus on introduction, human rights of challenged persons, copyright related challenges, role of inclusive libraries, instances including Mysore University library and conclusion.

Keywords: Physically Challenged; Human Rights; Differently Abled, Empowerment.

INTRODUCTION

There are various burning issues which are bothering the politics of Challenged fraternity, development and liberation. Among them, designing and developing an inclusive library and empowerment of challenged persons are crucial to the core. They are gravitating worldwide attention as the challenged peoples’ conditions and concerns are not confined to a single community or country. They have been transformed into global phenomenon. Therefore, United Nations Standard Rules on the Equalization of Opportunities (1993), UNESCO’s Public Library’s Manifesto 1994, IFLA guidelines for development of public library service (2001) are all emphatic on recognizing the challenged person’s right to inclusive and accessible library. IFLA guideline’s enunciation is especially worth noting: ‘The development of collections should be based on the principle of access for all and include access to formats appropriate to specific client groups, for example Braille and talking books for blind people.”.

Ground breaking developments like globalization, information and communication revolution, challenged peoples’ globalizing movement for human rights to greater inclusion, education and empowerment are in fact gaining ground. They are motivating these hitherto neglected souls to come forward to articulate their issues and interests and seek their grievances redressed. Under these changing circumstances, Ethico Legal structures like libraries and Educational Institutions have an inclusive key role and responsibilities in emancipating challenged persons from the curse of excessive dependency if not from disabilities.
This is so because; inclusion matters much as it proposes to accept persons with all their bio sensory, neurologically and intellectually challenged conditions. Like sons and daughters of Darwinism, it does not stand for excluding or wiping out inexorable differences on the ground that they are the sources of problems. Inclusiveness as a preferable solution is much useful in bridging the yawning gap between challenged and seemingly able bodied. It ason instrumental process and significant goal when enlivened in letter and spirit brings a big positive difference in vertical and horizontal levels of the lives of the challenged persons.

Empowerment as a multi-dimensional notion and process is equally important. Capacity and confidence building are its core processes. Individual or communities as autonomous structures of decision making are its focused concerns. Its primary goal is not to give power directly to the persons. Dogmatists believed that “power” to control one’s own self or a community’s resources in state and society “flows from the barrel of the guns.” Contrary to their naive conviction, it literally and consciously flows from clarity of conscience and vision, purity of mind, serenity of thought, nobility and ability of activity. Hence, acquisition, retention, expansion and exercise of Power demand knowledge.

In fact since the dawn of human reflection, “knowledge” has been revered and regarded as a “supreme power” capable of elevating individuals, communities, civilizations and cultures from the abyss of animalism to humanity and divinity. It is indeed a key to decision making and empowerment process. Moreover, application of power of knowledge at an appropriate time for appropriate purpose in an appropriate way determines the pace and fate of personal empowerment, community’s advancement, national development and finally, sustainability of whole humanity.

Therefore, this paper unequivocally argues that challenged people’s psycho sensory and physical lackings as part of the human variation cannot bar them from becoming active seekers, creators and providers of knowledge and well informed and enlightened citizens of a nation and the world if the inclusive libraries are designed and developed to serve their needs. Their innovative and imitative genius demands support for positive input and output not as a charity but as a parity and human right. In fact, right to accessible and inclusive library for multi-dimensional empowerment is a matter of not only a human right but also should be treated as a fundamental right and to guarantee it, should be seen as a fundamental public duty. Mere ratification of conventions and declarations on their rights does not suffice. Public and private libraries as institutional structures and agents of information dissemination and transformation of society have a distinct responsibility toward challenged people especially in India. They might have been literally paradise for information seeking and providing able bodied. But, for their challenged counterparts libraries have yet to become barrier free power houses of light and delight. Hence it is pertinent to focus on the role of inclusive library for the empowerment of challenged persons from human rights perspective.

**Human Rights of the Challenged Persons:**

Penetrating peep and insight into various United Nations declarations, international human rights conventions including UN convention on human rights of persons with disabilities and
Indian constitution and legislations clarify that they are also entitled to comforts of human rights. Human rights model maintains that disability is an important dimension of biodiversity and human culture. All human beings irrespective of challenged conditions have inalienable rights and entitlements. UDHR’s enunciation that “all human beings are born free and equal in rights and dignity” is the pervading spirit for all human rights laws, mechanisms and beneficiaries.

1. Right to respect for difference in human culture and variation is at the heart of the human rights. Although challenged people have difference in their conditions and needs, they are same in rights and dignity. So they are eligible for special and differential treatment specific to their library related needs arising out of their challenged conditions. This follows the maxim that “things that are alike should be treated alike and things that are unlike should be treated unlike in proportion to their unlikeness”.

2. Right to equality and nondiscrimination. Equality which flows from de-jure and de-facto ways is essential for ensuring right to various forms of equalities. Right to need specific Material equality is guaranteed. Challenged persons’ crying demand for reading and information materials in suitable and accessible formats including Braille and audio formats is in commensurate with the right to material equality. Mechanisms like Affirmative action’s and target specific services are useful to create conditions for equality and full participation. Right to non-discrimination, Reasonable differentiation and reasonable accommodation based on objective criteria are not discriminatory but supplementary to equality.

3. Right to reasonable accommodation. Reasonable accommodation refers to the introduction of necessary and appropriate measures to enable challenged people to fully enjoy fundamental rights and have an access to all structures, processes, public goods, services and information. Public libraries also have a great responsibility in ensuring reasonable accommodation.

4. Right to accessibility: Accessibility is the golden pavement which guarantees them the opportunity for full participation in institutions at par with their counterparts. It enables them to interact and include themselves in the society even mediating through libraries. Weakest among the weak persons also have the right to all forms and formats of literature procured and preserved in library.

5. Right to barrier free environment: Removal of physical, social, psychological and technological barriers is essential to enable them to enjoy their right to use their full functional capacity and potentiality. Reformist strategies have to be adopted to free the environment of barriers. The architecture and infrastructure of libraries should be so designed that even persons with visual, speech and hearing, intellectual, autism, cerebral palsy, loco-motor and multiple challenged conditions can be able to access the racks and cupboards of books and journals independently. Wheel chairs, ramps, lifts, sine boards, tactile maps and scores of other things, besides challenged friendly staff can deepen bio-cultural developmental humanism in to libraries. Right to equal
opportunities and full participation and inclusion: All human rights instruments incorporate notion of inclusive society in which equality and respect for inherent dignity of all human beings is realized. Full participation of all irrespective of difference is essential for this. "Full inclusion is not merely about formal acceptance by the majority. But it incorporates the concept of participation that is directed towards majority who should allow for the participation of minority who want to participate actively. The public and educational institutions’ libraries are literally centre’s of integrated knowledge and information. People belonging to various sections of societies and countries do come to access them. Hence, libraries' inclusiveness is therefore, more important for building an inclusive society. Human rights model in other words desires that institutions and functionaries must enable challenged people in gaining capacity, equal access and full participation vital to the concept of inclusive society, economy and polity.

Challenged people however as part of the Indian citizenry are entitled to rights guaranteed by constitution and legislations.

The constitutional provisions, legislations, policies and Acts pertaining to these people are enforced for their empowerment, education and employment as a matter of rights. Their rights are discussed as under:

**Indian Constitutional Provisions**

The Indian constitution has some provisions for the underprivileged and marginalized sections of our society. They are enshrined in Articles 14, 41, 45 and 46 in our constitution. They are applicable to the challenged citizens as well. These are as under:

**Article 14:** The State shall not deny to any person equality before the law or the equal protection of the law within the territory of India.

**Article 41:** The state shall within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in case of unemployment, old age, sickness and disablement and other cases of underserved want.

**Article 45:** The state shall endeavor to provide within the period of ten years from the commencement of this constitution, for free and compulsory education to all children until they complete the age of 14 years.

**Article 46:** The state shall promote with special care, the educational and economic interests of the weaker sections of the people and in particular scheduled castes and ST and shall protect them from social injustice and all forms of exploitation.

These articles provide equal treatment to all citizens irrespective of caste, creed, color, religion and disablement. Thus Article 14 can be interpreted to mean that the state is under obligation to equalize the opportunities even for the benefit of challenged people through affirmative action. Under Article 21(a), the state is supposed to provide free and compulsory education to all children including challenged children. Article 41, 45 and 46 enjoin the state to provide
assistance in the field of education, employment and financial assistance as well. Challenged peoples' right to accessible and inclusive library in consequence flows fromthese constitutional provisions pertaining to rights to equality, education and assistance.

Legislations enacted by the parliament of largest democratic India in the last decade of 20th century although resulted from the international pressures are worthy of admiration to the extent they are efficacious. Rehabilitation council of India Act of 1992, Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act 1995 and National Trust Act for the welfare of persons with Autism, Cerebral Palsy, locomotors disability and Multiple Disabilities 1999 are also meant to guarantee significant rights specific to the challenged persons. Various rights embodied in PWD Act of 1995 like rights to barrier free access, education, employment, affirmative action, empowerment, nondiscrimination, and right to redresses of grievances through chief commissioner and state commissioners are all important to empower challenged persons in India. Yet, formajority of challenged personsthese legislations and rights embodied therein are still elusive for reasons of lack of awareness and information and prevailing inhospitable conditions.

It may be remembered that Government of India 13 years after the adoption of the PWD Act, in a meeting on 13th June 2008 recommended, “All educational institutions should be made barrier free within a reasonable time frame of, say, two years for universities and three years for colleges and schools. They should also have facilities to provide Braille books and talking books. Sign language interpreter should also be provided in institutions having hearing impaired students (UGC, 2008).

The Copyright Amendment Bill 2012 passed by Rajya Sabha on 17th may 2012 and by Lok Sabha on 22nd May 2012 is yet another challenged friendly step taken by the government of India. Because, The Amendment to Indian copyright Law (52(1) (zb) has created a new copyright exception for the benefit of persons with print disabilities, including persons with visual impairment and dyslexia. It allows organizations to suitably modify a work so as to make it accessible to meet the specific requirements of the challenged persons. Now a standard printed book may be converted to alternative formats including Braille, large font, text, DAISY Formats, audio (be it synthetic audio or human voice recording etc. The permission of the rights holder is not necessary as it does not entail profit venture. Thus, The Copyright Amendment Bill, 2012 does away with the necessity to seek the consent of the publishers for converting their books into accessible formats.

**Role of Inclusive Libraries:**

The enumeration of human rights and enactment and implementation of cosmetic legislations are not enough. Their realization largely rests upon the effective and accountable role and responsibilities of libraries. A challenged friendly national library policy has to be formulated and implemented so as to provide ideal library services. According to a scholar, "The ideal library service is one where each individual, regardless of the degree of visual impairment, has access to the materials and information at the time they are required, in a format that can be
used, in the quantities that are needed, and where the needs of the user are understood by the staff.” (1996). This indicates that librarians have to work with inclusive vision and mission to design and develop an inclusive library. Orientation and training in the area of the human rights, legislations, policies, accessibility problems and assistive technologies and devises pertaining to the challenged persons on a continuous basis is necessary. They have to identify the challenged persons and voluntarily come forward in befriending them. Their healthy interaction enables them to identify and cater to the specific needs of the challenged persons. Libraries equipped with electronic resources including Braille printers or embossers may print books in Braille and supply to the needy. Printing and supplying Braille and large font books for the benefit of visually challenged students and staff is undoubtedly a basic need. Braille digital display is expensive for an individual. The assistive devices are just enabling facilities. Librarians have to make up their minds to meet different categories of challenged people’s specific information needs in their own accessible formats. Setting up of a grievance cell and recruitment of genuinely challenged persons for the benefit of information seekers are equally urgent.

Librarians may bear in mind that realization of rights to information, empowerment and other human rights by the challenged persons is beset with several challenges. Challenges identified by Priya R. Pillai are worth producing as most of us have come across them in the pursuit of our career.

Indian Copyright Act 1957 is not sufficiently challenged friendly. It does not specifically mandate the publishers or copy right holders publish their printed materials even in challenged friendly accessible formats.

Ordinary printed text is non-accessible to the visually challenged persons. Commercial Braille books and large print books are very limited in India.

CDs and talking books in Daisy format are also less in India. Many publishers are not providing access rights to visually challenged persons even to the Electronic books. There is no uniformity in copyright exceptions and exemptions for challenged persons throughout the world. Lack of awareness and inadequate infrastructural, human resources and financial resources are very much visible. No availability of assistive technology in the academic libraries has always resulted in empowerment and even disempowerment of the challenged persons. Conversely, visually challenged persons especially are unable to realize their potentialities to the best possible extent for self and nation building.

Shift from using Braille script toward assistive digital technology though empowering, may likely to create Braille illiteracy among this section. For instance, Mudigere Ramesh Kumar in a telephonic conversation with me pointed out that government of Karnataka’s central library situated in cubbon Park in Bengaluru has setup a section exclusively for Braille readers in 1978. This section has Braille books on 1000 titles. It has also appointed visually challenged staff in 2008, to look after this section. “But unfortunately for lack of transportation facility in Cubbon Park and visually challenged readers’ growing tendency to rely much upon assistive digital technology, Braille books are not attracting readers. Hence, department of library is also not showing interest to develop it to cater to the reading needs of the visually challenged”
Bengaluru University’s central college has setup Braille reading center in 2012. 162 students have registered their names. Centre is providing them with text and reference books and journals not only in Braille format but also in electronic formats. Staff and voluntaries read record and scan the material for the educational empowerment of the students. (Professor Ismat, head of the Braille reading centre, personal communication, 18 January 2016 9.30 pm.).

Mysore University Library has Electronic Learning Resource Centre for visually challenged persons. “State of the art assistive technological devices have been procured and put to use. Around 652 persons have accessed its benefits in 2014-15 alone. Over a period of three years since 2012, it has organized four major training programmes and eight orientation workshops for various schools and institutions. Its services are also appreciated by the challenged users.” Ramshesha C P, personal communication, 19 January 2016, 12 pm. It can also use its material, man, financial and technological resources to provide the staff and students with literature in accessible formats including Braille in accordance with their doctrine of free choice. Expansion of such facilities in many urban and rural libraries is essential to guarantee greater accessibility and inclusivity for challenged persons.

CONCLUSION

In conclusion it may be stated that libraries are the better luminous centres of knowledge and information than the classes of a schools or universities. Their symbiotic relationship with challenged persons is increasing day by day. Globalization, information and communication technology, advances in assistive technologies and surging human rights consciousness have introduced revolution in expectations and aspirations among the challenged persons. Growing awareness about the needs, problems and potentialities of the challenged persons is compelling libraries to become accessible and inclusive. In fact, libraries’ degree of accessibility and inclusiveness determines their credibility and humanism. Therefore, public libraries like those of special libraries as part of the state’s authorities can still play a greater role in invigorating human rights and ensuring empowerment of the challenged persons. Librarians also have to learn plus curriculum for better service delivery. Libraries with the aura of knowledge power around the faces of the challenged persons will be electrified with smiles of confidence and can hold their heads at conceit by being and becoming genuine partners in igniting dreams and empowering individuals and their human rights.

References:


