

The Translation of the Constitution of India in the Indian Sign Language: Societal Necessity & 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 Indians. 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 the duties, rules, and regulations, which helps a country in governing itself. Thus, almost every country has its own constitution including 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 (Bakshi, P. M., & Kashyap, S. C., 1982). 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 the Chairman of Indian Constitution committee and is 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 (Sharma, B. K. 2021). The original constitution of India document implemented in 1950 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 India 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 (Sharma, B. K. 2021).

Necessity of the Translation of COI in 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 of 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 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) estimates 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 a natural language to persons with hearing impairment just as the spoken language is to normal hearing persons. Thus, the sign language is first language of persons with hearing impairment. Most persons with hearing impairment recognize themselves with deaf community & culture and consider themselves as linguistic minority. The sign languages have genetic histories of the deaf and are inseparable from the deaf community. To stress the importance of sign language, Ljubica Pribanić (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. Knowledge transformation should happen in the most appropriate language to deaf & blind children. The Rights of Persons with Disabilities Act, 2016 (RPWD-2016) Section 16 (v) demands 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 for promoting 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 for enabling them to participate and contribute to their community and society.

Thus, RPWD 2016 not only ensures education in most appropriate language but also suggests 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 are yet to receive constitutional benefits enshrined 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 the Constitution of India in most preferred languages of the disabled 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, the education is incomplete without the knowledge of the Constitution of India.

The Constitution of India is a supreme law and is 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 lawyer's 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 the 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 other population in general.

Significance of Translation of the Constitution of India in 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 citizens 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 persons 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”. Thus, it will facilitate inclusiveness in the society.

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 the 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 with 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 and will happen when the person with hearing impairment is 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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