

Issues and Challenges of Marriage for Women with Disabilities in India

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Abstract: Numerous international organisations and countries have collaboratively established specific laws and regulations addressing disabilities. Over time, both national and international movements have emerged, yielding successful outcomes. The disability movement has made significant strides across various domains, advocating for the rights of individuals with disabilities in areas such as education, employment, social engagement, economic opportunities, and political participation. However, in addition to these fundamental rights, there are other crucial dimensions that warrant attention – specifically, the private lives of individuals with disabilities. This encompasses their daily activities, family relationships, psychological well-being, marriage, and the unique challenges they face in this context.

Remarkably, the situation is often more challenging for women with disabilities when compared to men. Thus, this research paper focuses on the experiences of women with disabilities concerning marriage and family matters. The primary objective is to examine the psychological status and perspectives of these women in relation to marriage. The paper delves into the reasons why differently abled women sometimes remain unmarried, exploring factors that contribute to their single status. Questions about parental involvement and efforts in arranging marriages for them be addresses. Moreover, the paper explores whether physical conditions or disabilities are central reasons for their single status, or if familial dynamics play a role.

This study draws upon both primary and secondary data sources. Government statistics and official reports provides primary data, while secondary data are collected from reports, articles, letters, and journals. By doing so, the research aims to shed light on the primary challenges that hinder marital prospects and family well-being for individuals with disabilities. Ultimately, these insights be synthesis to offer conclusive insights into the prevalent hurdles faced by individuals with disabilities in pursuing fulfilling marriages and family lives.

Keywords: Disability, Rights, Marriage, differently abled Women etc.

1. INTRODUCTION:

Differently-abled people have many obstacles to overcome, as is clear when discussing any disability. These difficulties affect them in many ways, including financially, physically, and psychologically. However, it's crucial to discuss disability to understand and delve into these concerns. This is important since there are a significant number of people with disabilities in India and throughout the world. Currently, the world's population has reached the figure of 8 billion. Out of the global population of 8 billion, approximately 1 billion people are experiencing some form of disability. Looking specifically at India, based on the 2011 census, out of a population of 1.21 billion, 26.8 million people were identified as differently-abled. Among them, 15 million are men, and 11.8 million are differently-abled women (Census of India, 2011). Approximately 44 percent of people with disabilities are women who are directly affected by their disability (Office of Chief Commissioner for Persons with Disabilities, 2021). However, a substantial rise in the number of people with disabilities in India is projected. Due to the recent increase in the number of disability types from 7 to 21, this be embodies in the future census in 2021. There are twenty-one legitimate categories of disabilities recognised by the Rights of Persons with Disabilities Act, 2016 (RPWD ACT 2016) (Government of India, 2016). In response to evolving times, various initiatives have been undertaken for the differently-abled by organisations such as the World Health Organisation (WHO), United Nations (UN), Convention on the Rights of Persons with Disabilities (UNCPRD), and the Government of India.

Despite the adoption of multiple remedial approaches, the current life of differently-abled individuals is fraught with challenges. Particularly, differently-abled women and girls encounter discrimination across various domains, facing additional challenges related to gender inequality and ideological differences compared to men. In this context, the Rights of Persons with Disabilities Act, 2016 (RPWD ACT 2016) was enacted in India to effectively implement statutory obligations in accordance with the Convention on the Rights of Persons with Disabilities (UNCRPD). This act safeguards the rights of individuals with various disabilities, encompassing social, economic, political, employment, and educational aspects. However, the practical realisation of these rights at the grassroots level differs.

The issue of differently-abled women in India is particularly grave. Due to prevalent societal attitudes, they are often denied their rights. A significant number of women in India face barriers to accessing education, employment, family planning, and social equality, highlighting the urgent need for comprehensive and inclusive measures to address these challenges.

Therefore, this paper specifically discusses the context of family and marriage for differently-abled women. Despite various rights and constitutional fundamental rights for differently-abled individuals, the status of women remains regressive. In particular, examining the personal lives of differently-abled women reveals a lack of freedom to make decisions regarding marriage or family. Presently, they face restrictions solely based on their disability, rendering them deemed ineligible for marriage.

In Indian society, certain conservative beliefs dictate primary criteria for marriage, such as a woman's beauty, overall qualifications, physical and mental capability, and proficiency in various tasks. Consequently, a differently-abled girl is expected to meet all these criteria to be considered for marriage. However, societal reluctance to accept differently-abled girls persists, as they are often excluded from marriage-related activities due to their disabilities.

Furthermore, due to societal pressures and a lack of awareness, families of differently-abled girls are also hesitant to arrange marriages for them.

This paper aims to understand the reasons why differently-abled women often remain unmarried, delving into their perspectives on marriage. Additionally, it highlights the ideological discrimination that arises between the families of differently-abled women and society, examining why these women are deemed ineligible for marriage and why society holds a different attitude towards women with disabilities compared to men. The aim is to shed light on these issues and identify the underlying reasons.

2. What is Disability?

Disability refers to a condition where individuals grapple with mental, intellectual, or physical limitations that persist over an extended duration, hindering their participation in typical activities alongside the general population. These individuals are often categorised as "Divyang" (as per the United Nations, 2021).

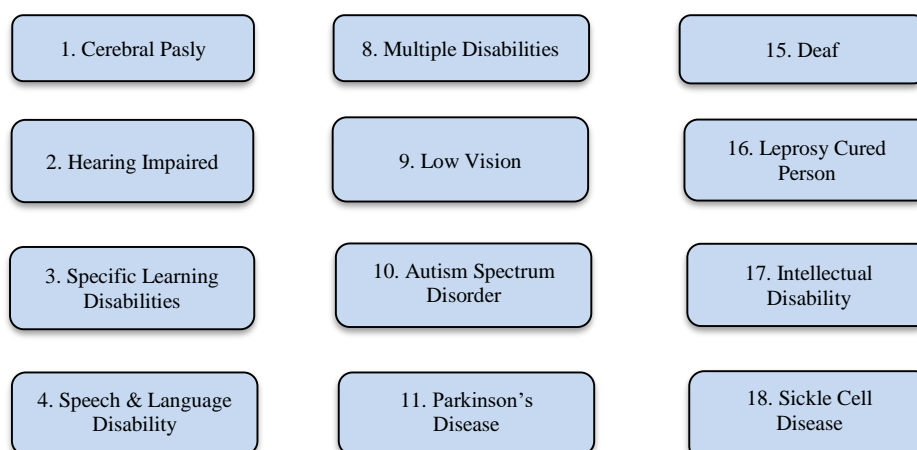
The World Health Organisation's International Classification of Impairments, Disabilities, and Handicaps (1980) offers a threefold definition of disability:

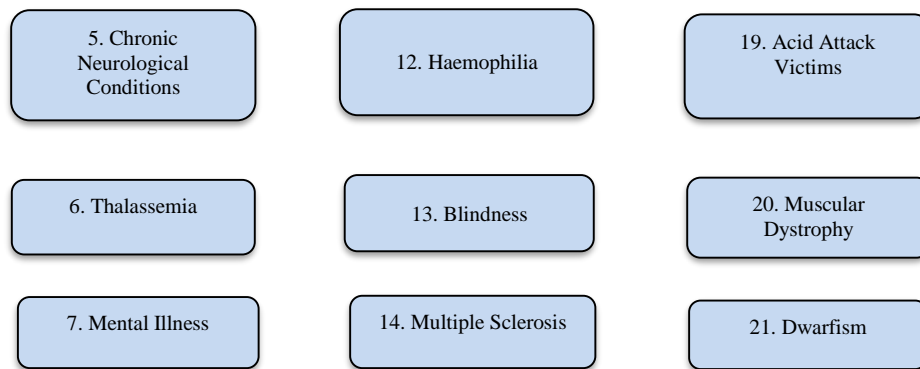
Impairment: This denotes the presence of any form of psychological or physical impairment in an individual.

Handicap: This term encompasses any factors that curtail a person's normal capacities and capabilities.

Disability: Referring to the limitation of an individual's ability to engage in various tasks and activities, it also involves an association with challenges related to performing work-related tasks or engaging in other activities (World Health Organisation, 2001).

Figure-1 Type of Disability





Source: Rights Of Person with Disability Act, 2016

3. The Theoretical Perspective of Differently-Abled Women:

From the feminist viewpoint, initially, several movements showed very little consideration for people with disabilities. But as time moved on, people started to recognise the rights of people with disabilities as a significant concern. Many theorists have offered their perspectives on these circumstances. Maria claimed in the same speech that feminists only represented one type of women and presented their viewpoint consistently, failing to take into consideration the rights and status of all women (Maria del Carmen, et al., 2014).

The author continues on to argue that feminists have presented a biased, comprehensive image of the women's movement. wherein women with disabilities were left apart (Palacios, 2008). Here, it's important to consider why these feminist groups excluded women with disabilities. Some have pointed to "invisibility" as one of the primary causes. The majority of women with disabilities were classified as invisible. Gender and disability were always seen as distinct categories, which was another factor. (Ramírez, 2012). This example is also observable in today's social context. Women encounter discrimination based on caste, color, and disability. They lack the freedom to work, sustain themselves, pursue jobs, or marry according to their preferences. They depend on society and their families for these fundamental rights, with gender and disability being the primary factors contributing to this situation.

According to M del Carmen's argument, "Insecurity is not contingent on the personal or individual characteristics of any person. Instead, it is the societal development that impacts certain individuals and instills a sense of insecurity." Following this rationale, society follows a similar pattern towards differently-abled women as well.

Because of the way society has developed, insecurity of one kind or another affects every differently-abled woman. Even though they are essential members of society, they live in a setting where regular involvement is restricted for citizens or women with challenges, which isolates them from the larger community. It is important to remember that before a woman with a disability may participate fully in society, she must first have full involvement, dignity rights, independence, and the capacity and authority to make decisions for herself and her family. However, it has been observed that women with disabilities often experience discrimination in their own households and relatives. He is viewed as an invisible individual who is incapable of performing any job in family life itself. They are so denied any and all rights. Since the family members believe they do not require a variety of rights (M del Carmen, 2012).

Apart from appropriate views, women with disabilities also have rights over their reproduction, abortion, motherhood, and their physical rights. No efforts were made to achieve their goals. On these grounds, Barry writes that women have always had direct political dominance. Especially in terms of their reproduction and sexuality. From the beginning, she faces notions of discrimination in the legal, political, and economic context. Subsequently, these identical beliefs also wield a constraining influence on their reproductive and physical aspects (Barry, 2005).

Palacios also said that to justify the inability of a person with a disability to exercise their rights, their condition is said to be impossible for them to have rights. For example, a Differently Abled woman is not considered capable of making decisions about her future, sexuality, or marriage. She is always reminded that she is sensitive, emotional, and weak but not completely capable. At the same time, her sexuality is considered to be an invisible thing. Even after this, if a Differently Abled woman moves forward for her rights or decision, then various types of obstacles arise in front of her (Palacios, 2008).

The societal milieu consistently embraces more traditional ideas about women with disabilities. These women must endure both the dependent variable itself and experiences of maltreatment. Women with impairments or differently abled women are viewed as objects in procedures such as the dependent variable. Family members are in charge of their private and everyday lives. The family decides what she eats, what she wears, and what she does at home. Consequently,

differently, abled women also go through all of these ideas and procedures to the point where they lose all motivation to live. She soon comes to believe that all of this unkind and immoral treatment is justifiable because of her condition (Villaverde, 2014)

4. Status of Women with Disabilities in India:

Disability and its associated challenges are not novel concepts and have persisted throughout history. In ancient times, disabilities were often viewed through a lens of cruelty, attributing the condition to past actions. Such individuals faced a life marked by cruelty, pity, discrimination, and mistreatment. Despite evolving perspectives, the lives of people with disabilities, particularly women in India, continue to be marked by hardship due to societal biases.

In the modern era, diverse approaches, including psychological, social, political, and medical, have been developed to address disability-related issues. However, even with these efforts, differently abled individuals, particularly women, grapple with a conservative societal mindset that stems from their disability. This discussion will specifically delve into the challenges faced by differently abled women in India, who bear the brunt of multiple forms of discrimination based on gender, caste, color, and disability.

Women with disabilities confront a complex interplay of factors that strip them of their rights. From early on, they may face mistreatment from their families and society. It's crucial to recognise that barriers to education, employment, marriage, and resources aren't solely due to their disability. Instead, these women often grapple with an environment that further dampens their spirits. Their disability is constantly emphasised, reinforcing the perception of their supposed limitations. The prevailing social norms and circumstances contribute to a cycle of inadequacy, hindering their ability to lead fulfilling lives.

Despite various governmental initiatives aiming to support differently abled women, those at the lower echelons of society continue to struggle. Just like anyone else, differently abled women aspire to education, independence, economic engagement, and the possibility of marriage. Regrettably, these rights are frequently denied, often starting within their own families. Families use societal prejudices to instill fear and negativity, adversely impacting the mental well-being of differently abled women. Even when some summon the courage to break free, they often encounter rejection and a sense of invisibility from the broader world.

5. Experiences, Challenges and Problems of Women with Disabilities Towards and Marriage:

In today's society, despite numerous government efforts, organisations, and rules aimed at promoting equality and opportunities, differently abled girls and women continue to face significant challenges. Issues such as education, employment, and equality persist, with only a small number of differently abled women finding success across various fields. This discussion focuses on the complex challenge of marriage for differently abled women, a topic more daunting than the disability itself.

Marriage poses a substantial challenge for differently abled women, entwining their hopes and concerns with the concept of matrimony. Unfortunately, society often views them as unsuitable for marriage due to their disabilities. This perspective arises from a multitude of factors, including societal expectations of women's capabilities in marriage. The prevailing notion is that a woman should excel in diverse areas such as cooking, homemaking, child-rearing, appearance, education, and physical fitness to be considered eligible for marriage. Consequently, differently abled women are often perceived as lacking the qualities required for marital life.

This biased viewpoint stems from a flawed perception of differently abled individuals as "incomplete" or "inferior," thereby excluding them from the societal standards of eligibility. For instance, society wrongly assumes that differently abled women are incapable of fulfilling crucial roles in marriage, such as managing a household or participating in family activities. These preconceived notions lead to unjust beliefs, including the idea that differently abled women should only marry differently abled men, or that their union will result in differently abled offspring.

Moreover, rural areas exhibit even more severe prejudices against differently abled women. Villages often stigmatise disabilities and discriminate against differently abled girls, perpetuating harmful beliefs that their birth is a consequence of ancestral wrongdoing. This outlook extends to education, as families in rural regions might not prioritise educating differently abled daughters, anticipating that marriage prospects for them are limited anyway.

The barriers to marriage for differently abled women are influenced by various societal and familial ideologies. While differently abled girls express their desire for marriage, they are frequently met with skepticism from family members who are preoccupied with their own lives. Family members may doubt their suitability for marriage due to their disabilities, casting uncertainty on the differently abled women's self-worth. Often, families lack awareness about the opportunities available for differently abled individuals to find suitable partners.

It is essential to dispel these misconceptions and raise awareness within society about the potential for successful marriages involving differently abled individuals. Efforts should be made to create platforms and schemes specifically

aimed at differently abled marriage, mirroring those available for non-differently abled individuals. By challenging society's conservative perceptions and encouraging an inclusive mindset, differently abled women can exercise their right to make decisions about marriage on their terms. Simultaneously, addressing concerns about safety and well-being can help alleviate apprehensions within families.

In conclusion, the challenges surrounding the marriage of differently abled women are more intricate than their disabilities alone. Societal biases, limited opportunities, lack of awareness, and inadequate education contribute to these challenges. It is imperative to foster a more inclusive environment and provide differently abled women with the agency to choose their own paths, whether they marry a differently abled or non-differently abled partner. By challenging harmful stereotypes and misconceptions, society can move toward a more equitable perspective on marriage for all individuals, regardless of their abilities.

6. Conclusion:

After analysing the myriad challenges faced by differently abled women and girls concerning marriage and familial relationships, it becomes evident that society must cultivate heightened awareness. It is imperative for society to acknowledge that denying women with disabilities the right to marriage based on a solitary factor is unjustifiable.

Much like their non-differently abled counterparts, marriage constitutes a normal and significant facet of life for individuals with disabilities. They possess the same aspirations and entitlement to meaningful relationships and the formation of families. It is critical to validate and honor their desires for marriage, ensuring they are not subjected to exclusion or discrimination due to their disabilities. Just as non-differently abled children within families receive unconditional love and support, it is paramount for differently abled women to also experience equivalent levels of affection and backing. Yet, achieving this necessitates the dissemination of awareness within society and families.

Currently, a dearth of dedicated organisations or policies exists to facilitate marriages for individuals with disabilities. Even if such entities are in existence, both those with disabilities and society as a whole might remain unaware of their presence. The concept of marriage for differently abled individuals should be normalised and perceived as a common aspect of life, rather than an exceptional circumstance. This holds true for marriages involving both differently abled and non-differently abled individuals. Consequently, owing to the scarcity of initiatives and policies surrounding differently abled marriages, the marriage rate within this demographic remains low.

Moreover, women with disabilities themselves feel the imperative to attain higher levels of education and financial independence. By fostering complete self-reliance and capability, differently abled women aim to garner societal and parental support without trepidation, fostering understanding from all quarters. Furthermore, a necessity arises to establish numerous organisations at the societal level specifically catering to women. Such organisations have the potential to challenge and reform conservative perspectives and attitudes prevalent within society.

REFERENCES:

1. Maria del Carmen, B., Barba Martínez, G., García, E., de, R. A., Ansuátegui Roig, F., & Liesa, C. R. (2014). *Historia de los derechos fundamentales*. Spain: Editorial Dickinson.
2. Barry, K. (2005). *Teoría del feminismo radical: política de la explotación sexual (Vol. Teoría feminista: de la Ilustración a la globalización)*. (C. Amorós, A. d. Miguel, Eds., & C. R, Trans.) Spain: Minerva Ediciones.
3. Census Of India. (2011). *Measurement of Disability through Census National Experience: India*. Delhi: Office of the Registrar General & Census Commissioner, India.
4. Chahal, S. (2021). *Women with disabilities in India*. *International Journal of Creative Research Thoughts*, 1936-1943.
5. Ghai, A. (2001). *Marginalization and disability: experiences from the third world*. In M. Priestley, *Disability and the life course global perspective* (pp. 26-37). Cambridge (UK): Cambridge University Press.
6. Government Of India. (2016). *Right Of Person with Disabilities Act, 2016*. Government Of India.
7. Gupta, R. (2021, June 29). *Challenges of women with disabilities battling between the equation of sin and virtue*. Retrieved from *Feminism in India*: <https://hindi.feminisminindia.com/2021/06/29/disability-and-challenges-of-rural-india-hindi/>
8. Human Rights Watch. (2013, December 14). *India: Women With Disabilities Locked Away and Abused*. Retrieved from *Human Rights Watch*: <https://www.hrw.org/news/2014/12/03/india-women-disabilities-locked-away-and-abused>
9. Kapoor, P. (2017, December 22). *Why Should Marriage for Women with Disabilities Be Such A Burden?* Retrieved from *Feminism in India*: <https://feminisminindia.com/2017/12/22/marriage-women-with-disabilities/>
10. Lalita, P. (2021, January 24). *Focusing on women with disabilities*. Retrieved from *Hindustan Times*: <https://www.hindustantimes.com/opinion/focusing-on-women-with-disabilities-101611405410818.html>

11. M del Carmen, B. A. (2012). Diversidad de situaciones y universalidad de derechos. Spain: Dykinson.
12. Mehta, K. (2020, November 16). Marriage equality is still not a reality for differently abled people in India. Retrieved from Disability Insider: <https://disabilityinsider.com/story/marriage-equality-is-still-not-a-reality-for-differently-abled-people-in-india/>
13. Palacios, A. (2008). El modelo social de la discapacidad: orígenes, caracterización y plasmación en la Convención Internacional sobre los Derechos de las Personas con Discapacidad. Spain: Cinca.
14. Pohekar, D. (2022). Marriage of Physically Challenged Women: Status and Issues. Socrates, 43-49.
15. Raha, S., & Sengupta, S. (2018). Rights of women with disabilities. Manupatra, 191-211.
16. Ramírez, G. Á. (2012). Manual La transversalidad de género en las políticas públicas de discapacidad. Spain: Cinca.
17. The Times of India. (2011, May 11). Disability Limits Marriage Choices: Online Survey. Retrieved from The Times of India: <https://timesofindia.indiatimes.com/india/disability-limits-marriage-choices-online-survey/articleshow/8245445.cms>
18. United Nations. (2006). United Nations Convention Rights of Person with Disabilities. New York: United Nation.
19. United Nations. (2021, 05 10). Department of Economic and Social Affairs. Retrieved from United Nations: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-1-purpose.html#:~:text=Persons%20with%20disabilities%20include%20those,Next%3A%20Article%202%20%E2%80%93%20Definitions>
20. Villaverde, M. S. (2014, February 08). Capitulo Capacidad Jurídica. Retrieved from Ciclo Documental Audiovisual Diversidades: <http://ciclodiversidades.blogspot.com.ar/p/videos.html>
21. White, B. (1999). On to a loser disability in India. In B. White, & K. S. Subramanian, Illfare in India: Essays on India's Social Sector in Honour of S Guhan (pp. 135-159). New Delhi: Sage PublicationN.
22. World Health Organization. (2001). International Classification of Functioning, Disability and Health. Geneva: World Health Organization.
23. Office of Chief Commissioner for Persons with Disabilities. (2021, 08 08). Ministry of Social Justice and Empowerment, Government of India. Retrieved from Office of Chief Commissioner for Persons with Disabilities: <http://www.ccdisabilities.nic.in/resources/disability-india>