



THE INTERSECTION OF GENDER, DISABILITY AND SPORTS

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ஊமங்கையராய்ப் பிறப்பதற்கே நல்ல மாதவம் செய்திடல் வேண்டுமம்மாஊ .
கவிமணி தேசிக விநாயகம்பிள்ளை

“Disabled women struggle with both the oppression of being women in male dominated societies and the oppression of being disabled in societies dominated by the able-bodied”
Wendell, -Susan

ABSTRACT

Sports serve as a microcosm of society, reflecting and often perpetuating various social constructs and inequalities. Within the realm of sports, the intersectionality of gender and disability adds layers of complexity, shaping individuals' experiences and opportunities in athletic endeavors. This article delves into the multifaceted dynamics at play when gender and disability intersect in the context of sports. Drawing from interdisciplinary perspectives, including sociology, gender studies, disability studies, and sports science, this article examines the unique challenges and opportunities faced by individuals at the intersection of gender and disability in sports. It explores how societal norms, stereotypes, and systemic barriers intersect to shape athletes' identities, access to resources, and participation in sports. The article critically analyzes the representation and portrayal of gender and disability in sports media, highlighting the role of judiciary in perpetuating or challenging stereotypes and stigma. The article delves into personal anecdotes and experiences of the author, who has been actively involved in advocating for the rights of athletes with disabilities. The article authored by an advocate deeply engaged in issues of gender equity and disability rights, the article draws upon personal experiences to provide nuanced insights into the challenges faced by athletes at this intersection. These firsthand insights offer valuable perspectives on the everyday challenges faced by athletes at the intersection of gender and disability, from access to training facilities to representation in sports media. The article serves as a thought-provoking exploration of the intersection of gender, disability, and sports, offering a rich tapestry of legal analysis, personal reflections, and insights into recent trends in promoting gender equity and inclusion within the sporting arena. Through a multi-faceted approach, the article advocates for systemic changes and societal shifts to ensure that all athletes have equal opportunities to participate, compete, and thrive in sports, irrespective of their gender or disability status.

Keywords: Accessibility, Adaptive equipment, Advocacy, Coaching practices, Disability Equity, Gender, Inclusion, Intersectionality, Media, Policy frameworks, Representation, Social justice, Sports, Stereotypes

Introduction to Sports, Disability and Gender

In the realm of sports, where strength, skill, and determination are celebrated, there exists a poignant intersection of gender, disability, and the pursuit of athletic excellence. While the sporting arena is often viewed as a platform for empowerment and inclusivity, the reality for many individuals with disabilities, especially women, reveals a landscape marred by barriers and biases. The rights and experiences of persons with disabilities (RPWD) intersect with the broader struggle for gender equality, presenting unique challenges and opportunities within the sporting domain. The Convention on the Rights of Persons with Disabilities (CRPD) stands as a beacon of hope, advocating for the rights and dignity of individuals with disabilities, including the

recognition of their right to participate fully in all aspects of life, including sports. However, despite the progress made in advancing disability rights and gender equality, disparities persist, particularly in the realm of sports.

The Rights of Persons with Disabilities Act, 2016, stands as a pivotal legislation aimed at safeguarding the rights and dignity of individuals with disabilities within the Indian context. Enacted to align with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), this landmark law embodies a comprehensive framework designed to promote inclusivity, accessibility, and empowerment for persons with disabilities across various spheres of life. The Act encompasses a wide array of provisions ranging from non-discrimination and equal opportunities to accessibility, education, employment, and social protection. By recognizing the diverse needs and capabilities of persons with disabilities, the legislation seeks to dismantle barriers and ensure their full and effective participation in society. It emphasizes the importance of reasonable accommodations, reasonable modifications, and appropriate support systems to facilitate their integration into mainstream settings. Furthermore, the Act mandates the creation of dedicated institutional mechanisms, including State Disability Rights Commissions, to oversee the implementation and enforcement of its provisions. It underscores the significance of awareness-raising, sensitization, and capacity-building initiatives to foster a more inclusive and disability-friendly environment.

In the journey towards gender equality and empowerment, the experiences of women with disabilities often remain overlooked. Despite progress in recognizing the rights of individuals with disabilities and the strides made in advancing women's rights, the intersectionality of gender and disability presents unique challenges. This article sheds light on the struggles faced by disabled women in their quest for empowerment and explores avenues for fostering inclusion and resilience.

HISTORY

Women have made significant contributions to society since ancient times, often in roles that have been overlooked or undervalued. From the earliest civilizations to the present day, women have played crucial roles in shaping culture, economy, politics, and more. Here are some key contributions of women throughout history. In prehistoric societies, women played vital roles in agricultural activities, including planting, harvesting, and food preparation. Their knowledge of seeds, plants, and farming techniques was instrumental in sustaining communities. Throughout ancient history, there were notable female rulers and leaders who wielded political power and influence. Examples include Cleopatra in Egypt, Hatshepsut in ancient Egypt, Queen Nefertiti, and Queen Victoria of England. Women have made significant contributions to art, literature, philosophy, and science since ancient times. Examples include the poet Sappho of ancient Greece, the philosopher Hypatia of Alexandria, and the mathematician Hypatia. In many ancient cultures, women held positions of religious authority and played important roles in religious rituals and practices. Priestesses in ancient Egypt, Greece, and Rome, as well as female shamans in indigenous cultures, are examples of women's spiritual leadership.

Despite limited access to formal education, some women in ancient times pursued knowledge and scholarship. They contributed to fields such as medicine, philosophy, and mathematics, often against societal norms and expectations. Women have long been involved in economic activities, including trade, craftsmanship, and entrepreneurship. In ancient societies, women were skilled artisans, merchants, and traders, contributing to economic growth and prosperity. Women has always been instrumental in nurturing families, fostering community ties, and promoting social cohesion. Their roles as caregivers, educators, and community organizers have been essential for the well-being of society. Throughout history, women have been at the forefront of social movements and resistance against oppression and injustice. From ancient times to the present day, women have fought for their rights and the rights of others, advocating for equality, justice, and freedom. Overall, the contributions of women to society since ancient times have been diverse, significant, and enduring. Despite facing numerous challenges and barriers, women have continued to make invaluable contributions that have shaped the course of history and enriched human civilization.

Disabled women navigate a landscape fraught with barriers that extend beyond their disabilities. They confront societal attitudes and systemic inequalities that compound their challenges. From inaccessible infrastructure to limited educational and employment opportunities, disabled women encounter numerous obstacles that hinder their autonomy and agency. Moreover, they often face intersecting forms of discrimination based on both their gender and disability, exacerbating their marginalization. Despite the myriad challenges they face, disabled

women are increasingly asserting their rights and advocating for change. Through grassroots movements, online activism, and participation in disability rights organizations, they are challenging societal norms and demanding equal opportunities. By amplifying their voices and sharing their stories, disabled women are reshaping narratives and driving conversations around inclusion and accessibility. Education serves as a cornerstone of empowerment for disabled women, providing them with the knowledge, skills, and confidence to pursue their aspirations. However, access to quality education remains a challenge for many due to physical barriers, stigma, and lack of support services. Similarly, economic empowerment is crucial for enabling disabled women to achieve financial independence and self-sufficiency. Yet, they often face discrimination in the workplace, limited job opportunities, and inadequate support networks.

Sport is consistently recognized as a powerful tool for fostering human development, including psychological and physical rehabilitation. It serves as a conduit for peace and social cohesion by offering a physical foundation. Within the realm of sport, relationships can be forged among teammates, even amidst competitive adversaries. Participation in sports yields significant benefits, particularly for individuals with disabilities. Creating a socially supportive environment for individuals with disabilities to engage in sports facilitates the development of essential skills such as teamwork, communication, confidence, leadership, cooperation, and respect, thereby enabling them to become contributing members of society. Moreover, sports offer a cost-effective form of physical therapy crucial for individuals with physical disabilities, aiding in the retention of mobility to the greatest extent possible. Sports have the power to transcend barriers and empower individuals with disabilities, including women. Participation in sports not only promotes physical well-being but also fosters confidence, resilience, and a sense of belonging. However, disabled women encounter numerous obstacles in accessing sports facilities, adaptive equipment, and inclusive programs. By advocating for greater inclusivity in sports and challenging stereotypes, disabled women are carving out spaces for themselves on the playing field.

Gender equality remains a fundamental goal in modern society, aiming to ensure fairness and equal opportunities for all individuals regardless of gender. While progress has been made in various fields, including education, employment, and politics, disparities persist, particularly in the realm of sports. This article delves into the importance of gender equality in all fields, with a specific focus on the critical need for parity and inclusivity in sports. Gender equality is not just a matter of fairness; it is essential for social progress, economic development, and the realization of human rights. When individuals are treated equally and have access to the same opportunities, society as a whole benefits from their diverse talents, perspectives, and contributions. Gender equality fosters a more inclusive and just society where everyone has the chance to thrive and fulfill their potential. Despite the significant strides made in recent decades, gender disparities persist in the world of sports. Women continue to face barriers in access to resources, opportunities, and representation. They are underrepresented in leadership positions, receive less media coverage and sponsorship, and often face discrimination and stereotypes based on their gender. These challenges not only limit the opportunities available to women but also perpetuate inequalities and reinforce gender norms. Empowering female athletes is crucial for advancing gender equality in sports. By providing them with the same opportunities, support, and recognition as their male counterparts, we can help them thrive and reach their full potential. This includes investing in women's sports programs, ensuring equal access to facilities and resources, and promoting positive role models and representation in the media.

In India, amidst a burgeoning population, women face the dual challenge of gender oppression in male-dominated societies and with added hurdles of disability in societies primarily dominated by the able-bodied. Disabled women, in particular, encounter significant obstacles in their pursuit of sporting excellence, often lacking encouragement and support. They frequently confront dual discrimination stemming from both their gender and disability. Negotiating the intersectionality of disability and participation in sports, for which they bear no fault, is further complicated by systematic barriers associated with being female in male-dominated sports arenas.

At the elite level, disability sports have experienced unprecedented growth and development, particularly evident in the rapid expansion of the Paralympic Games, which stand as the premier global competition for athletes with disabilities, second only to the Olympic Games. However, despite the strides made by the Paralympic movement, significant gender disparities persist. Women continue to be underrepresented, with far fewer female participants compared to their male counterparts. This disparity underscores the enduring

challenges faced by women with disabilities in sports. Professionals within the adapted physical activity field have examined the various barriers confronting women with disabilities in sports, highlighting the complexities and inequalities inherent in their participation.

It is evident that women with disabilities face a heightened risk of experiencing various forms of violence. These can manifest in traditional ways like physical, sexual, and emotional abuse, as well as non-traditional forms such as denial of medication, restrictions on access to mobility or communication aids, lack of personal care and hygiene assistance, limited access to medical consultations, and fear of institutionalization, among others. Overcoming these forms of abuse requires greater independence (both physical and emotional) from perpetrators, as well as improved understanding and response from law enforcement and other professionals.

As we delve into the complexities of addressing discrimination based on gender and disability, it is essential to heed the wisdom of these legal luminaries. Their groundbreaking rulings, impassioned dissenting opinions, and enduring legacies remind us of the transformative power of the law in shaping a more just and equitable society. From pioneering figures like Ruth Bader Ginsburg, Sandra Day O'Connor, to Sonia Sotomayor, these legal giants have left an indelible mark on the landscape of jurisprudence, championing the rights of all individuals, regardless of their gender or ability. Their tireless advocacy, groundbreaking decisions, and unwavering commitment to equality have paved the way for progress and social change.

Ruth Bader Ginsburg, often affectionately referred to as "RBG." Ginsburg overcame significant obstacles throughout her career to become a pioneering figure in the legal world. Born in Brooklyn, New York, in 1933, Ginsburg faced discrimination as a woman pursuing a career in law during the mid-20th century. Despite encountering numerous challenges, including being one of only nine women in a class of over 500 at Harvard Law School, she persevered and graduated tied for first in her class from Columbia Law School. Throughout her legal career, Ginsburg championed gender equality and women's rights. As a lawyer, she argued six landmark cases on gender equality before the Supreme Court, winning five. Her tireless advocacy laid the groundwork for dismantling discriminatory laws and practices. In 1993, Ginsburg was appointed to the US Supreme Court by President Bill Clinton, becoming the second woman ever to serve on the nation's highest court. During her tenure, she authored influential opinions on issues ranging from gender discrimination to voting rights, earning a reputation as a staunch defender of civil liberties. Despite facing personal health challenges, including multiple battles with cancer, Ginsburg remained dedicated to her work, earning admiration and respect from colleagues and the public alike. Her eloquence, intellect, and unwavering commitment to justice inspired generations of aspiring lawyers and activists. Ruth Bader Ginsburg's legacy serves as a beacon of hope and inspiration, reminding us of all of the power of perseverance, resilience, and the pursuit of justice. Her impact on the legal landscape and society at large will continue to be felt for generations to come, inspiring future generations of female judges to follow in her footsteps and make their mark on the world. Ginsburg's sharp intellect, unwavering commitment to justice, and resilience in the face of adversity made her an iconic figure in American jurisprudence until her passing in 2020.

Helen Keller's teacher, Anne Sullivan, made invaluable contributions not only to Keller's life but also to the field of education and disability rights. Anne Sullivan's remarkable dedication and innovative teaching methods played a pivotal role in unlocking Helen Keller's potential and facilitating her remarkable achievements despite her disabilities. Anne Sullivan developed groundbreaking techniques to teach Keller, who was both deaf and blind, how to communicate. Through her work with Keller, Anne Sullivan became an advocate for the rights of individuals with disabilities. She highlighted the importance of access to education and opportunities for people with disabilities, challenging prevailing attitudes of pity and low expectations. Anne Sullivan's dedication and success in teaching Helen Keller inspired countless educators, parents, and advocates for individuals with disabilities. Her story continues to serve as a testament to the transformative power of education, perseverance, and belief in the potential of every individual, regardless of their abilities. Anne Sullivan's contributions as Helen Keller's teacher were profound and far-reaching. Through her unwavering dedication, innovative teaching methods, and advocacy for disability rights, she not only transformed Keller's life but also paved the way for greater inclusion, empowerment, and opportunities for individuals with disabilities around the world.

Despite strides towards gender parity, women continue to be underrepresented in the Indian judiciary, particularly at higher levels. The presence of women judges in the Supreme Court remains limited, reflecting broader societal barriers to women's participation in the legal profession. The lack of representation hampers

diversity in judicial perspectives and undermines efforts to address gender bias within the legal system. Women judges in the Supreme Court face numerous challenges, including gender stereotyping, professional barriers, and societal expectations. Addressing gender bias requires systemic reforms, including measures to enhance diversity in judicial appointments, provide gender-sensitive training for judges, and promote institutional accountability for gender discrimination. Empowering women judges and fostering a supportive work environment are essential for creating a judiciary that upholds principles of equality and justice for all. Women judges in the Supreme Court bring diverse perspectives shaped by their lived experiences, thereby enriching judicial deliberations and promoting inclusivity within the legal system. Recognizing and addressing intersectional forms of discrimination is crucial for combating gender bias and promoting equitable outcomes.

In a glaring instance of gender bias within the judiciary, former Supreme Court Justice Gyan Sudha Misra listed her "two daughters to be married" against the liability column in a mandatory declaration of assets and liabilities. This action, while seemingly innocuous, sheds light on entrenched societal norms and expectations that perpetuate discrimination against women and reinforce traditional gender roles. The act of categorizing daughters as liabilities solely based on their marital status reflects a deeply ingrained bias that views women primarily as dependents or burdens, rather than as autonomous individuals with agency and rights. By equating marriage with financial obligation and dependency, Justice Misra's listing perpetuates harmful stereotypes and undermines the progress towards gender equality. Moreover, this incident highlights the pervasive influence of cultural norms and societal expectations on legal discourse. Despite advancements in gender equality and women's rights, traditional attitudes towards marriage and family continue to shape perceptions and behaviors within the legal profession, often to the detriment of women's rights and autonomy.

Justice Misra's action also raises questions about the role of the judiciary in challenging and addressing gender bias. As guardians of justice and equality, judges bear a responsibility to uphold the principles of fairness and non-discrimination in their actions and decisions. However, by perpetuating gender stereotypes and reinforcing patriarchal norms, Justice Misra's listing undermines the credibility and integrity of the judiciary. Furthermore, this incident underscores the need for greater awareness and sensitivity to gender issues within the legal profession. Judges and legal practitioners must undergo training and education on gender equality and women's rights to ensure that their actions and decisions are free from bias and discrimination.

Justice Gyan Sudha Misra's listing of her daughters as liabilities against the backdrop of their marital status serves as a stark reminder of the persistence of gender bias and cultural norms within the judiciary. It underscores the urgent need for systemic change and greater efforts to challenge discriminatory attitudes and practices within legal discourse. Only through collective action and commitment to gender equality can we hope to create a more just and inclusive society for all individuals, regardless of gender.

Discrimination – overview

Amartya Sen, an Indian economist and Nobel laureate, has contributed significantly to the understanding of social justice and equality. According to Sen, Discrimination can manifest in multiple forms, affecting individuals' capabilities and opportunities to lead a fulfilling life. Economic Discrimination refers to disparities in economic opportunities and resources based on factors such as income, wealth, or social class. Economic discrimination can limit individuals' capabilities to access education, healthcare, employment, and other essential goods and services, perpetuating cycles of poverty and inequality. Social discrimination encompasses biases and prejudices based on social identities such as race, ethnicity, religion, caste, gender, sexual orientation, or disability. It manifests in unequal treatment, exclusion, stigmatization, and marginalization of certain groups within society, hindering their capabilities and opportunities for full participation and flourishing. Political discrimination involves inequalities in political participation, representation, and power dynamics. It can manifest through restrictions on civil liberties, lack of political rights, marginalization of minority voices, or unequal access to decision-making processes. Political discrimination undermines individuals' capabilities to exercise agency, advocate for their interests, and influence social change. Cultural discrimination pertains to biases and prejudices related to cultural identities, practices, and beliefs. It includes cultural imperialism, ethnocentrism, cultural appropriation, and the imposition of dominant cultural norms and values on minority cultures. Cultural discrimination can erode individuals' cultural freedoms, autonomy, and dignity, restricting their capabilities to express, preserve, and engage with their cultural heritage. Environmental discrimination refers to inequalities in environmental conditions and access to natural resources based on socioeconomic or geographic factors. It disproportionately affects marginalized communities,

exposing them to environmental hazards, pollution, and climate change impacts. Environmental discrimination undermines individuals' capabilities to live in a safe and healthy environment, exacerbating social inequalities and vulnerabilities.

Discrimination is a pervasive and multifaceted social phenomenon that affects individuals across various dimensions of identity. Among the myriad forms of discrimination, two prominent dimensions are disability and sex. Discrimination based on disability and sex not only undermines individuals' rights and dignity but also perpetuates systemic inequalities and barriers to social inclusion. The unjust treatment or exclusion of individuals based on physical, sensory, cognitive, or mental impairments. Disability discrimination may take various forms, including denial of equal opportunities, lack of accessibility, and stereotypes perpetuating stigma and marginalization. Discrimination based on an individual's biological sex or gender identity. Sex discrimination encompasses unequal treatment, gender-based stereotypes, and barriers to gender equality in areas such as employment, education, healthcare, and social roles.

One key aspect of bridging this gap lies in the provision of financial resources and opportunities tailored specifically to empower women in disability sports. By investing in programs that prioritize female athletes and provide them with equal access to training facilities, coaching, and competition opportunities, we can create an environment conducive to their success. This not only serves to elevate the status of women in disability sports but also enhances the overall competitiveness and depth of talent within the field. Moreover, true empowerment necessitates more than just equal access to resources; it requires a fundamental shift in the culture and structures of the disability sports movement. Female athletes must be afforded the same level of visibility, recognition, and respect as their male counterparts. This entails challenging ingrained biases and stereotypes that have historically marginalized women in sports.

Further, creating avenues for female athletes to voice their concerns and actively participate in decision-making processes is essential. By ensuring that their voices are heard, and their perspectives are valued, we can foster a more inclusive and representative sports community. This united front can advocate for policies and initiatives that address the unique challenges faced by women in disability sports, ultimately paving the way for greater opportunities and achievements. In essence, empowering female athletes in disability sports is not only a matter of equity and social justice but also a strategic investment in the future of the sport. By harnessing the untapped potential of women, we can unlock new levels of excellence and innovation, enriching the fabric of disability sports and inspiring generations to come.

Due to gender and disability, the women with disabilities confront various disadvantages which includes not only social divisions, but also poverty, race, class or sexuality. These factors contribute and exclude disabled women from a uniform category, since each disability suffers by every woman is unique in itself and it calls for a potent tool that can address them all. Intersectionality lends itself to such type of analysis. It can be structural, when it refers to inequalities, which people experience as a result of their position in society. It has been described as one of “the most important theoretical contributions that women studies have made thus far”.

Intersectionality; Gender and Disability in Sports

The term ‘intersectionality’ was crafted by Kimberle Crenshaw in 1991, who studied the experiences of those at the intersections of two factors, that is, racial identity and gender. She argued that black women did not face marginalisation, discrimination or violence, because of their race or sex, but because of the intersection of both race and sex, which makes their experience unique and different from a person facing any one factor/marker of discrimination alone. She argued that gender-based discrimination is multidimensional and the singular focus on rape as a manifestation of male power over female sexuality tends to eclipse the use of rape as a weapon of racial terror.

In the Indian context, it is often seen that the factors like caste and gender are intrinsically linked. Similarly, disability and gender are linked in a way that make females with disabilities more vulnerable to such cumulative or compounded disadvantage and resultant discrimination⁶. Here, it is important to emphasize that the difficulties and barriers faced by a person facing any one axis of discrimination, for example- gender, are different from a person facing multiple axis of discrimination like disability, caste and gender together. The different identities within the same person intersect and co-exist in a way so as to give the individual a

qualitatively different experience than any one of the individual markers of discrimination or any of the individual characteristics. Therefore, where the axis of discrimination intersects, it is essential to view such cases from the lens of intersectionality in order to understand that the barriers, the challenges, the stigma as well as the practical difficulties faced by such persons are not only more intense, but also different and unique which call for a more in-depth and all-encompassing approach for addressing their grievances and ensuring substantive equality to them. Intersectionality, therefore, rejects a narrow or limited understanding of equality where the factors or markers of discrimination is isolated or are in singular spheres.

Intersectionality in policy denotes interaction of reciprocally mutually constitutive inequalities producing an effect which is different from what each of their dimensions would produce separately, and also different from the addition of their separate parts together. When an intersectional approach is adopted, it should be done in combination with focusing on the effects of discrimination generated by the intersection of gender and disability. There are many dimensions differentiating inequalities among the social categories and these inequalities are not independent, but are influenced by political, historical, social and cultural intersections, which shape individual and collective experiences.

In the intersectional analysis, certain elements are required for consideration, and they include social divisions, such as organizational, experimental and representational discriminations. Social divisions are witnessed in a daily life of the disabled women in the form of attitudes, ideologies and communities. They are largely attributable not due to the power, but due to cultural dominant discourses and ideas relating to representations of body or theories about disability and normality. These are all the larger factors, which rattle disabled women being disabled.

According to Rashida Manjoo, UN Special Rapporteur on Violence Against Women (SRVAW), “violence against women is the most pervasive human rights violation, which continues to challenge every country in the world and the United States is no exception”. Women with disabilities are always at the receiving end and they are neglected even by their husbands besides being abused or deserted by citing their disability. Whereas men with similar disability are always cared by their wives. Therefore, women with disability are vulnerable in terms of discrimination by reason of their gender, age, minority status, convergence and intersect in areas relating to gender-based violence, traditional practices, trafficking etc. It is the words of Senator, Boren that “Violent crimes against women are not limited to the streets of the inner cities, but also occur in homes in the urban and rural areas across the country. Violence against women affects not only those who are beaten and brutalized, but indirectly affects all women. Today, our wives, mothers, daughters, sisters, and colleagues are held captive by fear generated from these violent crimes-held captive not for what they do or who they are, but solely because of gender. Senator, William Cohen (D-Me.) followed with a similar statement, noting that “rapes and domestic assaults are not limited to the streets of our inner cities or to those few highly publicized cases that we read about in the newspapers or see on the evening news. Women throughout the country, in our Nation's urban areas and rural communities, are being beaten and brutalized in the streets and in their homes. It is our mothers, wives, daughters, sisters, friends, neighbours, and co-workers who are being victimized; and in many cases, they are being victimized by family members, friends, and acquaintances”.

During the 2018 Winter Olympics, 23 out of the 92 competing countries, did not send any female athletes. The 2018 Winter Olympic Games consisted of 1724 male competitors and 1224 female athletes. The number of women increased from 2014 but it was a small increase of 46. While progress has been made in general, when it comes to inclusion rates for women in the Olympics compared to men, the Paralympics tell a different tale. In 2018, male participants outnumbered female athletes 431-123. In 2021, India had sent its largest ever contingent to the Tokyo 2020 Paralympic Games with 54 athletes out of which 40 were men and 14 were women, which makes it a mere 25%. It is therefore apparent that the sheer lack of numbers in participation by itself acts as a barrier to disabled women athletes. Barriers faced by women athletes with disabilities include socio-cultural, economic as well as knowledge barriers breaking the false correlation between women with disabilities participating in sport and treating the same as socially unacceptable, the Government should also do the needful to support the Paralympic competitors by providing appropriate, safe and accessible

infrastructure as also other support like prosthetics and adequate clothing, along with campaigning for awareness of the benefits of physical activity.

Further, the Government should also grant adequate and structured financial assistance to the athletes in order that economic conditions do not act as a barrier in the fulfilment of the goals of young women with disability, in attaining success in their respective fields, which in turn would result in their winning accolades for our country. It is also seen that the governments offering higher financial rewards and support to sports persons are naturally performing better on account of the economic support to them as well as their families allowing them to focus more on the sport while not having to worry about their livelihood as well as their other financial needs. The State of Haryana has paid the highest cash reward among all states in India to an Olympic or Paralympic medallist at Rs. 6 crores for an Olympic gold, Rs.4 crore for silver and Rs. 2.5 crore for bronze. However, after the Tokyo Olympics, the State has announced that it will also give Rs. 50 lakhs to athletes who narrowly missed out on medals finishing fourth. Further, the State gave Rs.15 lakhs to every Haryana athlete, who qualified for the Tokyo Olympics regardless of performance. In comparison, the Indian Olympic Association gave Rs. 75 lakhs for Olympic gold and Rs.1 lakh for all Olympians.

Legal and Policy Frameworks

In 2006, the United Nations adopted the Convention on the Rights of Persons with Disabilities (CRPD), marking a significant milestone as the first international human rights treaty dedicated to safeguarding the rights and dignity of individuals with disabilities. Its primary objective is to advocate for, protect, and ensure the complete and equal enjoyment of all human rights and fundamental freedoms by individuals with disabilities, while also fostering respect for their inherent dignity. Embracing a comprehensive approach, the Convention aims to raise awareness and guarantee the rights of individuals with disabilities to accessibility, independent living, and full participation in all aspects of society. Recognizing the intersectionality of discrimination based on gender and disability, the CRPD explicitly acknowledges this reality. Article 3 specifically addresses non-discrimination and gender equality, while Article 6 acknowledges the unique challenges faced by women and girls with disabilities, mandating state parties to take appropriate measures to ensure their full enjoyment of human rights and freedoms. Moreover, Article 16 emphasizes the importance of protecting individuals with disabilities from exploitation, violence, and abuse, stressing the obligation of states to enact effective legislation in this regard.

Significantly, Article 30 of the CRPD underscores the role of sports and participation in cultural and recreational activities as powerful tools for inclusion. Specifically, Article 30(5) guarantees the right of individuals with disabilities to participate "on an equal basis" in sports, recreation, and leisure activities, thereby highlighting the importance of sports as a means of empowerment and integration. Furthermore, the CRPD calls upon states to implement measures to ensure women's full enjoyment of their rights and freedoms, including equal access to services, education, employment, healthcare, and personal autonomy. In essence, the Convention not only emphasizes the rights of individuals with disabilities to engage in sports but also advocates for broader societal measures to promote gender equality and disability rights across various spheres of life.

The UNESCO International Charter on Physical Education and Sport states, "one of the essential conditions for the effective exercise of human rights is that everyone should be free to develop and preserve his or her physical intellectual and moral powers, and that access to physical education and sport should consequently be assured and guaranteed for all human beings". The United Nations Inter-Agency Task Force on Sport for Development and Peace report states "Access to and participation in sport is a human right and essential for individuals of all ages to lead healthy and fulfilling lives".

In the pursuit of inclusivity and empowerment, the convergence of rights for persons with disabilities (RPWD), sports, and the challenges faced by women with disabilities represents a critical battleground for societal progress. Through the lens of the Convention on the Rights of Persons with Disabilities (CRPD), we recognize the inherent dignity and equal rights of individuals with disabilities, including women, to participate fully in all aspects of life, including sports.

However, despite significant strides in recognizing these rights, barriers persist, particularly for women with disabilities in the realm of sports. Discrimination, lack of access to resources, and societal stigma continue to

impede their participation and recognition in sporting endeavours. Yet, the potential for sports to serve as a vehicle for empowerment, inclusion, and societal change remains immense. As we navigate this complex landscape, it is imperative that we adopt a multifaceted approach. This includes implementing policies that prioritize accessibility and gender equality in sports, providing adequate resources and support for women with disabilities to engage in sporting activities, and challenging entrenched stereotypes and biases. Moreover, fostering a culture of inclusion and respect within sports communities is essential. By amplifying the voices of women with disabilities, celebrating their achievements, and creating opportunities for leadership and participation, we can pave the way for a more equitable and diverse sporting landscape.

India has made strides in recognizing the rights of PWDs, culminating in the enactment of the Rights of Persons with Disabilities Act, 2016 (RPWD Act). This legislation mandates reservations in education, employment, and public spaces to promote equality and inclusion. However, the journey towards effective implementation has been fraught with challenges, reflecting systemic barriers and societal attitudes towards disability. Reservation policies in education aim to enhance access and participation for PWDs at all levels, from primary to higher education. However, implementation challenges such as inaccessible infrastructure, inadequate support services, and a lack of awareness hinder the realization of inclusive education. Furthermore, the quality of education received by PWDs remains a concern, impacting their academic and professional outcomes. Reservation in employment seeks to address the barriers faced by PWDs in accessing job opportunities and participating in the workforce. While the RPWD Act mandates a 4% reservation in government jobs and 3% in private sector employment, implementation remains patchy. Employers often cite concerns regarding accommodation costs, productivity, and skill mismatches as barriers to hiring PWDs. Additionally, attitudinal biases and stereotypes perpetuate discrimination in recruitment and workplace environments. Ensuring physical accessibility is fundamental to the inclusion of PWDs in public spaces, yet India grapples with widespread infrastructural barriers. Inaccessible transportation, buildings, and public amenities limit the mobility and participation of PWDs in society. Despite legislative mandates for accessibility standards, enforcement mechanisms are weak, resulting in continued exclusion and marginalization. Beyond legislative and infrastructural challenges, social stigma and attitudinal barriers pose significant impediments to the inclusion of PWDs. Negative perceptions, misconceptions, and stereotypes surrounding disability perpetuate discrimination and hinder meaningful participation in society. Addressing deep-seated prejudices requires comprehensive awareness campaigns, sensitization programs, and advocacy efforts to foster a culture of acceptance and respect for diversity.

Achieving meaningful inclusion for PWDs requires a multi-faceted approach encompassing legislative reforms, capacity-building initiatives, awareness-raising campaigns, and stakeholder engagement. Strengthening enforcement mechanisms, investing in accessibility infrastructure, promoting inclusive education practices, and incentivizing private sector participation are critical steps towards realizing the objectives of reservation policies. The implementation of reservation for disabled persons in India holds immense potential for fostering inclusivity, equality, and empowerment. However, addressing the associated challenges requires sustained efforts and collaboration among government agencies, civil society organizations, academia, and the private sector. By prioritizing the needs and rights of PWDs, India can build a more inclusive society where every individual, regardless of ability, can realize their full potential and contribute meaningfully to the nation's progress.

In the complex tapestry of sports, the intersection of gender, disability, and athletic prowess presents both challenges and opportunities for individuals with disabilities, particularly women. Throughout this article, we have delved into the multifaceted dynamics that shape the experiences of women with disabilities in sports, from systemic barriers to societal attitudes and cultural norms. Despite the obstacles faced, there is reason for optimism. The Convention on the Rights of Persons with Disabilities (CRPD) serves as a powerful framework for advocating for the rights and dignity of individuals with disabilities, including their right to participate fully in sports. Moreover, the growing recognition of the importance of inclusivity and diversity in sports has led to increased efforts to break down barriers and promote equality.

Recently, Supreme Court have shed light on the challenges and disparities that persist despite the rhetoric. In a scathing critique of the Centre's response to a plea by women officers, the Supreme Court has highlighted the urgent need for concrete action to uphold the principles of gender equality and ensure the empowerment of women in the country. The Supreme Court's intervention in the case reflects its role as a guardian of

fundamental rights and a defender of gender equality. Through its judgments and directives, the Court has played a pivotal role in advancing the rights of women and holding authorities accountable for their obligations under the Constitution. The Court's critique of the Centre's response sends a strong message about the imperative of upholding the principles of equality and justice for all. The bench remarked

“You speak of ‘Nari Shakti Nari Shakti’ now show it here. You are at the deep end of the sea here. I don’t think the Coast Guard can say they can fall out of line when the Army and Navy have done it all. You all have not read the Babita Punia Judgment so far”,

The present case revolves around a plea filed by Priyanka Tyagi, short service appointment officer who had been denied the opportunity to be considered for the permanent commission even after serving 14 years with an impeccable record. In her plea, the woman officer said, ‘As of the present date, the Petitioner has the highest-flying hours as per her seniority in all the forces, including male and female i.e.4500 hours on the Dornier Aircraft and has heroically saved more than 300 lives at sea’. Her plea further detailed how the boars, which was to decide on granting a Permanent Commission to the SSA women officers in the Indian Coast Guard, was cancelled. The Centre's response to the plea has drawn criticism for its apparent reluctance to implement court orders and address gender bias in the military.

The Supreme Court's critique of the Centre's response underscores broader issues concerning the empowerment of women in India. Despite constitutional guarantees and legal protections, women across various sectors continue to encounter obstacles in accessing equal opportunities, representation, and recognition. The case highlights the gap between rhetoric and action in realizing the aspirations of Nari Shakti and ensuring gender parity in all spheres of life. Women officers in the armed forces confront numerous challenges, including limited career progression, gender-based stereotypes, and discriminatory practices. The denial of permanent commission and other benefits perpetuates inequities and undermines the contributions of women in defending the nation. Addressing these challenges requires a comprehensive approach that tackles systemic biases, promotes inclusive policies, and fosters a culture of respect and equality within the armed forces.

Despite landmark judgments by the Supreme Court affirming gender equality and non-discrimination, women officers continue to face systemic barriers and discrimination within the armed forces. In the *Babita Punia Judgement*, the top court had held that women short service commission officers are entitled to a permanent commission on par with their male counterparts. The Supreme Court's critique of the Centre's response to the plea by women officers underscores the ongoing struggle for gender equality and women's empowerment in India. As the nation aspires towards realizing the vision of Nari Shakti, it is imperative for all stakeholders to work together to dismantle barriers, challenge stereotypes, and create a society where every woman can thrive and contribute to the nation's progress.

Future Directions; advancing equality in sports.

As we look to the future, it is imperative that we continue to champion the rights of persons with disabilities and strive for gender equality in all aspects of sports. This requires concerted efforts at both the policy and grassroots levels, including the implementation of inclusive practices, the provision of resources and support services, and the promotion of positive representation and role models. The journey towards true inclusivity in sports for women with disabilities is ongoing. It requires collective action, advocacy, and unwavering commitment from all stakeholders. Discrimination based on disability and sex is a deeply entrenched and pervasive social issue that undermines individuals' rights, dignity, and well-being. By understanding the intersecting dynamics of disability and sex discrimination and their profound impacts on individuals and society, we can work towards creating a more inclusive, equitable, and just world for all. Through concerted efforts to combat discrimination, promote awareness, and foster intersectional approaches to social justice, we can strive towards a future where every individual is valued, respected, and empowered to realize their full potential, regardless of their disability or sex. By working together to break down barriers and create a more inclusive sporting environment, we can unleash the full potential of women with disabilities and build a more just and equitable society for all. To create a sporting landscape where all individuals, regardless of gender or ability, have the opportunity to pursue their athletic dreams and reach their full potential. By working together to dismantle barriers, challenge stereotypes, and foster inclusivity, we can build a future where sports truly reflect the diversity and richness of the human experience.

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