

# The Level of Participation of Visually Impaired Persons in the Electoral Process in Zambia: A Rights Based Approach

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**Abstract:** The study sought to identify the level of participation of the visually impaired persons in the electoral process in Zambia. A phenomenological research study design was used. Data was collected using interviews and Focus Group Discussions (FGDs). Purposive sampling procedure was used to sample thirty participants. The key findings were that the level of participation of the persons with visual impairment in the electoral process was very low. The low voter participation by the visually impaired was attributed to low information being disseminated to the disabled persons regards elections and lack of sensitization. The study recommends that adequate and appropriate civic education should be delivered to the visually impaired persons. In this regard, there is need to adopt a human rights model that takes cognizance of the equality principles and thus, will guarantee the participation of the visually impaired persons at all levels of the electoral process.

**Keywords:** Participation, Human Rights, Electoral Process, Visually Impaired Persons

## I. Introduction

The United Nations General Assembly passed the Universal Declaration of Human Rights (UDHR) in December 1948. It is declared to be a universal benchmark for success in fostering respect for human rights and freedoms across all peoples and all states. Although the UDHR was not meant to have any legal force justiciable at law, the concepts stated therein have become international customary law and are therefore enforceable. All states, not just those who are members of the United Nations, are subject to the declaration's obligatory obligations as an authoritative list of human rights (Mulenga, 2008). Matafwali (2022) notes that the coming into force of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in 2006 is probably the most progressive achievement in the disability law landscape. The UNCRPD codifies the international agreement on the nature and extent of the rights of Persons with Disabilities by upholding the key values of autonomy, non-discrimination, equality, and accessibility. Among persons with disabilities are Visually Impaired persons. The term visual impairment implies that someone's vision problem/s affect their ability to perform everyday activities, even with the aid of glasses. According to DeCarlo (2006), visual impairment is a condition of reduced visual performance that cannot be remedied by refractive corrections, surgery or other medical methods.

While elections are part of the process of democratization, when ill timed, can undermine the rights of the Visually Impaired persons to participate in the electoral process. According to Fatima (2019), an electoral process is a method by which a person is elected to public office.

Zambia being a party to these Human Rights Conventions is under International Obligation to uphold the core principles and values. However, studies have indicated that the level of participation of the Visually Impaired (VI) in the electoral process in Zambia was low (Mileji, 2016; Mileji, Matafwali and Muleya, 2021). The Resource Book on Disability Inclusion (2017) refers to the level of participation as the process, mindset or structures that prevent men, women and children with disabilities from equal access to information, facilities and basic services that are available to the general populace. In this sense, societal attitude to disability, or the way persons with disabilities are perceived and treated, may serve either as an enabling or disabling factor to participation.

A report by the European Union Agency for Fundamental Rights (2014) revealed that European Union (EU) member states have made significant progress in integrating the rights to political participation of persons with disabilities into their national legal and policy framework. However, it was established that legal and administrative barriers continue to prevent some persons with disabilities from participating in political life on equal basis with others. Language barriers, inadequate civic education, restrictions on the legal capacity of some people with disabilities, particularly those who have psychosocial or intellectual impairments, to vote, inaccessible administrative procedures that can actually prevent people with disabilities from voting, and challenges in accessing complaint mechanisms in cases where people with disabilities encounter issues with actual voting were identified as reasons for the low participation. It is clear from the findings of the EU that participation of the visually impaired implies that the person with a disability can fully take part in everyday, ordinary aspects of life, with an emphasis on building lasting connections with his/her

community. This principle does not only highlight the physical presence of persons with disabilities in societal actions and events, but stresses the importance of political engagement of persons with disabilities in decisions that relate to them. Furthermore, it is clear from the EU study that even though there are many legal frameworks that exist for the participation of persons with disabilities in the electoral processes, gaps in the law remain.

Munemo (2015); ILO (2001) and Mileji (2016) have indicated that participation of people with Visual Impairment in the governance and electoral structures of their communities is a right and, therefore, a developmental issue. However, little is known about how the key UNCRPD principles are translated into day-to-day practice, particularly in low and middle-income countries (World Health Organization and World Bank 2011 in Virendra Kumar et al, 2018). Studies from several countries like Ghana by Sackey (2014) and Vietnam by Human Rights Watch (2012) have consistently linked lack of financial resources, negative attitudes, low educational attainment and inaccessible physical environment to the low political participation of persons with disabilities. In Zambia, the right to participation in national affairs is of great importance as it is enshrined in article 75 (2) of the Constitution of Zambia. Hence, the need for this study to establish the level of participation of the visually impaired in the electoral process.

## II. Methodology

This study took a qualitative approach and employed a phenomenological research design. The study drew 30 participants among them were officials from Zambia Agency for Persons with Disabilities (ZAPD), Electoral Commission of Zambia (ECZ), Forum for Democratic Process (FODEP) and the visually impaired persons in Lusaka and Kabwe. Purposive sampling techniques were employed to identify the participants. An interview guide and focus group guide were used to gather data. Data from interviews and FGDs was validated, and transcribed having read text files and listened to the tape recorders thoroughly for a general understanding. Common themes were then identified and clustered to get relevant information for this study.

## III. Presentation of Findings

This study was confined to the level of participation of the visually impaired in the electoral process. The study has established that the Electoral Commission of Zambia (ECZ) and Zambia Association of Persons with Disabilities (ZAPD) were at the center of managing the affairs of the disabled persons with respect to participation in the electoral process. The ECZ was responsible for ensuring that disabled people participated in the election process in accordance with the Electoral Act. Additionally, ZAPD served as a channel of contact between the government and people with disabilities. It was also determined that the strategies used by ECZ included the distribution of braille paper jackets and the involvement of groups like the Zambia Federation of People with Disability (ZFPD) and ZAPD to translate braille materials and engage with the visually impaired as voter educators. When the participants were asked to state the level of participation by the visually impaired persons in the electoral process, one participant who was interviewed had this to say;

*“The electoral process has irregularities in the system because the human rights which respect everyone’s participation in the electoral process are not adhered to and therefore not perfect, hence, the persons with visual impairment cannot participate in the electoral process with inadequate information”.*

According to FODEP, the participation of persons with visual impairment in the electoral process was very low because the language being used was difficult and thus, communicating effectively to the persons with visual impairment was problematic. To this effect, ECZ gave a rough estimate of about 3000 persons with visual impairment who had registered for the 2016 voter registration exercise and they hope the number to increase for the 2021 general elections. Electoral commission of Zambia (ECZ) expressed disappointment in the low turnout of the persons with visual impairment in the past voter registration exercise

ZFPD (Z 1) said;

*Participation is very low due to lack of enough information*

Another VI (P 2) said;

*The electoral process has irregularities in the system and therefore not perfect, hence, the persons with visual impairment cannot participate in the electoral process with inadequate information*

Another participant (F 4) had this to say;

*we have tried all we can to communicate but the persons with visual impairment are not so many in number but even then, they don’t come forth to engage in public affairs, so we let them be and concentrate on developmental issues, hence their participation is rather weak ‘meanwhile there is need for the persons with visual impairment themselves to take the lead*

*and be vibrant in all public affairs if their participation is to be enhanced and recognized but as it is now, it will always be a dream*

ZAPD (T 1) said;

*The participation has been very low because sensitization has not been handled well with regards the electoral process*

An official from FODEP had this to say;

*The participation of the persons with visual impairment in the electoral process is very low, this is because of the language used to communicate on issues to do with the electoral process. For example, the campaign materials being used are visual and these are bill boards and poster among others. Hence, it is very difficult for them to participate in the electoral process as a result of the example give. So, their inclusion becomes difficult if they are not catered for especially with regards to electoral information*

ECZ (E 1) said;

*The participation of the persons with visual impairment is Very low and it is emanating from the low voter registration turn out among the persons with visual impairment especially during the 2016 voter registration, hoping there will be a difference in the 2021 voter registration*

#### **IV. Discussion of The Findings**

According to the study's findings, stakeholders who participated in the study demonstrated that they were aware that people with disabilities had the same rights as people without disabilities when it came to voting and participating in elections. This result was in line with a study conducted in Zimbabwe in 2015 by Munemo, who found that people with disabilities should be viewed as active citizens eager to participate in the political life of their communities. In addition to voting in elections, a large number of people with disabilities also engage in other types of political activities. Furthermore, Munemo suggests that the visually impaired persons must participate in the electoral process including being members of political parties, attending political meetings and being elected officials. By implication, it means that persons with disabilities have the same right to vote and stand for electoral office as candidates to be voted for during elections.

In this study, most participants indicated that lack of education was a challenge that has excluded the visually impaired persons from participating in the electoral process. Some participants indicated that lack of suitable electoral materials for the visually impaired persons had really hindered the participation of the visually impaired in the electoral process. Others also stated that the language used was inappropriate because most of it was visual. Therefore, what stands out here is the fact that, there is lack of information or better still education which is tailor made for the visually impaired. This meant that the level of participation was very low. It appears there has not been enough civic education with regards the electoral process and issues surrounding the process for the visually impaired persons. Engagement in community affairs is considered to be a vital component in the effective transmission of democratic ideals (Magasu, Muleya and Mweemba, 2020).

The findings from the study have revealed that language was one of the many challenges that persons with disabilities faced in taking part in the electoral process. This challenge continues to act as a blockade and it deters persons with disabilities to be active citizens and be able to engage in the political life of their communities. This finding is in line with the observation made by Sackey (2015) who reported that persons with disabilities who do manage to register to vote may find further barriers at the polling place. With votes being cast in a variety of public places, from school gyms to church basements to library meeting rooms, most of these voting facilities are inaccessible, hence their low level of participation in the electoral process. This excludes persons with disabilities from the opportunity to influence the development and implementation of the laws and policies which shape their daily lives in their society. Lack of voter education, lack of suitable equipment, distance to the polling station and rampant electoral violence (Magasu, 2016) obtaining in Zambia today were major barriers to the participation of the visually impaired persons in the electoral process. This means that there is need to address these issues so that the visually impaired people were included in the entire electoral process at their free will. This challenge was in line to that by (Hurst, 2012), where he noted that it was vital to empower disabled persons and to ensure their active participation in political, economic, social and cultural life in a way that is respectful and accommodating of their difference as it was their right.

Sensitization was not well carried out to the extent that there was information where the reporter would say a blind man, hence the fears of the visually impaired to participate in the electoral process. Self-discrimination and external discrimination, self being a situation where the visually impaired perceive the thoughts of the able bodied as being negative towards them and also the external discrimination where the able bodied would say the blind would never do anything because they can't see any development taking

place, hence they can't participate in the electoral process, hence the political atmosphere is not good for the visually impaired to actively participate in the electoral process in Zambia.

## V. Conclusion

In this study, an effort has been undertaken to determine the extent of electoral participation by people who are Visually Impaired from a human rights standpoint. This was done in an effort to identify potential strategies that could be used to address the problems that are causing their low levels of electoral participation. In order to expand access and involvement of the visually impaired in Zambia's electoral process, the study analysed current trends with the goal of identifying difficulties and suggesting solutions where appropriate. However, the findings mainly bordered on the electoral needs of the VI in the electoral process; the level of inclusion of the visually impaired guaranteeing the participation of the visually impaired persons in national affairs to attain a comprehensive state building; the barriers that hinder the participation of the Visually Impaired in the electoral process; and the approaches or processes that can be put in place to ensure the change of the narrative and ultimately enhance the effective participation of the VI in the electoral process. This is in the quest to ensure that the visually impaired persons are on the trajectory of development as well.

## VI. Recommendations

- i. The Electoral Commission of Zambia needs to put in place and implement approaches that will ensure that they reach out to the people visual impairment with information packaged in formats suitable for the visually impaired such as braille materials, enlarged print and appropriate information technology.
- ii. Enforce Laws and policies that relate to the participation of the visually impaired in the electoral process to ensure that they are involved from grassroots to commission level so as to achieve comprehensive state building and change the narrative which is currently at policy level and not practice.

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