

The legal recognition of sign languages: 20 years on

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The Legal Recognition of Sign Languages

- 19 different countries in northern, southern and central Europe, the U.S., South America, Asia and New Zealand
- SL legislation within national contexts with reference to language policies and status of other minority languages
- Recent, on-going, implementation (SL boards)
- Campaign, outcomes, strategies, barriers

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THE LEGAL RECOGNITION OF SIGN LANGUAGES

ADVOCACY AND OUTCOMES
AROUND THE WORLD



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Legal recognition: implicit and explicit

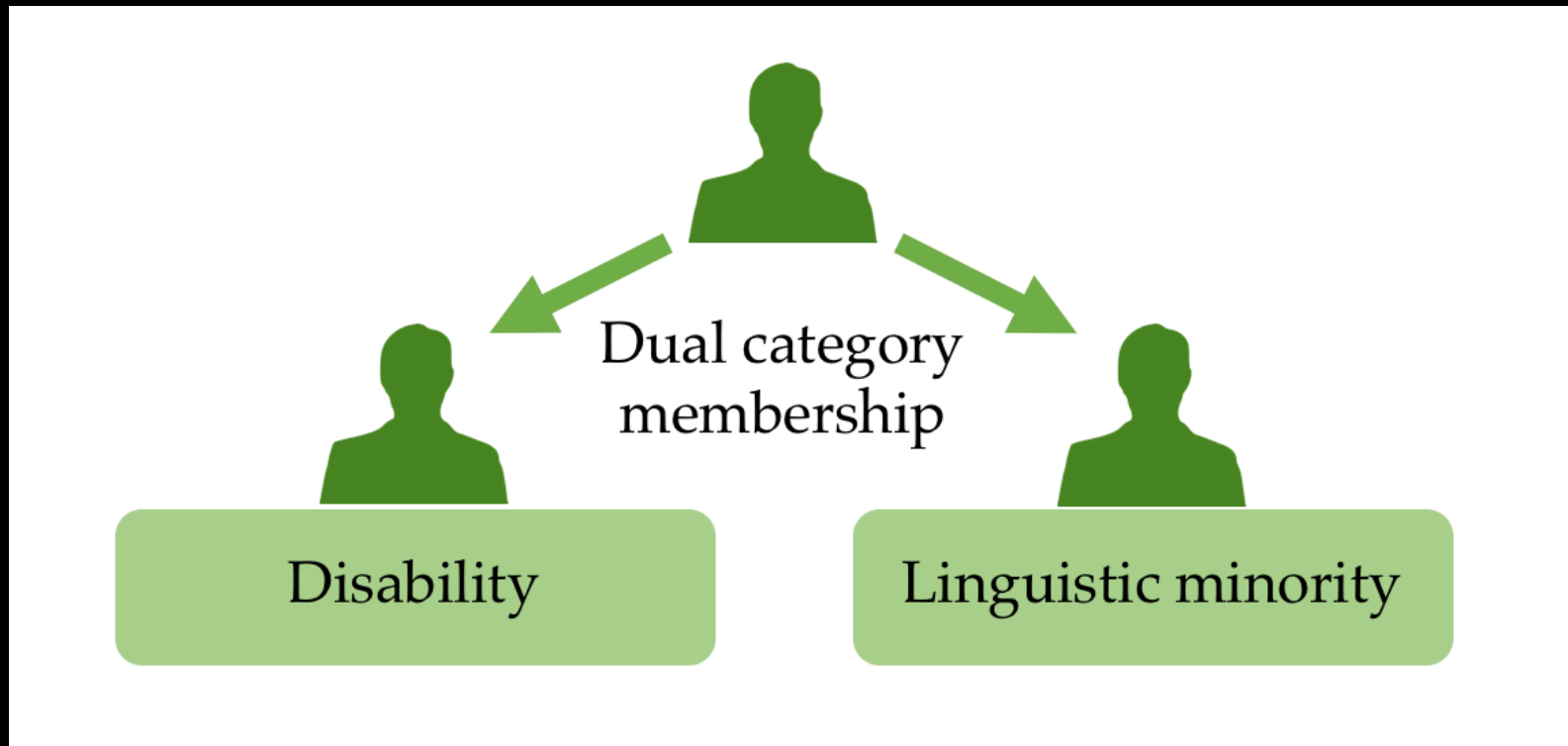
Approximately 46 countries have some form of explicit legal recognition in national laws

Most of these laws do not lead to official minority status

Implicit recognition: recognition in law that is not a language law (e.g. disability, equality, anti-discrimination legislation)

Unique for sign languages because deaf signers claim intersectional rights as language minorities and people with disabilities

Dual category status



Legal recognition

- **Explicit recognition**

1. Constitutional
2. Language law
3. Sign Language Law
4. Sign Language Law including 'other means of communication'
5. Law pertaining to the functioning of the national language council

- **No explicit recognition but strong institutionalization**

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Campaigns: barriers and challenges

- Bills often introduced by legislators cultivated by deaf community networks or deaf legislators
- Advocacy for status-oriented recognition sometimes seen as detracting attention from resolving practical issue re these rights
- Participation in political advocacy despite accommodations



'Recognition'

- Unique aspects of SL
- Legal intervention to establish sign languages as languages
- Rooted in language ideologies about superiority of spoken modality

"Austrian Sign Language is recognized as a fully-fledged language" (2005 Constitution, Art. 8(3))

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Language ideologies

- Campaigns invoke specific language ideologies about sign languages as languages
 - Korean campaign: “Sign language is a language”
- Some laws include linguistic or nationalist descriptions/definitions
 - “The linguistic system of signing deaf and deafblind people in Catalonia”



Campaigner with 'one-man' protest poster on Gwanghwamun Square, Seoul, South Korea, June 2012

Naming sign languages

- Often discussed in context of legislative process
- Need to create identifiable target of policy (but has implications for some sign languages)
- Some laws also recognize tactile form of a sign language



Italian campaigners

Naming sign languages

- What constitutes a 'sign language'?
Would be unusual for other language legislation to 'define' the language in question
 - ❖ "Chilean Sign Language exists, there is nothing to define"
- Lack of knowledge of legislators and policy makers
 - ❖ Debate in Italian senate: LIS less expressive than Italian, no language because too many varieties and no standard, International Sign should be used to allow for global communication

Blending of language and disability perspectives



- Governments reluctant to recognize minority rights
- Charity culture around disability (e.g. Turkey)
- “Buttering bread on both sides” and advance instrumental rights not found in minority language laws (e.g. “access”)



- SLs grouped with ‘communication aids’ or conflated with sign systems
- ‘Needs’-based language
- Dominance of disability groups can diminish deaf agency
- Political maneuverings from outside pressure groups associated with ‘deafness’ (Scotland, Italy, Catalonia)

So you want a Sign Language law?



Legislative levers in SL laws often significantly less substantial than those in disability legislation, and are often still couched as 'disability' and 'access' measures (e.g. disability legislation has litigation avenues)



More practical gains of disability framework against linguistic justice framework of language recognition.



Use both legislative means to advance intersectional rights as language minorities and people with disabilities.



Official language support alone not panacea – institutionalization and visibility for sign languages also critical cf. ASL in the US

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Signing session
Wed 24th July
15.30-17.00

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