Buttering their bread on both sides?

The recognition of sign languages and the aspirations of deaf communities

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In the past two decades, a wave of campaigns to recognise sign languages have taken place in numerous countries. These campaigns sought official recognition of national sign languages, with the aim of enhancing signers' social mobility and protecting the vitality of sign languages. These activities differ from a long history of sign language planning from a 'language as a problem' approach largely used by educators and policymakers to date. However, the instrumental rights and social mobility obtained as a result have thus far been limited with educational linguistic and language acquisition rights especially lacking. This article identifies two reasons for this situation. First, a view of Sign Language Peoples (SLPs) from a medical perspective has led to confusion about the meaning of linguistic rights for them and led governments to treat sign language planning differently than that for spoken languages. Furthermore, SLPs political participation is hindered by recognition being offered by governments without substantial commitments to financial resources, changes in government practices or greater inclusion of sign languages in public life. One exception to this trend are sign language planning bodies, but even these face challenges in the implementation phase. Going forward, we argue that sign language recognition legislation should centre on deaf communities' concerns regarding sign language vitality. In addition to a need to ensure acquisition for deaf signers, we contend that while the expansion of hearing (and deaf) new signers can be interpreted in terms of language endangerment it can also be seen as strengthening sign languages' vitality.

Keywords: deaf communities, sign language vitality, sign language legislation, language rights, sign language planning, new signers

The position of Sign Language Peoples (SLPs)[1] has always been intrinsically linked to the position of their languages and cultures. Because of their biological difference, SLPs cannot (and often do not want to) conform to monolingual ideologies and shift to the majority spoken language. Sign languages are an important and constitutive factor of their individual and collective identities and SLPs have consistently expressed the wish to hold on to them, even in highly oppressive contexts (Ladd, 2003). SLPs' communities and their languages have historically emerged in specific geographical locations around the world, rather than in relation to specific (national) spoken languages. This emergence centred around places where deaf people lived together or gathered frequently, such as at deaf schools, within large multigenerational deaf families, in large cities, and locations with high rates of hereditary deafness.[2]

Just like for any other minority language and group (May, 2012), the minority status of sign languages and SLPs is the result of social, political and historical processes linked to wider unequal power relations. Krausneker (2003) refers to sign languages as "minorised minority languages": they are minority languages in numerical terms and in terms of unequal power relations, but are then minorised by institutions, policies and research which ignore or even explicitly exclude them. Since over 95% of deaf children are born to hearing (nonsigning) parents (Mitchell & Karchmer, 2004), sign languages are usually not transmitted within the family. In addition, the widespread practice of cochlear implantation of deaf children leads to the increasingly common phenomenon of health professionals actively advising hearing parents against using sign language with their children (Humphries et al., 2012). Due to this, and to the erosion of historical horizontal transmission settings like deaf schools because of individual mainstreaming of deaf children, sign languages are increasingly characterized by disrupted transmission patterns.

In the past two decades, campaigns to grant sign languages legal status and protection have taken place with the aim of enhancing signers' social mobility and protecting the vitality of sign languages (De Meulder, 2015a; Murray, 2015). These campaigns have been spurred by the academic (linguistic) recognition of sign languages in the 1960s and 1970s (Stokoe, 1960; Tervoort, 1953), and by

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1. The naming of deaf people, and the names they use to define themselves, has varied over time according to social and political trends. In recent years, the concept of *Sign Language Peoples* and the ideas, which it embodies, has emerged (Batterbury, Ladd & Gulliver, 2007). The concept seeks to diminish the power of medicalised perspectives by representing the notion that sign languages-using deaf people are collectivities and need to be recognised as cultural-linguistic minorities requiring legal protection akin to what is granted to other such minorities (Ladd, 2003).

2. The so-called *shared signing communities* (Kisch, 2008) where *village sign languages* emerged.

the increasing external and internal identification of SLPs as cultural (Padden & Humphries, 1988) and linguistic (Skutnabb-Kangas, 2010) minorities, which are entitled to legal protection akin to what is granted to other such minorities. This contemporary focus of deaf advocacy organizations on the recognition of sign languages was not inevitable; other issues demanded immediate attention (e.g., underemployment, basic citizenship rights, lack of access to education). This focus on sign language rights, however, enabled those organisations to pack a number of rights (linguistic, educational, acquisition, human, civil) within a single framework "that *seems* to offer relatively simple legislative solutions to complex problems" related to the recognition of deaf people as cultural-linguistic minorities (Murray 2015, p. 381).

The reality has proven to be different. Studies on the outcomes of sign language recognition legislation show that the instrumental rights and social mobility obtained as a result have been limited and that legislation especially lacks educational linguistic rights and language acquisition rights (De Meulder, 2016; De Meulder, 2015c; McKee & Manning, 2015; Murray, 2015; Reagan, 2010). This article will address some of the potential reasons for this situation. In doing so, we join recent scholarship in language planning and policy (Baldauf & Kaplan, 2003; Tollefson, 2001) which "is increasingly addressing the overtly political and ideological aspects of language policy and planning, along with its often deleterious consequences for minority-language speakers" (May, 2003, p. 118). We will discuss two reasons for this situation of limited outcomes: the deficit frame and the issue of political participation of SLPs. Going forward, we will argue that sign language recognition legislation should address the concern of sign languages' vitality. In particular, we will contend that the increasing number of hearing people, usually adults, learning sign language as a second language can be interpreted in two ways. It can be seen in terms of language endangerment but can also constitute a case for sign languages' vitality.

Language planning and sign language recognition

The 21st century has seen "a veritable explosion of different kinds of language planning activities for sign languages around the world," covering status, corpus, acquisition and attitude planning (Reagan, 2010, p. 156). The last two decades have seen a substantial growth in the most visible kind of language planning for sign languages: their legal recognition. The campaign for sign language recognition has broken the pattern of the long history of sign language planning mostly from a 'language as a problem' perspective (Ruiz, 1984; see also Murray, 2015; Nover, 2000). Sign languages have historically been (and often still are) seen as

inappropriate in the education of deaf children (de Quadros, 2015; Reagan, 2011; Ladd, 2003), have been treated as needing standardisation (Adam, 2015; Eichman, 2009), seen as manual codes for spoken languages (Van Herreweghe, De Meulder & Vermeerbergen, 2015) and have been the subject of devaluating, audistic,[3] stereotypical and economic ideologies (Krausneker, 2015). By contrast the recognition of sign languages is often seen as deaf-driven because the demand for their legal recognition springs from SLPs themselves (De Meulder, 2015a; Murray, 2015). Because SLPs have been involved in the creation of sign language recognition legislation, it has been described as an exception to laws which otherwise ascribe deaf people dependent status (Bryan & Emery, 2014).

The 'language as a problem' approach to sign languages influences the perspective of policy makers and the general public, linking SLPs and their languages to a physical deficiency, not a biological and cultural difference. There are great inter-individual differences as to how SLPs define themselves, but some identify as both members of linguistic minorities and disability groups. We position sign languages and SLPs as having *dual category* status, being seen as both a linguistic minority and a group of people with a disability. As such, it is useful to make a distinction here between implicit and explicit legal recognition. Explicit recognition refers to legislation which recognises sign language as a language in dedicated language laws, perhaps even as an official language (New Zealand) or official minority language (e.g. Scotland). Implicit recognition refers to legislation that implicitly acknowledges sign language via other measures, e.g. forms of 'disability access'. An example of implicit recognition is the Americans with Disabilities Act (USA), which provides for interpreting services. Implicit recognition laws recognize sign languages within a disability framework, such as those in Mexico, Chile, Lithuania and elsewhere (De Meulder, 2015b). Following De Meulder's (2015b) strict legal definition, which includes both constitutional recognition and recognition in language legislation, it is estimated there are currently 33[4] countries that have accorded legal status to their sign language(s), of which most are European Union member states.

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3. An audistic ideology sees hearing as essential and perceives hearing ways of understanding the world as superior (Krausneker, 2015) and is derived from *audism*, a term coined by Humphries (1977).

4. To the previous 31 countries in De Meulder (2015b) were added Scotland (2015) and South Korea (2016).

Desired outcomes of sign language recognition

SLPs' campaigns for the recognition of sign languages seek a differentiated citizenship, a form of group representation rights accorded to accommodate their particular group's needs and practices. They do not resist their inclusion in society, but because hearing-led efforts at "inclusion" have historically tended towards assimilation and the loss of their identities, they aim to achieve this participation without such a loss; something they have in common with other disadvantaged cultural-linguistic minorities (May, 2012). This has also been termed *difference-aware equality* or *substantive equality* (Dunbar, 2006; Conama, 2013) or *co-equality* (Murray, 2007) and requires a renegotiation of the social contract for SLP communities (Emery, 2011). However, it should be understood that these campaigns do not reflect an 'essentialist tendency' often associated with minority language rights movements via a particular deterministic language-identity link and the image of the group as static and impervious to context, time, and change (May, 2012; Romaine, 2006). The key issue is that SLPs seek to be able to retain a significant degree of cultural and linguistic self-determination. This is not only aimed at their languages but equally, and increasingly, at their further existence. Indeed, because SLPs are also perceived as people with disabilities, the medical and genetic discourse is stigmatizing deaf bodies (Bryan & Emery, 2014). The past two decades have seen SLPs develop strategies to achieve these outcomes by first getting legal confirmation that sign languages are indeed *languages* (Murray, 2015). This speaks to the weak status of sign languages and although doubts about quality, status and value are common for any minority language, general doubts that they are, indeed, *languages*, seems to be the fate of sign languages only (Reagan, 2011). While all explicit legal recognition measures acknowledge that sign languages are languages, this symbolic recognition in itself is only limitedly useful. It should be seen as a first step towards achieving noninstrumental language rights aimed at ensuring a person's capacity to enjoy a secure linguistic environment in his/her mother tongue and a linguistic group's fair chance of cultural self-reproduction (Rubio-Marín, 2003), a point made for sign languages by Erlenkamp et al. (2007). After establishing that sign languages are languages, it is important that legislation can bring about instrumental value for sign languages. These are the instrumental language rights aimed at ensuring that language is not an obstacle to the effective enjoyment of rights with a linguistic dimension. This means e.g. that SLPs can access services in sign language and are not confronted with institutional discrimination because they sign.

Thirdly, and most importantly given the historical and contemporary situation of SLPs are educational linguistic and language acquisition rights in the home and education. Some deaf children with hearing parents acquire sign language

early from peers and/or from adults. In many countries however, this opportunity is scarcely available; the medical deafness discourse is still very influential (Humphries et al., 2012, 2015). Only in the minority of cases where a deaf child has at least one signing (usually deaf) parent, can sign language be transmitted at home. Schools for deaf people, which served as the primary sites for peer contact between deaf children and adults, and thus as crucial spaces for both intergenerational and horizontal language transmission, have lost this function due to an exponential increase in deaf children being educated among nonsigning hearing children (McKee, 2008). This lack of contact with deaf peers or adults reduces the chance of deaf children acquiring sign language, and has significant consequences for intergenerational and horizontal language transmission and the maintenance of a critical mass of deaf signers. This is a critical third outcome deaf communities have sought via sign language legislation (McKee & Manning, 2015; Murray, 2015)

Barriers to successful sign language recognition legislation

The deficit frame

Since the mid-twentieth century, SLPs have emphasised an ontological status as first and foremost that of a language and cultural group, rather than a group of people with disabilities (Padden & Humphries, 1988; Ladd, 2003; Batterbury, Ladd & Gulliver, 2007). This notion requires a significant ideological adjustment for most hearing lay people and policy makers, for whom 'being deaf' simply means enduring a form of sensory deprivation, "making recognition of what is *present* for deaf people much harder to achieve than to attract sympathy for what appears to be absent" (Turner, 2003a, p. 175).

A significant aspect in which SLPs differ from language minorities and indigenous peoples is that they are also (categorised as) people with disabilities, and are as such members of dual categories. We argue that this dual category membership in itself is not problematic – indeed, it has been used by deaf organizations in their political work toward the recognition of sign languages (Murray, 2015). The problem lies in the fact that policies aimed towards SLPs have traditionally envisaged them *only* as persons with disabilities and confusion within the policy domain about SLPs' status is still present. This has significant consequences for the recognition of sign languages. In several countries, sign languages have been granted linguistic status and SLP's linguistic rights by laws that are specific disability laws (e.g. Germany, Russia, Chile). Sometimes, sign language is grouped with 'other communication methods' such as lip-reading, sign supported speech, note-taking, cued speech or hearing aids (Hungary, Spain, Poland) (Wheatley & Pabsch, 2010,

2012). In other cases, language legislation is blended with disability perspectives. The British Sign Language (Scotland) Act 2015 for example, states that consultation for the language plans implementing the Act[5] must happen with "persons who represent users of BSL" along with actual BSL signers. Such consultation with nonusers of the language would be inconceivable for other minority languages (De Meulder, 2015c, 2017). In other cases, an instrumental view is followed where access to sign language is presented as a way to guarantee access to the majority spoken language (NZ Human Rights Commission, 2013 in De Bres, 2015). McKee (2011) mentions the hybrid rationale of the New Zealand Sign Language (NZSL) Act, which invokes both disability rights and language rights.

The confusion that exists in policy circles has been described, for example, by Emery (2011). While he found that policy makers in the UK recognised sign language and deaf culture were unique issues, they believed it to be more effective to work within disability discourses, because their colleagues could not grasp the concept of deaf people as a cultural-linguistic group. De Bres (2015) found that the most salient arguments for promoting NZSL among representatives of other minority languages groups in New Zealand were the official status of NZSL and the principle of access associated with disability rights. Attempts by the Finnish Association of the Deaf (FAD) to promote a dual-status framework initially were not understood by Finnish policymakers and Disabled Peoples' Organisations (DPOs). DPOs saw the FAD as "trying to butter their bread on both sides" (M. Jokinen, personal communication, May 3, 2012).[6]

The one-sided treatment of deaf people as disabled has also led to confusion about the meaning and interpretation of linguistic rights for them. In most sign language recognition legislation, what is legally secured is not the right to sign, but the right to have *access* to certain domains like education, health care, social care, *through sign language.* Most commonly this is done through the use of interpreters, sometimes also by deaf people translating information on governmental or other websites into sign language. To compare: Gaelic speakers' right to access services in Gaelic entails access to services where frontline staff is competent in Gaelic; not access to services with an English-Gaelic interpreter. While the use of interpreters can facilitate communication it does not really promote the use of the language (see also Tallroth, 2012). Also the provision of interpreters, even if mandated by law, does not satisfy the requirements for institutional support for a sign language, necessary for its continuing vitality (Bickford, Lewis & Simons, 2014).

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5. The British Sign Language (Scotland) Act is based on the development of so-called national and local *BSL plans*, which set out what the Scottish Government and the public authorities listed in the Act plan to do in relation to the promotion of BSL.

6. Translated from International Sign by the authors.

The deficit frame has led governments to treat language planning regarding sign languages differently from that for spoken languages. In 1993 it was suggested to include NGT (Sign Language of the Netherlands) under part III of the European Charter for Regional or Minority Languages. The Dutch Home Secretary, in a statement that put NGT firmly in a deficit model as a 'solution' for disabled people who can't master spoken language, argued that NGT was not more than a substitute for oral communication (Jousma, 2009). In a later stage of negotiations, the government demanded a standardised lexicon of NGT, the main argument being that if this did not exist NGT could not be recognised. This demand was highly unusual and had not been a precondition for the recognition of other minority languages in the Netherlands such as Frisian. Schermer (2012, p. 477) even states that it "turned out to be a political means of slowing down the process of legal recognition" of NGT. Indeed, despite standardization the Dutch government still has not yet explicitly recognized NGT.

The deficit frame has also led to misunderstandings, myths and devaluating ideologies about sign languages (Krausneker, 2015), which are then (consciously or unconsciously) used to deny them legal status. This has occurred at the European level, with both Ciemen, the former main official source of information on the legal situation of Europe's minority languages, (Krausneker, 2003), and the European Charter for Regional and Minority Languages excluding sign languages from their remit (Krausneker, 2000).

Sometimes, devaluating and audistic ideologies are combined seeing sign language recognition as contrary to measures which try to compensate for or cure hearing loss. In New Zealand during readings in the House of the NZSL Act, it was stated by some Members that government support would be better directed towards more medical and technological interventions compensating the limitations caused by deafness. This view was rejected by the majority of the MPs as "the Deaf community's aim in advocating for legal recognition was to seek validation, not rehabilitation, of their linguistic identity (McKee, 2011, p. 282). In Italy, the Italian parent association FIADDA[7] which supports a strict oralist education for deaf children, considered the recognition of Italian Sign Language (LIS) an "illogical initiative, a backward-looking choice" (Geraci, 2012, p. 498). This perspective on sign languages goes beyond a dual category frame in that it actively devalues the viability of sign language as a legitimate linguistic option for human beings.

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7. Famiglie Italiane Associate per la Difesa dei Diritti degli Audiolesi.

Political participation

Most SLP communities have organizations of different types operating on different levels, from the local to the national and international, with a majority of nations having national associations of deaf people. Those organizations face both context-specific challenges and challenges typical to that of interest groups representing numerically small and historically marginalized groups. Prominent among these are a scarcity of financial and human resources to carry out the organization's goals.

In the context of sign language legislation, these challenges can be seen in the implementation phase after the passage of sign language recognition legislation. There may be a (wide) disparity between the deaf community's expectations and the government's intentions during the drafting of the law (New Zealand, Finland). There may be lack of implementing legislation for constitutional recognition (Finland, Austria), lack of implementation funding and mechanisms and ongoing maintenance of rights secured by the law (New Zealand, Iceland, Catalonia, Scotland, Finland, Flanders). Or there may be an initial allocation of funds which did not correspond with the deaf community's expectations as in the United Kingdom (De Meulder, 2016; McKee & Manning, 2015; Murray, 2015; Turner, 2003b; Quer, 2012). This disjunction between expectations and reality highlights the obstacles of interest group agitation done by volunteers in the modern bureaucratic nation-state, with its complex legislative and post-legislative processes.

As noted above, it seems as if implicit sign language legislation which adopts a dual-category frame has more success in achieving one particular form of instrumental rights for SLPs: access to public services in sign language, usually via an interpreter. These statutes draw upon disability frameworks and, not incidentally, existing governmental consensus for funding disability access. However, other forms of implicit legislation, as well as explicit legislation, usually encounter one variation of the post-legislative problems mentioned above, with recognition being offered by governments without any substantial commitment to financial resources, change in government practices, or greater inclusion of sign language in public life.

There is one exception to this general trend: sign language planning bodies, which include both language advisory boards and positions earmarked for sign language within national language councils. Even here, we can see challenges arise in the implementation phase.

In a number of countries, sign language (advisory) boards have been (Belgium, New Zealand, Scotland) or might be established (Finland). The Flemish Sign Language (VGT) board in Belgium has the task to advise the Flemish government

on all matters related to the use of VGT.[8] They also advise the government on the budget to be spent on projects for the 'societal anchoring of VGT'. At least half of the 15 members must be deaf signers and represent the following groups: associations of deaf signers; parents who sign with their children; experts on the education of deaf children in VGT; VGT teachers; experts on interpreting VGT/Dutch; VGT and Deaf Studies researchers and experts on the artistic use of VGT or media.

The NZSL advisory board, modelled on the VGT advisory board and with an announced allocation of NZD\$6 million over four years, is to lead the promotion and maintenance of NZSL and has an advisory and monitoring function over government agencies.[9] The funding includes \$1.25 million per year for a NZSL fund to support initiatives that promote and maintain NZSL. As of 2016, the maximum 10 members are comprised of six deaf and two hearing members, two members who identify as Māori (deaf and hearing), and one (hearing) representative from DANZ, the national deaf association (McKee & Manning, 2015). That the NZSL board reports to the Minister for Disability Issues (McKee & Manning, 2015) is again an example of the association with disability issues among policymakers.

The British Sign Language (Scotland) Act (2015) requires all public bodies to consult with BSL signers and "those who represent them." The Scottish government saw a danger of consultation fatigue with the same few organisations and individuals being swamped with requests (Scottish Government, 2014). The establishment of a National Advisory Group (NAG), which would advise on the draft National Plan and on draft Authority Plans on a collective basis, was seen as a possible solution for this situation. In December 2015 the Scottish Government announced plans to recruit 10 deaf BSL signers to the NAG. Of these 10, two places will be reserved for deafblind BSL signers, and two for young deaf BSL signers. An eleventh place will go to a hearing parent of a deaf child. Nine places will be taken by public bodies who are subject to the new legislation (Deaf Sector Partnership, 2015).

In other countries, statutory sign language councils have been established by recognition legislation (Slovenia, Iceland) or sign language has been included under the remit of the national language board or council, which seems to be a Nordic trend (Denmark, Sweden, Norway, Finland). In three countries (Sweden, Norway and Denmark) the language councils have salaried employees who work on sign language issues.

Sign language advisory boards and employees of national sign language councils allow SLP communities to engage directly with governments on issues that affect their sign languages and be involved in policy formation to the extent such

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8. One author, Maartje De Meulder, was chair of the VGT Board between 2012 and 2016.

9. http://www.odi.govt.nz/what-we-do/nzsl/nzsl-board/

powers are allocated to language bodies by that country. These vary widely, with some language bodies concerned more with language documentation, whereas others (Norway, Sweden) have a mandate to conduct language policy and planning activities, strengthening the status of their target languages and monitoring the government's implementation of language laws (Language Council of Norway, 2016; Institute for Language and Folklore, 2016). Advisory sign language boards in particular are likely to face challenges that directly affect the implementation of sign language recognition legislation (De Meulder, 2012; McKee & Manning, 2015). Emancipatory regulations such as quotas are not always sufficient to effectively realise participation, especially if advisory board members are expected to be volunteers (which is the case in most boards). Also, the dominant language within government structures being the majority language can place barriers on maximal participation of some deaf members – who are bilingual but not always familiar with policy jargon. Also because of educational attainment gaps, there might be a gap between the educational level, knowledge and experience of the hearing and some of the deaf members, which can lead to a dominant hearing view. There is also the question of resource constraints, scope of responsibility, capacity for independent influence on policy and the much-needed coordination across government sectors (McKee & Manning, 2015).

Sign language planning bodies are a visible sign of SLPs' participation in language policy and planning activities and a concrete outcome of lobbying efforts for sign language recognition. With the exception of Sweden, provisions for language policy bodies related to sign language have only been established in the past 5 to 8 years, so there has not been an opportunity to gauge the efficacy of these bodies. It seems apart from resource constraints, not the least of which human resources, they also face limitations in the scope of their mission vis-à-vis deaf community expectations related to sign language, most notably with regard to measures which can ensure the continued vitality of the language among deaf children.

Ways forward: The vitality of sign languages

In the previous sections, we have discussed how legislation on the recognition of sign languages can contribute to their promotion. Another area that generates increasing attention is the one addressed in research on indigenous language minorities (e.g. Fishman, 1991; UNESCO Atlas of the World's Languages in Danger, 2013), covering notions such as language revitalisation, endangerment and vitality. It is obvious that precisely these topics need to be addressed for sign languages as well since, like spoken indigenous minority languages, they are to be considered "minorised" languages (Krausneker, 2003), which also have not previously been

addressed in most discussions on language endangerment (Nonaka, 2014). The beginning of research on these topics for sign languages exists, e.g. the 'Cataloguing endangered sign languages' project at the University of Central Lancashire[10] and the adaption of the Expanded Graded Intergenerational Disruption Scale (EGIDS) for sign languages by Bickford et al. (2014). However, until now this research has mainly been limited to the context of *village sign languages* (e.g. Zeshan, 2012) and of small territorial sign languages (e.g. Hoyer, 2004) for which the push and pull factors are different than for larger, national sign languages.[11] Recently, the concern about the future vitality of sign languages has come to include long-established sign languages in mainly Western nations of which many are legally recognised and used by larger communities like Icelandic Sign Language (Committee on the Icelandic Sign Language, 2015), Danish Sign Language (Niemela, 2011), New Zealand Sign Language (McKee, 2017), Australian Sign Language (Johnston, 2006) and Sign Language of the Netherlands (European Union of the Deaf, 2011).

We believe that while sign languages, particularly national sign languages in Western countries, are more supported than ever before via legal recognition, they are also more threatened than ever before, even taking into account interrupted patterns of transmission and longstanding oralist educational policies. The 'Cataloguing endangered sign languages' project has catalogued 15 sign languages so far: all the national sign languages included in the project are labelled 'vulnerable'. The Committee on Iceland Sign Language (2015) labels ÍTM (Icelandic Sign Language) as "severely endangered." On Bickford's et al. (2014) adapted EGIDS, McKee & Manning (2015) consider New Zealand Sign Language to be at level 6b, "threatened: used for face-to-face communication within all generations but losing users". There is reason to believe that level 6b can be applied to most Western, national sign languages, especially because NZSL is a sign language with a strong legitimation (official language) and considerable institutionalization, which is not the case for most sign languages.

While numbers are clearly important to maintain a critical mass of (deaf) signers, what is of most significance in predicting the likelihood of a language's survival is *who* speaks the language, and *why.* This reflects the associated unequal power relationships between minority and majority language communities and

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10. http://www.uclan.ac.uk/research/explore/projects/sign_languages_in_unesco_atlas_of_world_languages_in_danger.php

11. For village sign languages, these are specific factors specific factors such as dispersal of the language community, the decreasing birth of deaf children, and changes in marital patterns (Kusters, 2015). For small territorial sign languages, these are the absence of influx of new generations of native signers and endangerment by majority (signed and spoken) languages (Hoyer, 2004).

the degree to which minority languages are recognized by the state *and* supported by civil society (*legitimation* and *institutionalization*) (May, 2012). As noted above, SLPs, because of their biology, cannot (and do not want to) 'exit' their linguistic group. Skutnabb-Kangas and Aikio-Puoskari (2003) have argued that this impossibility strengthens SLPs' claim for language rights. But ironically, it is SLPs' ascribed disability status that has allowed them to continue to use sign language, since recognition legislation in most cases does not offer such a guarantee. Although there is an increasing academic and policy recognition of deaf people's cultural-linguistic minority status, the general public accepts deaf people are disabled and therefore does not question their use and need of sign language. The assumption of hearing majority language speakers is that deaf signers would shift to spoken majority language monolingualism if they could.

This toleration of sign language for deaf people is changing in cases of deaf children with cochlear implants (CIs). Educators increasingly question those children's "need" for sign language and bilingual education because they now have access to spoken language (Knoors & Marschark, 2012), which reflects a 'language as a problem' approach to sign languages prevalent in the field of deaf education (Reagan, 2011). This is also relevant with a growing number of deaf people, especially the younger generation, with widely variable language access. Some live multilingual lives, with (speaking and/or writing) capacity in the majority language(s) and their own and other sign language(s). This is occurring through biomedical technology (the CI) and improvements in educational outcomes on the one hand (e.g. sign bilingual education in some locations, and access to the national curriculum) and through increased international mobility on the other, with deaf people having more access to English and other sign languages (Multisign project 2011–2016;[12] Wang et al., 2014). Others are denied access to sign languages and may end up with linguistic deprivation in both the majority language and in sign language causing harm to them and to society (Humphries et al., 2012). Furthermore, there is a growing number of deaf children with a CI subject to monolingual ideologies and unable to acquire sign language at home nor at school (Humphries et al., 2012) who may be used to expressing themselves in a spoken language (Punch & Hyde, 2011; Wheeler, Archbold & Hardie, 2009). However the extent to which spoken language is effectively accessible to them and the degree to which they can and do effectively socialize in majority society is highly variable, as is the success rate of cochlear implants (Humphries et al., 2012). If we adopt a view of sign languages from the 'language as a resource' approach (Ruiz, 1984), we can see it is necessary to guarantee all those groups the right to acquire and use sign language, apart from

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12. http://www.uclan.ac.uk/research/explore/projects/multilingual_behaviours_sign_language_users.php

their competency in the majority language. It is instructive to look at other minority language legislation here. The Sámi Language Act (Finland) for example, states that an authority must not restrict or refuse to enforce linguistic rights on the grounds that the Sámi also knows some other language. Sign language remains the only language that is 100% accessible for deaf children (also those with a CI) in the language acquisition period and is key to a full socialization and acculturation (see also Kushalnagar et al., 2010). We also need to take into account cognitive benefits to learning sign languages which are not found for spoken languages (Hauser & Kartheiser, 2014). But such rights are not guaranteed by any existing legislation.

We also need further reflection on the strategies used to ensure the vitality of sign languages. We believe the home should be one of the foci for transmission and thus vitality, and that considerable attention should be directed at hearing parents' access to and opportunities to learn sign language. Other transmission spaces can be sign language nests[13] and settings where signing children are educated together. Alongside this, we need to look at ways in which sign languages can create new generations of users without intergenerational transmission. King (2001, p. 26 in Romaine, 2006, p. 464) makes a distinction between *reversing language shift* and *language revitalization*, "which can be understood as not necessarily attempting to bring the language back to former patterns of familial use, but rather to bring the language forward to new users and uses." Romaine (2006) states that doing so may lead to an increase in users and uses of the language without intergenerational transmission.

Indeed, one issue that is increasingly coming to the forefront is growing numbers of hearing people who learn and use sign language. Some have deaf parents or family members. The vast majority of hearing people who use sign language are new signers who mostly learn the language in classroom settings and there has been a rapid expansion of interest in learning sign language over the past decade (Murray, 2015). Approximately 100,000 people learn ASL at U.S. postsecondary institutions annually (Goldberg, Looney & Lusin, 2015), making it the third most commonly taught language at that level. Set beside the estimated 500,000 to 1 million (Mitchell, Bachleda & Karchmer, 2006) deaf people in the United States, it is apparent there is a large group of hearing people who adopt ASL language practices.

This expansion of primarily hearing (but also deaf) "new signers" (the term being drawn from "new speakers" as discussed in O'Rourke, Pujolar and Ramallo, 2015) can be interpreted in terms of language endangerment, but it could also be seen as a case of language revitalization. The case for endangerment is that the demographic profile of signers may be dominated by a growing group of new signers and an increasingly diminishing number of "heritage signers" (i.e., people who

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13. A strategy pursued by e.g. the Finnish Association of the Deaf (Suomen viittomakielten kielipoliittinen ohjelma, 2010).

acquired sign language through family members or signing peers). Indeed, considering early intervention measures combined with monolingual ideologies it is likely that in some countries, among the very youngest age groups, there are more hearing than deaf signers of the national sign language. Likewise in the older age groups, it is likely that in some countries deaf and hearing new signers outnumber deaf heritage signers altogether. This numerical disparity is also found in some indigenous languages like Sámi and Māori (Sarivaara, Uusiautti, & Määttä, 2013; Spolsky, 2003), of which the majority of young speakers are learners, so-called *revitalised speakers* and in many other minorities (O'Rourke, Pujolar & Ramallo, 2015). There are signs of language change with deaf and hearing new signers who work in professional settings which require sign language (interpreting, deaf education, social services) creating new lexical items in the national sign language and new syntactic structures which may not follow the grammatical rules of that sign language.

However, just as with Sámi and Māori, a case can be made that the expanding pool of new signers can serve to sustain the existence of sign languages. This would mean a change in usage and variations in sign languages as they become adapted to the needs of different groups of speakers, with likely an increasingly strong influence from the dominant spoken language in each country. This raises issues of linguistic ownership and linguistic prescriptivism among some deaf communities and more research is needed to investigate responses to the popularisation of sign languages and how this plays out in terms of sign languages' institutionalization.

Conclusion

The 21st century has brought forward a unique dynamic for sign languages, with legislative recognition proceeding hand in hand with external factors endangering these languages. In this article, we have discussed two main reasons for the situation of limited outcomes of sign language recognition legislation: the deficit frame and the issue of political participation of SLPs. There is an additional reason, however, which transcends the ones described earlier. As Murray (2015, p. 381) has argued, the focus on sign language rights *seemed* to offer "relatively simple legislative solutions to complex problems." "Seem" is the imperative word here. Indeed, this focus has proven to be the "easiest" path to follow and achieve, but as we described in the desired outcomes, SLPs need and want something that goes beyond the mere recognition of sign languages as languages. Instead, there should be a continued focus on according the full range of rights to these languages and their signers as are found for other majority and minority languages and their speakers. This requires policymakers to see beyond a deficit frame, perhaps adopting a dual category frame in order to protect existing rights related to access. Achieving this in countries with

existing legislation will require a shift from relatively simple recognition legislation to a focus on implementation. We are already seeing this taking place in New Zealand, Finland and Flanders with the deaf community increasingly settling in for long-term engagement with government departments to achieve actionable rights (De Meulder, 2016; McKee & Manning, 2015). For those countries that are still working towards legal recognition, the lesson should be that they should hold out for explicit legislation that addresses their concerns of language vitality.

In this article we have looked at the exigencies of the future, to see how the increasing number of new signers in many countries can be seen as a case of strengthening sign languages' vitality. This might be a controversial position for some and we want to stress that we do not want to see sign languages used by hearing people only, without any benefit to deaf people. The popularisation of sign languages can improve attitudes and raise status, and, in the long term, promote social cohesion and a more inclusive society. This can contribute to sign languages' vitality if this is paralleled by meaningful language and educational access for deaf children, and attention for the sustainable development of SLPs communities.

Acknowledgements

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Abstract

Van twee walletjes eten? De erkenning van gebarentalen en de aspiraties van dovengemeenschappen

De laatste twintig jaar hebben er in heel wat landen campagnes plaatsgevonden om gebarentalen te erkennen. Deze campagnes streefden naar de officiële erkenning van nationale gebarentalen met als doel de sociale mobiliteit van gebarentaligen te doen stijgen, en de vitaliteit van gebarentalen te beschermen. Ze verschillen van een lange geschiedenis van gebarentaalplanning, voornamelijk door onderwijskundigen en beleidsmakers, vanuit een 'taal als probleem'-aanpak. Desondanks zijn de instrumentele rechten en sociale mobiliteit als gevolg van deze campagnes beperkt gebleven, waarbij vooral het ontbreken van onderwijstaalrechten en taalverwervingsrechten opmerkelijk is. Dit artikel identificeert twee redenen voor deze situatie. Ten eerste heeft de medische visie op gebarentaligen geleid tot verwarring over de betekenis van taalrechten voor deze groep, en als gevolg gehad dat overheden gebarentaalplanning anders benaderden dan planning voor gesproken talen. Daarenboven wordt de politieke participatie van gebarentaligen verhinderd door overheden die erkenning aanbieden zonder substantiële financiële inspanningen, veranderingen in overheidspraktijken en zonder toenemende inclusie van gebarentalen in het openbare leven. Eén uitzondering op deze trend zijn organen die aan gebarentaalplanning doen, maar zelfs zij krijgen te maken met uitdagingen wanneer wetgeving geïmplementeerd moet worden. Dit gezegd hebbende argumenteren we dat gebarentaalerkenningswetgeving zou moeten focussen op bezorgdheden van dovengemeenschappen omtrent de vitaliteit van gebarentalen. Aanvullend op de noodzaak aan het verzekeren van gebarentaalverwerving voor dove kinderen en jongeren argumenteren we dat de toename van horende "nieuwe gebaarders" van gebarentalen zowel geïnterpreteerd kan worden in termen van taalbedreiging als in termen van een versterking van de vitaliteit van gebarentalen.

Resumo

Buterumi la panon je ambaŭ flankoj? Rekonado de gestolingvoj kaj la aspiroj de surdulaj ko-munumoj

En la pasintaj du jardekoj, ondo de kampanjoj por rekono de gestolingvoj ekaperis en multaj landoj. Tiuj kampanjoj serĉis oficialan rekonon de naciaj gestolingvoj, cele al plifortigo de la so-cia moveblo de gestantoj kaj protekto de la vivipovo de gestolingvoj. Tia agado malsimilas la lon-gan historion de gestolingva planado surbaze de "lingvo kiel problemo" ĝis tiam larĝe aplikatan de edukistoj kaj politikoformulantoj. Tamen, la instrumentaj rajtoj kaj socia moveblo ĝis nun atingitaj estas nur limigitaj, kaj aparte mankas lingvoedukaj kaj lingvoakiraj rajtoj. La artikolo distingas du kialojn de tiu situacio. Unue, identigo de Gestolingvaj Popoloj (GLP) el medicina perspektivo kreis konfuzon pri la signifo de lingvorajtoj por tiuj grupoj kaj igis registarojn trakti gestolingvan planadon alimaniere ol ili traktas parolajn lingvojn. Krome, la politika partopreno de GLP-oj estas malhelpata de la realoj, ke registaroj ofte proponas rekonon sen samtempe doni signifajn financajn resursojn, ke registaraj praktikoj ŝanĝiĝas, kaj ke gestolingvoj estas pli ofte enkadrigitaj en la publika vivo. Unu escepto al tiu emo estas instancoj por gestolingva planado, sed eĉ tiaj instancoj frontas defiojn en la realiga stadio. Ni argumentas, ke, estontece, leĝfarado pri rekono de gestolingvoj centriĝu je la zorgoj de surdulaj komunumoj pri la vivipovo de ges-tolingvoj. Aldone al la neceso garantii akiron al surdaj gestantoj L1, ni pretendas, ke, kvankam ekspansio de la nombro de aŭdkapablaj gestolingvaj uzantoj L2 estas interpretebla en la kun-teksto de lingva endanĝerigo, oni povas ankaŭ konsideri ĝin indiko de gestolingva vivoforto.

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