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Abstract:

The recognition of minority languages is one of the big issues of many communities around the world. In particular there is one which silently is getting ahead for its recognition: the sign language for Deaf communities. Luckily, in many countries the fight has brought to successful conclusion and now sign languages are recognised, promoted and supported at different levels of social and civil life. While in some countries the national sign language is an official state language, like in Finland and Austria, in others it remains a minority language, not even acknowledged: the Italian Sign Language (LIS) is not granted any recognition at national level. Although two bills for its recognition have been introduced in 2008 and 2013, the Italian Parliament does not have any intention to approve them, drawing a line between hearing and non-hearing people.

This paper aims at analysing the actual status of LIS in the European panorama and above all the reasons for such a legal position by the Parliament, which clearly represents a violation of a fundamental human right for the Italian Deaf community. This work is divided into two sections: the first one will deal with a general presentation of sign languages from a medical, sociological, linguistic and legislative point of view. In the framework of the absence of legal recognition, Italy is one of the two European countries, with Luxembourg, without any laws and the core of the second section is focused on Italy and its current situation. By means of official reports by institutional organisations, researches of Deaf studies experts, the ENS (Italian national Deaf Association), and above all thanks to the interviews with Ms Vanessa Migliosi, from the movement LIS SUBITO! and with Mr Cristiano Iacoangeli, LIS interpreter of ANIOS in Rome, it will be possible eventually to understand why Italy “turns a deaf ear” to the appeals of its Deaf community.

Keywords: sign language, Deaf, LIS, non-hearing, recognition.



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Table of contents

| | |
|--|----|
| 1. Introduction..... | 3 |
| 2. Deafness and hearing loss..... | 4 |
| 3. Perception of the deaf: disabled or linguistic minority?..... | 5 |
| 4. Overview of Sign Languages..... | 6 |
| 5. Historical legal background: supranational level..... | 7 |
| 5.1 The UNCRPD and its impact..... | 9 |
| 6. The national recognition: a continuous struggle..... | 10 |
| 7. LIS and the Italian case..... | 11 |
| 8. The legislative procedure: Bill N. 4207..... | 12 |
| 9. What, then, lies behind this?..... | 14 |
| 10.The future: Bill N.302..... | 16 |
| 11.Conclusion..... | 17 |
| 12.Bibliography..... | 19 |

1. Introduction

Sign languages constitute an important element of Europe's linguistic and cultural heritage and their use and promotion represent a central issue in the process of protection of this common cultural wealth. Unfortunately, sign languages and their users are very often ignored in the framework of language policy. The recognition of sign languages is one of the major concepts in the international panorama and is a quite new area in the context of language policy and language rights. The various kinds of rights granted through recognition at national level show the way in which countries accommodate linguistic and cultural diversity. In their strives for the recognition at national level, Deaf communities find support from many international and inter-governmental organisations. Many countries around the world have recognised their sign languages in legislation on language status, following the Deaf communities' demand for explicit recognition of their languages and of their status as linguistic minority.

Yet, some countries neglect to accommodate such a demand, basing on the dual category of Deaf people as both persons with disability and members of the linguistic minority; therefore, policymakers tend to classify them solely in disability legislation. In the European context, the only countries following this philosophy are Luxembourg and Italy, which grant any legislation to protect officially their sign languages.

This paper focuses on the relation between the recognition of sign language and human rights protection with specific regard to the Italian Republic, explaining the reasons for such a reluctant position by the Italian Parliament.

In the first section, it will be taken into consideration the multifaceted dimensions of the Deaf reality: the medical approach defines deafness and hearing loss in scientific terms, opposed to the sociological one, reasoning about the Deaf rather as a linguistic minority. In the linguistic chapter, the overview of Sign Language provides us with some basic concepts, stressing the important role of language acquisition, followed by a legislative excursus on the main Resolutions and Conventions issued both at supranational level by the European Parliament, the Council of Europe and in particular by the United Nations, and at national level in the European countries. In this prospective, it is relevant to analyse the current situation of Italy, as mentioned before one of the two European countries providing no official protection at all. In this context, the second part focuses on the present "endangered" situation of LIS (Italian Sign Language) and the legal struggle of the Italian Deaf community against the Parliament with Bills N. 4207 and 302, this latter still under discussion. By means of different legal

documents, researches by Deaf studies scholars such as Maartje De Meulder, Verena Krausneker and Nina Timmermans and particularly thanks to the interviews with Ms Vanessa Migliosi, from the Italian movement LIS SUBITO! and Mr Cristiano Iacoangeli, LIS interpreter in Rome, eventually, it will be possible to deeply understand why Italy “turns a deaf ear” to the appeals for the recognition of LIS by the Italian Deaf community.

2. Deafness and hearing loss¹

Disabling loss affects 360 million people worldwide, that is over 5% of the world’s population. Disabling hearing loss defines the hearing loss greater than 40 decibels (dB) in the better hearing ear in adults and 30 dB in the better ear in children.

Ultimately, a person who is not able to hear is said to have hearing loss. The different levels of hearing loss are mild, moderate, severe or profound. “Hard of hearing” refers to people with hearing loss ranging from mild to severe. They usually communicate through spoken language and can benefit from hearing aids, cochlear implants (CI). “Deaf” people mostly have profound hearing loss, which implies very little or no hearing and are the users of sign language for communication.

The causes of hearing loss and deafness can be due both to congenital (hereditary genetic factors, low birth weight, birth asphyxia) and acquired causes at any ages (infectious diseases like meningitis, excessive noise from machinery and concerts).

One of the main impacts of hearing loss is on the ability to communicate with others. Spoken language development is delayed or even absent in children with deafness. Limited access to services and exclusion from communication can have a significant impact on everyday life, causing feelings of isolation and frustration. If a person with congenital deafness has not been given the opportunity to learn sign language as a child along with their families, he or she may feel excluded from social interaction.

According to the World Health Organization, early interventions are fundamental to minimizing the impact of hearing loss on a child’s educational achievements. People with hearing loss can learn to communicate through development of lip-reading skills, use of written or printed text, and sign language. Teaching in sign language will benefit children with hearing loss, while sign language interpretation on television will facilitate access to

¹ World Health Organization, “Deafness and hearing loss”, last modified March 2015, <http://www.who.int/mediacentre/factsheets/fs300/en/>

information. Officially recognising national sign languages and increasing the availability of their interpretation are important actions to improve access to sign language services. To what extent do Human rights and national legislation offer rights to this community in order to ensure better inclusion for people with hearing loss?

3. Perception of the deaf: disabled or linguistic minority?

Regarding the medical approach, it would be obvious to say that deafness is considered an impairment that should be prevented or possibly treated as best as possible and in a short term. What has the human dimension of Deaf² people become? Should they be defined solely on the basis of their disability or do they have the right to be considered a linguistic minority? This controversy has developed regarding sign language users, especially in official and legal contexts.³

On the one hand the deficit-oriented approach is that of the medical study, aiming at removing the problem by promoting the integration of Deaf people into the hearing world with all available aids. The removal of the “diversity” conveys in the assimilation by Deaf people of the life-style of hearing people, as observed by Helga Stevens⁴: “Many professionals active in the deaf field continue to view deafness as a ‘problem’ which needs to be cured and solved by all means, (...) a ‘problem’ lying within the deaf person. It is him or her who needs to adapt to the society, to conform to ‘normality’. This means s/he should be like a hearing person”. As the impairment can be repaired by surgery, there is no need to think of sign language as a medium of the communication. Unfortunately this model is still widespread.

The other side of the coin discloses a more socio-linguistic approach, focusing on the collective dimension of the issue, by neglecting the individual scientific view of the deficit. According to the former, deafness refers to anybody whose hearing ability is such that they are not able to acquire spoken language naturally and manage communication in this way. In this case, only a visual language can be acquired quickly. In Deaf people’s communities, the common element is the linguistic knowledge and use. Although Deaf sign language

² Verena Krausneker points out in her report “The protection and promotion of sign languages and the rights of their users in Council of Europe member states: need analysis”, that capitalized D is used to make a distinction between “non-hearing” deaf people and “Deaf” people as a cultural community based on the use of a signed language.

³ Verena Krausneker, *The protection and promotion of sign languages and the Rights of their users: Need Analysis* (Strasbourg: Council of Europe Publishing, 2008), 12-18.

⁴ Helga Stevens, “Equal rights for Deaf people: From being a stranger in one’s own country to full citizenship through sign languages”. (Paper presented at ICED 2005, Maastricht, July 17-20, 2005).

communities have experienced over time assimilation actions, contempt, isolation and discrimination, they exist in every country of the world and the linguistic dimension is the core of their membership: they identify themselves as a linguistic minority, promoting Deaf culture in regional, national and international organisations: all this makes a clear distinction between Deaf and deaf. In this sense, Deaf communities are conceived rather as language minorities than disabled people.

The dichotomy on the real status of Deaf people is somehow solved by the European Union for the Deaf (EUD), deciding that both perspectives are compatible: Deaf people see themselves as a linguistic minority, but, as they are limited by everyday barriers put up by society, they are therefore also “disabled”.⁵ This distinction is essential for governments of different countries, because by ignoring the linguistic aspect and treating them within the framework of their disabilities, no space has been devoted to their linguistic needs and this has led to the perception of Deaf sign language as unnecessary to understand their reality.

Now, with the awareness of dealing with a linguistic minority, it is suitable to acquire a more general overview of sign languages and their wide-ranging scope in the world and in Europe.

4. Overview of Sign languages

A sign language is a “visual language using a system of manual, facial and body movements as the means of communication of Deaf people”⁶. It is organised as all spoken languages at phonological, morphological, grammatical and lexical level, by using visual-gestural units of form, based on four fundamental forms: hand shape, hand location, hand movement and hand orientation.⁷ Although sign language is not an universal language and each country has one or more sign languages (i.e. Switzerland), there are language families which do not correspond to the classification applied for spoken languages: for instance, American Sign Language (ASL) is closer to the French Sign Language (LSF) than with the British one and this is due to historical reasons.⁸

⁵ European Union of the Deaf, “Full Citizenship through Sign Languages”, (Conference Report, Brussels, 2007) in *The protection and promotion of sign languages and the Rights of their users: Need Analysis*, ed. Verena Krausneker (Strasbourg: Council of Europe Publishing, 2008), 17.

⁶ World Federation of the Deaf, “Sign Language”, accessed April 20, 2016, <https://wfdeaf.org/our-work/focus-areas/sign-language>

⁷ Nina Timmermans, *The Status of Sign Languages in Europe*(Strasbourg: Council of Europe Publishing,2005), 9.

⁸ Timmermans, *The Status of Sign Languages in Europe*, 10.

The World federation of the Deaf states that 70 million people worldwide use sign language as their mother tongue, counting about 138 living sign languages⁹; nevertheless, the organisation SIL International estimates that the actual number may exceed 400, because of undocumented sign languages.¹⁰ All different sign languages share common linguistic features and this enables the use of the International Sign, which adapts itself to the language knowledge of people involved, and is used sometimes in international conferences, but obviously this cannot replace the interpretation into a sign language. At European Level, Deaf sign languages users are around 800.000, grouped into 31 official sign languages¹¹.

In this context, language acquisition plays a central role in the development of sign languages among Deaf children who do not grow up in a “sign using” environment and normally face a troublesome path to acquire a sign language because their parents decide not to get them involved in a sign language community: this late immersion into a developed visual language causes extreme delays in its education. Obviously, for any Deaf child, natural language acquisition is difficult by ear. The bilingual language competences of a Deaf serve both to practice free communication and to have a say in the hearing community: therefore, a good literacy is essential to access to written information. Basing on this assumption, many administrations think that written information are fully accessible for Deaf people since it is something visible. It is important to bear in mind that for the Deaf the spoken language is their second language and some of them do not have a sufficient level of understanding. The right to communicate and inform in a sign language is hardly accepted.¹²

These and many others inequalities and discriminations limit Deaf people’s lives and prevent them from integrating sign language users’ needs. Therefore, to protect and promote their rights, the disability and the linguistic rights should be taken into consideration, when planning and taking measures, both at supranational and national level.

5. Historical legal background: supranational level

In the European framework, the European Parliament first tackled the question of sign languages, adopting the “Resolution on Sign Languages for Deaf People” in 1988¹³, focusing

⁹ Ethnologue: Languages of the World, “Deaf Sign Languages”, accessed May 1, 2016, <https://www.ethnologue.com/subgroups/deaf-sign-language>.

¹⁰ SIL, “Sign Languages”, accessed May 1, 2016, <http://www.sil.org/sign-languages>.

¹¹ Mark Wheatley and Annika Pabsch, *Sign Language Legislation in the European Union - Edition II* (Brussels: EUD, 2012), 20.

¹² Krausneker, *The protection and promotion of sign languages*, 18-23.

¹³ Timmermans, *The Status of Sign Languages in Europe*, 13.

on many essential points: the recognition of sign language interpretation as a profession and establishment of interpreter training programs; translation into sign language and subtitles in television news programs; the teaching of sign languages also to hearing people; the publication of up-dated dictionaries in the national sign languages; and to strengthen the fully political involvement of Deaf people at national level. The insignificant impact of this resolution led to the adoption of the “Resolution on Sign Languages” in 1998. In addition to the points treated in the first resolution, the latter introduced a proposal to ensure the correct compatibility of new technologies with the Deaf people’s needs: videophone devices and telecommunication text.

At the Council of Europe as well, many bodies were careful and aware of the situation of regional and minority languages. It is worth noting that the “Convention for the protection of Human Rights” of 1950 laid down the principle of non-discrimination based on language or association reasons, but it did not establish any system of concrete protection for minority languages and their communities. Therefore the Parliamentary Assembly of the Council of Europe sought for a better protection measure to supplement the European Convention and paved the way for the adoption of the “European Charter for Regional or Minority Languages” of 1992. Its cultural-centred approach contains not only a non-discrimination clause but also measures supporting actively these languages in all domains of life. Nevertheless, the Charter focused its attention on the use of the minority language and not on the rights of the speakers of these languages.

The following “Flensburg Recommendations on the Implementation of Policy measures for Regional or Minority Languages” in 2000, drawn up by the European Centre for Minority Issues (ECMI), intended to focus on how states can accommodate the principles of good public policy: of particular importance were the principles governing the selection, implementation and evaluation of policies in favour of regional and minority languages, stating that: “Due recognition should be given to Sign Languages, through legal instruments safeguarding these languages and the rights of their users”.¹⁴

Eventually, the Parliamentary Assembly Recommendation 1598 in 2003 officially recognised sign languages as the expression of Europe’s cultural wealth and a symbol of Europe’s linguistic and cultural richness, and highlighted the importance of sign languages as natural means of communication for Deaf people and the acknowledgment of being the main aid for the integration into society of the Deaf.

¹⁴ Timmermans, *The Status of Sign Languages in Europe*, 19.

5.1 The UNCRPD and its impact

Particular attention shall be devoted to the “United Nations Convention on the Rights of Persons with Disabilities” (UNCRPD), adopted by the General Assembly in 2006. Although all articles are applicable to them, Deaf people benefit, moreover, from a special treatment in 5 articles.¹⁵ Before its creation, persons with disabilities had no mention as a protected category in any binding international human right treaties, as their disability was considered as a medical individual problem, and therefore the UNCRPD is often considered as the “missing piece” in the human rights law panorama. The UNCRPD is the first international convention to officially recognise disability as a basic human right topic, aiming at “promoting, protecting and ensuring the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities”(Art.1).¹⁶

It has enriched and modified already existing rights, creating new specific rights and shifting from a purely medical model on disability to a more social and human rights model, thanks to the support of the World Federation of the Deaf (WFD) during the negotiation phase. After the inconsistent outcomes of the two Parliament Resolutions and the European Charter on Minority Languages, WFD saw in the Convention of 2006 as the opportunity to achieve its cultural and linguistic goals. Its contribution led to the Convention being the first international human rights treaty mentioning sign languages as a precise category. In particular the Convention recognises sign languages on an equal par with spoken languages (Art.2), guarantees the recognition and use of sign languages (Art.21) and the right to professional interpretation (Art.9), encourages State Parties to employ teachers of sign language in schools (Art.24) and to support activities, aiming at supporting the specific cultural and linguistic diversity of the Deaf culture (Art.30). The Committee on the Rights of Persons with Disabilities (CRPD), a body of 18 independent experts, is given the task to monitoring the implementation of the Convention and all States parties have to submit regular reports to the Committee on how the rights enshrined in the Convention are being implemented. It examines each report and forwards suggestions and general recommendations in the form of concluding observations to the State Party concerned.¹⁷ Finland ratified the Convention in 2016, bringing the total number of States Parties to the CRPD to 164.¹⁸

¹⁵ Maartje De Meulder, “The UNCRPD and Sign Language People” in *UNCRPD Implementation in Europe- A Deaf perspective*, ed. Annika Pabsch (Brussels: EUD, 2014), 12-28.

¹⁶ United Nation Human Rights, “Convention on the Rights of Persons with Disabilities”, accessed May 15, 2016, <http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx#1>.

¹⁷ Wheatley and Pabsch, *Sign Language Legislation*, 27-29.

¹⁸ Division for Social policy and Development Disability, “Finland ratifies CRPD”, accessed May 15, 2016, <https://www.un.org/development/desa/disabilities/news/dspd/finland-ratifies-crpd-total-164.html>

The legal implementation of these articles represents a huge challenge for both national governments of State Parties and the Deaf representatives, above all concerning the aspect of the official recognition of sign languages. The Sign Language representatives' organisations are charged with the task of monitoring their national governments towards significant implementation of the UNCRPD, while continuing in parallel their fight for legal recognition as linguistic and cultural minorities.

6. The national recognition: a continuous struggle

Basically, Linguistic Human Rights (LHR) are the pre-requirement for the access to several human rights: "People who are deprived of Linguistic Human Rights may be prevented from enjoying other human rights, including fair political participation, a fair trial, access to education, access to information and freedom of speech and maintenance of their cultural heritage."¹⁹

In terms of "recognition", two types are to be distinguished: implicit and explicit recognition. In the implicit one, the legislation refers to sign language: Deaf people would have access to interpretation services and use their language in every situation; but signers seek to obtain explicit legal recognition from their governments.²⁰ Because of the two definitions of sign language users as disabled and culture-linguistic minority, policy makers tend to classify them only in disability legislation. Based on the different explicit sign language recognition legislations, five different categories can be drawn up.²¹

The first category provides for the constitutional recognition, like in Finland (1995), Portugal (1997), Austria (2005), Hungary (2011). Even if this recognition at constitutional level is considered as the "noblest" one, it actually does not necessarily grant more rights than the following categories and it can be simply symbolic. Five countries recognised their sign languages through general language legislation which regulates also the national spoken language: Latvia (1999), Estonia (2007), Sweden (2009), Iceland (2011) and Malta (2016)²². Others have recognised their sign languages by means of a specific law, like Slovakia (1995),

¹⁹Tove Skutnabb-Kangas and Robert Phillipson, "Linguistic Human Rights" (1995), in *The protection and promotion of sign languages*, ed. Verena Krausneker, (Strasbourg: Council of Europe Publishing, 2008), 10.

²⁰Maartje De Meulder, "Sign Language Recognition: Tensions between Specificity and Universalism in International Deaf Discourses" in *It's a Small World: Inquiries into International Deaf Spaces*, ed. Annelies Kusters and Michele Friedner, (Washington DC: Gallaudet University Press), 163-166.

²¹Maartje De Meulder, "The legal recognition of sign languages" in *Sign Language Studies Volume 15 Number 4* (Washington DC: Gallaudet University Press, 2015), 500-505.

²²ENS, "Anche a Malta riconosciuta la lingua dei segni", last modified March 16, 2016, <http://www.ens.it/canali-tematici/politica-estero/8147-anche-a-malta-riconosciuta-la-lingua-dei-segni>

Slovenia (2002), Belgium (2003 in Wallonia and 2005 in Flanders), Cyprus (2006), Serbia (2015). Some other countries used a specific sign language law which also recognises “other means of communication”: the Czech Republic (2008), Spain (2007), Poland (2011).

Norway and Denmark recognised their national sign languages in legislation on the functioning of the language council in 2009 and 2014.

As already affirmed, the recognition also occurs by means of implicit legal recognition.

For example, certain countries mentioned their sign languages only in legislation concerning disability, equality or education: Lithuania (1991), Germany (2002), Greece (2002), France (2005). The following category comprises countries which have granted recognition by a government decision, like the UK (2003).

In this panorama, only two European states have granted any kind of official recognition to their sign languages: Luxembourg and Italy.²³

7. LIS and the Italian case

The language used by the Italian Deaf community is LIS (Italian Sign Language). At the beginning, the acronym L.I.S referred to the expression “Lingua italiana dei segni” (Italian language of sign), but nowadays the Deaf community prefers the phrasing “Lingua dei segni italiana”. The original name originated during the 1980s thanks to the book edited by Virginia Volterra, *La lingua Italiana dei segni*, later changed in *La lingua dei segni italiana*.²⁴ Italy has approximately 40,000 Deaf sign language users.²⁵

Although LIS is not recognised in any national legislation in the Republic, there is legislation at regional and provincial level, by issuing acts of recognition and promotion in their areas of competence. Furthermore, even in the absence of formal national recognition, various number of laws and administrative regulations ensure the right of use of LIS, such as the Italian disability Framework Law (Law 204/1992)²⁶ regarding its use in universities and education. This act affirms the right for deaf university student to benefit from interpreting during lectures, exams and final discussion of their thesis; interpretation is ensured in selecting civil servant positions, driving license, in tribunals and employment offices. Nevertheless, the

²³ Wheatley and Pabsch, *Sign Language Legislation*, 37.

²⁴ Other erroneous expressions for LIS are “lingua dei gesti” (language of gestures), “lingua dei sordomuti” (language of the deaf-mute), although the term deaf-mute was suppressed by Law 95 in 2006.

²⁵ Wheatley and Pabsch, *Sign Language Legislation*, 71.

²⁶ Enrico Dolza, “The status of Italian Sign Language and the struggle for its recognition” in *Global observatory for inclusion* (2015), last accessed May 5, 2016, <http://www.globi-observatory.org/status-italian-sign-language-struggle-legal-recognition/>

presence of interpreters in other public services is not provided. In other words, in Italy there is a certain degree of unofficial recognition of LIS, which is accepted in various domains, although in a partial and incomplete way. What is seriously needed is its specific official recognition as a language, through a cultural revolution against the prejudices that society has towards sign languages and the Deaf community, starting by the legal action of the Italian Parliament.

8. The legislative procedure: Bill N. 4207

The on-going fight of the Italian Deaf community against the Parliament started on 29th April 2008, when the Permanent Commission on Constitutional Affairs, led by the senator Mr Peterlini proposed to the Senate (Camera del Senato) the Bill 37/s named “Regulations for the promotion of the full participation of Deaf in the collective life and the recognition of the Italian sign language.”²⁷ On the 16th March 2011, the Senate approved the unified act N. 4207 and forwarded it to the Chamber of Deputies (Camera dei Deputati) on 23rd March 2011.

In its 3 articles²⁸, it promoted the elimination of all barriers hindering the full participation of the Deaf in the collective life, by recognising and fostering the learning of the Italian sign language and the bilingualism system (LIS and spoken/written Italian) (Art.1); it provided with the instructions for the precocious diagnostic interventions, rehabilitations, speech therapy for deaf children and the use of LIS in education and public offices (Art.2); it guaranteed that no other economic burdens should derive by the application of this bill (Art.3).

At first sight, Bill N. 4207 reached a common ground on various fronts. First of all, it does not impose LIS as only acceptable language but it fosters the bilingualism among Deaf people, because, next to LIS, spoken and written Italian is essential for the full integration and participation in the social and political life of the country. Secondly, the scientific perspective is shown in Art. 2, making reference to the technical modalities for all possible medical interventions and rehabilitation procedures addressed to deaf children. Last but not the least,

²⁷ Senato della Repubblica, “Atto Senato n. 37 XVI Legislatura”, accessed May 10, 2016, <http://www.senato.it/leg/16/BGT/Schede/Ddliter/29655.htm>

²⁸ Camera dei Deputati, “Atto Camera: 4207”, accessed May 10, 2016, http://nuovo.camera.it/_dati/leg16/lavori/stampati/pdf/16PDL0046810.pdf

the bill affirms that any intervention supporting LIS must not require extra expenditure by the state administration.²⁹

During the first preliminary discussion within the Chamber of Deputies on 3rd March 2011 a completely new approach emerged, almost recalling the decision taken during the Congress of Milan.³⁰ Deputies Coscioni, Binetti, Molteni and Rondini suggested to use *linguaggio o tecnica comunicativa mimico-gestuale* (LGM), ('mimed-gestural language or communication technique') rather than "Italian Sign Language", that current technologies enable the Deaf to use oral communication to access to education, decreasing the importance of sign language and that this bill would lead to a confrontation between the associations with a pathological perspective and those considering the sociocultural view. All these statements look like a serious step backward and are incompatible with all international resolutions, which actually are mentioned in the preamble of the bill proposed by the Chamber of Senate. The change of the name ignores any scientific progress and place Italy outside the European landscape, where sign languages are recognised their rightful dignity. Agreeing that technological innovations make sign languages useless, it ignores the fact that speech therapy does not mean automatic access to the spoken language and that hearing aids cannot be employed for all kinds of deafness. Moreover, the conviction that bilingualism in signed and spoken languages interferes negatively with the process of acquiring spoken language is already discredited. Thus, it is hard to see how granting LIS the official status of language would increase conflict among associations that support deaf people.³¹

In May and June 2011, the Chamber of Deputies organised various hearings with the associations of both schools of thought, in order to have a more complete overview: on the one hand the supporter of the oralistic education (university professors, scientists, the European Society for Mental Health and Deafness (E.S.M.H.D) and the Italian Science and Technology Institute of cognition (CNR)) and on the other hand the Italian National Agency for the protection of the Deaf (ENS), the National Associations of LIS interpreters (ANIMU and ANIOS), and others.³²

The reactions of the Deaf community after the preliminary discussion were first reported in

²⁹ Carlo Geraci, "Language policy and planning: The case of Italian sign language", in *Sign and Language Studies*, volume 12, Number 4, (Washington D.C: Gallaudet University Press, 2012) 500-518.

³⁰ In 1880, the international conference of deaf educators called "the Second International Congress on Education of the Deaf" took place in Milan, where a declaration was made that oral education was better than signed education. A resolution was passed banning sign language. See "The Milan Congress in 1880", last accessed May 10, 2016, <http://www.istc.cnr.it/mostralis/eng/pannello14.htm>.

³¹ Geraci, *Language policy and planning*, 499

³² LIS Subito!, "DDL C.4207", last accessed May 12, 2016, <http://www.lissubito.com/programma/>.

videos on Facebook and then converged in a unified grassroots movement supporting the recognition of LIS called “LIS SUBITO!” (LIS IMMEDIATELY!), which organised several protests and sit-in in Rome, and an online petition with 80,000 signatures with the support of many foreign associations.³³

On 5th July 2011, a select committee in the Chamber officially adopted the so-called “basic text”, which resulted from the many amendments applied to the original bill, but ignoring the suggestions of LIS associations. This new text sensibly distorted the original bill: the phrase “recognition of LIS” disappeared in the title, it added numerous references to forms of prevention, treatment of deafness and the use of CIs, it promoted scientific researches to widespread interventions for early diagnosis. The text merely recognised LIS, by ignoring the identity element and not respecting all principles of the UNCRDP and focuses especially on the prevention and treatment of the disability. In May 2012 LIS SUBITO! published the report, which clearly stated that in the light of the ratification of the UNCRDP by Italy with Law 18 of 3 March 2009 and entrance into force on 4 June 2009, the Italian government was obliged to issue a legislation inspired by the principles of the Convention and according to Art. 117 of the Italian Constitution, regarding the respect of obligations derived by international treaties: the lack of the implementation of the Convention was a clear violation of human rights and an unconstitutional and illegitimate act.³⁴

With the end of Mario Monti’s government, bill N. 4027 fell unfortunately into oblivion and silence laid on the subject.

9. What, then, lies behind this?

Who better than people involved behind the scenes know actually the reasons for such a back-looking proposal by the Italian government? Two different experts offered to give a frank interview and express their opinions on the subject.³⁵ First, Vanessa Migliosi, a deaf teacher of mathematics in a secondary school in Rome, previously engaged in international Deaf organisations and since its beginning a tireless activist in the movement LIS SUBITO!.

³³ Tiziana Gulli and Violante Nonno, “Storia del movimento per la LIS, contro il ghetto”, last accessed May 12, 2016, http://www.treccani.it/lingua_italiana/speciali/sordita/Nonno_Violante.html.

³⁴ LIS SUBITO!, “Violazione dei diritti umani”, last accessed May 12, 2016, <http://www.lissubito.com/diritti-umani>.

³⁵ The interviews took place on May 9, 2016 with Vanessa Migliosi and May 10, 2016 with Cristiano Iacoangeli (recordings available).

Secondly, Cristiano Iacoangeli, LIS interpreter of the Association ANIOS, trainer for LIS interpreters and communication assistants in Rome.

Ms Migliosi is perfectly bilingual, as she grew up with the oralist method, and can observe the situation from a twofold point of view. First of all, she underlines the lack of respect towards the freedom of linguistic choice of parents of Deaf. Bill 4207 did absolutely not impose LIS as main language, but left space of choice for the bilingual path and the different rehabilitation methods. It is not clear why these associations want to prevent signing Deaf to use LIS, when prosthesis and speech therapy are available for everybody: nobody can replace the opinion of people who personally live the problem of deafness. Nevertheless, the Parliament was much more involved in the speeches of medical experts, than in those of linguistic researches and Deaf right associations.

Furthermore she stressed the need for public awareness: Deaf people are not those who have to change, but the mentality of society. In a shocking article appeared in January 2015, the journalist Federica Mormando affirmed that LIS risked to create isolation with the creation of a closed community of Deaf and interpreters, and it would be easier if deaf people attended classes to learn the labial, so that they would forget their deafness.³⁶ Even worst is the article of Valeria Pini in which she asserted that the typical daily gestures used by Italians could be mixed up with LIS.³⁷

She states that the long waiting times for the Parliamentary discussion are due to the Italian tendency to spend more time in philosophical discussion and terminological debates rather than going straight to the point. Italian politicians are irresponsible as they tend to please everybody, to find a “theoretical” common point, without making a resolute decision.

She reveals that, during a trial in court, Deaf people are entitled to have an interpreters, who, however, receive a risible refund of 12/15 euros. In hospitals, migrants have the right to use a cultural mediator, Deaf people do not and very often seek help from the so-called CODA (children of deaf adults).³⁸

Mr Iacoangelo underlined that actually this tendency to degrade the status of LIS is to be found back to the Congress of Milan whose slogan was “LIS kills the word”. Very interesting

³⁶ Federica Mormando, “Perché la lingua dei segni rischia di creare isolamento”, *Corriere della sera*, January 3, 2015, <http://scuoladivita.corriere.it/2015/01/03/perche-la-lingua-dei-segni-rischia-di-creare-isolamento>.

³⁷ Valeria Pini, “La gestualità degli Italiani non va d’accordo con la lingua dei sordi”, *La Repubblica*, March 26, 2014, http://www.repubblica.it/scienze/2014/03/26/news/la_gestualit_degli_italiani_un_problema_per_le_per_sone_sorde-81951590/?refresh_ce.

³⁸ She wrote these recommendations and others in a letter addressed to the Deputies in charge of adopting the bill. See <http://www.lissubito.com/wp-content/uploads/2011/10/Lettera-per-Politici-LIS-subito-1.pdf>, accessed May 9, 2016.

is also the religious vision he put in evidence, stating that in the Bible (John 1:1) the sentence “In the beginning was the Word, and the Word was with God and the Word was God” somehow excluded Deaf people as devoid of words. As at the beginning Deaf people were educated in special ecclesiastic schools, they introduced the oralistic practice, putting aside the use of the hands. Sign language was absolutely not a language and it had to be concealed and use only in private. These few historical facts already provide us with a global overview of the cultural and social mentality nowadays. With regard to the failed legislative procedure, he pointed out three main aspects.

First of all, the lack of recognition of professional interpreters and communication assistants in a separate register. Secondly, there is an economic reason: should LIS be recognised, the state would then be obliged to guarantee a set of services with high costs, like interpretation in post offices, hospitals, banks and first aid. Actually funds exist, because Deaf people, in addition to the disability pension, benefit from the “communication benefits” (indennità di comunicazione), a monthly compensation of 250 euros to pay an interpreter, which, with the approval of the Bill, the State would subtract from the Deaf in order to guarantee the interpretation service; but the Deaf demanded a free interpretation service.

Thirdly, the medical lobby carried a powerful influence on the Parliament, stating that the CIs for new-borns were taking roots on hearing parents and their success was evident in the numerous published statistics, where, however, negative results were not reported. For the medical lobby the fact that each implant (between 50.000 and 80.000 euros) is at the expenses of the state and that, consequently, the massive use of CIs would lead to the “extinction” of signing Deaf, could only suit it.

10. The future: the bill N.302

Senator Mr de Poli presented to Senate the bill N.302 on 23rd March 2013³⁹ and the Commission’s rapporteur Mr Russo adopted the unified text containing 16 Articles, on 16th February 2016, where he introduces the establishment of recognised training courses for LIS professionals, a national register for LIS interpreters (Art 13) and the creation of a National Observation Institute to monitoring the correct integration of Deaf children (Art.15).

One interesting amendment proposed by Professor Anna Cardinaletti, from University of Venice, suggested to add a special reference to people affected by cognitive and linguistic

³⁹ Camera del Senato, “Disegno di legge N.302”, last accessed May 12, 2016, <http://www.senato.it/japp/bgt/showdoc/17/DDLPRES/698896/index.html>.

delays, like Autism, Down syndrome, dyspraxia (Developmental coordination disorder) and Landau-Kleffner syndrome (language disorder), who are also users of sign language.⁴⁰

Positive opinions by the entire Senate have been shown with regards to this bill, particularly about the aspects of bilingualism, prenatal screening and CIs, during the last meeting on 18th May 2016. This new proactive approach raises hopes that this time the bill will be unanimously approved throughout the Parliament, finally giving to the Italian Deaf community their own language.

11. Conclusion

Based on the assumption that Deaf people are not only persons with disability, but above all members of a linguistic minority, the recognition of sign languages at national level is of paramount importance because, having access to a sign language, any deaf person can develop their cognitive, social, emotional and linguistic growth. The status of sign languages varies in each country, since the governments understand the role of sign languages in different ways: in some countries the rights of Deaf people to use and learn their sign language is ensured by legislation; in others, like Italy, governments completely ignore the necessity of their Deaf community to access to sign language. Any forcible act by governments to impose oralism and suppress sign languages is a clear violation of the human rights declared in the “UN Convention on the Rights of Persons with Disabilities”, and Italy maybe is not aware of it.

Currently, it is not clear whether LIS is at risk or not. On the one hand, the widespread cochlear implants, the small number of deaf children educated in LIS, the Parliamentary support of oralist education would suggest a quite dangerous situation. But on the other hand, some positive “signs” give cause for hope: daily presence of interpreters on television, the LIS courses provided for interpreters and communication assistants, the access of Deaf people to higher education, the creation of jobs around sign language for both Deaf and hearing people. In the last decades, hard efforts made by the Italian Deaf community have led to concrete results in the acquisition planning. But unfortunately, for the status planning most of the work will not be effective if LIS is not recognised as a full-fledged language by the Parliament. Recognising LIS means giving legal dignity to the use of this language, which is

⁴⁰ Anna Cardinaletti, “Audizione Commissione Affari Costituzionali-Senato”, Last modified April 19, 2016, http://www.senato.it/application/xmanager/projects/leg17/attachments/documento_evento_procedura_commissione/files/000/003/865/Prof.ssa_CARDINALETTI..pdf.

an heritage not only for Deaf people, but for everyone; implementing a uniform national legislation; ensuring the right to free choice of expression to each citizen; promoting the full accessibility to information, communication and services; supporting the quality of training programs for all LIS professionals (teachers, communication assistants, interpreters.). It is important that deaf children have access to a sign languages at early ages, so that their education can be achieved bilingually in the national sign language and the national written/spoken language.

The Italian Parliament should understand, that the recognition of the rightful status of LIS by the approval of Bill N.302 is a crucial step which cannot be further delayed and that LIS in an opportunity of enrichment in every sense, rather than an obstacle to integrate Deaf people.

To put it quite simply, there is no better expression to illustrate this situation than a famous Italian proverb saying “There is none so deaf, as he who will not hear”!

12. Bibliography

- Camera dei Deputati. "Atto Camera: 4207". Accessed May 10, 2016. http://nuovo.camera.it/_dati/leg16/lavori/stampati/pdf/16PDL0046810.pdf.
- Cardinaletti, Anna. "Audizione Commissione Affari Costituzionali-Senato". Last modified April 19, 2016. http://www.senato.it/application/xmanager/projects/leg17/attachments/documento_evento_procedura_commissione/files/000/003/865/Prof.ssa_CARDINALETTI..pdf.
- Consiglio Nazionale delle Ricerche. "The Milan Congress in 1880". Last accessed May 10, 2016. <http://www.istc.cnr.it/mostralis/eng/pannello14.htm>.
- De Meulder, Maartje. "Sign Language Recognition: Tensions between Specificity and Universalism in International Deaf Discourses". In *It's a Small World: Inquiries into International Deaf Spaces*, edited by Annelies Kusters, Michele Friedner. Washington DC: Gallaudet University Press, 2015.
- De Meulder, Maartje. "The legal recognition of sign languages". In *Sign Language Studies Volume 15 Number 4*. Washington DC: Gallaudet University Press, 2015.
- De Meulder, Maartje. "The UNCRPD and Sign Language People". In *UNCRPD Implementation in Europe- A Deaf perspective*, edited by Annika Pabsch. Brussels: European Union of the Deaf, 2014.
- Division for Social Policy and Development Disability. "Finland ratifies CRPD". Accessed May 15, 2016. <https://www.un.org/development/desa/disabilities/news/dspd/finland-ratifies-crpd-total-164.html>.
- Dolza, Enrico. "The status of Italian Sign Language and the struggle for its recognition". Last modified January 6, 2015. <http://www.globi-observatory.org/status-italian-sign-language-struggle-legal-recognition>.
- Ente Nazionale Sordi (ENS). "Anche a Malta riconosciuta la lingua dei segni". Last modified March 16, 2016. <http://www.ens.it/canali-tematici/politica-estero/8147-anche-a-malta-riconosciuta-la-lingua-dei-segni>.
- Ethnologue-Languages of the World. "Deaf Sign Languages". Accessed May 1, 2016. <https://www.ethnologue.com/subgroups/deaf-sign-language>.
- European Union of the Deaf (EUD). "Full Citizenship through Sign Languages", (Conference Report, Brussels, 2007). In *The protection and promotion of sign languages and the Rights of their users: Need Analysis*, edited by Verena Krausneker. Strasbourg: Council of Europe Publishing, 2008.
- Geraci, Carlo. "Language policy and planning: The case of Italian sign language", in *Sign and Language Studies, volume 12, Number 4*. Washington D.C: Gallaudet University Press, 2012.

Gulli, Tiziana, and Nonno, Violante . “Storia del movimento per la LIS, contro il ghetto”. Last accessed May 12, 2016. http://www.treccani.it/lingua_italiana/speciali/sordita/Nonno_Violante.html.

Krausneker, Verena. *The protection and promotion of sign languages and the Rights of their users: Need Analysis*. Strasbourg: Council of Europe Publishing, 2008.

Migliosi, Vanessa. “Lettera agli Onorevoli Deputati XII Commissione Affari Sociali”. Accessed May 9, 2016. <http://www.lissubito.com/wp-content/uploads/2011/10/Lettera-per-Politici-LIS-subito-1.pdf>.

Mormando, Federica. “Perché la lingua dei segni rischia di creare isolamento”. *Corriere della sera*: January 3, 2015. <http://scuoladivita.corriere.it/2015/01/03/perche-la-lingua-dei-segni-rischia-di-creare-isolamento>.

Movimento Lingua dei Segni Italiana Subito! (LIS Subito!). “Disegno di Legge C.4207”. Last accessed May 12, 2016. <http://www.lissubito.com/programma/>.

Movimento Lingua dei Segni Italiana Subito! (LIS SUBITO!). “Violazione dei diritti umani- La Convenzione delle Nazioni Unite sui diritti delle persone con disabilità”. Last accessed May 12, 2016. <http://www.lissubito.com/diritti-umani>.

Pini, Valeria. “La gestualità degli Italiani non va d’accordo con la lingua dei sordi”. *La Repubblica*: March 26, 2014. http://www.repubblica.it/scienze/2014/03/26/news/la_gestualit_degli_italiani_un_problema_per_le_persone_sorde-81951590/?refresh_ce.

Senato della Repubblica. “Atto Senato n. 37 XVI Legislatura”. Accessed May 10, 2016. <http://www.senato.it/leg/16/BGT/Schede/Ddliter/29655.htm>.

Senato della Repubblica. “Disegno di legge N.302”. Last accessed May 12, 2016. <http://www.senato.it/japp/bgt/showdoc/17/DDLPRES/698896/index.html>.

Skutnabb-Kangas, Tove, and Phillipson, Robert. “Linguistic Human Rights“ (1995). In *The protection and promotion of sign languages*, edited by Verena Krausneker. Strasbourg: Council of Europe Publishing, 2008.

Stevens, Helga. “Equal rights for Deaf people: From being a stranger in one’s own country to full citizenship through sign languages”. Paper presented at ICED 2005, Maastricht, July 17-20, 2005.

Summer Institute of Languages (SIL). “Sign Languages”. Accessed May 1, 2016. <http://www.sil.org/sign-languages>.

Timmermans, Nina. *The Status of Sign Languages in Europe*. Strasbourg: Council of Europe Publishing, 2005.

United Nation Human Rights. “Convention on the Rights of Persons with Disabilities”. Accessed May 15, 2016.
<http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx#1>.

Wheatley, Mark, and Pabsch, Annika. *Sign Language Legislation in the European Union - Edition II*. Brussels: European Union of the Deaf, 2012.

Word Federation of the Deaf (WDF). “Sign Language”. Accessed April 20, 2016.
<https://wfdeaf.org/our-work/focus-areas/sign-language>.

World Health Organization (WHO). “Deafness and hearing loss”. Last modified March 2015.
<http://www.who.int/mediacentre/factsheets/fs300/en/>.