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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Permanent Assembly for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[4 June 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Cultural rights of the deaf community Argentina

The Permanent Assembly for Human Rights expresses its concerns about the situation of discrimination which is present in the Deaf community. The violation of their rights, in spite of the existence of international declarations, such as the Convention on the Rights of Persons with Disabilities, and the National Constitution.

We consider the great need of guaranteeing to the Deaf community the access to health, education, decent work, justice, access to information, to culture and to religion, that is all the recognized international human rights.

In the formulated public policies from the State there is a notable lack of knowledge about the necessities and the culture of the Deaf. It is necessary that the Argentinean State formulates and executes public policies which include minorities, because this would constitute a viable path to surpass discrimination.

Deaf people are often hindered in their social development due to various factors: lack of education, lack of access to information in sign language, poor or inexistent service of sign language interpretation and a lack of quality employment opportunities. This has often led to live in socially and economically marginalized situations, discriminated against, and with little political potential to change their situation of vulnerability.

This is due to ignorance of the Deaf community that Argentina, like every other Deaf community, has developed a language that is visuospatial: Sign Language Argentina or SLA, which shows a predominantly visual culture, i.e. language interaction between pairs. It has historically developed its world as objective and themselves as interactive subjects through sign language that was naturally acquired. In fact, the underlying structure of the language is independent of the mode of expression, auditory-vocal or visual-spatial. The spoken languages and the sign languages refer to two different modalities, however equally effective in transmission and reception of speech.

Language is an innate capacity of every human being, and the languages, in every mode, are the particular manifestations of this biological capacity. In the case of Deaf people, it was their sign languages that permitted them not only to communicate, however also to get to know the world, to have an identity, that is, their sign languages were their own tool of survival. As a linguistic practice is the only way to make room for the very existence and because group identity is unthinkable without a particular and natural language, which has been chosen collectively, it is the SLA, the language of this community, that acquired a natural psycholinguistic process – without systematic schooling – and transmitted from generation to generation.

Nevertheless, considering that the Argentinean Deaf community is socially and economically integrated in the majority hearing community of the country and considering that SLA lacks writing, it is the Spanish language – in this case – its second language and written language. Deaf people consider spoken and written Spanish as necessary and imperative language for the social and employment integration. Spoken Spanish is thus for them a language for exchanging, that is, a lingua franca, and written Spanish is their second language (Massone, 2009)¹.

¹ Massone, M.I. (2009). The linguistic situation of Argentine Deaf Community: why not diglossic. *Journal of Multicultural Discourses* 4(3): 263-278.

Considering that the languages are political practices, symbolic, legitimate, and not contingent to generate transformations, to reach social changes and to alter power relations, it is only SLA, the natural language of this community, the language of identity, the language that satisfies the interaction in families and of the partners, the language of membership to the community, the symbol of the feeling of belonging to the group, its most precious value, its heritage. Inside the Deaf community, the SLA is not in competition with Spanish language as are the varieties in bilingual communities. From the cognitive point of view, it is the language that allows to categorize the world, give shape to thoughts, and from a psycho-analytic perspective it allows the conformation of subjectivity, the inter subjectivity and social bonding.

Thus, the Deaf community constitutes a linguistic minority community with its own language transmitted in another modality and therefore develops a different symbolic world - a culture. Deaf children of deaf parents are the real members of the same and Deaf children of hearing parents are the potential members. That is, the Deaf community is considered from a social and anthropological perspective – and not evolutionary nor disabled – and the educative perspective within this paradigm is not the oralism – teach how to speak – but the bilingual-biculturalism.

Additionally, the Deaf people are aware that they ought to use SLA in every and in all communicative context, as the use of the language is in itself a social practise which produces social change. It also has effects on the speaker himself, when a person speaks Spanish Deaf crushes him oralism and disability, however, when speaking SLA enters the world of plurilingualism and community membership is a political and identity act.

The deaf community is described by the World Federation of the Deaf (WFD), primarily monolingual, mostly illiterate, with some partial knowledge of written Spanish, and occasional social interactions with the hearing community. The lives of Deaf people are mostly centered by their interaction with other Deaf people in clubs, sports groups, and in less formal social groups. Systematic interaction with the hearing is unusual, except for members of their nuclear families or with knowledge of the SLA.

The lack of education of the Deaf and the nature of the available employment positions available employees contribute to increase their social, economical and political marginalization. The jobs held by most Deaf people could be classified as unskilled labor. There are many Deaf people working in jobs in some branch of government bureaucracy, however in unskilled tasks such as counting money, sorting mail and other items.

Deaf people education is oralist in the whole country or at least neo-oralist, they still hearing the sociolinguistic setting at schools (Massone, 2008)². An issue that needs to be reformed immediately is that the teacher who have followed introduction courses of the SLA, have done so without any knowledge of the cultural values of the Deaf. These educative institutions do not hire Deaf people as teachers and when they do they are discriminated against or become teacher assistants rather than (maestro de audición). The neo-oralism involved the naturalization of concepts in the bilingual-bicultural speech appropriating of the ambiguous forms for the dominant speech in order to maintain the status quo, orality and therefore only the condition of disability Deaf people regardless of the fact that they are also members of a linguistic community.

² Massone, M.I. (2008). Ideologic sign in deaf educational discourse. In: Carolina Plaza-Pust y Esperanza Morales-López (eds.). *Sign Bilingualism. Language Development, Interaction, and Maintenance in Sign Language Contact Situations*. Amsterdam: John Benjamins Publishing Company, 277-295 pp.

Also, the documentation that governs the education of Deaf people, considers them as disabled and they do not take into account the bicultural component of the bilingual education. Therefore, from a sociocultural perspective, the schools for Deaf people remains to be in a hearing context where spoken Spanish is the principal language. This way, the educative system ignores and presses the Deaf culture. The lack of Deaf teachers in schools reinforces the power relations in which hearing people dominate. There is also an aversion to accepting Deaf people as students in the training programs available to teachers of the Deaf. Even more, the prevailing linguistic policy from the State and the not consideration of Deaf people as a linguistic minority perpetuates the abuse of the elaboration and the maintenance of their language and their own identity and culture.

The Permanent Assembly for Human Rights considers indispensable the acknowledgement of the Sign Language of Argentina so as to give the place that corresponds to the Deaf community, not characterized as disabled, however as minority with its own world of meanings. This does not undermine that the Argentinean Deaf community accepts the considerations of the Convention on the Rights of Persons with Disabilities as soon as they are considered as subjects of law (linguistic, educative, working, and other purposes to develop a life such as the rest) and also recognizes that they have a hearing disability, which does not invalids the fact of being a subject of law. Ergo, they do not propose their exclusion of the area of disability whenever their state of linguistic minority is considered a language and a culture.
