

Decoding sign language legal status: exploring a distinct category (or *tertium genus*) between recognition and officiality

A comparative analysis

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Abstract: In various countries, languages that qualify as “recognised languages” are enshrined in their respective legal frameworks. This designation remains abstract and indeterminate, making it a challenge to precisely define the official status of such recognised languages, particularly in the case of sign languages. The analysis of various legislation related to sign languages highlights commonalities in the formulation of national laws in how they uphold fundamental principles. Sign languages may or may not benefit from features of linguistic officiality, both formally and materially, compared to officially proclaimed spoken languages. Additionally, sign languages align with distinctive elements of linguistic minority rights. In other words, they are not clearly qualified as genuine official languages, like spoken languages, and simultaneously, are not expressly considered minority languages, despite some analogies. It is argued that it is feasible to develop a legal theory called *asymmetric linguistic officiality of sign language*. Regarding the legal statuses of sign languages, treating them as a third legal category of linguistic officiality in an intersectional sense or, better yet, addressing them as a *tertium genus* that specifies issues inherent to sign languages based on legal circumstances related to the rights of deaf people.

Keywords: Sign language, Official language, recognised languages, *tertium genus*, Legal typology.

Summary: 1. Introduction; 2. Preliminary conceptual considerations; 2.1. Legal recognition; 2.2. Linguistic officiality; 3. Legal treatment of sign language; 3.1. Eastern Europe; 3.2. Northern Europe; 3.3. Southern Europe; 3.4. Western Europe; 3.5. Intermediate considerations: comparative analysis of the legal status of sign languages; 4. The normative substance of linguistic officiality; 4.1. The sense and scope of legislation regarding sign languages; 4.2. The essential content of linguistic officiality; 4.2.1. General provisions; 4.2.2. Substantive provisions; 4.2.3. Institutional or organizational provisions; 4.3. The level of the legal status of sign languages; 4.3.1. The asymmetric linguistic officiality: case of sign language; 5. Conclusions.

1. Introduction

Many countries enshrine in their respective legal frameworks languages qualified as official. Indeed, the notion of an official language is variable and subject to diverse legal and constitutional realities. Constitutions of different states provide for the definition of the official language or other terms materially equivalent to official languages. We observe that, in the field of studies related to language legislation, we can identify at least two basic legal categories commonly classified by the legal systems of various states. The first category, as a fundamental element of the state, pertains to linguistic officiality, which declares languages officially recognised with reinforced normative characteristics. Numerous constitutional references exist for languages considered official. The second category pertains to the legal status of regional and minority languages, possessing specific normative characteristics that have legal effects in certain contexts. And what about sign languages? In various European countries, when establishing legal frameworks for sign languages a “sign language” will encompass linguistic aspects to justify legal classification. Recent legislative developments in this area prompt reflections on their legal implications. National legislation however does not always qualify what the legal recognition of sign languages entails. Sign languages may (or may not) benefit from some features of linguistic officiality, compared to officially proclaimed spoken languages, and they also echo the

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characteristic elements of linguistic minority rights. In other words, sign languages are not clearly qualified as a genuine official language like spoken languages, and simultaneously, are not expressly considered a matter of minority languages, despite similarities. Examining the legal status of sign languages is necessary to determine whether a third category - to include “recognised languages” - exists and to understand its true essence in legal terms. It is therefore posited that this third category is a *tertium genus*: linguistic officiality in an intersectional sense.

Whether the third legal category, in the case of sign languages, can constitute a sufficiently grounded legal concept based on the fundamental principles inherent to linguistic officiality gives rise to a pertinent question. Is there a common denominator in the substantive notion of linguistic officiality for sign languages? To answer this question, studies conducted by RUIZ VIEYTEZ² and PONS PARERA³ serve as a starting point for the analysis of legal frameworks related to sign languages in Europe. The various linguistic categorizations applied to spoken languages in the European context are relevant, enabling the classification of legal statuses attributed to sign languages.

We perform a comparative analysis of the legal statuses of sign languages in Europe, especially in legal typology (referring to the legal classification that qualifies various legal categories: official language, officially recognised language, or simply recognised language). We refer to legal sources in the European context to study the inherent meanings of legally proclaimed sign languages and the terminological diversity of the various legal and constitutional realities of countries that are part of the Council of Europe, to provide a comprehensive overview. Not only that, but we also systematize a common denominator of the officiality of sign languages formally recognised by the respective State with its own constitutional, legal, or regulatory nature. However, the categorization and legal identification of sign languages tend to be complex, particularly concerning recognition and official status, and this complexity is evident in different legal approaches where the status of sign language varies, raising questions about its equivalence to spoken languages and its official recognition. This investigation seeks not only to clarify the diversity of legal terms, but also to understand the criteria and concepts underlying the legal classification of sign languages in Europe. *Quid iuris?*

2. Preliminary conceptual considerations

The Convention on the Rights of Persons with Disabilities (the Convention) provides, in its article 21(b)(e), the relevant legal framework to clarify the meaning and legal nature of sign languages. This article carries a series of essential legal implications. In relation to the concepts of legal recognition and linguistic officiality that originate in the Convention, SOUSA affirms the use of these concepts in the context of sign languages.⁴

2.1. Legal recognition

The concept of legal recognition is a polysemic, evolving, dynamic, and multifunctional notion, dependent on the sociopolitical, sociocultural, and sociolinguistic circumstances of respective national legal systems.⁵ According to the political competences of the respective States, these legal systems may declare and regulate potential legal frameworks for languages. Legal recognition of sign languages is, by its nature, a specific legal category, according to the Convention and national legal systems. This recognition involves the declaration,

² E. J. RUIZ VIEYTEZ, *La regulación constitucional del hecho lingüístico en Europa*, Revista de Llengua i Dret, Journal of Language and Law, 80, 2023, 193-205; E. J. RUIZ VIEYTEZ, *Lenguas y Constitución. Una visión del derecho lingüístico comparado en Europa*, Revista Vasca de Administración Pública, 72, 2005, 231-275.

³ E. PONS PARERA, *L'oficialitat lingüística. Declaracions constitucionals i implicacions jurídiques i pràctiques*, Generalitat de Catalunya, Departament de Cultura, 2015.

⁴ F. V. SOUSA, *Essential framework of the legal status of sign language: recognition and officiality*, in *Revista de Llengua i Dret*, 2022, 177-193.

⁵ E. J. RUIZ VIEYTEZ, *op. cit.*, 193-205.

confirmation, and acknowledgment of the legal-linguistic reality of sign languages that are formally incorporated into the legal framework of the respective State. Consequently, legal recognition commits to shaping the potential legal status that regulates, defines, and determines the meaning and function of sign language. Thus, the legal recognition of sign languages is fundamentally characterized by the formal declaration of the State in the legislation concerning sign language and by the realization and implementation of the rights consecrated by this legal recognition declaration.

For a better understanding, the fundamental concept of legal recognition of sign language consists of affirming that it is a manifestation (or materialization) of state intentions, whereby the State declares and determines, through various legal sources, *a priori*, the meaning, scope, and effectiveness of the legal status of this language in accordance with its legal system.⁶ Legal recognition of sign language has, at least, as its ultimate purpose its formal incorporation into the legal system that ensures and identifies the creation of necessary conditions to attribute the set of rights and obligations within the framework established by the State for this purpose.

Legal recognition is considered a *conditio sine qua non* for the state declaration regarding the legal status of sign language. In other words it is a fundamental, nuclear, and unconditional prerequisite for the state's assertion to establish the meaning and scope of sign languages' legal status.⁷ The declaration of recognition can be *explicit* (wherein the State formally incorporates sign language into its legal system) or *implicit* (where despite not being formally consecrated, the State promotes and supports affirmative measures for the language, notably by fostering its learning within the educational system, for example).⁸ The fundamental conceptual characteristic of this legal recognition lies in the state's intentions to adopt, through available means, necessary measures in favour of a language with appropriate and effective legal treatment.⁹

2.2. Linguistic officiality

The conceptual characteristics of the legal recognition of sign languages naturally encompass the various types, degrees, and levels of legal protection granted. This necessarily implies the meaning and scope of linguistic officiality.¹⁰ The multi-level and multifunctional concept of linguistic officiality is equally polysemic since it holds diverse meanings and scopes to meet the necessary condition of being an official language, contingent upon the sociopolitical and legal circumstances of their respective national legal systems, like the declaration of legal recognition. Therefore, the necessarily multifunctional and multi-level concept of linguistic officiality aims for the legal materialization of a legal framework to confer the necessary conditions for language functions (*e.g.* existence of standards that are sufficiently clear and objective to make the use of the language applicable with practical effects and, also, availability of necessary resources to comply with duly established legal parameters). In essence, linguistic officiality can be understood as follows: initially, the legal materialization of recognition aims at the officialization (*e.g.* legal formalization) of the status of sign language within the legal framework.

RUIZ VIEYTEZ writes that officialization is a “process of legitimization and institutionalization” of the respective language.¹¹ Furthermore, he considers that the officialization process “continues to be the most relevant political choice that law can make in favour” of that language.¹² In other words, *officialization* is the

⁶ F. V. SOUSA, *op. cit.*, 177-193.

⁷ *Ibidem*.

⁸ M. DE MEULDER, J. J. MURRAY; R. L. MCKEE, *The Legal Recognition of Sign Languages - Advocacy and Outcomes Around the World*, Bristol, 2019.

⁹ F. V. SOUSA, *op. cit.*, 177-193.

¹⁰ *Ibidem*.

¹¹ S. MAY, *Language and minority rights. Ethnicity, nationalism and the politics of language*, New York, 2012, 161.

¹² E. J. RUIZ VIEYTEZ, *op. cit.*, 199.

political option. Officialization entails the “legal-linguistic accreditation”¹³ of the meaning and legal nature of sign language. It implies a “metamorphosis or elevation of the formal status of the language through the legal system to that of a complete language,”¹⁴ endowed with legal-linguistic capacity to be a fully-fledged language. Furthermore, it not only involves officialization, but also requires a material dimension - that is, the legal content of the established norms that regulate the set of rights of speakers and obligations of public authorities - strictly linked to the substance of linguistic officiality. Thus, linguistic officiality aims to establish essential conditions, namely effectiveness and applicability, enabling sign language to fulfil its functions. In other words, the functions mandated by law represent a legal acknowledgment of sign language as a language endowed with the necessary capabilities to become fully applicable, empowering it to produce practical effects across different social domains.

We identify constitutive characteristics of linguistic officiality: (i) the *substantive* dimension of officiality holds both positive and negative aspects. The positive aspect encompasses the formal declaration of sign language usage in various domains, legitimizing it as an authorized means of communication recognised by state authorities. The negative aspect defines the obligations of speakers to use the language in specific contexts as determined by legislation. And (ii) the *nominal* dimension of officiality refers to the categorization of the language by state authorities through legislation as an “official language” or “national language”. This categorization influences the substantive meaning of officiality, allowing for different normative modulations based on specific circumstances of the declared languages.

The fundamental conceptual characteristics of legal recognition and linguistic officiality of sign language can be summarised as follows: legal recognition implies the existence of the finalistic element (*i.e.*, the object of legal recognition) in the legal-linguistic declaration of this recognition, whereby the immediate purpose of legal recognition of sign language consists of the formal incorporation of sign language into the legal framework, acquiring, *ex vi legis*, the functional conditions for the exercise of sign language use in various domains. On the other hand, linguistic officiality involves the primarily teleological element (*i.e.*, the aim of legal recognition) that provides for, *de jure et de facto*, the effectiveness of legal conditions to develop its attributed functions in various domains. In other words, legal recognition entails a generally finalistic treatment of the object concerning sign language issues, whereby linguistic officiality deals with the substantive issues of ‘which’ in defining its legal status and ‘how’ the nature and effectiveness of this legal status is to be implemented.

Therefore, it is evident that the concept of an official language is variably understood according to respective national legal systems. In general, concerning sign languages, in compliance with the Convention, the fundamental notion of an official language implies the existence of officiality (formal and/or material) of language use in various domains. On one hand, *formal officiality* refers to the legal status of sign language, determined and categorized by the national legal system, treated as an official language or other equivalent terms, provided it holds an official character with full juridical efficacy. On the other hand, *material officiality* implies that the legal status of sign language is determined according to the normative circumstances that provide for the legal content relating to obligations of public authorities and, above all, the different rights of speakers who can use the language in different domains.

3. Legal treatment of sign language

As previously mentioned, legal categorization is one of the various facets of the materialization of legal status that necessarily involves the formal issue of officialization, that is, defining the legal meaning of sign language as a precursor to its elevation to a legal-linguistic category and the formal sense and function assigned

¹³ F. V. SOUSA, *op. cit.*, 177-193.

¹⁴ *Ibidem*.

to the language.

RUIZ VIEYTEZ¹⁵ and PONS PARERA¹⁶ outline various categories of recognised languages. The essential concept of linguistic categorization lies in asserting that it is a normative clause of diverse nature, whether constitutional, legal, or regulatory, that expressly or implicitly proclaims a specific legal category inherent to the respective language. In the case of spoken languages, various legal categories are found, including ‘official language,’ ‘national language,’ and ‘state language’.

The consideration of sign languages in national legislation allows for a comparative and analytical understanding of the legal norms present in respective States and provide for a classification of legal categories attributed to sign languages and their inherent contents, and the author has undertaken such an exercise to determine the various legal categories used by States.

Table 1 provides a list of States that classify their national sign languages as either an ‘official language,’ a ‘national language,’ or as a ‘means of communication,’ and the year of officiality.

Table 1

Official Language	Malta (2016)
Officially Recognised	Lithuania (1995)
Recognised Language	Albania (2014) Belgium (Flemish Sign Language, 2006; Sign Language of French-speaking Belgium, 2003; German Sign Language, 2019) Bosnia and Herzegovina (2009) Bulgaria (2021) Cyprus (2006) Denmark (2014) Germany (2002) Greece (2000, 2017) Finland (1999, 2015) França (2005) Hungary (2009) Ireland (2017) Iceland (2011) Italy (2021) Latvia (2000) Luxembourg (2018) Norway (2022) Netherlands (2021) Poland (2011)

¹⁵ E. J. RUIZ VIEYTEZ, *op. cit.*, 196-199.

¹⁶ E. PONS PARERA, *op. cit.*, 2015.

	Portugal (1997) United Kingdom (2022) Romania (2020) Serbia (2015) Spain (Spanish Sign Language 2007; Catalan Sign Language 2010) Sweden (2009)
Means of Communication	Czech Republic (1998) Croatia (2015) Slovenia (2002) Slovakia (1995, 2017) Moldova (2012, 2014) North Macedonia (2009)

Table 2 sets out equally relevant categories that complement or clarify the multiple meanings of recognised language. This will allow us to consider the possibility of establishing a third intersectional category resulting from the normative intersectionality between the legal categories of official languages and minority languages.

Table 2

National Language	Norway (2022)
Natural Language	North Macedonia (2009) Slovenia (2002) Slovakia (1995, 2017)
Primary Language Main Language	Iceland (2011)
Own Language Specific Language	Belgium (Flemish Sign Language, 2006; Sign Language of French-speaking Belgium, 2003; German Sign Language, 2019) Spain (Catalan Sign Language 2010)
Independent Language Full-fledged Language Language in its Own Right	Austria (2005) Belgium (German Sign Language, 2019) Bulgaria (2021) Denmark (2014) Germany (2002) Estonia (2011) Finland (1999) France (2005)

	Hungary (2009) Luxembourg (2018) Romania (2020)
Minority Language	Hungary (2009) Romania (2020) Serbia (2015)
Native Language Mother Tongue First Language	Croatia (2015) Ireland (2017) Iceland (2011) Lithuania (1995) Romania (2020)

Having examined the most common aspects of the legal categories classifying the diverse legal statuses of sign languages, national legislation has introduced various terms or seemingly linguistic expressions such as ‘mother tongue,’ ‘native language,’ and ‘primary language.’ However, do these linguistic expressions have legal consequences in terms of their legal significance? Are these expressions comparable to the legal concept of official status (or official language or language)? The next step is to consider the legal approaches of States,¹⁷ and the different meanings they use to deal with legal recognition and linguistic officiality.

3.1. Eastern Europe¹⁸

In Bulgaria, the law recognizes sign language as an “independent natural language”.¹⁹ The main objective of this law includes, among other goals, the “recognition of Bulgarian sign language as an independent natural language”.²⁰ Thus, Bulgarian law categorizes sign language as an “independent language” that has essential similarities to the concept of linguistic officiality.

In the Czech Republic, its law categorizes sign language as “the basic communication system of deaf individuals in the Czech Republic, considering it their primary form of communication”.²¹ Furthermore, it considers this language as a “natural and complete communication system”²², and consequently states that “Czech Sign Language has basic language attributes, such as gesturality, systematicity, dual segmentation, productivity, originality, and historical dimension, being stable in terms of lexical and grammatical aspects”.²³

In Hungary, Article H of the Hungarian Constitution declares that the Hungarian language is the ‘official language.’ Simultaneously, the same Constitution introduces a clause for the protection of Hungarian languages. It specifically declares Hungarian Sign Language as a ‘part of Hungarian culture,’²⁴ and

¹⁷ The group of European countries is usually identified by the United Nations only for investigative purposes and not for geopolitical reasons. We selected, whenever possible, legislative materials found from some – and not all – European countries - with different original translations to understand their meanings.

¹⁸ Bulgaria; Czechia; Hungary; Poland; Republic of Moldova; Romania; Slovakia.

¹⁹ Article 1(1) (our translation).

²⁰ Article 6(1) (our translation).

²¹ Section 4(1) (our translation).

²² Section 4(2) (our translation).

²³ Section 4(2) (our translation).

²⁴ Article H(3) (our translation).

‘recognizing the cultural and community-forming power of sign language, in order to establish the language rights of the hearing impaired and deaf-blind individuals and to ensure their equal access to public services.’²⁵ The object of legal recognition is to enhance the ‘linguistic status of Hungarian Sign Language,’²⁶ and ‘Hungary recognizes Hungarian Sign Language as a natural and independent language.’²⁷ However, it does not explain what the legal category of sign language is and whether it holds equal legal status as the official language. It is not clear whether Hungarian Sign Language has implicitly received, if not expressly, linguistic officiality.

Poland's case has some similarities to the Czech case. Polish law defines sign language as the “natural visual-spatial communication language for eligible individuals,” *i.e.*, those “experiencing permanent or periodic difficulties in communication” eligible to use Polish sign language.²⁸

Moldovan law refers to Article 21 of the Convention to include the same norm that recognizes and promotes “mimic-gestural language”.²⁹ This legal framework is complemented by specific regulations that doubly categorize the status of the language: “The state, through current legislation, recognizes and promotes mimic-gestural language/sign language as a means of communication among individuals”.³⁰

In Romania, the law recognizes Romanian sign language as the “specific native language for deaf and/or hearing-impaired individuals”³¹. It also has a definition that characterizes Romanian sign language as an “independent language”. This term is seen as a linguistic notion explaining that the language is characterized by various linguistic, lexical, and grammatical parameters. The law further states that “Romanian sign language” represents a “communication tool, a thinking tool, a learning tool, as well as an identity-building tool”.³² Moreover, it recognizes the deaf community using Romanian sign language as a “linguistic and cultural minority with the right to use, preserve, develop, and maintain deaf culture, to enhance and inherit their own mother tongue”.³³

In Slovakia, the law “respects and supports the linguistic and cultural identity of the deaf community and values its contribution to societal development. The goal of the law is to establish the use of sign language as the communication form of the deaf, thus ensuring conditions for its application in society”.³⁴ In other words, Slovak sign language is the “communication form of the deaf.” Additionally, Article 3 regulates sign communication forms: sign language is “a concrete realization of the sign language system”³⁵; and, furthermore, it defines Slovak sign language as a “communication form used by deaf individuals in the Slovak Republic”³⁶, further categorizing it as the “natural language of the deaf community”³⁷

3.2. Northern Europe³⁸

In Denmark, Danish Sign Language is formally recognised in (functional) linguistic legislation, although the legal characterization of sign language is not defined in its legislation, which governs the attributions of

²⁵ Preamble, Act CXXV of 2009 (our translation).

²⁶ Section 1 (General provisions), Act CXXV of 2009 (our translation).

²⁷ Section 3(1), Act CXXV of 2009 (our translation).

²⁸ Article 3(2) (our translation).

²⁹ Article 25(1)(7)(8) (our translation).

³⁰ Chapter I(2) (our translation).

³¹ Article 1 (our translation).

³² Article 2(h) (our translation).

³³ Article 3 (our translation).

³⁴ Article 1 - Introductory provision (our translation).

³⁵ Article 3(1) (our translation).

³⁶ Article 3(2) (our translation).

³⁷ Article 3(3) (our translation).

³⁸ Denmark; Estonia; Finland; Iceland; Ireland; Latvia; Lithuania; Norway; Sweden; United Kingdom of Great Britain and Northern Ireland.

the Danish Sign Language Council, ensuring equal conditions for Danish (spoken) language under the same council. We find an explanatory document³⁹ of the bill explaining that Danish Sign Language is seen as an “independent language” with its linguistic characteristics distinct and autonomous from the Danish (spoken) language. It is also acknowledged that it is a part of the deaf identity and culture.

In Estonia, the language law defines Estonian as the “national language of Estonia.” This means it is the official language used by public authorities and in public services, both orally and in writing.⁴⁰ Additionally, it includes the recognition of Estonian sign language and “Estonian sign”.⁴¹ The law under consideration has two corresponding definitions. Estonian sign language is considered an “independent language”⁴², and “Estonian sign” is defined as “a representation of the Estonian language”.⁴³ Furthermore, Article 8(2) regulates the right of deaf individuals to use sign language in various public services, with interpretation of that language.

Regarding Finland, the working group report explains the concept of sign language⁴⁴, a matter that is frequently common in definitions found in other European countries. They understand that the meaning of “independent language” relates to the distinct linguistic characteristics of the language used by deaf individuals, different from spoken languages. In addition to the linguistic perspective, the cultural perspective clarifies that sign language is an essential element of deaf culture and identity, a matter discussed in other European countries as well. From a legal perspective, the issue of sign language is constitutionally enshrined in that sign language speakers have their fundamental rights according to Article 17 of the Constitution to maintain and develop their own language. Moreover, this constitutional norm refers to a law that specifies the legal effects and establishes the legal framework for this sign language, particularly regarding interpretation and translation assistance. The Finnish report underscores the importance of ensuring fundamental rights, emphasizing their realization not only within legal frameworks but also in the day-to-day experiences of individuals. In practical terms, this entails an obligation for public authorities to enact legislation that genuinely facilitates the use of sign language by its speakers. Beyond legal provisions, the effective fulfilment of fundamental rights necessitates the allocation of financial resources and the integration of sign language considerations into all decision-making processes.

In Iceland, the language law declares the dual legal status of the Icelandic language as both an “official language” and a “national language”. On the one hand, the notion of the national language implies that Icelandic is the “common language of the Icelandic people”, guaranteed by public authorities for use in “all domains of society”.⁴⁵ On the other hand, the concept of the official language implies that Icelandic is the language used by public authorities in various official domains of the public nature. The conceptual difference between these categories is, arguably, the national language as a symbolic element of Icelandic society and the official language as a political-identity element of the State itself. The legal category of Icelandic Sign Language is, indeed, formally considered the “first language”⁴⁶ for those individuals to express themselves in this language. It is promoted and supported by public authorities. Additionally, users of this language must have the opportunity to express themselves and learn this language. Furthermore, Icelandic Sign Language is recognised with the same legal protection as Icelandic as a “means of communication”. Can we affirm that Icelandic Sign Language has the implicit notion of linguistic officiality as Icelandic, being both a “national language” and an “official language”? According to the explanatory document⁴⁷ that prepares the approval of

³⁹ Act no. 517 of 26/05/2014: Act amending the Act on the Danish Language Board (our translation).

⁴⁰ Article 3(1); Article 4 (our translation).

⁴¹ Article 3(2) (our translation).

⁴² Article 3(2) (our translation).

⁴³ Article 3(2) (our translation).

⁴⁴ Report of the working group preparing the Sign Language Act (2014) and Assessment memorandum on the need for a sign language law (2013).

⁴⁵ Act on the Status of the Icelandic language and Icelandic Sign Language.

⁴⁶ Act on the Status of the Icelandic language and Icelandic Sign Language.

⁴⁷ Act on the Status of the Icelandic language and Icelandic Sign Language.

this law, despite some conceptual ambiguity regarding sign language, on the one hand, to qualify the dual condition of the national language and the official language, Icelandic must be a “perfect language in the sense that it can be used in all areas of society, in administration [and others].” On the other hand, the explanatory report qualifies sign language as a matter of “official recognition” in the sense of acknowledging the language of deaf people. Therefore, this language is equated with the Icelandic language in communication. As a result, can we equate the same notion of the national language and the official language with Icelandic Sign Language? This is a question that might need consideration.

On the other hand, in Ireland⁴⁸, the initial legislative process aimed to recognize sign language as a “native and independent language”⁴⁹ and as the “primary means of communication for a considerable minority of the Irish population”⁵⁰. However, the enacted legislation simplifies its legal categorization. It is interesting to compare, in future, the legal aspects of Irish Sign Language with the law relating to spoken languages⁵¹. Currently, the revision of this law includes a definition of the notion of official language: “means the Irish language (being the national language and the first official language) and the English language (being a second official language) as specified in Article 8 of the Constitution”⁵².

In Latvia, the language law establishes Latvian as the official language.⁵³ Regarding Latvian sign language, Article 3(2) “ensures the development and use of Latvian sign language for communication with deaf individuals”, without specifying other aspects related to the use of Latvian sign language.

The case of Lithuania is straightforward and concise. The only legal provision states that it “officially recognizes sign language as the mother tongue of the deaf in the Republic of Lithuania, giving them the opportunity to choose the language of their parents as their mother tongue.”

Regarding the status of Norwegian Sign Language, it is legally recognised, establishing that government authorities have special obligations inherent to Norwegian Sign Language. Section 7 of the same law confers the “national” status of Norwegian Sign Language.⁵⁴ According to an expert report⁵⁵, the expression “national sign language” implies that it is a national and autonomous language with its own Norwegian linguistic characteristics distinct from other spoken languages. Additionally, the national status of this language as a

⁴⁸ Out of curiosity, this author studies the legal-constitutional aspects in linguistic matters regarding the official languages enshrined in the Irish Constitution. M. BLACAM, *Official language and constitutional interpretation*, in *The Irish Jurist (New Series)*, Vol. 52, 2014, 90-114; D. MAC SÍTHIGH, *Official status of languages in the United Kingdom and Ireland*, 2018, 77-102.

⁴⁹ Irish Sign Language Act.

⁵⁰ Irish Sign Language Act.

⁵¹ Official Languages (Amendment) Act 2021.

⁵² Official languages Act 2003 revised 2023 .

⁵³ Article 3(1) (our translation).

⁵⁴ Prop. 108 L (2019 – 2020) Proposal for legislation - Language Act. (text in Norwegian) In line with the preparatory work for drafting the Language Act, the report provides relevant and interesting explanations about sign language (13.4.1) offering Norwegian legal perspectives. They understand Norwegian Sign Language as “languages in their own right and should not be seen as an aid to people with reduced functional capacity”. The Norwegian expression “fullverdige språk” can indicate the same meaning as “independent language” or “language in its own right”. Furthermore, the Norwegian government’s explanation (12.1.4) is clear in that it states that all languages protected by law have equal intrinsic value and equal value as languages of use. In other words, sign language “has a fundamental value in itself, among other things, as a mark of identity and genuine cultural expression for a linguistic minority in Norwegian society.” Furthermore, it considers that sign language “is part of the Norwegian cultural heritage and the country’s linguistic diversity that the public has a duty to protect and promote” sign language. Consequently, this expression implies that sign language is a “fully developed language” with inherent linguistic rules. And, furthermore, the concept of “national language” to sign language is justified in the sense that this language is the “complete language”. In particular, the expression “national” emphasizes that Norwegian Sign Language “is not precisely a common and international language for deaf people throughout the world [...] Norwegian Sign Language is a separate language of Norwegian origin.”

⁵⁵ NOU 2023:20 *Sign language for life - Proposal for a comprehensive policy for Norwegian sign language*. (text in Norwegian).

“linguistic and cultural expression”⁵⁶ is part of the national linguistic heritage, seen as an expression of national culture. According to the report, sign language that plays a cultural function can be seen as “support to society”, particularly the deaf community. On the other hand, the law defines Norwegian Sign Language as “equivalent to Norwegian”. It is an ambiguous term.⁵⁷ The report understands that this term implies that sign language, from a linguistic perspective and as a language issue, is a genuine language on an equal linguistic footing with the Norwegian language and has the linguistic conditions to be an authentic autonomous language distinct from Norwegian with its own linguistic characteristics. However, as highlighted in the report, recognizing Norwegian Sign Language as equal to Norwegian does not mean that this language has the same status and functions as Norwegian in society. On the contrary, Norwegian is seen as the “main language and a language supporting society”. Norwegian Sign Language does not have these characteristics, nor is it considered a minority language, as the law itself distinguishes it from minority languages. It only acknowledges the symbolic value of the legal recognition of Norwegian Sign Language inscribed in the language law. It is up to public authorities to protect and promote this language in various domains through sectoral legislation, particularly in public services and education.

In Sweden, Swedish legislation distinguishes three legal categories⁵⁸: (i) Swedish as the “main language” (a term equivalent to the declaration of official status), meaning that this language is seen as “the common language of society, which everyone residing in Sweden must have access to and must be able to use in all areas of society”⁵⁹; (ii) national minority languages; (iii) Swedish Sign Language, which does not have a sufficiently clarified legal category or if it is considered an asymmetrical or implicit notion of officiality in comparison to Swedish, or if it is considered an intermediate legal category that generally acknowledges “individual access to the language”, meaning that deaf individuals “must have the opportunity to learn, develop, and use Swedish Sign Language”.⁶⁰ Consequently, this language is protected and promoted by state authorities who have obligations for this purpose.⁶¹ In other words, the law does not define, in its Section 9, Swedish Sign Language as the “main language” or the “common language of society”, despite acknowledging the importance of the cultural and identity belongingness of language users in its preparatory work for this law. It only establishes legally that public authorities have a special responsibility for the protection and promotion of this language. Furthermore, another legal norm regulating individual access to the language establishes that users of sign language “have the opportunity to learn, develop, and use Swedish Sign Language”.⁶²

On the other hand, the British Sign Language (BSL)⁶³ law defines this language as “a language of England,

⁵⁶ NOU 2023:20 *Sign language for life - Proposal for a comprehensive policy for Norwegian sign language*. (text in Norwegian).

⁵⁷ Prop. 108 L (2019 – 2020) Proposal for legislation - Language Act. (text in Norwegian) The Norwegian government explains that the equivalence of sign language to the Norwegian language “does not mean that Norwegian Sign language plays the same role in society as the Norwegian language, which is therefore the main language in Norway and an administrative language supporting the community”. Although he further explains that sign language “has as much value as a language of use and cultural heritage that the Norwegian possesses and, in this case, also the Sami languages and the national minority languages.” Consequently, the legal status of sign language in Norwegian legislation constitutes a “general linguistic act”.

⁵⁸ M. LANDQVIST, J. SPETZ, *Ten years with the Swedish Language Act*, in *Current Issues in Language Planning*, Vol. 21, No. 5, 2020, 532–547. The authors study, with interest, the legal aspects of Swedish language (and Swedish sign language) law. The Swedish legislator's decision not to grant minority language status to sign language was based on political-linguistic reasons in the 1980s. Currently, the legal recognition of Swedish sign language “has assumed great symbolic significance, since the sign language is mentioned in a linguistic discourse.” Therefore, it is recognised by society as a “linguistic group” with some advances in legal aspects.

⁵⁹ Articles 1 and 4 (our translation).

⁶⁰ Article 14 (our translation).

⁶¹ Article 9 (our translation).

⁶² Article 14 (our translation).

⁶³ D. PYPER, P. LOFT, *British Sign Language Bill*, Commons Library Research Briefing, 2022; BDA's report on 'Legal Status of BSL and ISL', 2014.

Wales, and Scotland”.⁶⁴ However, it does not define its legal category; whether it is merely recognised as a language alongside other existing languages or if it implicitly holds official status like other languages? To compare with the Welsh Language Act⁶⁵, the Welsh language is recognised and attributed an “official language status”.⁶⁶ This means that “official language status” requires that the official use of this language has legal effects in the public sphere, *e.g.*, public institutions recognize, guarantee, and promote the use of the language in their public domains. The meanings of “official status” and “recognition” do not have the same sense and scope. The BSL law itself conditions the effectiveness of recognition by virtue of paragraph 2 stating that “does not affect the operation of any decree or legal norm”. Therefore, the content of recognition means that public authorities have obligations inherent to the “promotion and facilitation of the use of British Sign Language”, but it does not have the same effect as the Welsh Language Act.

According to explanatory notes⁶⁷, British Sign Language is recognised “as a language of Great Britain in its own right”. This norm has on the one hand, a linguistic dimension, implying that sign language is recognised as an autonomous language with its distinct linguistic characteristics compared to other (spoken) languages.⁶⁸ Furthermore, the status of British Sign Language has already been recognised by a ministerial written declaration to the House of Commons in 2003. This does not add new status to what is already recognised in the present British Sign Language law. On the other hand, the legal dimension, this law does not attribute, as the Welsh language does, the “official status”, only “recognition” with different matrices in the implications of language use. This use of language refers to other sectoral legislations regulating the conditions of sign language use.

In Scotland⁶⁹, the specific law of sign language does not expressly define the “official status” of British Sign Language. This law specifically regulates functional, strategic, and organizational aspects in promoting and facilitating the use of this language. Within this scope, public authorities develop their periodic plans and report their progress.

3.3. Southern Europe⁷⁰

The cases of Albania and Montenegro are challenging to identify the norms related to the use of their respective languages due to inherent linguistic reasons that hinder research.

The case of Bosnia and Herzegovina aligns with the normative model of Eastern European countries. Bosnian law recognizes the right of deaf individuals to use sign language.⁷¹ The law defines the language as “the language of communication for the deaf, that is, a natural means of communication for the deaf”, being

⁶⁴ British Sign Language Act 2022.

⁶⁵ Welsh Language (Wales) Measure 2011.

⁶⁶ Explanatory Notes: “8. This section makes provision about the official status of the Welsh language in Wales. 9.Subsection (1) states that the Welsh language has official status in Wales. 10.Subsection (2) provides that, without prejudice to the general principle of subsection (1), legal effect is given to the official status of the Welsh language by the enactments about: duties on bodies to use the Welsh language; the treatment of the Welsh language no less favourably than the English language; the validity of the use of the Welsh language; the promotion and facilitation of the use of the Welsh language; the freedom of persons wishing to use the Welsh language to do so with one another; the creation of the Welsh Language Commissioner and other matters relating to the Welsh language. 11.Subsection (3) refers to examples of the enactments which give legal effect to the official status of the Welsh language. 12.Subsection (4) states that the Measure does not affect the status of the English language in Wales.”

⁶⁷ British Sign Language (BSL) Act 2022 and explanatory notes.

⁶⁸ British Sign Language (BSL) Act 2022, paragraphs 3 to 4 and 6.

⁶⁹ British Sign Language (Scotland) Act 2015.

⁷⁰ Albania; Bosnia and Herzegovina; Croatia; Cyprus; Greece; Italy; Malta; Montenegro; North Macedonia; Portugal; Serbia; Slovenia; Spain.

⁷¹ Article 1 (our translation).

“a visual system” of sign language with inherent linguistic characteristics.⁷²

In Croatia, Croatian law prescribes the rights of deaf individuals, deaf-blind, and others with communication difficulties. This law defines the communication systems that people can choose and use in a specific form of communication.⁷³ Croatian sign language is the “original language of the community of deaf and deaf-blind people in the Republic of Croatia, being a linguistic system with its own grammatical rules, completely independent of the language of hearing individuals”.⁷⁴

The Cypriot Sign Language Recognition Act defines, in its article 2, among other aspects, the Cypriot Sign Language as “a visual communication code, used both as the sole means of communication and as an additional means of communication between deaf individuals and others. It is based on the Greek Sign Language, as it has evolved and is used in Cyprus, regardless of the native language of these individuals (...).”⁷⁵ In other words, the law categorizes it as the “sole means of communication”, “native language”, and addresses the linguistic characteristics of this language, including, in this law, its unique manual alphabet.

Greek law 4488/2017 is based on the provisions of the Convention. Article 65(2) establishes that “The Greek Sign Language is recognized as equivalent to the Greek language. The state takes measures for its promotion, as well as for addressing all communication needs of deaf and hard-of-hearing citizens.”⁷⁶ Does the legal recognition of Greek sign language imply, in legal terms, the equivalence of the legal status of the Greek language as an official language? What does equivalence imply? Does it have the same meaning, for example, as the Norwegian law? These questions remain open for future consideration.

In Italy⁷⁷, there have been several bills regulating the legal recognition of sign language.⁷⁸ The current law does not define it as an official language, but only “recognizes” the language, without categorizing its legal status.⁷⁹ The grounds invoked for the legal recognition of these languages are based on the Italian Constitution, the Charter of Fundamental Rights of the European Union, and the Convention on the Rights of Persons with Disabilities.

The case of Malta is relevant as it has an explicit legal category qualifying the official language attributed to Maltese sign language. Conceptually, Article 2 defines: ““Maltese Sign Language” means the visual and gestural language that is the first or preferred language in Malta of the distinct linguistic and cultural Deaf community.” In other words, Maltese sign language is “the first or preferred language in Malta.” Articles 3 and 4 are crucial to understanding the meaning and legal nature of Maltese sign language. On one hand, Article 3(1) establishes that “The Republic of Malta recognizes Maltese sign language as an expression of culture and endorsement for equal opportunities and inclusion. The purpose of this Act is to promote and maintain the use of Maltese Sign Language by declaring Maltese Sign Language to be an official language of Malta and empowering the making of regulations setting competency standards for the interpretation of Maltese Sign Language.” On the other hand, Article 4 determines that “Maltese Sign Language is declared to be an official language of Malta, and the Government of Malta shall promote, through all possible means, the widest use of Maltese Sign Language in all government information and services, education, broadcasting, media, at the law

⁷² Article 2(a) (our translation).

⁷³ Articles 1, 2, and 4 (our translation).

⁷⁴ Article 5(1) (our translation).

⁷⁵ Cypriot Sign Language Recognition Law of 2006.

⁷⁶ Law 4488/2017, codified with 5078/2023: State pension arrangements and other insurance provisions, strengthening the protection of employees, rights of persons with disabilities and other provisions.

⁷⁷ S. DARRETTA, *The Rights of deaf people and Sign language: the importance of the explicit recognition of sign language in Italy and in France*, in *Working Paper Series SOG-WP66/2021*, April 2021. Available at: https://sog.luiss.it/sites/sog.luiss.it/files/WP66_The%20Rights%20of%20deaf%20people%20and%20Sign%20language_V3.pdf.

⁷⁸ As a curiosity, there is the parliamentary process relating to several bills that regulate the legal recognition of sign language.

⁷⁹ Measures for the recognition of Italian sign language and the inclusion of people with hearing disabilities, 2021.

courts, and in political, administrative, economic, social and cultural life.” At the same time, the official status of Maltese sign language is conditioned by specific circumstances and needs. Article 5 defines the limits of legal application: “The obligations under this Act are subject to such limits as circumstances make reasonable and necessary in terms of the Equal Opportunities (Persons with Disability) Act if all reasonable measures and plans for compliance with this Act have been taken or made.”

In North Macedonia, the law related to sign language aligns with the normative model of Eastern Europe. Article 1 regulates the right of deaf individuals to use sign language. Article 2(1) recognizes sign language as a “fully natural means of communication, equal to spoken communication”, and sign language is the language used by deaf people. It is a “natural means of communication”⁸⁰, and it defines the linguistic characteristics of sign language.⁸¹

In Portugal, Portuguese sign language is recognized in the Constitution. Article 74(2)(h) establishes that “Protecting and developing Portuguese sign language, as an expression of culture and an instrument for access to education and equal opportunities.” The legal framework of Portuguese sign language is already studied in another scientific article. SOUSA explains in summary: “In Portugal, there is no specific legislation that defines and establishes the conditions for the exercise of the rights assigned and that is, by itself, sufficient to ensure constitutional recognition. Constitutional recognition and practical rights need to be made effective through a clear, objective, and enforceable legal framework that safeguards deaf speakers in communicative interactions with public authorities.”⁸²

In Serbia, following the same model as Eastern Europe, the law related to Serbian sign language categorizes sign language as a “natural form of deaf communication with its own linguistic properties”⁸³ and regulates the legal conditions for the exercise of the rights of deaf individuals in various domains.

Slovenian law defines sign language as a “language of communication for deaf individuals or the natural means of communication for deaf persons. Sign language is a visual-sign language system with specific hand and finger positions, movements, orientation, and facial expressions”.⁸⁴ This law recognizes the right of deaf individuals to use sign language “as their natural language”.⁸⁵

In Spain⁸⁶, there are various legal norms of different natures, for example, at the statutory level, *i.e.*, the autonomy statutes that regulate the regional scope of the autonomous communities. These statutes provide for the legal recognition of sign language in their legal norms, which commonly express that public authorities promote the use of sign language through necessary measures in various areas, particularly in equal conditions, education, and public services. This language is the subject of education, protection, and respect.⁸⁷ It’s

⁸⁰ Article 2(2) (our translation).

⁸¹ Article 2(3) (our translation).

⁸² F. V. SOUSA, *What legal recognition? What does the official language declaration concerning sign language consist of?*, in *Revista de Llengua y Dret*, 2023, <https://eapc-rld.blog.gencat.cat/2023/03/16/what-legal-recognition-what-does-the-official-language-declaration-concerning-sign-language-consist-of-filipe-venade-de-sousa/> .

⁸³ Article 3 (our translation).

⁸⁴ Article 2 (our translation).

⁸⁵ Article 3 (our translation).

⁸⁶ J. QUER, *Legal Pathways to the Recognition of Sign Languages: A Comparison of the Catalan and Spanish Sign Language Acts*, in *Sign Language Studies*, Volume 12, Number 4, Summer 2012, 565-582.

⁸⁷ In Spain, the different autonomous communities have their own autonomy statutes - a type of constitutionality block - which regulates the different aspects that apply to their respective territories.

ANDALUSIA: “Article 37 (Guiding principles) 1. The powers of the Autonomous Community will guide their public policies to guarantee and ensure the exercise of the rights recognised in the previous Chapter and achieve the basic objectives established in article 10, through the application effective of the following guiding principles: (...) 6. The use of Spanish sign language and the conditions that allow equality to be achieved for deaf people who choose this language, which will be the object of teaching, protection, and respect.” (our translation).

ARAGON: “Article 25 (Promotion of personal autonomy) (...) 2. The Aragonese public authorities will promote the teaching and use of Spanish sign language that allows deaf people to achieve full equality of rights and duties.” (our translation).

demonstrated that these statutory norms do not necessarily define sign language as an object of language law but are generally seen as a matter of social law. For example, in the cases of Aragon, Valencia, and Catalonia, these autonomous communities have their own (spoken) languages in their respective language regimes, but they do not specify sign languages in these language regimes. However, according to the statutory approach, the meaning and scope of “subject of education, protection, and respect” imply that public authorities must adopt the necessary and effective measures to define and assign the official use of sign language in various domains. Therefore, the statutory norms necessarily refer to the legal conditions that ensure the effectiveness of the official use of this language.

The Catalan sign language law states, in its preamble, that this language is the language of deaf people in Catalonia. The Catalan law recognizes sign language as the “own linguistic system”⁸⁸ of deaf and deaf-blind people in Catalonia. Therefore, the purpose of legal recognition is to acknowledge the Catalan sign language as a “linguistic system” within the scope of education and protection by the public authorities. However, what does “linguistic system” mean? Article 3(a) defines Catalan sign language as a “language or natural linguistic system of gestural and visual modality characteristic of Catalan deaf people, who also use, with different adaptations according to their sensory situation, deaf-blind people.”⁸⁹ This language is defined doubly, on one hand, as a “language or linguistic system” and, on the other hand, as a means of communication.

According to the Spanish report⁹⁰, Law 27/2007 does not designate Spanish sign languages as “official language”. In other words, it doesn’t establish formal and explicit official status because it only recognizes and regulates them as languages of deaf people. They argue that the official status of sign language “must manifest in its fullness, such as education, relations with public administration, audiovisual media, or interpretation services, which have not shown significant improvement since the promulgation of the Law”. The jurisprudence of the Spanish Constitutional Court understands that the concept of an official language implies that it is a language declared as a “legally valid and effective communication instrument, and the core of that validity materializes in its use among citizens and in relations with (public) administrations.” The decision to elevate a language to official status requires “the will of the legislator and is limited to acknowledging the reality of the use of a language, its influence on legal and social relations, and above all, the number of citizens who choose it as the main means of expression”. Consequently, for them, the officiality (limited) of Spanish sign languages can be defined but with serious reservations because there is a need to consolidate reinforcement that guarantees the application of sign language as an official language, from a constitutionally

CATALONIA: “Article 50 (Promotion and dissemination of Catalan) (...) 6. Public authorities must guarantee the use of Catalan sign language and the conditions that allow achieving equality for deaf people who choose this language, which must be taught, protected, and respected.” (our translation).

CASTILLA Y LEÓN: “Article 13 (Social rights): (...) 8. (...) The public authorities will promote the use of the Spanish sign language of deaf people, which must be the object of teaching, protection, and respect. In addition, the use by the Public Administrations of the Community of systems that allow communication to the sensory disabled will be implemented.” (our translation).

VALENCIAN COMMUNITY: “Article 13: 4. The Generalitat will guarantee the use of the sign language of the deaf, which must be taught, protected, and respected.” (our translation).

EXTREMADURA: “Article 7 (Guiding principles of Extremaduran public powers) Regional public powers: (...) 15. They will promote autonomy, equal opportunities, and the social and labour integration of people with disabilities, with special attention to its active contribution to society, to the teaching and use of Spanish sign language and to the elimination of physical barriers.” (our translation).

BALEARIC ISLANDS: “Article 19 (Rights in relation to dependent people) 3. The public administrations of the Balearic Islands will guarantee the use of the sign language of deaf people, which must be taught, protection and respect.” (our translation).

⁸⁸ Article 50 (our translation).

⁸⁹ Law 17/2010, of June 3, on Catalan sign language. Article 3(c) (our translation).

⁹⁰ E. BELDA PÉREZ-PEDRERO; F. J. SIERRA FERNÁNDEZ, *Legal assessment report of Law 27/2007, of October 23, which recognizes Spanish sign languages and regulates the means of support for oral communication of deaf, hearing-impaired and deafblind people after 15 years*. 2023, 13-17 (our translation – original title in the bibliography). Available at: https://cnlse.es/es/recursos/publicaciones/informe_valoracion_juridica_ley27_2007.pdf.

supported statute. Nevertheless, the legal recognition of sign language can be seen from the perspective of “institutional guarantee”, meaning it is “not based on specific content or on a scope of competencies previously established in a norm, but on the preservation of an institution recognizable to the image that social consciousness has at each time and place”.⁹¹ This is because the issue of sign language itself “summarizes the characteristics that make it an essential institution for the communication of the deaf, being its own natural language that, throughout its historical evolution, has demonstrated a vocation for permanence and has generated a sense of identity and social consciousness among deaf people and their living environments, such as family, work, associative movement (...)”.⁹²

3.4. *Western Europe*⁹³

In Austria, the constitutional incorporation process of Austrian Sign Language had various projects to consider it as a legal category, as the “Austrian minority language”, also explaining that this language is an “independent language”⁹⁴ with its own linguistic characteristics. Specifically, this language is “protected and respected as an independent language and as an expression of the deaf culture and as an instrument for access to education and equality of opportunities”.⁹⁵ Consequently, the result was the formal incorporation of sign language into the Constitution, considering it as an “independent language”, distinct from the official language, leaving it to the legislature to regulate its conditions of use. According to Austrian law, the concept of the official language is the German language *as per* Article 8 of the Constitution. The official language is understood as a language used by public and judicial authorities in various official domains and is also used between state authorities and citizens. Therefore, Austrian Sign Language does not have the same legal status as the German language and is distinct from constitutionally recognised statuses of Austrian minority languages according to their respective legislations.

In Belgium, there are three sign languages specific to their respective deaf communities with different linguistic territories. The case of Flemish Sign Language is not clearly stipulated as an “official language” with the same status as the spoken language in this Flemish region. It only designates sign language as a “recognised language”, as a generic and undetermined legal category. In other words, the legal recognition’s meaning is generic in the sense that Flemish authorities acknowledge the existence of this language within the deaf community with a cultural significance but doesn't necessarily imply the existence of rights translated by this legal recognition. Instead, it is left to the legislature to define the legislative and administrative measures to establish and define the conditions of use of this language.

In France, the proposal for the constitutional incorporation of French Sign Language defines the recognition of this language as a full-fledged language of the Republic, alongside French as the language of the Republic in its Article 2.⁹⁶ The French report recognizes the constitutional value of sign language only implies, in addition to its basically symbolic nature, as a “form of recognition of higher prestige but does not necessarily grant the set of rights in itself”.⁹⁷ The issue of recognition has been established since 1991 and, above all, in

⁹¹ E. BELDA PEREZ-PEDRERO; F. J. SIERRA FERNANDEZ, *op. cit.*, 15, (our translation).

⁹² E. BELDA PEREZ-PEDRERO; F. J. SIERRA FERNANDEZ, *op. cit.*, 15-16, (our translation).

⁹³ Austria; Belgium; France; Germany; Luxembourg; Netherlands; Switzerland.

⁹⁴ The German expression “*ist als eigenständige Sprache anerkannt*” means “is recognised as an independent language.” In the context of Austrian and German law, this statement implies that the referenced sign language, whether German or Austrian, is legally acknowledged as a distinct form of communication, equivalent to an independent language. Thus, the expression underscores the significance of the legal recognition of sign language as a separate and independent entity within the legal frameworks of the German and Austrian systems.

⁹⁵ As proposed for constitutional incorporation within the scope of parliamentary discussions (our translation).

⁹⁶ Proposition de loi constitutionnelle n° 3895 visant à inscrire la langue des signes française dans la Constitution.

Proposition de loi constitutionnelle n° 606 visant à inscrire la langue des signes française dans la Constitution.

⁹⁷ Rapport *Langue des Signes Française dans la Constitution de la République*, 2020. (Our translation) Out of curiosity, the Government responded to a parliamentary question stating that the legal recognition of sign language “is a concern

2005, legislating equal rights and opportunities for people with disabilities. This law defines sign language as a “language in its own right” in the educational context.⁹⁸

In Germany, German Sign Language is legally recognised as an “independent language”⁹⁹ in sectoral legislation regulating the equality of persons with disabilities, generally acknowledging the right to use this language for communication with competent authorities. Interestingly, a study commissioned by the parliamentary commission explores whether German Sign Language should be considered a minority or official language.¹⁰⁰ This study considers the distinct linguistic characteristics that correspond to it being an “independent language”. To determine if it corresponds to the legal category of an official or minority language, the study’s response is negative. On one hand, the official language is understood by German law like Austrian law. That is, an official language is perceived as a national language, both spoken and written, understood in German. Conclusively, “an official language cannot be limited to spoken or written language”.¹⁰¹ On the other hand, sign language is not considered a minority language as it doesn’t meet the criteria corresponding, in the view of German legal practices, to ethnic relevance. As a result, German Sign Language is only “a manual language” and lacks a “written language”, making it unsuitable for use as an official language according to German law, which requires both spoken and written dimensions.

In Luxembourg, the law defines sign language as a “recognised language”. Interestingly, the draft law intended to also consider it an “language in its own right”.¹⁰² The Luxembourgish approach considers the expression “language in its own right” as implying an “official status for sign language”. Furthermore, recognizing it as a “language in its own right” implies that it “is not sufficient to increase the social participation of deaf people”, and thus, the recognition of this official status “determines the rights resulting from this recognition”. Moreover, it’s considered that the recognition of a “language in its own right” “also has a highly symbolic dimension for the Luxembourgish community” and “expresses equal treatment of a linguistic group”. The justification for this recognition is based on Article 24 of the Convention and European-level recommendations. From a linguistic perspective, the German Sign Language is seen as an “autonomous language, just like spoken languages. It is a visual and gestural language with its own dactylogy, grammar, syntax, and vocabulary”.

In the Netherlands¹⁰³, Dutch Sign Language is legally recognised as a generic legal category of a “recognised language”. At the same time, interestingly, the government itself considers this language “recognised as an official language”¹⁰⁴, although legislation does not formally consider this legal category. The explanatory memoranda¹⁰⁵ describe sign language as the “mother tongue of deaf people”. Initially, the draft

for deaf people”. The government considered that French sign language is recognised as a “language of France”, alongside the French language, “national language, whose official character is enshrined in the Constitution”. Recognition of sign language implies that “it is part of cultural identity and contributes to our country's creativity and cultural influence”. Sign language is recognised as a “language in its own right, with the same degree of complexity and the same performance as an oral language” (our translation).

⁹⁸ Article 75. LOI n° 2005-102 du 11 février 2005 pour l'égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées (1).

⁹⁹ The German expression “*ist als eigenständige Sprache anerkannt*” has a meaning that, on the one hand, implies the recognition of the language, and on the other hand, denotes its status as an “independent language.”

¹⁰⁰ There was a study carried out in the German Parliament on the legal recognition of sign languages: *Rechtliche Stellung der Gebärdensprache in europäischen Staaten* 2020; Gebärdensprache als Amts- oder-Minderheitensprache oder Minderheitensprache 2022.

¹⁰¹ *Rechtliche Stellung der Gebärdensprache in europäischen Staaten* 2020; Gebärdensprache als Amts- oder-Minderheitensprache oder Minderheitensprache 2022. (our translation).

¹⁰² Law Project amending the law of February 24, 1984 on the language regime.

¹⁰³ S. MEEREBOER; K. MEEREBOER; O. SPIJKERS, *Recognition of Sign Language Under International Law: A Case Study of Dutch Sign Language in the Netherlands*, in F. AMTENBRINK, D. PRÉVOST, R. A. WESSEL (eds.) *Netherlands Yearbook of International Law*, Volume 48, 2017, p. 411.

¹⁰⁴ Initiative proposal for recognition of Dutch sign language (our translation).

¹⁰⁵ Initiative proposal for recognition of Dutch sign language (our translation).

law defined this language as an “official language”, but eventually, this legal category was removed. The concept of recognition is understood in a way that this language is “an independent language” endowed with its own linguistic characteristics, as in other European countries. Generally, recognition “reinforces the position of sign language users” and “contributes to the full participation of these people in society”. The authors of the draft law aimed to legislate the legal status of sign language to have practical consequences and not just symbolic purposes for the exercise of the rights of language users. The draft law intended to declare the recognition of this language as an “official language” in the Netherlands, alongside Dutch and Frisian. Although the currently adopted legislation does not explicitly define this category, according to the memoranda, the recognition of the use of this language implies, on the one hand, “more accessible governmental communication for deaf people” and, on the other hand, “makes deaf people and their communication needs more visible to the general public”, *e.g.*, official speeches by government authorities transmitted in this language. Can we consider this as an implicit notion of material officiality? This remains an open question.

In Switzerland, according to the Swiss report¹⁰⁶, government authorities consider that the legal status of Swiss sign languages does not require the adoption of specific legislation. This is because there are federal and cantonal sectoral legislations developing their respective legal and political measures, notably concerning equality, non-discrimination, and access to public services. Swiss authorities believe that intending to legislate official recognition “would result in a disproportionate burden, which would not be justified considering the small number of people involved” and do not intend to “create new discriminations or inequalities” through cantonal legislation. Therefore, according to the Swiss report, the main effect of the intended legal recognition of Swiss sign languages in the context of linguistic freedom is limited. This is because the categories of national language and official language “would have far-reaching political repercussions and raise new issues regarding the status of other languages and the practicability of this recognition”. Additionally, they believe that recognizing Swiss sign languages as official languages “is probably not realistic” due to inherent constitutional procedures. Furthermore, they assert that “the cost of translation for sign language alone would be disproportionate to the size of the language user group”. In conclusion, Swiss authorities indicate that legal recognition “does not constitute a compulsory condition to continue encouraging and improving the participation of deaf and hard of hearing people in society”. However, this does not imply that sign languages are irrelevant. On the contrary, according to Swiss authorities, they are “uncontested at the political level”, understanding that the goal of recognition is to improve the participation of deaf people in social life and reduce existing barriers.

3.5. Intermediate considerations: comparative analysis of the legal status of sign languages

Comparative analysis of legislations concerning sign languages demonstrates that their legal recognition serves both instrumental and symbolic functions. This recognition is critical not only symbolically for the deaf community, but also as a tool for its use in different domains with varying legal efficacies. Systematic interpretation of these legislations enables the identification of essential characteristics contributing to the gradual and differentiated notion of sign language officiality.

National legislations often categorize sign language as “independent language” (or “full-fledged language”). This categorization stems from socio-historical and sociopolitical claims made by deaf communities. However, it is crucial to highlight that sign languages surpass the mere designation of “independent languages”. When compared to spoken languages, they possess socio-historical complexity and significance that may be diminished by such a simplistic and ambiguous categorization.

¹⁰⁶ REGULA; LOHR; ROMANO; REYNARD, Rapport du Conseil fédéral *Possibilités de reconnaissance juridique des langues des signes suisses*, 2019 ; Rapport du Conseil-exécutif relatif à la motion 161-2019 « *Reconnaissance officielle de la langue des signes* » 2023.

From a legal perspective, these designations demand careful consideration within national legal systems. While they may be classified as “independent languages”, such classification may not equate to linguistic officiality or adequately capture the essential features of an official language. Nevertheless, these designations may establish the groundwork to achieve a functional equivalence to officiality through appropriate legislation. These expressions often reveal a vague or generic definition, complicating their interpretation as a legal concept of officiality. The indeterminacy of these definitions can influence the legal effectiveness of sign language usage, resulting in ambiguous or undefined meaning.

We note that the countries studied frequently identify sign languages as a recognised means of communication by the State, identifying the linguistic element that translates sign language as a bearer of deaf culture. The legal statuses of sign languages may exist according to their legal systems and their respective interpretations carried out by public authorities to explore the legal meanings of sign languages. These statuses are hardly able to be confused with the formal notion of linguistic officiality. However, they can approximate or identify the main characteristics of linguistic officiality with different legal efficacies.

4. The normative substance of linguistic officiality

4.1. The sense and scope of legislation regarding sign languages

The term “legislation regarding sign language” refers to the formulation of linguistically generic legislation, whether directly or through sectoral, referential, or secondary legal frameworks, addressing specific issues concerning sign language. Therefore, linguistic legislation is the legal framework regulating the meaning, nature, and function attributed to sign language within its respective spheres, in line with the normative circumstances of each state’s legal systems. The legal definition of legislation concerning the meaning, scope, and legal nature of sign language varies, presenting different legal meanings inherent in the legal categorization.

DE MEULDER distinguished five categories:¹⁰⁷ constitutional recognition; general linguistic legislation; specific linguistic legislation; other laws regulating sign languages and communication means; organizational laws (of national language councils). However, in our view, constitutional recognition is indeed a matter of (general or specific) linguistic legislation. This is because the notion of legislation is broad and flexible, depending on the respective legal systems of different cultures. It is not possible to isolate constitutional recognition from other legal sources as they are mutually interconnected. Consequently, legal issues concerning sign languages implicated by constitutional recognition are also rigorously treated as constitutional legislation regarding language matters, with generic, specific, determined, or referential legal norms. On the other hand, BUSATTA¹⁰⁸ understands, in a simplified manner, three categories: specific legislation; sectorial legislation; mere administrative acts or lack of legislation. According to this author, constitutional recognition generally has a “strongly symbolic nature”.¹⁰⁹ Therefore, “it does not imply, per se, a solid legal status for the rights of people using this language”.¹¹⁰ Consequently, constitutional recognition requires necessary legislative measures to complement the meaning and scope of constitutional recognition. Furthermore, according to this author, the implicit recognition of sign language by a State consists of fully recognizing the existence of a national sign language - or multiple sign languages - used by the national deaf community as a means of communication. Symbolic recognition does not imply the adoption of a legal measure, the explicit statement

¹⁰⁷ M. DE MEULDER, *The Legal Recognition of Sign Languages*, in *Sign Language Studies*, Vol. 15, No. 4, Special Issue: Language Planning and Sign Language Rights (Summer 2015), pp. 498-506.

¹⁰⁸ L. BUSATTA, *The legal recognition of sign languages in an intersectional perspective*, *Comparative Law and Language*, Vol. 1 No. 1, 2022, 74-87.

¹⁰⁹ *Ibidem*.

¹¹⁰ *Ibidem*.

of a constitutional provision, and hence a written appreciation of sign language. Therefore, it does not imply the recognition of specific benefits or improvements in the lives of sign language users. This is the case in Italy.

In our view, regardless of the categories proposed by the authors, the legal status of sign languages can be regulated by any source of constitutional, statutory, legal, or regulatory nature. For this study, the typology of legal statuses of various constitutional, legal, or regulatory sources is simplified. In other words, it involves linguistic legislation regarding the legal status of sign language that can be flexibly legislated according to the respective Constitution with various applied norms, frequently referring to the legislator to define, through specific or sectoral legislation, the legal status of sign language. Therefore, it is linguistic legislation because issues related to sign language are generally legislated from the perspective of equality, non-discrimination based on language, and inherent accessibility to language use. Indeed, it is a multi-level and interconnected formulation of various legal norms that select legal sources to regulate this legal status according to their respective national legal systems.

It is distinctly emphasized that the national legal framework of sign languages is established according to their respective legal systems of different States. For example, in the cases of Finland, Hungary, and Portugal, the incorporation of these sign languages into constitutional law is often endowed with reinforced constitutional value but limited legal efficacy of a declaratory and symbolic nature. This is because this constitutional declaration often refers to the law specifying the meaning and scope of the constitutional status of sign language. It is clearly emphasized that constitutional law generally imposes obligations on public authorities to consider the constitutionally regulated status of sign language, specified in the law with the necessary legal efficacy to grant and specify the clearly linguistic rights of speakers. Indeed, constitutional law, which incorporates sign languages into its constitutions, operates as a *norm normarum* to define the basic conception of sign language as an object of constitutional protection. This conception typically has a relatively generic (and to some extent, clear) meaning and scope (to have legal efficacy) to stipulate, grant, and arrange the status and use of constitutionally protected sign language in accordance with constitutional purposes. However, the constitutional status of sign language conveys symbolic constitutional significance that allows and demands that the national legal system considers the legal consequences of the constitutionally protected status and use of sign language.

4.2. *The essential content of linguistic officiality*

Basing on the criteria of RUIZ VIEYTEZ and PONS PARERA¹¹¹, the inherent content of linguistic officiality presents a dual positive and negative dimension to systematically contribute to the substance of sign language's officiality. On one hand, the *positive dimension* encompasses issues related to language use (e.g., public services and education) normatively described in their legal norms that express the set of recognised rights for speakers. Lastly, albeit less frequently, the *negative dimension* implies the obligations of speakers to use a specific language in various public and private spheres. Numerous legal statutes of sign languages already display asymmetric modulations inherent in their normative contents, signifying the notion of linguistic officiality and, to some extent, reflecting the recognition of certain linguistic rights.

Legislation concerning the legal recognition of sign languages is subject to contextualization and the pursued purposes of these laws. Various factors can determine the sense and scope of legal norms, which can be understood in a generic or specified manner that can be translated into practical effectiveness. The legal model of legal recognition of sign languages implies a multi-level paradigm, in accordance with the respective national legal systems, which consists of observing and assessing the diversity of legal determinations of various constitutional, legislative, or regulatory natures that are necessarily characterized by their respective

¹¹¹ E. J. RUIZ VIEYTEZ, *op. cit.*, 2023, 231-275; E. PONS PARERA, *op. cit.*, 2015.

normative contents.

The common systematic structure of legal statuses of sign languages is often characterized as follows:

4.2.1. *General provisions*

These are legal norms regulating general provisions, *e.g.*, the designation assigned to the official name of the language and the definition of the law's object, and its respective purposes pursued by the legal recognition of these languages.

Regarding the *law's object*, sign language is referenced or proclaimed in terms of legislation of diverse nature (constitutional, legal, or regulatory) that has a generic or specified purpose based on the treated law's object and sufficiently determined substance or normative content that grants or not legal efficacy to the recognition of sign language itself or specifically specifies linguistic rights.

Regarding the *formal nomenclature* of sign language, the language's name is referenced or nominally proclaimed by virtue of legislation of diverse nature (constitutional, legal, or regulatory) that aims to assign the formal nomenclature inherent to the principle of nominal intelligibility. The issue of the language's designation is one of the legally treated matters. This issue is essentially framed as a glossonym from a sociolinguistic point of view, contributing to the clarification of the language's legal name. The essential notion of the glossonym is the study of names given to certain languages by their respective communities or territories where the language is designated by the community. Furthermore, legislation may or may not require a specific acronym for the designations of sign languages with their own characteristics. Thus, the question arises of understanding and defining what a given language is or designated by a community endowed with legitimacy and consent to designate its language's name. What can be observed, essentially, is the linguistic notion of the language as a linguistic system, which is distinct from the sociopolitical notion of language from a glossonymic and ethnonymic perspective. Therefore, the glossonym may consider not only strictly linguistic considerations but mainly the issues inherent to the language policy of the legitimized and recognised community within its respective community. In other words, the designated language name may be a politically legitimized denomination. Linguistic issues may not be the "core" of consideration because sociolinguistic and sociopolitical issues seek to understand the ideological delineation of the name of a particular language, which can properly assert itself in the sense of being a singularly symbolic element that traces its foundations based on its idiosyncratic and ontological nature of the designated language. Any language has its own name; it becomes an essential object of language policy itself.

Regarding the *legal notion* of sign language, sign language is normatively defined in an explanatory way that signifies sign language in legal terms and is inherent to the principle of conceptual intelligibility. In fact, legislation may not necessarily have strictly linguistic definitions in the legal framework that pertinently clarifies the meaning and scope of sign language because the language itself is a means of communication that historicizes its historical idiosyncrasy within the deaf community. In other words, the linguistic definition of sign language in numerous legislations has to do with the recognition of the deaf community's historicity, which, throughout its various historical periods, has faced the marginalization of sign language compared to spoken languages. Indeed, the historical function of sign language is closely related to the deaf community and its cultural and linguistic idiosyncrasies legally objectified and referenced in a legal framework that has a purpose (at least implicit) to condition attempts to weaken or marginalize the essences of sign languages compared to spoken languages. The essence of sign language is not isolated or independent of its inherent historical contexts. Many legislations that regulate and define sign languages have, so to speak, a historically rehabilitative purpose and legally acknowledge the dual linguistic and legal legitimacy of sign languages on equal linguistic terms with other spoken languages.

4.2.2. Substantive provisions

These are configuring norms that establish, to some extent, the catalogue of attributed rights that they can enjoy and exercise. Substantive provisions are usually legislated as follows: invocation of fundamental principles, definition of a set of obligations of state authorities, and determination and identification of the legally recognised and conferred rights to the holders of these rights, in addition to recognised rights, there may be guarantees for the exercise of these rights, for instance. First, based on the normative content of the respective law, the legal status that consecrates the recognition and use of sign language invokes, among others, fundamental principles (dignity, equality, non-discrimination, accessibility, among others) to substantiate the legislator's reasons for granting legal recognition. Secondly, these are norms provided by the legal statuses of sign languages that determine the set of obligations of public authorities of any nature to ensure, secure, or promote sign language. Thirdly, the legal statuses of sign languages foresee the legal norms that express the recognition of linguistic rights for holders using sign language in various contexts. Finally, among others, these are legal norms that foresee or express the legal guarantee of assistance regarding language in certain cases where assistance is needed to facilitate and express sign language (*e.g.*, in judicial contexts).

4.2.3. Institutional or organizational provisions

These are other legal provisions of diverse institutional, procedural, functional, or organizational nature that refer to the legal regime of sign language use by public institutions that safeguard, promote, or determine the institution responsible for language policies, particularly concerning the vitality and preservation of sign language (*e.g.*, Sign Language Advisory Councils or other entities legally created for this purpose).

4.3. The level of the legal status of sign languages

The relationship between the notion of linguistic officiality and the legal effectiveness conceived by national legislations is derived from the various formulations of legal norms that establish and identify legal effects. The main difficulty is not only identifying the notion of the language's official status but also objectively delimiting, based on the national legislations themselves, the normative content inherent in the notion of linguistic officiality, *i.e.*, determining the set of linguistic rights resulting from linguistic officiality.

According to RUIZ VIEYTEZ criteria¹¹², we attempt to classify different legal natures inherent in their respective legal statuses of sign languages. It is not only pertinent to categorize the legal nature of sign languages defined by their legal statuses that establish their respective contents expressing their legal norms inherent in the recognition of their linguistic rights, but it is also pertinent, beyond categorization, to take into account the effectiveness of the legal status of sign languages by its "real operability"¹¹³ to ensure the effectiveness and efficacy of enjoying and exercising the rights inherent in linguistic officiality. In this way, we systematize the type and degree of effectiveness of the inherent officiality in their respective legal status according to the different national legal systems that consecrate the legal statuses of sign languages and, above all, the contents of linguistic officiality inherent in the legal status expressed in their legal norms. In general, the multi-level extension of linguistic officiality can be understood as follows:

(i) *Minimal level* of linguistic officiality refers to the existence of generic content inherent in the catalogue of human rights and fundamental freedoms (*e.g.*, freedom of expression and equality and non-discrimination based on language). This is a generic conception of the right to language. The legal status recognizes sign language as a cultural or identity element with tendencies towards cultural purposes, lacking the juridical definition to determine the notion and substance of linguistic officiality inherent in recognizing certain

¹¹² E. J. RUIZ VIEYTEZ, *op. cit.*, 2023, 231-275.

¹¹³ *Ibidem* (our translation).

linguistic rights in various domains, or serving as mere programmatic purposes (and not prescriptive) directed at public authorities aimed at promoting the use of sign language. The analysed data does not seem to identify cases that correspond to the first level of linguistic officiality. This depends on the normative circumstances of the respective countries analysed in their own contexts. By way of example, the case of France may share some elements, as France formally recognizes sign language, especially in the educational sphere. However, fundamental rights in the French Constitution generally apply, including the right to freedom of expression, for instance.

(ii) *Intermediate (or conditioned) level* of linguistic officiality implies that legal status recognizes the use of sign language as a fully-fledged language but with limited legal effects due to legal circumstances that hinder real effectiveness, stemming from normative content that fails to express the set of linguistic rights, or the normative content is not sufficiently determined or operationally feasible for the effectiveness of language use in various contexts. This case is frequently identified in numerous legislations relating to sign languages. For example, the case of the United Kingdom.

(iii) *High level* of linguistic officiality implies that state authorities establish the set of various linguistic rights recognised and attributed by their respective legal frameworks that determine the sense and scope of their linguistic rights that clearly categorize the condition of being the “official language” of the State. This is a fundamental conception of the right to a language considered official, distinguishing it from the right to language, which is a general conception of individual freedom. Following the data analysis, with due caution given the susceptibility to internal sociopolitical circumstances, the examples provided by Eastern Europe can be used as a starting point to consider their normative specificities. They seem to ensure a high level of linguistic officiality, especially regarding the official use of the language and the exercise of linguistic rights. Furthermore, the cases of Malta and Finland stand out in a broader comparative perspective.

4.3.1. *The asymmetric linguistic officiality: case of sign language*

We can affirm that *asymmetric level* of linguistic officiality is the main constituent assumption of the notion of the officiality of sign language, which is frequently common in numerous national legislations regulating sign languages. In other words, the sense and scope of the officiality of sign language are asymmetric and do not share the same notion as the official language attributed to the spoken language in various spheres. In this sense, it emphasizes that it cannot be understood as a symmetrical or identical notion of the state language's officiality to the specificities of the sign language's status, but with some characteristics of linguistic officiality in an analogous (and not similar) sense. We can also distinguish different modulations to the content inherent in their respective legal statuses of sign languages based on the notion of linguistic officiality, implying that the condition of being a fully-fledged language with official or full status or conditioned. Often, as observed, the notion of the officiality of sign language in their legal statuses is conditioned; that is, there are limitations of officiality on the nature and scope of the legal status of sign language. This may imply either a purely symbolic (or proclamatory) nature without legal support to enforce the official use of sign language or an operationally functional nature with different legal implications for the effectiveness and efficacy of enjoying and exercising rights inherent in the notion of officiality. Consequently, numerous legal statuses provide a generic or lacking notion of officiality that condition the legally fragile or restricted category based on the contents of their respective legal statuses that establish the minimum (or none) notion of linguistic officiality, under penalty of becoming, as RUIZ VIEYTEZ¹¹⁴ rightly states, an “empty officiality”, that is, “would constitute a fraudulent legal category” in an artificial and abstract way that does not translate the effectiveness of the legal recognition of its rights inherent in linguistic officiality, both in the formal dimension and in the material dimension.

¹¹⁴ Ibidem (our translation).

5. Conclusions

The concept of sign language official status stands as a distinctive and intricate legal idea distinct from spoken languages, possessing its unique inherent legal aspects. It remains an abstract and indeterminate notion, making it challenging to precisely define the officiality that involves the legal acknowledgment of sign language. However, it's discernible that the notion of officiality embodies, at the very least, a dual aspect — instrumental and symbolic. From an instrumental perspective, the official status of sign language represents the embodiment and utilization of legal recognition. It signifies the commitment of state authorities to ensure, respect, and safeguard the juridical-linguistic intricacies integral to the legal framework that protects sign language. This recognition establishes sign language as an officially recognised language or, in equivalent terms, a language with recognised official uses across various domains. These differing legal effects indicate the effectiveness of exercising certain linguistic rights, precisely outlined within the legal framework for individuals. On the other hand, the declaration of officiality entails a symbolic function. It denotes the ultimate objective behind the legal recognition of sign language, emphasizing its role as a symbol for cultural, identity, and linguistic cohesion among individuals who share and express their socio-linguistic distinctiveness. This acknowledgment is duly safeguarded and promoted, fostering a sense of unity and coherence. In some national legislations, the concept of an official language is introduced, primarily pertaining to spoken languages. However, these laws inadvertently or implicitly exclude sign languages, failing to provide them with a similar legal standing as the official spoken languages. Even though these legislations align their legal norms with their respective Constitutions, which initially might not have envisaged the notion of an official language for sign languages, this exclusion is not insurmountable. Legislators have the prerogative to attribute the concept of an official language to sign languages as a legal category at a legislative or regulatory level, albeit with less symbolic significance compared to the constitutional value of declared languages.

The compilation of diverse legislations related to sign languages illustrates commonalities in formulating national legislations that uphold fundamental principles. These laws embody the realization of legal recognition for sign language, integrating it into the legal framework, thereby elevating its recognised status and diverse juridical effectiveness. The impact extends across various public spheres, notably in communication, education, and public service sectors catering to sign language speakers. These legislations meticulously consider their contextual relevance within national legal frameworks and the implications of norms determined therein. Consequently, interpretations of these norms vary depending on the context and objectives pursued. Generally, these laws not only address the language itself but also regulate recognised linguistic rights, impacting the daily lives of language speakers. The clarity and precision of the legal definition of sign language's officiality remains ambiguous and not adequately determined within the legal systems of various States. Achieving uniformity in legal responses concerning the status of sign languages poses challenges. However, it's feasible to compile and systematize the legal responses of respective States, aiming to identify fundamental principles that are shared across different national legal frameworks. Such alignment should be in harmony with the essential parameters of the Convention, particularly articulated in its article 21 of Convention.

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