Spring 2020

Comparative analysis of deafness and the deaf cultural experience in the U.S. and in Israel

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In Partial Fulfillment of the Requirements for the Degree of Bachelor of Arts

Department of Language and Culture Studies
May 2020

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ABSTRACT

The treatment of disabled individuals, including deaf individuals, has varied by nation and taken generations to improve. The United States of America, which emerged in the 20th century as one of the major world powers, was inconsistent in its treatment of the disabled until the passage of the Americans with Disabilities Act of 1990 (ADA). The other world power, the former Soviet Union, failed miserably to consider its disabled citizens, oftentimes expelled them from society, and if not removed, forced them to endure unconscionable situations and circumstances. While these two countries' failures prove interesting to compare, the purpose of this paper is to specifically analyze the treatment of the deaf in the State of Israel and the United States of America. These two countries, (despite a relatively stable diplomatic relationship), have different health care systems, economic capabilities and demands, and geographic challenges-- all of which play an important role in their respective societies' treatment of deaf citizens.

My decision to compare these two countries is rooted in their unique relationship that incorporates politics, religion, and democracy. It was the United States, under the leadership of President Harry S. Truman, that was the first to offer recognition of the State of Israel immediately after its establishment -- creating the background for a long, complicated relationship that continues into the 21st century.

After setting forth a brief history on the treatment of deafness, I aim to properly assess the differences and similarities in the treatment and lives of deaf individuals by the respective countries, on a societal, governmental and cultural level, to identify potential reasons, motivations and results

for both. Among the topics I will address, with a lens on deaf individuals, are differences in disability legislation, social constructs and identity (including education), and differences in culture.

INTRODUCTION

Jennifer Keelan, an 8-year-old from Denver, Colorado who had cerebral palsy, raised herself from her wheelchair and placed her elbows on the first step. This young girl, along with disability advocates from thirty states, crawled up the steps of the United States Capitol. While the fight for passage of legislation addressing the needs of the disabled had been long-standing, the images of those disabled, young and old, climbing the Capitol steps on March 12, 1990 created an unforgettable image. These brave advocates had gathered in support of the Americans With Disabilities Act-- legislation intended to drop barriers to entry for disabled Americans and offer expanded access to jobs, transportation, resources and services. The legislation was slow to move through Congress. With frustration growing, the advocates decided that the time had come to make the need personal for the Congressional members. The legislation was for American brothers, sisters, fathers, mothers, and so many other loved ones. For those who had been harmed by the failure of society to realize their needs, this legislation would serve as a key to their lives and well-being.

As devoted advocates led the fight to recognize the rights of disabled Americans, a group of Israelis took notice and created the first disability rights organization in the country: Bizchut. Following the U.S.'s lead, the members campaigned for the creation of a complete disability rights law. In the years since Israel's founding, the government had never created such a law and instead had come to rely on three separate laws, which created eighteen separate programs for different groups of disabled people. Because the original three pieces of legislation did not truly serve the general population of disabled Israelis, volunteer organizations filled the role normally intended for government. Bizchut, combining elements of the ADA with Scandinavian influences, drafted the Equal Rights for People with Disabilities Bill (ERPD) which considers a substantive portion of the lives of Israelis with disabilities.

Unfortunately, after going through a Public Committee and the Knesset, the ERPD was watered down and limited to employment and access to public transportation. While some in the government were celebrating the passage of a law that they believed to be beneficial, Bizchut, its members, and Israel's disabled population as a whole found themselves committed to fighting for the same status as other Israelis. Following the lead of Americans like Ms. Keelan, disability advocates organized two separate protests -- one in 1999 and the other in 2000-2001. The first protest created the Campaign for Handicapped Persons in Israel (CHP) and led to crucial reforms of disability insurance stipends. The second, which lasted seventy-seven days, led advocates to live in tents in front of government buildings, with support from the general public. Like the first, this movement was successful and led to the reform of disability insurance to ensure that it would benefit the majority of disabled and not only severely disabled. Much like the American protesters in front of the U.S. Capitol, Israel's disabled community successfully mobilized to further connect them with society and increased their likelihood for productive lives.

A**s** brave advocates like Jennifer Keelan and the members of Bizchut fought for rights that had long been disregarded, their actions were granting all disabled individuals' new opportunities. Without this grass roots action, there may not have been substantial government action. The ADA, the foundation of future legislative efforts, leaves the definition of disabled somewhat vague. The ADA simply states that: "a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment."[1] The drafters of the legislation understood that providing specific definitions would only add to the stigma and perpetuate disadvantage.

My research and personal experience have clarified that while the disabled community can, at times, be collective, segments of it are also liable to be divided. Such is the case with the deaf

[1] "Search ADA.gov." Introduction to the ADA, www.ada.gov/ada_intro.htm.

community. The Reverend John H. Pettingell offered a relatively early definition of division within the deaf community when he proposed a triple tiered description of relative deafness: "deaf-mute (=deaf from birth, or deaf from infancy, without speech), semi-mute (=deaf from infancy, with retained speech), and deafness (= post-infancy or late onset)."[2]This division is apparent at the American School for the Deaf (ASD) in Hartford, Connecticut and Mill Neck School for the Deaf where I have had the privilege to work. While many have other unrelated disabilities, it is still striking to see the differences in behavior, understanding, and societal linkage of individuals with differing types of deafness. Nonetheless, deafness also offers a sense of community. This sense of community amongst the deaf, regardless of when they lost hearing or if they ever had it, has given rise to the creation of educational institutions like Gallaudet University in Washington DC or Ma'aseh Nissim, a Kollel in Jerusalem, Israel.[3] These institutions, and others like them in the United States and Israel, offer centers of community that, in contrast to society as a whole, are designed specifically to serve the deaf. For those deaf individuals who feel excluded from typical societal opportunities, these institutions serve as a crucial foundation. Mordechai Weisman, a 25-year old who studies at the Kollel, remarked that thanks to the Kollel "I have more self-confidence now since I can actually use my mind. It's like my full potential is now mine to use."[4] Lastly, and most importantly, the division in communities, particularly in the deaf community, are further magnified by the very fact that some can choose to leave. With the technological and scientific development of Cochlear implants, some members of the community can be granted a certain level of hearing. While members of the hearing community may view this as a privilege and a blessing, for members of the Deaf community, it is a mixed blessing and, possibly a curse. For example, a student at Gallaudet had received an implant when he was seven years old, but

[2] Gulliver, Mike, and William John Lyons. “Conceptualizing the Place of Deaf People in Ancient Israel: Suggestions from Deaf Space.” Journal of Biblical Literature, vol. 137, no. 3, 2018, pp. 537–553., doi:10.1353/jbl.2018.0029.
[3] Raub, Deborah. “Bringing Judaism's Oral Law to the Deaf.” Algemeiner.com, 3 Jan. 2013, www.algemeiner.com/2013/01/03/bringing-judaism’s-oral-law-to-the-deaf/.
[4] Ibid.

once he enrolled at the university he realized: "While I was picking up the aspects of Deaf Culture and the language of ASL, I finally realized that I've found my own identity, I am Deaf and I am darn proud of it. From there, I didn't see the purpose to continue wearing my implant."[5]

While I have been blessed through high school and my time at Trinity College to have had extensive interaction with the diverse deaf community that exists, (despite the fact that I have been given my "sign name"), I am under no illusion that I am in fact a member. Also, having limited interactions with Israel's deaf community, this paper's assessment is based on the work of others. Nonetheless, I believe that these communities are worthy of comparison in terms of both their successes and their failures.

HISTORICAL TREATMENT OF MEMBERS OF THE DEAF COMMUNITY

In order to understand these communities, it is important that I contextualize by establishing a historical framework for the treatment of the disabled, including the Middle Ages and the Renaissance. I will also delve into some Halacha -- Jewish law.

The apparent failings of the Halacha were common throughout ancient society. Throughout the New Testament, the deaf are seen as being possessed by demons, with both the gospels of Mark and Luke containing quotes of Jesus demanding the demons leave those plagued with disabilities, like deafness. Intellectuals like Aristotle and Lucretius both viewed the deaf as subhuman, with Aristotle claiming that deaf persons were "senseless and incapable of reason", while Lucretius stated that "To teach the deaf no art could reach, no wit inspire them, nor no wisdom teach." Similar to the Halacha regarding the deaf community's ability to observe Rosh Hashanah, St. Augustine, citing St. Paul claimed that the deaf could not ascend to heaven since they were incapable of hearing the word of God. Furthermore, he claimed that the disabled did not need sympathy as they were the result of parental sin. [6]

[5] Praderio, Caroline. "Why Some People Turned down a 'Medical Miracle' and Decided to Stay Deaf." Insider, 3 Jan. 2017, www.insider.com/why-deaf-people-turn-down-cochlear-implants-2016-12.

[6] Power, Desmond J. (Desmond John). "Googling 'Deaf': Deafness in the World's English-Language Press." *American Annals of the Deaf*, vol. 151, no. 5, 2006, pp. 513–18. *Crossref*, doi:10.1353/aad.2007.0006.

Halacha can be rightly criticized for demeaning the deaf in society. Those that are deaf, along with the dumb, are classified with minors and idiots. They are "considered unable to enter into transactions requiring responsibility and independence of will."[7] For business transactions where witnesses are needed, the deaf were not considered qualified to serve as witnesses and in cases where testimony was given by word of mouth, the deaf were unqualified due to the supposed obligation of actually hearing the testimony. In addition, those who were deaf-mute who, either through their own actions or the actions of an ox owned by them, could not be punished by the court. The court would be obligated to appoint a trustee for the ox and the trustee would be held responsible for any destruction. Deaf-mute and deaf individuals did have the right, if they had satisfied the courts that they possess a full understanding, to purchase and sell movable goods, yet they were forbidden from owning real estate. The lack of confidence in these members of society extended into marriage, where the marriage of a deaf-mute was considered invalid. Even further, the deaf-mute could not observe the holiest of traditions, the blowing of the shofar, due to their inability to hear. Oddly, the deaf-mute were not permitted to slaughter animals, but if they did so with witnesses who were able to attest it was done appropriately, the flesh could be eaten.[8]

In the transition from the times of Jesus, Aristotle and St. Augustine to the Middle Ages, the treatment of the deaf continued to be horrible. Like the Rabbinical observance of Halacha, religion played a major role in affecting the status and societal tolerance for the deaf. “Physicians in those days considered deafness as a malady and a physical condition that should be eliminated to allow a healthy life. Deaf people endured experiments in the search for a cure, such as the blowing of a trumpet in the ears or pouring liquids (oil, honey, vinegar, bile of rabbits or pigs, garlic juice, goat’s urine, eel fat

[7] Ginzberg, Louis, and Julius H. Greenstone. “JewishEncyclopedia.com.” DEAF AND DUMB IN JEWISH LAW - JewishEncyclopedia.com, www.jewishencyclopedia.com/articles/5016-deaf-and-dumb-in-jewish-law.
[8] Ibid.

mixed with blood) into the ears."[9] Roman law excluded deaf persons from society by forbidding them from marrying, buying or inheriting property until they were deemed educated.

Thankfully, with the onset of the Renaissance, deaf people began to be welcomed into society and treated, if not equally, like humans. During the Renaissance, "deaf people were recognized as people of abilities. They were taught to read and write, and they were able to express themselves."[10] In the 16th century, prominent members of European societies were openly denouncing the notion that being deaf meant a lack of intelligence. [11] Interesting debates arose as educators tried to resolve whether oral or manual education was preferable for the deaf.[12] Paris, France became the center of education for the deaf and two educators, Samuel Heinicke and Charles-Michel de l'Epee became rivals. Heinicke "rejected the use of signs, believing that sign language and the manual alphabet prevented the students from learning" while de l'Epee encouraged and supported the use of sign language. The debate persisted as deaf schools started appearing all over the world and the deaf community became a more significant part of society as a whole. [13]

LEGAL PROTECTIONS FOR THE DEAF COMMUNITY IN THE UNITED STATES

Prime Minister Winston Churchill is said to have remarked that "Americans will always do the right thing, only after they have tried everything else."[14] It applies brilliantly to the slow pace at which the United States recognized the rights of the disabled and deaf communities. Having tried everything from ignoring to institutionalizing the disabled, the United States government finally identified the right

[9] Nomeland, Melvia, et al. *The Deaf Community in America: History in the Making*. 1st ed., McFarland & Company, 2011.
[10] Ibid.,1.
[11] Ibid.,12.
[12] McEntee, Maureen K. "The Right to Heritage: The Teaching of Deaf History." *American Annals of the Deaf*, vol. 126, no. 4, 1981, pp. 402–03. *Crossref*, doi:10.1353/aad.2012.1433.
[13]Nomeland, Melvia, et al. *The Deaf Community in America: History in the Making*. 1st ed., McFarland & Company, 2011.
[14]Horsley, Scott. "A Churchill 'Quote' That U.S. Politicians Will Never Surrender." *Npr*, 28 Oct. 2013, choice.npr.org/index.html?origin=https://www.npr.org/sections/itsallpolitics/2013/10/28/241295755/a-churchill-quote-that-u-s-politicians-will-never-surrender.

track- - the creation of the Americans with Disabilities Act of 1990. This legislation revolutionized the rights of the disabled in the United States and forever changed society.

The original version of the ADA was introduced by Senator Lowell Weicker of Connecticut in 1988; however, Sen. Weicker lost his Senate seat in the 1988 elections, and therefore the legislation was left aimless for a bit.[15] It was adopted by Sen. Tom Harkin of Iowa who had been inspired to enter politics by America's treatment of his deaf brother. Harkin said Frank "faced prejudice and discrimination on a regular basis, but he refused to accept the biases and stereotypes that society tried to impose, he fought for and won a life of dignity."[16] Sen. Harkin made the debate personal and thereby was able to appeal to both parties. To ensure continued support for the legislation and in honor of his brother, Sen. Harkin debated the bill in sign language.[17] The ADA stands out for its expansiveness and impact; particularly since in the United States' early history, those who were deaf experienced oppression and "have been institutionalized and segregated from the rest of mainstream society, and have even been faced with attempts to be wiped out of the future through the eugenics movement."[18] The ADA marks the beginning of trying to make up for the United States' failings.

Prior to the passage of the ADA, the United States Congress passed The Rehabilitation Act of 1973, which, while not nearly as expansive as the ADA, served as a crucial milestone to the government recognizing the disabled. The Rehab Act's standards for defining employment discrimination due to a disability are the same used in Title I of the ADA. The effect of the legislation was that it served to, on a national basis, prohibit "discrimination on the basis of disability in programs conducted by federal

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[15] Boatman, Mark. "Senator Tom Harkin: Champion of Disability Rights." *New Mobility*, 1 Apr. 2013, www.newmobility.com/2013/04/senator-tom-harkin-champion-of-disability-rights.

[16] Boatman, Mark. "Senator Tom Harkin: Champion of Disability Rights." *New Mobility*, 1 Apr. 2013, www.newmobility.com/2013/04/senator-tom-harkin-champion-of-disability-rights.

[17] "Cosponsors - S.933 - 101st Congress (1989-1990): Americans with Disabilities Act of 1990." *Congress.Gov | Library of Congress*, Sen. Harkin, Tom, 26 July 1990, www.congress.gov/bill/101st-congress/senate-bill/933/cosponsors?searchResultViewType=expanded&KWICView=false.

[18] Harvey, Erica. "Deafness: A Disability or a Difference." *Health Law and Policy Brief*, vol. 2, no. 1, 2013, p. 42, digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1073&context=hlp.

agencies, in programs receiving federal financial assistance, in federal employment, and in the employment practices of federal contractors."[19]

While the Rehab Act had a singular focus on disability discrimination, the ADA was not as focused and aimed at a broad revision of treatment of disabled individuals by the federal government and wider society. Title I of the ADA follows the Rehab Act in preventing discrimination of deaf persons and disabled persons as a whole. Title II goes further by requiring that local governments make programs and services, including transportation, accessible to deaf and hard-of-hearing persons. This allows such persons to be involved in state and local government programs and facilities through the use of interpreters, TTYs and aids.[20] Title III continues the societal progression by ensuring that deaf and hard-of-hearing people are able to benefit equally from goods or services provided in public accommodations and certain commercial facilities.[21] Title IV amends the Communication Act of 1934 to mandate that telephone companies provide relay services to permit telephone access to deaf and hearing impaired persons that includes communication with persons who do not have TTY technology.[22]

Sen. Harkin also promoted the Individuals with Disabilities Education Act of 1990 (IDEA). This legislation aimed to provide appropriate educational environments and opportunities for students with disabilities. The provisions require states and school systems to support disabled (and deaf) students and families through various methods, including creating "Individualized Education Program" (IEP) plans for students. These ensure that each disabled student, including deaf, has the ability to receive individualized attention and an education aimed at their continued progress. It often provides for deaf students to be educated in the least restrictive environment together with non-disabled students. Despite

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[19] "The Rehabilitation Act of 1973 (Rehab Act)." *EARN*, askearn.org/topics/laws-regulations/rehabilitation-act. Accessed 7 May 2020.

[20] TUCKER, BONNIE POITRAS. "The ADA and Deaf Culture: Contrasting Precepts, Conflicting Results." *The ANNALS of the American Academy of Political and Social Science*, vol. 549, no. 1, 1997, pp. 24–36. *Crossref*, doi:10.1177/0002716297549001003.

[21] Ibid.

[22] Ibid.

its funding challenges, IDEA has attempted to remove education barriers and helped countless young Americans experience the education they clearly deserve.

There is need for further legislation to address the evolving needs of deaf and disabled Americans, as the ADA and IDEA were only a starting point and not designed to be conclusive.

LEGAL PROTECTIONS FOR THE DEAF COMMUNITY IN THE STATE OF ISRAEL

Despite striking differences compared to the U.S., Israel has similarly seen fit to pass legislation on behalf of its disabled population. The government has a natural obligation to serve and protect its citizens. However, its legislative considerations include factors which are different than the United States. Israel lies in the middle of a conflict-laden region surrounded by enemies. Israel has a diverse population, consisting of both Jews and Arab-Palestinians and has Hebrew and Arabic as its two official languages. It is also comprised of a disproportionate majority of immigrants from Eastern Europe, Arab-Muslim countries, Western Europe, North and South America and the former Soviet Union. Unlike the United States which has a federal system of governance, both due to its history and tremendous size, Israel is approximately the size of New Jersey and has a relatively central form of government. [23]

Like the United States Constitution, the Declaration of the State of Israel states that Israel "will ensure complete equality of social and political rights to all inhabitants, irrespective of religion, race, or sex; it will guarantee freedom of religion, conscience, language, education, and culture."[24] By its foundation in 1948, many countries had started considering the rights of the disabled, yet Israel's declaration, which includes rights for a large number of communities, did not make mention of rights for the disabled. Unlike the U.S., which explicitly separates religion from government in its founding

[23] "Israel Population (2020) - Worldometer." *Worldometer*, www.worldometers.info/world-population/israel-population. Accessed 7 May 2020.

[24] "THE DECLARATION OF THE ESTABLISHMENT OF THE STATE OF ISRAEL." *Israel Ministry of Foreign Affairs*, Official Gazette, mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/declaration%20of%20establishment%20of%20state%20of%20israel.aspx. Accessed 7 May 2020.

principles, the very existence of the state of Israel represents a culmination of a Zionist dream and a belief in the Jewish people's claim to the land-- thereby, naturally linking the state to Jewish identity. Legal considerations are rooted in both policy and religion.

The legislation most similar to the ADA that has been passed by the Knesset is the Equal Rights for People with Disabilities Law (ERPD) of 1998. This legislation was rooted in the notion of equality to safeguard that the "value of human beings created in the Divine Image" was not forgotten by society.[25] The legislation was to be upheld by the Ministers of Labor, Justice, and Interior, with oversight by members of the Knesset. In addition, the legislation created a commission, which would operate under the command of a commissioner. The ERPD attempted to ensure 1) equal rights for people with physical and mental disabilities as active members in society and in all aspects of life; 2) equal rights to make their own decisions concerning their life; 3) equal rights to be included in regular society; and 4) equal rights to receive the same services as other members of society rather than separate services. [26]

COMPARATIVE ANALYSIS OF DISABILITY LAWS IN THE UNITED STATES AND THE STATE OF ISRAEL

Both of these bills were passed at the close of the 20th century and sought to address inequalities in treatment of the disabled. In spite of the similarities, there were some differences worthy of discussion. Firstly, the ERPD chooses to follow a broader path by not detailing impairments, but rather categorizes impairments as those that impact daily life--such as - physical, mental, or intellectual. Compared to the ERPD, the ADA goes more in-depth and includes a description of disabilities considered to be interfering with daily life-specificity that includes deafness. This targeted approach seeks to ensure, in a different manner than the ERPD, that most, if not all, disabilities are included, which reduces the possibility of misjudgment. While the length of a legal document rarely serves as a decisive indicator, I

[25] Dredf. "Israel - Equal Rights for People with Disabilities Law." *Disability Rights Education & Defense Fund,* 12 June 2019, dredf.org/legal-advocacy/international-disability-rights/international-laws/israel-equal-rights-for-people-with-disabilities-law.
[26] Ibid.

do find it important to note that the ERPD is about 10 pages long, while the ADA is a comparatively expansive 51.[27] Naturally, these laws also contain similarities-- mainly with a focus on ensuring that the disabled are assured access to public transportation and have necessary protection from employment discrimination.

Interestingly, these two pieces of legislation, with close to identical goals, resulted in notable differences. Firstly, I think it would be a mistake not to reference the different forms of government -- and how that correlates with the ability to be flexible and respond. The United States is a democratic republic which affords checks and balances, but it also results in the likelihood of delays. Moreover, once passed, any federal bill affects 50 states, with differing demands, governments, and needs. It was no different with the ADA and the negotiated needs likely lengthened the resulting document. Unlike the U.S., Israeli citizens vote for a party that may hold seats in the Knesset; as such, members are not directly elected and may have a different responsiveness to voters. Unlike in the United States, the Israeli government is forced to create a coalition. Lastly, and most notably, is the difference in population size. This huge difference is most easily noted in the deaf population--with Israel having approximately 7000 deaf individuals while the United States has close to 1,000,000.[28]This results in different budgetary abilities, possibilities and concerns, and varying levels of bureaucracy that may potentially prevent access to benefits and government support.

CULTURAL OBSERVATIONS

The legal benefits afforded to deaf persons is only a small aspect of what creates and results in deaf culture as experienced through the eyes of the "other". My experience working with deaf students

[27] "AMERICANS WITH DISABILITIES ACT OF 1990, AS AMENDED." *Ada.Gov*, www.ada.gov/pubs/adastatute08.pdf. Accessed 7 May 2020.

[28] Mitchell, R. E. "How Many Deaf People Are There in the United States? Estimates From the Survey of Income and Program Participation." *Journal of Deaf Studies and Deaf Education*, vol. 11, no. 1, 2005, pp. 112–19. *Crossref*, doi:10.1093/deafed/enj004.

in New York and Connecticut has helped me appreciate the complexity, diversity and beauty of the culture.

It is critical at this juncture to explore a significant scientific innovation: The Cochlear implant. "A cochlear implant is a small, complex electronic device that can help to provide a sense of sound to a person who is profoundly deaf or severely hard-of-hearing. The implant consists of an external portion that sits behind the ear and a second portion that is surgically placed under the skin."[29] For most people born hearing, the idea of losing hearing, or even having it dramatically reduced, would be paralyzing. No longer could one take in the sounds of the ocean, one's child's laugh, or a talented singer. If science offered the opportunity to regain this lost sense, even if only partially, there is little doubt that most, regardless of expense, would do everything in their power to reclaim it. For those members of the Deaf community for whom an implant can regain a lost sense, this is a potentially paralyzing question with less certain answers.

This division in the deaf community is evidenced in the story of a protest against the Alexander Graham Bell Association for the Deaf and Hard of Hearing (AGB) nearly 7 years ago. AGB serves members of the Deaf community, by allowing "families, health care providers, and education professionals to understand childhood hearing loss and the importance of early diagnosis".[30] It is ironic for an organization supposedly committed to helping the Deaf community to take the name of Alexander Graham Bell and expect to be welcomed by the community it hopes to serve. It was Bell who stated in his presentation of *Memoir Upon The Formation of A Deaf Variety of the Human Race* to the National Academy of Sciences that: "Those who believe as I do, that the production of a defective race of human beings would be a great calamity to the world, will examine carefully the causes that will lead to the

[29] "Cochlear Implants." *NIDCD*, 15 Apr. 2020, www.nidcd.nih.gov/health/cochlear-implants.
[30] Ringo, Allegra. "Understanding Deafness: Not Everyone Wants to Be 'Fixed.'" *The Atlantic*, 5 June 2018, www.theatlantic.com/health/archive/2013/08/understanding-deafness-not-everyone-wants-to-be-fixed/278527.

intermarriage of the deaf with the object of applying a remedy."[31] He opposed deaf-deaf marriages and proposed to eradicate the use of deaf teachers and sign language from the classroom.[32] Furthermore, he served as "chairman of the board of scientific advisers to the Eugenics Record Office[33]." It is important to note that, as a Jewish person, Graham Bell's prominent role in supporting American eugenics is disconcerting, as Adolf Hitler based his early eugenic programs on American ideas.[34] AGB members' idea of advocating for the deaf was in part its yearly Listening and Spoken Language Symposium with, ironically or not, almost all participants promoting products related to cochlear technology. [35] In 2013, outside of this event, Ruthie Jordan, a Deaf activist assisted in organizing a protest, contending that AGB "takes advantage of the fact that hearing parents may not understand how a Deaf child can lead a functional, fulfilling life"[36]or that a Cochlear implant is not required for a deaf child to function.[37] For individuals like Ruthie, the Cochlear implants represent a loss of culture--one that, in some cases, much like Judaism, has been passed down through generations; much as to a hearing person, it may look like a fix.

METHODS OF LEARNING AND COMMUNICATING IN THE DEAF COMMUNITY

Another source of tension between the deaf community and its surrounding environs centers upon what means of communication is best suited to unite and create a culture. The choice of how to communicate is integral yet it does not necessarily involve right or wrong choices. By way of illustration -- consider who is the better band, the Rolling Stones or the Beatles? Who is the better rapper, Tupac or

[31] Berke, Jamie. "Alexander Graham Bell and Deafness." *Verywell Health*, Mar. 2020, www.verywellhealth.com/alexander-graham-bell-deafness-1046539.
[32] Ibid.
[33] Ringo, Allegra. "Understanding Deafness: Not Everyone Wants to Be 'Fixed.'" *The Atlantic*, 5 June 2018, www.theatlantic.com/health/archive/2013/08/understanding-deafness-not-everyone-wants-to-be-fixed/278527.
[34] Personal Genetics Education Project
[35] Ringo, Allegra. "Understanding Deafness: Not Everyone Wants to Be 'Fixed.'" *The Atlantic*, 5 June 2018, www.theatlantic.com/health/archive/2013/08/understanding-deafness-not-everyone-wants-to-be-fixed/278527.
[36] Ibid.
[37] Ibid.

Biggie? What came first, the chicken or the egg? None of these questions have a right answer. Both sides in the debate between oralism and manualism claim to have the best interest of the deaf in mind, both believe their method to be preferable, and both defend their position. This has been a longstanding debate, with roots dating back to 18th century France. The past decades of scientific innovation, including Cochlear implants to further testing for complications with fetuses, have only served to further intensify the debate. The debate between these approaches to deaf communication personifies and underscores the complexity of deaf culture. I will refrain from taking a position on this debate as I am not deaf and do not yet have enough experience interacting or teaching.

Oralism, starting at the end of the 19th century, became the dominant theory for education and communication for the deaf community. Individuals like Alexander Graham Bell believed that "deaf individuals should be educated through the means of lip reading, mimicking mouth shapes, and practicing certain breathing patterns as well as vocal exercises that . . . produce oral language."[38] With a stated goal of restoring "the deaf to society"[39], Graham Bell organized the Second International Congress on Education of the Deaf in 1880, which passed resolutions banning sign language in schools and instructing deaf people to speak.[40] These resolutions saw to it that both the United States and Europe sharply reduced their use of manualism and shifted towards oralism, with the creation of various schools focused on teaching oralism. [41] The following chart shows how widely the use of oralism was encouraged:

[38] "What Is Oralism?" *Oralism and the Deaf Community*, oralismandthedeafcommunity.weebly.com/what-is-oralism.html. Accessed 7 May 2020.
[39] Ibid.
[40] Ringo, Allegra. "Understanding Deafness: Not Everyone Wants to Be 'Fixed.'" *The Atlantic*, 5 June 2018, www.theatlantic.com/health/archive/2013/08/understanding-deafness-not-everyone-wants-to-be-fixed/278527.
[41] Ringo, Allegra. "Understanding Deafness: Not Everyone Wants to Be 'Fixed.'" *The Atlantic*, 5 June 2018, www.theatlantic.com/health/archive/2013/08/understanding-deafness-not-everyone-wants-to-be-fixed/278527.

27

GROWTH OF THE ORAL METHOD
1904-1917

Year	Number taught wholly by the oral method (Pure oral)	Number taught in part by the oral method	Number taught wholly or in part by the oral method	Percentage taught wholly by the oral method (Pure oral)	Percentage taught in part by the oral method	Percentage taught wholly or in part by the oral method
1904	2050	1665	3715	18.2	14.8	33.0
1905	2153	1758	3911	18.6	15.2	33.8
1906	2279	1995	4274	19.3	16.9	36.2
1907	2359	2708	5067	19.9	22.8	42.7
1908	2412	2977	5389	20.2	25.0	45.2
1909	2631	3127	5758	21.4	25.4	46.8
1910	2830	3168	5998	22.6	25.4	48.0
1911	2976	3538	6514	23.6	28.0	51.6
1912	3203	3969	7172	25.2	31.2	56.4
1913	3545	3951	7496	27.0	30.1	57.1
1914	3569	4386	7955	26.4	32.5	58.9
1915	3806	5182	8988	27.5	37.4	64.9
1916	3989	4564	8553	28.6	32.7	61.3
1917	4150	4738	8888	29.6	33.8	63.4

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The use of oralism increased to such an extent that by the 1950's, 80% of secondary schools for the deaf focused upon oralism.

In the intervening years, manualism, which in America is represented through American Sign Language (ASL) did not disappear, but it was certainly not a prosperous time for its advocates. Manualism is embodied in sign language and sign language is the manifestation of communication and culture. Sign language, like any language is a significant component of culture. [43] Individuals in the deaf community, like Edward M. Gallaudet, argued that reducing the use of signing was akin to depriving Deaf students of the ability to speak their native tongue.[44] Some went so far as to state that "attempts to eliminate sign language were tantamount to stripping them of their identity, their community, and their culture.[45] Despite the pressure, Deaf institutions like Gallaudet University continued to function and

[42] "Institutionalization of Oralism." *Oralism and the Deaf Community*, oralismandthedeafcommunity.weebly.com/institutionalization-of-oralism.html. Accessed 7 May 2020.
[43] Barkan, Steven. "The Elements of Culture." *Sociology: Understanding and Changing the Social World, Brief Edition*, vol. 1.1, FlatWorld, 2011, p. 58.
[44] Winefield, Richard. *Never the Twain Shall Meet*. Amsterdam University Press, 1987.
[45] Winefield, Richard. *Never the Twain Shall Meet*. Amsterdam University Press, 1987.

provide support for manualism.[46] It was not until 2010 when the 21st International Congress on the Education of the Deaf (ICED) retracted the resolution of the 1880 Milan Congress that attempted to render manualism to the annals of history[47] that the deaf community was able to fully embrace its native tongue. The power of the retraction can be best understood from the words of Jeff DuPree who remarked that: "My whole life I've lived as a Deaf person. I married a Deaf person, I've worked and associated with Deaf people, and I've had no problem in this world. So why are organizations like this trying to take away my right to live the way I want to live, my right to raise my children the way I feel they should be raised?".[48]

In today's deaf world, oralism and manualism are still prevalent, but in contrasting ways, with regard to methods of communication and education. In countries like the United States and Israel, the Deaf community has created ASL and Israeli Sign Language (ISL), respectively. Neither of these languages, consistent with other sign languages throughout the world, comport with the spoken languages of their native country. Nonetheless, they both have grammatical rules and complexities unique to each community. [49]ASL is rooted in its own adapted notions of grammar and syntax.*(see photos at end of thesis) Unlike the United States, the state of Israel has not formally recognized ISL as an official language--which serves to both give the community freedom with which to operate, but also makes followers of the language feel unfitting. Much of the story of ISL can be understood from a 2008 book by Meir and Sandler called *A Language in Space: The Story of Israeli Sign Language.* ISL is a complex language with many grammatical rules; similar to other sign languages and is fundamental to the deaf community in Israel. Regrettably, and similar to aforementioned failings, the government of

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[46] "Gallaudet University's Response." *Oralism and the Deaf Community*, oralismandthedeafcommunity.weebly.com/gallaudet-universitys-response.html. Accessed 7 May 2020.
[47] "21st International Congress on the Education of the Deaf (ICED) in July 2010 in Vancouver, Canada | WFD." *World Federation of the Deaf*, wfdeaf.org/news/21st-international-congress-on-the-education-of-the-deaf-iced-in-july-2010-in-vancouver-canada. Accessed 7 May 2020.
[48] Ringo, Allegra. "Understanding Deafness: Not Everyone Wants to Be 'Fixed.'" *The Atlantic*, 5 June 2018, www.theatlantic.com/health/archive/2013/08/understanding-deafness-not-everyone-wants-to-be-fixed/278527.
[49] Fox, Margalit. *Talking Hands: What Sign Language Reveals About the Mind*. Reprint, Simon & Schuster, 2008.

Israel's treatment of ISL as an "unworthy" violates the principles of kindness represented by "Kol Yisrael Arevim Ze La Ze". (I do believe that it is important to note that) While this is significant, Israel's connection with Hebrew is unique in the modern world and its government is hostile, for mainly political reasons, to anything that threatens the dominance of their "mother tongue". This does not, however, excuse the attitude that "...using Sign Language equates to educational failure".[50]

In the United States and Israel, there are separate but related debates regarding the ideal form of language for the deaf community, connected to the wider oralism vs. manualism debate. Firstly, the invention of the Cochlear implant, enabling previously sign language reliant members of the community to embrace oralism, gave rise to the notion that signing is irrelevant and will eventually cease to be of use. [51] In addition, as previously discussed, the state of Israel does not formally recognize ISL, which pushes members of the deaf community towards speaking. I contend the reason the American government was willing to identify ASL as an official language, leaving Israel behind, is that English, while widely spoken, is not exclusively identified with the country. There are small groups of individuals who strongly identify with the language, but the country, when it is at its best, thrives on the notion of being a melting pot. To best indicate the lack of ready identification with the English language in America, one must only look at the prospects of H.R. 997[52]and S.678[53] both Titled *the English Language Unity Act of 2019*. In spite of Republican's controlling the house, senate, and the White House with a president vocally supportive of English as an official language, the House version only gained 73 co-sponsors while in the Senate version only 7. During a time of relatively strong nationalism, the failure of these pieces of legislation speaks to the fact that as a whole, in the rapidly diversifying

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[50] Gor Ziv, Dr. Haggith. "Education of Deaf Children in Israel: A Case of Marginalizing a Minority Group." *Journal for Critical Education Policy Studies*, vol. 13, no. 1, 2015, p. 268, www.jceps.com/wp-content/uploads/2015/07/13-1-12.pdf.

[51] Ibid.

[52] Steve. "H.R.997 - 116th Congress (2019-2020): English Language Unity Act of 2019." Congress.gov, 22 Mar. 2019, www.congress.gov/bill/116th-congress/house-bill/997?s=1&r=7.

[53] Inhofe, and James M. "Text - S.678 - 116th Congress (2019-2020): English Language Unity Act of 2019." Congress.gov, 6 Mar. 2019, www.congress.gov/bill/116th-congress/senate-bill/678/text.

America, most Americans are apathetic. Israel, on the other hand, is the Jewish state and its relationship with Hebrew is one that is deeply personal and tinged with politics. Any move to weaken Hebrew, even if it means further strengthening members of the community, might create a sense of political challenge for the government.

Despite not receiving governmental recognition, ISL is colorful, expressive and represents to my mind the Sabra culture of blunt "matter-of-factness". Some signs that speak to this are the sign for Jerusalem which mimics kissing the Western Wall; the sign for Herzliya, which entails stroking a long beard; and the sign for Ben Gurion that alludes to bristly hair. Israelis are quite unfiltered and tend to tell things how they are; as seen in their sign language; they have a sign for Angelina Jolie which alludes to her "full pouty lips".[54]

ASL is similarly reflective of culture. Overtime, ASL has gone through transformations because of evolving ideas of political correctness often associated with the U.S. For example, the old ASL sign for Texas was waving finger guns which represents the old notion that Southerners all carry guns and actively use them. Since ASL uses signs only, some signs mimic the action of the word being signed. The sign for coca cola, as in the soda beverage, used to be signed mimicking someone injecting themselves with cocaine.[55] The ASL sign for Japanese is signed by taking the letter J and twisting it near the corner of an eye which is representative of the stereotypes associated with Asians having small eyes. Similarly, the sign for India is signed by taking the thumb and twisting it in between the eyebrows, representing a bindi. Mocking the current government is not lost on ASL users. For our current president, the sign used is made to look like his hair is flying off with the wind. [56]

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[54] "Israel Sign Language Makes Itself Heard." *Israel21c*, 14 July 2013, www.israel21c.org/israel-sign-language-makes-itself-heard.

[55] "Israel Sign Language Makes Itself Heard." *Israel21c*, 14 July 2013, www.israel21c.org/israel-sign-language-makes-itself-heard.

[56] Dingfelder, Sadie. "Here's How to Say 'Donald Trump' in American Sign Language." *Washington Post*, 5 Apr. 2016, www.washingtonpost.com/gdpr-consent/?next_url=https%3a%2f%2fwww.washingtonpost.com%2fexpress%2fwp%2f2016%2f04%2f05%2fheres-how-to-say-donald-trump-in-american-sign-language%2f.

The differences between the United States and Israel with regard to the role of signing is best seen in the field of education. High schools throughout the US teach sign language as an established language, and for me, on a personal level, it was at Syosset High School in Long Island where I first learned how to sign. In Israel, only one single school, a religious one in Jerusalem, that encourages education through ISL. While the Institute for the Advancement of Deaf Persons has seen to it to establish the right of deaf students in universities to have sign language interpreters and transcribers (paid through social security), ISL is still not recognized as a second language at universities for the purpose of degrees.[57] It is important to note that despite Israel's reputation of having an educated populace, recent years have shown the Israeli government continually failing a large segment of society with regards to education. By 2030, due to expanding birth rates, it is expected that Haredim (ultra-Orthodox) will constitute an even larger portion of the student body in Israel. Nonetheless, much like the treatment of the users of ISL, the Israeli government has only managed to overlook the problem and leave a significant portion of the population academically behind. In recent years, only 22% of the eligible Haredi population has taken the matriculating exam and with a passage rate of only 8%. This failure is rooted in the very fact that the schools they attend are unchecked by the government and do not comport to the courses in demand by the 21st century. Between the failure to prepare the Haredim and embrace how best to help the deaf community in Israel, the government shows a humiliating willingness to sacrifice its and the country's future for the sake of short-term political detentes. [58]

One relevant historical construct in this area in both the U.S. and Israel is the Shared Signing Communities (SSC). These are "villages, towns, or groups where, because of the historical presence of a hereditary form of deafness that is circulated in the communities through endogamous marriages, a relatively high number of deaf people have lived together with hearing people for decades or even

[57] Gor Ziv, Dr. Haggith. "Education of Deaf Children in Israel: A Case of Marginalizing a Minority Group." *Journal for Critical Education Policy Studies*, vol. 13, no. 1, 2015, p. 268, www.jceps.com/wp-content/uploads/2015/07/13-1-12.pdf.

[58] Wilson, Simone. "Will Israel's Achievement Gap Stall the Start-up Nation?" Jewish Journal, 4 Feb. 2015, jewishjournal.com/cover_story/154847/.

centuries."[59] In SSC's, " life between deaf and hearing people is, to a high extent, shared, as are the sign languages used between them."[60] Members of SSC's emphasized how, despite their differences, they still were able to build their community based on "sameness and connection."[61] There are examples of SSC's across the globe, including in Massachusetts on Martha's Vineyard where sign language was spoken by the hearing and hearing impaired for hundreds of years until the mid-twentieth century. This community was an idyllic community rooted in "Deaf Gain, as it represented the essence of inclusive society where communication between Deaf and hearing individuals was uniquely fluid.[62] Hearing was not the norm or backdrop against which the hearing impaired were forced to find a means to exist. Sign language evolved organically as an integral and integrated aspect of the entire community and contributed to its diversity.

An Israeli example of a Shared Signing Community is the Bedouin village of Al-Sayyid where Bedouin Sign Language (ABSL) was developed.[63] In 2008, this community had 120 deaf inhabitants and 3,700 hearing residents. In 2012, 130 deaf individuals lived there out of a population of 4,500.[64] "Because ABSL has arisen entirely on its own, outside the influence of any other language, it offers a living demonstration of the "language instinct," man's inborn capacity to create language from thin air".[65]

DEAF IN SOCIETY

Even with the existence of legislation and better choices for communication in both the U.S. and Israel, the fact remains that hearing-impaired individuals are challenged in their ability to function "normally" in a society that does not organically account for or fully understand their needs. Since

[59] Kusters, Annelies. "Deaf Gain and Shared Signing Communities." *Deaf Gain: Raising the Stakes for Human Diversity*, edited by Joseph Murray and H-Dirksen Bauman, Amsterdam University Press, 2014, p. 285.
[60] Ibid.
[61] Ibid.
[62] Groce, Nora Ellen. *Everyone Here Spoke Sign Language*. Amsterdam University Press, 1985.
[63] Kisch, Shifra. *Deafness Among the Negev Bedouin*. Amsterdam University Press, 2012.
[64] Kusters, Annelies. "Deaf Gain and Shared Signing Communities." *Deaf Gain: Raising the Stakes for Human Diversity*, edited by Joseph Murray and H-Dirksen Bauman, Amsterdam University Press, 2014, p. 285.
[65] Fox, Margalit. *Talking Hands: What Sign Language Reveals About the Mind*. Reprint, Simon & Schuster, 2008.

deafness is considered different from other disabilities and seen as an impairment in a person's ability to communicate, the discrimination and limitations associated with it are unique.[66]

There are both intentional and unintentional forms of discrimination. According to Bonnie Poitras Tucker in *The Feel of Silence*[67],"The so-called unintentional forms of discrimination against people with hearing impairments often have more widespread ramifications than intentional discrimination does". Tucker sets forth an array of challenges and discriminations that confront deaf and hearing-impaired individuals. The intentional discrimination motivated many advocates to become involved in fighting for the ADA [68]and ERPD. The unintentional ones, however, are less easily remedied by way of legislation. Tucker analyzes the "primary unintentional barriers" (which would exist similarly in both U.S. and Israeli cultures) as follows [69]:

- Primary unintentional barrier No. 1 – Lack of telephone --results in exclusion from employment, social life and programs
- Primary unintentional barrier No. 2 – Lack of television--results in exclusion from news, culture, emergency warnings
- Primary unintentional barrier No. 3 - Lack of communication to participate --evidenced in exclusion from programs, courts, services, etc.

In general, information is disseminated in society "through auditory channels such as everyday conversation, radio, television and other entertainment media, and warning sounds such as horns and sirens. Individuals with hearing impairments have limited or no access to information that comes through these media without special accommodations; either the deaf must accommodate themselves to

[66] TUCKER, BONNIE POITRAS. "The ADA and Deaf Culture: Contrasting Precepts, Conflicting Results." *The ANNALS of the American Academy of Political and Social Science*, vol. 549, no. 1, 1997, pp. 24–36. *Crossref*, doi:10.1177/0002716297549001003.
[67] Ibid.
[68] Ibid.
[69] Ibid.

the society in which they live, or society must make accommodations for them." [70] This deficit in communication may cause them to feel (and perhaps be) disconnected from society. While the current functionally deaf population in the United States may only number around 1,000,000 [71] it is important to apply further statistics to better understand how many Americans struggle having a hearing affliction of some sort:[72]

- Approximately 15% of American adults (37.5 million) aged 18 and over report some trouble hearing.
- One in eight people in the United States (13 percent, or over 30 million) aged 12 years or older has hearing loss in both ears, based on standard hearing examinations
- About 2 percent of adults aged 45 to 54 have disabling hearing loss. The rate increases to 8.5% for adults aged 55 to 64. Nearly 25% of those aged 65 to 74 and 50% of those who are 75 and older have disabling hearing loss.

Comparable, data on the deaf in Israel is more difficult to find and not as thoroughly reported. However, a Knesset committee has published a report which stated that there are 500,000 hard of hearing - -not necessarily fully deaf -- (approximately 8%) citizens of Israel.[73] Nonetheless, the data recorded which describes the state of the disabled in Israel is comparable to the data on the deaf in the United States:

- "It is estimated that 704,300 people of working age (18-67) in Israel have a disability[74]," which is subsequently defined as a "health problem that interferes with daily activities[75]."

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[70] Harvey, Erica. "Deafness: A Disability or a Difference." *Health Law and Policy Brief*, vol. 2, no. 1, 2013, p. 42, digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1073&context=hlp.
[71] Mitchell, R. E. "How Many Deaf People Are There in the United States? Estimates From the Survey of Income and Program Participation." *Journal of Deaf Studies and Deaf Education*, vol. 11, no. 1, 2005, pp. 112–19. *Crossref*, doi:10.1093/deafed/enj004.
[72] Ibid.
[73] Zwebner S, Russo D. Accessibility for people with hearing impairments in Israel. Published by the Committee of Labor and Social Affairs and Heath in the Parliament -Knesset Israel - research and information. 2006. Available at: http://www.justice.gov.il.
[74] "People with Disabilities in Israel: Facts and Figures." *JDC-Israel*, www.justice.gov.il/Units/NetzivutShivyon/sitedocs/jointeng03.pdf. Accessed 7 May 2020.
[75] Ibid.

- "6% of the working age population (260,000 individuals) have a severe disability (severely interferes with daily activities); 10% (430,000 individuals) have a moderate disability (somewhat interferes with daily activities).[7677]
- "The most prevalent types of disability among the working age population are physical disabilities (17.5%)"[78]

In both the United States and Israel, hearing-impaired individuals are forced to confront the three aforementioned unintentional barriers on a daily basis. In both countries, many who accomplish great things for the society which discriminates against them, will unfortunately continue to find themselves on the outside looking in.

Deafness exists across the globe and is not limited racially, religiously or by gender.[79] The most current statistic available indicates that 90 percent of deaf children are born to parents who are not deaf and 90 percent of deaf parents give birth to hearing children.[80] 90 percent of deaf persons marry others who are deaf.[81] It is up to society to figure out its responsibilities, obligations and relationships with these people to ensure that they are protected, included and appropriately engaged (- assuming that is the goal). In doing so, it is also critical for society to understand that not all persons who are deaf or have hearing impairments are the same or that the experience or needs are uni-dimensional. There is a broad range of impact that must be considered. It is not a "one shoe fits all" approach that is needed to take on the responsibilities of society.

[76] "People with Disabilities in Israel: 2017." *Ministry of Justice*, brookdale.jdc.org.il/wp-content/uploads/2017/12/People_with_disabilities_2017_eng.pdf. Accessed 7 May 2020.
[77] "CBS Site." *Central Bureau of Statistics*, www.cbs.gov.il/EN/pages/default.aspx. Accessed 7 May 2020.
[78] "People with Disabilities in Israel: 2017." *Ministry of Justice*, brookdale.jdc.org.il/wp-content/uploads/2017/12/People_with_disabilities_2017_eng.pdf. Accessed 7 May 2020.
[79] Garey, Diane and Lawrence R. Hott, directors. Through Deaf Eyes. WETA Washington, D.C. & Florentine Films/Hott Productions, Inc., 2007.
[80] Ibid.
[81] Ibid.

Let me mention a couple of examples of deaf persons with whom I have had the privilege to work. I will alter their names to protect their privacy. I met Sam at a day-hab Center. He was deaf, blind and physically handicapped. His only means of communication was for me to sign with his hands inside my hands so that he could feel the signs. I also met Delilah at the day-hab center. She is deaf and has Down's Syndrome and has issues with close physical proximity to people. She kept her head down most of the time. With time, she grew comfortable with me and was responsive to my prompting. She eventually allowed me to communicate with her using sign language. A student that I worked with in an after-school program named Eric was deaf and had a prosthetic leg. We established a relationship based upon his love of sports and made a tradition of playing basketball together which led to lengthy signed conversations about sports and eventually other topics. One of my co-workers at the Center is a deaf executive there. She had lost her hearing later in life and was adept at communicating through a combination of ASL and English. We formed a relationship around our shared passion for the Center's annual Fall Festival. These examples suffice to demonstrate the diversity within the deaf population and the flexibility required for society to understand and meet their unique personal needs.

KEY COMPONENTS OF DEAF IDENTITY AND CULTURE

Aside from legal protections and means of communication, the deaf cultural experience is inextricably linked by the culture of the respective countries. This section begins with a brief observational analysis of Israeli culture and how I believe it impacts the treatment of the deaf and disabled.

Israeli culture, to my mind, is deeply rooted in a shared pride. The Sabras who are widely known as the true founding Zionists of Israel were deeply idealistic; some of which was an outgrowth of the aftermath of the horrors of the Holocaust. Some continue to pride themselves in and expand upon the

achievements of their "parents pioneer generation." [82] The Sabras loved their land of Israel…[83] Overtime, the Sabra came to be known as "Srulik" which translates to little Israeli. As Israel aged, Srulik also evolved. "So Srulik is now less Sabra and more "global" ... He encompasses a fascinating fusion of genders, sects, classes, religions and lifestyles"[84] and exemplifies the diversity of people and experience that is at the root of the Israeli culture. Another notion synonymous with the Israeli cultural heartbeat -- at least initially -- is the "kibbutz" ("a communal farm or settlement in Israel") which is the ultimate Israeli communal construct which predated the creation of the State of Israel. The culture of a kibbutz provides for a community settlement in which adults and children live separately and life, wealth and meals are shared. [85] Although kibbutzim do not play the identical role now as they did in the past and have arguably taken on capitalist aspects in recent years, they do speak to an underlying connectivity that is still evidenced in Israeli society. This notion underlies a recent quote by Gal Gadot in the May 4, 2020 People magazine who said "Everything is five minutes away… And all of our neighbors are our friends."

Another aspect that I believe has a tremendous role in framing Israeli culture is the mandatory military service. This is a social construct that draws people further into a sense of mutual responsibility by creating an expectation that soldiers (and therefore citizens) are all "in it together" and working united to protect their shared interest. "Despite Israel's being a multi-sector society and the notable polarization between the different groups, the internal tension is softened by a sense of shared destiny and identity."[86] While there is certainly some unity offered in mandatory National Service it would be irresponsible to fail to mention the very fact that the mandatory service creates a needless and unceasing divide in the country between—the Haredi & the Secular and between Jewish Israeli and Arab Israeli neighbors. Thousands of fathers and mothers send their children off to fight in service of their country

[82] *The Sabra Myth,* Almog Oz
[83] *The Sabra Myth,* Almog Oz
[84] *The Sabra Myth,* Almog Oz
[85] https://www.merriam-webster.com/dictionary/kibbutz
[86] *The Sabra Myth,* Almog Oz

while the Haredi are continually given the freedom with which to decline serving their nation. While there is no doubt some who use this freedom to maintain an appreciation of the bible and the Jewish religion the disparate treatment between the two sections of the populace creates a resentment that festers and is seen throughout the country. It is emblematic of the divide facing Israel. Is it a Jewish Nation or a Nation of Jews? Or is it a melting pot that includes Arabs and to a lesser extent many other ethnic groups? This seeming disparity also serves to represent the treatment of the deaf community in Israel. While there are segments of the population, both Haredi and Secular, who strive for inclusion, a significant subset of the country continues to resist the deaf citizens' place in society. For some in the deaf community who volunteer for national service, it represents a semblance of inclusion. However, and this question has challenged and will continue to challenge Israel; what of the rest of the deaf society? National service and the IDF does in fact serve to unite some. Nonetheless, it is not the panacea that some like Oz believe it to be. I continue, however, to feel --perhaps too idealistically - that the sense of communal responsibility that is an outgrowth of mandatory service in the IDF may extend to the increased sense of responsibility toward disabled or deaf persons. The fact that in some cases, disabled persons are given roles in the IDF and are in many situations expected to serve (in ways appropriate to their disability) provides an inclusive message to society. It is my sense that it "normalizes" them and makes them part of society at large which is united in fighting for and investment in the "greater good".

Religion is also a significant component of Israeli culture and community. Judaism and the precepts upon which it is founded value a strong sense of responsibility for one another and to G-d. Within the framework of that responsibility falls the notion of compassion and caring for others. Nonetheless, even though this is the guiding theory of the state, it is important to note that when domestic and global politics comes into play, the state is often challenged. The caring ideal of "Kol Yisrael Arevim Ze La Ze," (also referenced earlier in the thesis) is one that many in Israel aspire to, but nonetheless often fall short of. This same contrast, between aspirations and reality, is found in the debate

regarding Shabbat. While modern cities like Tel Aviv and Haifa resist the restrictions placed on their citizens on Shabbat, the vocal orthodox population refuses to concede and governments are consumed by this conflict. The diversity in Israel both within the Jewish population and beyond, including the Israeli Arabs and large immigrant populations make for a complex combination with divergent needs, traditions and aspirations. This combined with government shortcomings, political pressures along with societal and economic discord within and political animosity surrounding it may leave Israel compromised in its ability to be as sensitive, compassionate and respectful of the needs of all minorities -- including the deaf and disabled. There is little doubt that Israel has a unique, organic culture that makes its treatment of people different from America's, but it is not immune from many of the issues that plague other countries, including the U.S.

DEAF CULTURE

A small constituency within the community of profoundly hearing- impaired individuals in both the U.S. and Israel is a group that considers itself to be a distinct cultural minority.[87] *"Deaf Culture is often seen as a response to society's "rejection" of deaf individuals, which compels these Deaf individuals to establish their own unique subculture".*[88]

Deaf Culturalists maintain their "deafness as a cultural identity rather than as a disability, and they insist that their culture and separate identity must be nourished and maintained." [89] Deaf Culturalists claim that the "Deaf may be different but they are equal".[90] This claim runs counter to the U.S. and Israeli disability rights laws which aim at creating equality for disabled individuals. Even Deaf Culturalists are divided amongst themselves as to their views toward being Deaf. I. King Jordan, the past President of Gallaudet College which is a premier college for the Deaf calls the most extreme Deaf

[87] https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1073&context=hlp
[88] https://www.independentliving.org/newsletter/12-01.html
[89] https://www-jstor-org.ezproxy.trincoll.edu/stable/pdf/1048084.pdf?refreqid=excelsior%3A81da6a427a64561da907634d7132c66d
[90] https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1073&context=hlp

Culturalists "absolutists".[91] Their extremism is reflected in their view that you cannot be considered Deaf if you do not practice ASL.[92] The Deaf Culture movement does not view deafness as a disability to be fixed or adapted but rather as a basis for society to change and to ensure that the Deaf can successfully participate.[93] At the same time, however, they believe strongly that the interests of Deaf people are best met by educating them in segregated programs, both as children and at the university level.[94] Residential schooling is viewed as a way to promote and uphold Deaf Culture. Part and parcel of Deaf Culture is the notion espoused by H-Dirksen Bauman and Joseph Murray called "Deaf Gain" which is the antithesis of hearing loss, "reframing deafness, not as a lack, but as a form of human diversity capable of making vital contributions to the greater good of society".[95] "Those individuals who have taken steps to assimilate within mainstream hearing society are not considered to be a part of the separate Deaf Culture." [96] Deaf culturalists liken their minority status to that of a racial or ethnic group.[97] "Deaf is dandy" is a concept defined by Tucker in her novel *The Feel of Silence* as "...being glad that one is unable to hear or that one's children are unable to hear, it means feeling fortunate to be one of a privileged few."[98] To those individuals, any effort to impact or diminish the deaf experience or life (namely a cure) is viewed as a form of "genocide". In fact, any effort to do so is viewed as a form of discrimination called "audism" which is based on a "perceived difference".[99] A fascinating observation is that race and disability are often apparent to others. Deafness is not immediately apparent which may distinguish societal responses to individuals who are Deaf and therefore impact culture.

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[91] https://www.washingtonpost.com/archive/opinions/2007/01/22/deaf-culture-and-gallaudet/183e3514-30e7-4e4e-bc7a-dc5ee9fd09b9/

[92] https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1073&context=hlp

[93] https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1073&context=hlp

[94] http://people.uncw.edu/laniers/Dolnick.pdf

[95] https://www.academia.edu/8723543/Deaf_Gain_and_Shared_Signing_Communities

[96] https://www-jstor-org.ezproxy.trincoll.edu/stable/pdf/1048084.pdf?refreqid=excelsior%3A81da6a427a64561da907634d7132c66d

[97] https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1073&context=hlp

[98] https://www-jstor-org.ezproxy.trincoll.edu/stable/pdf/1048084.pdf?refreqid=excelsior%3A81da6a427a64561da907634d7132c66d

[99] https://www.washingtonpost.com/archive/opinions/2006/10/14/many-ways-of-being-deaf/494b1b7d-1446-4379-a1d5-1899b828adcf/

Deaf Culturalists who view themselves as a minority "are in no more need of a cure for their condition than are Haitians or Hispanics." [100] As such, Cochlear implants are viewed as "the ultimate invasion of the ear, the ultimate denial of deafness, the ultimate refusal to let deaf children be Deaf."[101] Deaf Culturists accept ASL/ISL as their first language, want to have Deaf children, oppose Cochlear implants, oppose mainstreaming their proposed Deaf child, etc.

The American author and activist Helen Keller, who was born blind and deaf, saw deafness as much harder to live with as it "...cuts people off from people". [102] Humans are social beings who seek to connect with people around them. When there is a language gap and a cultural gap --the language gap being ASL or another SL (signed language) and the cultural gap being between the hearing and deaf world - the complexities expand. In families where everyone is hearing except for one child, or when children of deaf adults (CODA) are born or a hearing person marries a deaf person, the two cultures do not combine seamlessly as baseline language is different. "A shared language makes for shared identity."[103]

There is evidence of progress for the deaf rights movement and expansion of Deaf Culture in Israel. In 2019 a deaf activist named Shirley Pinto was added to the New Right Party's slate in the elections. She was deaf from birth and served as an officer in the Israeli Air Force. Pinto co-founded the Israeli Center for Deaf Studies whose website maintains that it strives to "create awareness in the State of Israel of recognizing sign language as equal to spoken languages, and to create awareness of the necessity of accessibility for deaf people," Absent a shared language, there is little to no space to truly bond or connect. Outsiders to the deaf world -- hearing people --commonly believe that deaf people want to be part of the hearing world, but this is not necessarily the case. By attempting to integrate deaf

[100] http://people.uncw.edu/laniers/Dolnick.pdf
[101] https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1073&context=hlp
[102] http://people.uncw.edu/laniers/Dolnick.pdf
[103] http://people.uncw.edu/laniers/Dolnick.pdf

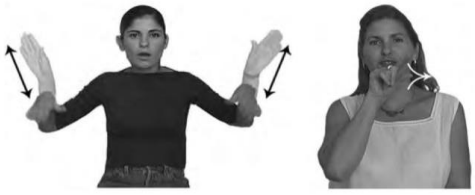
people into a predominantly hearing world, there is a likelihood of isolating them further because of the lack of cultural belonging and shared voice.

CONCLUSION

In today's complex political times, the relationship between Israel and the United States remains complicated and its future cannot be predicted. Nonetheless, in the decades since its creation, the state of Israel has looked to the United States for various things, both good and bad- from inspiration for laws to intelligence through spying.

As I have previously discussed, the disability laws that have been passed by the United States and Israel have similar skeletons, but different bodies. The United States, reflective of a government that is forced, by design, to think and act with purpose, passed an all-encompassing law that aims to be as specific as possible. Israel, on the other hand, is blessed (or cursed, depending on your view) with a nimble, but less stable government that habitually comprises several coalition parties, passed a skeletally similar law but without much detail and focused on only small portions of society.

The obvious conclusion must be drawn that neither country is perfect and not even close to their purported ideal. In America, there are still incidents involving mistreatment of disabled and deaf in group homes, who struggle to find employment, and cuts in the social safety net upon which they rely. Israel has yet to fully address the role of the disabled in its society, refuses to recognize ISL as a language, and delayed creating the necessary infrastructure to ensure the language is properly taught. Nonetheless, I am optimistic that, if not driven by the governments, the American and Israeli people will continue to see to it that the deaf community establishes its well-deserved place in society. We have a ways to go, but it is important to remember that we have also made great progress and continue to do so. I pledge to use the education I have received in high school and at Trinity as a tool toward being part of and a catalyst for that change.



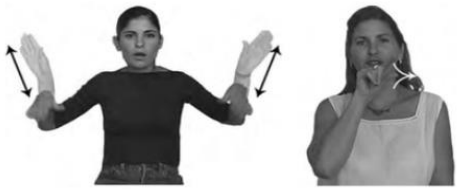
BIRD: ISL BIRD: ASL

FIGURE 1–2. Two iconic but different signs for 'bird' in two sign languages.

(a) EXHIBITION (b) CHARACTER

FIGURE 1–3. (a) A non-iconic sign with a concrete meaning: ISL EXHIBITION. (b) A non-iconic sign with an abstract meaning: ISL CHARACTER.

These few examples put all three common myths to rest. In fact none of these common preconceptions could be factual, given one simple piece of information: Sign languages are created spontaneously by deaf people wherever they have an opportunity to get together regularly. The instinct to communicate is natural, and the human brain 'knows' how to structure this communication into a regular system of a particular kind.



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