

Bilingual education for the deaf and inclusion under the *National Policy on Special Education* and Decree 5.626/05

Ana Claudia Balieiro Lodi¹

Abstract

This article has been developed in order to unravel the different senses of bilingual and inclusive education in the *National Policy on Special Education in the Perspective of Inclusive Education* and Decree 5.626/05 in the light of Bakhtin's theory of discourse and enunciation. On the one hand, the *Policy on Special Education* advocates the inclusion of deaf students in the regular school system. On the other hand, considering the linguistic difference of this social group and the provisions of Decree No. 5.626/05, deaf communities and researchers in the field advocate that the education of the deaf is a specific field of knowledge, distancing it from special education. It has been observed that the Decree understands bilingual education for the deaf as a social issue that involves the Brazilian Sign Language (Libras) and the Portuguese language in an intrinsic relation with the cultural aspects determining and determined by each language. The *Policy*, in turn, reduces bilingual education to the presence of two languages within the school, without providing that each one assumes its role of relevance to the groups that use them, keeping the Portuguese hegemony in the educational processes. Such conception limits the transformation proposed for the education of the deaf only to the discursive level and restricts the inclusion to school, preventing an extension of this concept to all social spheres, as stated in the decree. This difference between the senses of the concepts of bilingual and inclusive education in the two documents has fueled old tensions and rendered unviable the dialogue between the propositions of the *Special Education Policy* and those of Decree No. 5.626/05.

Keywords

Bilingual education for the deaf - Inclusion - *Policy on Special Education* - Decree No. 5.626/05.

¹- Universidade de São Paulo, Ribeirão Preto, SP, Brazil. Contact: analodi@fclrp.usp.br

Educação bilíngue para surdos e inclusão segundo a Política Nacional de Educação Especial e o Decreto nº 5.626/05

Ana Claudia Balieiro Lodi¹

Resumo

Este artigo foi desenvolvido com o objetivo de desvendar os diferentes sentidos de educação bilíngue e de inclusão na Política Nacional de Educação Especial na Perspectiva da Educação Inclusiva e no Decreto nº 5.626/05 à luz da teoria discursivo-enunciativa de Bakhtin. Enquanto a Política de Educação Especial defende a inclusão dos alunos surdos no sistema regular de ensino, as comunidades surdas e pesquisadores da área, considerando a diferença linguística desse grupo social e o disposto no Decreto nº 5.626/05, advogam que a educação de surdos constitui-se como um campo específico do conhecimento, distanciando-se da educação especial. Observou-se que o Decreto compreende educação bilíngue para surdos como uma questão social que envolve a língua brasileira de sinais (Libras) e a língua portuguesa, em uma relação intrínseca com os aspectos culturais determinantes e determinados por cada língua; a Política, por sua vez, reduz educação bilíngue à presença de duas línguas no interior da escola sem propiciar que cada uma assumam seu lugar de pertinência para os grupos que as utilizam, mantendo a hegemonia do português nos processos educacionais. Tal concepção limita a transformação proposta para a educação de surdos apenas ao plano discursivo e restringe a inclusão à escola, impossibilitando uma ampliação desse conceito a todas as esferas sociais, conforme defendido pelo Decreto. Essa diferença entre os sentidos dos conceitos de educação bilíngue e de inclusão nos dois documentos tem alimentado velhas tensões e inviabilizado o diálogo entre as proposições da Política de Educação Especial e do Decreto nº 5.626/05.

Palavras-chave

Educação bilíngue para surdos – Inclusão – Política de Educação Especial – Decreto nº 5.626/05.

¹ Universidade de São Paulo, Ribeirão Preto, SP, Brasil. Contato: analodi@fclrp.usp.br

The *National Education Policy* seeks to establish educational systems that consider equality and difference to be inseparable and constitutive values of our society. Accordingly, the *National Policy on Special Education in the Perspective of Inclusive Education* proposes the design of educational activities aimed at overcoming the logic of exclusion at school and in society in general. To accomplish this purpose, it defends the enrollment of students, regardless of their difference, in the regular school system, organized to ensure adequate conditions for an egalitarian educational process to all at different levels of education. Therefore, there is a need to rethink the organization of schools so that the specificities of every single student are seen (BRASIL, 2008).

In this context is deaf education, understood as a responsibility of special education, despite the discussions initiated in the 1990s, indicating that the *special* character of this education refers only to the linguistic and sociocultural differences between deaf and hearing people (SKLIAR, 1999). This ancient tension, far from being tackled, echoes in official documents and is still a subject of debate and struggle between those who advocate deaf education as a specific field of knowledge and those who consider it to be a *domain* of special education. Therefore, one understands why this was the point of greatest tension in the discussion of Axis VI – Social Justice, Education and Work: Inclusion, Diversity and Equality, at the National Education Conference (CONAE), in 2010 (LAPLANE; PRIETO, 2010).

It is noted, however, that this polarization with respect to education of the deaf arises from differences in the senses attributed to the concepts of bilingual education for the deaf and inclusion, present in the *National Policy on Special Education in the Perspective of Inclusive Education* and Decree No. 5.626/05, a document that has the support of the Brazilian deaf communities (FENEIS, 2011a, 2011b, 2011c) and of researchers in the field of deaf education. This article seeks to unravel the

senses of these concepts in the constitution of the two documents in light of Bakhtin's theory of discourse and enunciation.

To treat the theme, initially there will be a short historical contextualization of the mentioned *Special Education Policy* and Decree No. 5.626/05, considering that while the discussions that led to both documents are contemporary, the social movements that grounded them started from different political and ideological principles. Then, we will analyze the concepts of bilingual education for the deaf and of inclusion present in both documents, revealing in the interdiscursive web that constitutes them why the Federal Government and the Brazilian deaf communities advocate so distant proposals of deaf education.

Brief historical of the documents

In our country, the social movements that drove the drafting and approval of the *Policy on Special Education in the Perspective of Inclusive Education* and Decree 5.626/05 date from the 1990s. The basis of the *Policy* was the principles of democratization of education, which ensure that as a right of all and a duty of the state. It was influenced by various international and national documents (BRASIL, 1988, 1994, 2001, UNESCO, 1990, among others). The Decree, driven by the movements of deaf communities and researchers in the field of deaf education, was enacted after the legal recognition of the Brazilian Sign Language (Libras) as a means of expression and communication of the Brazilian deaf communities (BRASIL, 2002), after nine years pending in the Senate. For the wording of the documents, they sought to dialogue with different social segments, and the academy was the one that participated the most. It is noteworthy that the deaf communities could not give their *voice*¹ until the discussions that preceded the final draft of the Decree.

1- In this work, the word *voice* is used according to the Bakhtinian concept of the term.

The *National Policy on Special Education* was constructed with a discourse that aims to value the inclusive processes of students under its responsibility “from the perspective of human rights and the concept of citizenship based on the recognition of differences and on the [social] participation of subjects” (BRASIL, 2008, p. 1). To guarantee this process, it was emphasized the need for a structural and cultural reorganization of the education systems so that they become inclusive, so as to ensure the fulfillment of the educational specific needs of all students.

In the presentation of the *National Policy on Special Education*, the discourse woven sought to mark the (re) positioning of this document in relation to the educational principles present in the history of special education, opposing the understanding of this type of education as something parallel to regular education, developed in specialized institutions or in special classes, built with a set of practices that emphasized the disability to the detriment of the pedagogical dimension, and was organized using facilitative and reduced curricula. For the proposition of the new educational paradigm, the document believes that special education should integrate schools’ pedagogical proposals, complementing or supplementing the practices and content developed in regular education, thus allowing a common curriculum for all, which encompasses the diversity and the specific needs of students.

By rescuing the understanding of special education as a modality transversal to all levels of education, the current *Policy* sought to revise the principles in Decree No. 3.298/99, especially those providing for the enrollment in regular education only of students considered capable of integrating the system (Article 24, Item I) and the delivery of special education services mainly to the educational levels considered mandatory (Article 24, Section VI, § 2). This new look culminated in the proposition of the *Program of Inclusive Education: the right to diversity*, by the Secretary of Special Education

(SEESP)², Ministry of Education (MEC). The program’s goal was to promote the training of managers and educators to transform the educational systems into inclusive, ensuring thus the “right of pupils with special educational needs to access and remain in regular schools” (BRASIL, 2005, p. 9).

However, despite the efforts of SEESP/MEC to overcome the separation between regular and special education, in 2007 the federal government acknowledged that few changes had actually occurred in order to ensure inclusive education, a fact that contradicted the concept of transversality of special education, “limiting the observance of the institutional principle that provides equal conditions of access and retention in school and continuity at higher levels of education” (BRASIL, 2007a, p. 9). Thus, the Government reaffirmed, through Decree No. 6.094/07, the guarantee of access and retention of students with special educational needs in the common classes of regular schools, thereby strengthening the inclusion in public schools (BRASIL, 2007b).

In this context, a working group was established in order to “review and systematize the National Policy on Special Education” (BRASIL, 2007c, p. 1). Such group, consisting of SEESP/MEC management team and nine professors from different public higher education institutions, sought to discuss through educational forums “inclusion in the country, the achievements of the movement of people with disabilities, as well as advances in the legal and educational milestones” (BAPTISTA et al., 2008, p. 18). The group acknowledged the difficulties that school systems have faced in relation to discriminatory practices and sought to create alternatives to overcome them through inclusive education. For the idealizers of the document, the new *Policy* is conceived as an advance and inclusive practices are viewed as

2- By means of Decree No. 7.690/12, a new MEC organizational structure was approved: SEESP was abolished and its responsibilities passed to the Directorate of Special Education Policies (DPEE), linked to the Department of Continuing Education, Literacy, Diversity and Inclusion (SECADI).

challenging because they make schools rethink their own conception of education – including their organization and teaching practices – in order to respect all differences. However, they recognize that, for the actual implementation of this proposal, many barriers still need to be broken and therefore the system should work towards ensuring adequate conditions of accessibility and of training of educators, so that special education becomes an integral part of the school (BAPTISTA et al., 2008).

While the text of the *Policy on Special Education* aims to establish goals and set guidelines that consider the enormous diversity of the Brazilian student body, the text of Decree No. 5.626/05 regulates the specific educational processes of deaf people. It emphasizes the need to implement bilingual education for these students and, to ensure that such proposal is implemented, it establishes what the training of the professionals that will work with these students should be like. This split between the particularities of deaf students and those of other hearing students (with or without other differences) is a historic milestone of struggle and achievement of the linguistic rights of the deaf aiming at social inclusion, shifting this education from the general discussions on special education and making it a specific area of knowledge.

In terms of time, the contents arranged in Decree No. 5.626/05, began to be discussed at a time very close to when the issues of inclusive education gained prominence in our country. The first discussions regarding the recognition and legalization of sign language and its use in educational spaces began in 1996, when the Technical Chamber *The Deaf and the Sign Language* (BRASIL, 1996) was established by the National Coordination for the Integration of Persons with Disabilities (Corde), which is linked to the Department of Citizenship Rights of the Ministry of Justice.³ In the Technical

Chamber participated representatives of public and private universities in Brazil, education institutions for the deaf, institutions devoted to the development of studies and research on Libras and representatives of the National Federation of Education and Integration of the Deaf (Feneis), through which the deaf communities could have a voice in all discussions.

The Technical Chamber was a democratic forum which aimed to ground the discussions regarding Bill No. 131/96 in progress at the Senate, which addressed the recognition of Libras. After four days of intense work, in the final document it was outlined the context in which deaf people lived and it was presented the need to legalize Libras in order to enable the social participation of members of deaf communities as Brazilian citizens. The document presented linguistic aspects of Libras, characterized its users and discussed the training of professional translators and interpreters of sign languages, listing the necessary knowledge for such practice. It also pointed out the need to include Libras in the training curricula of professionals who serve and work directly with deaf people (BRASIL, 1996).

The final document was the basis for the discussions of Draft Law No. 131/96 in the Technical Committees of the Senate and, after nearly six years in process, it culminated in Law No. 10.436/02. In December 2005, Decree No. 5626 was enacted. It regulates the Law and brings many aspects included in the document prepared by the Technical Chamber in 1996.

The senses of the concept of bilingual education for the deaf

The *National Policy on Special Education in the Perspective of Inclusive Education* understands that the educational processes of deaf students are special education's responsibility. Thus, in the presentation of the historic milestones of this education, it refers to Law No. 10.436/02 and Decree 5.626/05, highlighting in these documents: the legal

3- In 2009, the National Coordination Office for the Integration of Persons with Disabilities (Corde) became the National Undersecretariat for the Promotion of the Rights of Persons with Disabilities (SNPD), linked to the Human Rights Secretariat of the Presidency (SDH / PR).

recognition of Libras; the inclusion of a discipline which aims to teach that language in the curricula of teacher education and speech therapy; the training and certification of professionals involved in the school processes of deaf students (teachers, instructors and translators/interpreters); the teaching of Portuguese as a second language; and the need to organize of the system to include bilingual education in regular education. The document outlines guidelines for this education:

For the entry of deaf students in regular schools, bilingual education –Portuguese/ Libras – develops school teaching in Portuguese and in sign language, the teaching of Portuguese as a second language in the written form for deaf students, the services of Libras and Portuguese translators / interpreters and the teaching of Libras for the other students in the school. (BRASIL, 2008, p. 11)

An isolated reading of such guidelines suggests that they deal with the same educational principles guaranteed by Decree No. 5.626/05. However, considering that these statements cannot be understood when disconnected from the whole text, from the social situation that engenders them and from the other texts with which they dialogue, one can recognize significant differences in the senses that constitute them.

In dialogue with the claims of the Brazilian deaf communities (FENEIS, 1999), Decree No. 5.626/05 advocates bilingual education, defining it and the spaces where it should be developed in the following terms:

Bilingual education schools or classes are those in which Libras and written Portuguese are languages of instruction used in the development of the whole educational process. (BRASIL 2005, Article 22, § 1).

Contrary to the *Policy*, which provides a common educational organization for all deaf

students, in the Decree there is concern with differentiating the early years of schooling from the late ones, thus respecting the development of children, the specificities in the teaching-learning processes and the teacher education required.

The Decree provides that, in early childhood education and the early years of primary school, bilingual education should be developed by bilingual teachers. It follows that the spaces provided for initial schooling should be organized so that Libras is the language of interlocution between teachers and students, and consequently the language of instruction, responsible for mediating the school processes (hence the need for bilingual teachers), since written Portuguese can not, because of its materiality, be used in the immediate teacher-student relationship during the teaching-learning process. The presence of written Portuguese in the educational processes is a result of the pedagogical organization, given that the activities, texts complementary to the classroom and the textbooks recommended for reading are written in Portuguese, which also guarantees its status of language of instruction. Thus, Libras development / acquisition by deaf students in the early years of schooling is assured and, therefore, ensures a solid educational foundation, since this basis is developed in a language accessible to students. This process opens the possibility of considering another organization for the late years of primary, secondary and professional education.

With regard to these education levels, bilingual education can be developed through “teachers from different areas of knowledge who are aware of the linguistic uniqueness of deaf students, and with the presence of Libras/Portuguese translators and interpreters” (BRASIL, 2005, Article 22, Item II). While holding that the education of the deaf can continue taking place in bilingual schools, the decree does not preclude it from being developed in schools in the regular school system provided that there are teachers with the profile described, making Libras / Portuguese

translators and interpreters responsible for “enabling students’ access to knowledge and curriculum in all didactic-pedagogic activities” (Article 21, § 1, Item II) and “in the support for the accessibility to services and end activities of the educational institution” (Article 21, § 1, Item III). In this definition, the Decree reiterates the position taken before, i.e., that the function of such professional cannot be confused with that of the teacher (Article 14, § 2).

On the significance given to bilingual education for the deaf by the Decree, one observes that Libras plays a central role, a fact that demands “alternative mechanisms for the assessment of knowledge expressed in Libras, as long as they are duly recorded on video or other electronic and technological media” (Article 14, § 1, Section VII). Written Portuguese language, understood and worked on in school spaces as a second language should also be taught as complementary curriculum content (Article 15), requiring evaluation mechanisms

consistent with learning a second language, in the correction of written tests, valuing the semantic aspect and recognizing the linguistic uniqueness manifested in the formal aspect of the Portuguese Language. (Article 14, § 1, Section VI)

Although the right of deaf students to bilingual education is also recognized in the *Policy on Special Education* document, such education is characterized as “school teaching in Portuguese and sign language” (BRASIL, 2008, p. 11). Besides that, there is the teaching of written Portuguese as a second language for deaf students. Thus, contrary to the provisions of the Decree, by guiding the education of deaf students, the *Policy* does not make clear what language should be used by teachers in inclusive classrooms (Portuguese or Libras), disregarding the fact that it is impossible to use both concurrently. From the discourse used, one can infer that the Portuguese language in its oral form is the one used by the teacher, the

language of interlocution in classrooms, and therefore the one responsible for mediating the teaching-learning processes.

This reading is supported by the fact that the *Policy* provides the service of Libras / Portuguese translators and interpreters for all educational levels without differentiation of specific processes related to the period of language development in Libras by students. It also disregards that during the years children attend early childhood education, they are in the process of learning their first language (Libras), a period that, in the case of most deaf children, because they are children of hearing people, can be extended to the early years of primary school. The document does not address the issue of how to enable this process in Libras through Libras/Portuguese translators and interpreters and/or through teachers who are not users of Libras (and if they are, they can not take it as a language of instruction in an environment involving deaf and hearing students).

Therefore, one understands that the presence of Libras in the classroom spaces is defined as the responsibility of language translators and interpreters, whose function is undefined in the document and merged with that of other educational support professionals:

When organizing special education from the perspective of inclusive education, it is school systems’ responsibility to provide the roles of Libras instructor, translator/interpreter and guide-interpreter as well as that of monitor or caregiver of students in need of support in hygiene, feeding, locomotion, and other activities requiring constant help in everyday school life. (BRASIL 2008, p. 11)

From the speech that constitutes the policy, one apprehends that the teacher-student relationship, and therefore the construction of school knowledge by students during regular school, gain less importance, since processes involving Libras (language that would allow

the participation and learning of deaf students) end up being the responsibility of translators and interpreters (with no defined role and training), and its use as a (possible) language of instruction is shifted into the spaces of specialized educational services (SES).

With respect to these services, contrary to the provisions of Decree No. 5.626/05, the *Policy* ensures that their development occurs “both in oral and written forms and in sign language” (BRAZIL, 2008, p. 11). The document does not discuss how to perform the educational processes in oral language when it comes to deaf students, implying the possibility of such language being also object of attention within schools. Added to that is the provision of training for professionals responsible for SES: “To work in special education, teachers should be guided by their initial and continuing training, general knowledge to carry out teaching and specific knowledge in the area” (BRAZIL, 2008, p. 11), including that related to teaching Libras. However, it does not make explicit how this teaching is understood or what linguistic knowledge professionals need. One can also observe an inconsistency in the text of the *Policy*, because it does not discuss how to ensure learning of deaf children in Libras since this language should also be *taught* to deaf students (and therefore not acquired as a first language) in the spaces of SES.

Thus, one understands that in the text of *Policy on Special Education* Libras acquires an instrumental character, which distances it from its linguistic status, which justifies the expectation that the SES occur in (oral and written) Portuguese language and Libras. The discourse in the document allows recognizing a movement very close to the one experienced in the 1960s and 1970s, when it was proposed the use of artificial communicative methods for communication and for the educational processes of the deaf – signaled systems. In such movement, there was a veiled denial of sign languages: their presence was allowed and discursively accepted but in practice they

were mischaracterized and assimilated by the grammar of the dominant language (LODI, 2005). Thus, the sign language was subjected to share with the oral language the same discursive spaces, and signs were treated as an instrument for the development of that language.

Thus, the dialogical relations constitutive of the language, its heterogeneous and polysemic nature, the different social languages and discourses that circulated in the enunciative processes were maintained only in the oral language. The signs subordinated to it ended up being treated under Bakhtin’s terms in their *signality* and were to be recognized and assimilated without any possibility of sense other than that given by the oral language; they were not constituted as verbal signs. This erasure of sign languages served once again to maintain the dominant linguistic ideology. (LODI, 2005, p. 418)

Such reflections are corroborated by the fact that, in the *Policy*, the skilled professional does not have to be fluent in Libras. Thus, the reading done before is reiterated, considering that, for the process of teaching and learning a second language (L2), the teacher has to have specific training for this practice and master the discursive and enunciative processes of both languages because, as Bakhtin (1999) discussed, learning a foreign language (L2) has the first language (L1) as the basis for the understanding and for the significance of the sociocultural, historical and ideological processes that pervade the second one. The author argues further that the linguistic contact at stake in learning a second language can not be understood as a field of peaceful coexistence because the word in a foreign language carries with itself forces and structures different from those underlying L1.

Denying this process implies not considering foreign words as linguistic and therefore ideological signs. For this reason, Bakhtin (1999) argues that any language

teaching should consider its dialogical dynamics, the living language. Thus, the effective teaching of a foreign language should lead students to experience it through their insertion in the context of production and in concrete situations of enunciation, i.e., a foreign word must be introduced into the life of the learner in the various contexts in which it appears, being associated in this way to the factors of contextual mutability and difference. To this end, the senses constructed in L1 are determinants of the learning processes of L2, a principle that allows a reaction of acceptance or opposition to the foreign word, in a living and dynamic process of knowledge exchange and ideological clashes.

In this direction, Revuz (1998) argues that learning a second language is being faced with expressions, with words that lack sedimentation, as they bring in themselves sociocultural values different from those that constitute the first language. For this reason,

Learning foreign languages involves the difficulty each one of us faces not only to accept the difference but also to explore it, to make it one's own, admitting the possibility of awakening the complex games of one's own internal difference, of one's non-coincidence with oneself, of oneself with others, of what is said with what one would like to say. (p. 230)

Overcoming such difficulty entails providing learners with the feeling of facing another culture, another linguistic community which is welcoming them, and therefore with the experience of a shift in relation to their community of origin.

In this sense, the training of teachers for teaching languages should be a central theme in the documents. In Decree No 5.626/05, there is a chapter dedicated to this process, particularly to that related to the training of Libras teachers. Such training is called into dialogue with the necessary training for teaching Portuguese as

a second language. With regard to teaching Libras, the document once again relates such training to working in the different educational levels and recommends that deaf people have priority in all training processes in order to ensure that the acquisition of this language by deaf students or their learning by hearing students is performed by means of its users.

Article 4: The training of teachers for teaching Libras in the late grades of primary education, in secondary and higher education should be carried out in undergraduate licensure programs in Languages (Libras) or in Languages: Libras / Portuguese as a second language.
[...]

Article 5: The training of teachers to teach Libras in early childhood education and in the early years of elementary school should be carried out in undergraduate majors in Education or higher normal courses in which Libras and written Portuguese have been languages of instruction, enabling bilingual training. (BRASIL, 2005)

Thus, one observes that, according to the Decree, the teacher trained to work in Libras with deaf students also has to have specific training to teach Portuguese as a second language, which should be objectified by including a specific curriculum subject specific on the theme in the teacher education courses for the early years of schooling and in the licensure in Languages – Portuguese. The document establishes a dialogue within its own text to ensure the right of deaf students to an education that recognizes Libras as students' L1 and Portuguese as L2, a fact neglected, as already pointed out, in the practice proposed in the *Policy* document.

The aspects analyzed in this article so far point to the existence of a significant difference in the senses of bilingual education for the deaf in the constitution of the texts of the *National Policy on Special Education* and of

Decree 5.626/05. While in the latter document Libras acquires a central role throughout the education of deaf people and written Portuguese is treated as a second language, the *Policy* shifts Libras from its status of first language for deaf people, marking the hegemony of Portuguese throughout the educational process.

One may question, therefore, how the discourse of the *Policy* distances itself from the model that historically constituted the practices of special education in relation to the deaf, by recognizing in such discourse the veiled maintenance of an educational organization that perpetuates not only the dominant ideology of *erasing* the social-linguistic difference but also the imposition of Portuguese in the educational processes of such students. From this perspective, the significance of bilingual education for the deaf is reduced to its strict sense –presence and peaceful coexistence of two languages within the school – without some work that makes it possible for each language to take its place of relevance to the groups that use it, because only the discursive displacement of the recognition of Libras is not in itself enough to change the principles that underpin the ideology that pervades social/school organizations. Such organizations promote the maintenance of Libras and of the group that uses it in a subaltern position in relation to that of Portuguese speakers.

As a result, educational decisions concerning the deaf remain under the sole responsibility of the hearing people, and all the claims of the deaf communities are ignored or mischaracterized.

This education is understood in reverse by the Decree, which, in a process of resignification and etymological distancing of the word *bilingual*, transforms this concept into a new verbal sign, whose theme provides the construction of senses that consider, rather than a problem concerning two languages, the social issues involving “linguistic instruments, ways of seeing the world, community organization and cultural content” (SÁ, 1998, p. 186). Libras

becomes privileged as the only language able to ensure the educational/social participation of the deaf in all spheres of activity.

Thus, the conceptions of bilingual education for the deaf in both documents determine different meanings of the concept of inclusion.

The senses of inclusion

For the *Policy on Special Education*, the movement of defense of inclusion is understood as “a political, cultural, social and pedagogical action, triggered in defense of the right of all students to be together, learning and participating, without discrimination of any kind” (BRASIL, 2008, p. 1). According to the document, such movement is opposed to those recognized in the history of special education, in which this educational modality was a system parallel to that of the general education system (JANUZZI, 2004), for believing that students under its responsibility were not able to receive the same level of education of the others (BUENO, 2001). It also opposes the subsequent movement of school integration, which advocated that students in special education, if integrated into the regular school system, could benefit from an education developed in challenging environments and, thus, experience more realistic contexts for their future social integration. However, for this integration to be assured, it was up to the students to adapt to school and the school did not have to consider changing to receive them (JANUZZI, 2004). It was argued further that the other students would benefit from the contact with students in special education because this coexistence could trigger positive effects regarding the acceptance of social differences (MENDES, 2006). However, from this perspective, the school was not yet configured as a space open to all, accepting the enrollment of only those students who could be integrated into the regular school system.

For inclusive education, although some of these principles are still considered, especially the

gain of all with coexistence at school, the desired transformation is no longer that of the students, but rather that of the educational system, which must be restructured and organized to meet the needs of all students (BRASIL, 2001).

Now it is worth examining whether the view advocated by the *Policy* applies to deaf students. Linking this document to worldwide movements is beginning to become brittle when the *Policy* breaks with one of the principles of the *Salamanca Statement* (BRASIL, 1994), a document significantly brought in to the text in order to ground the discussions held therein. The *Statement* says:

19. Educational policies should take individual differences and circumstances into full consideration. For example, the importance of sign language as a means of communication among the deaf should be recognized and *provision should be made to ensure that all deaf people have access to education in their national language of signs*. Due to the particular needs of communication of the deaf and deaf/blind people, *their education may be more suitably provided in special schools or special classes and units in regular schools*. (BRASIL, 1994, p. 7, emphasis added)

This disruption can be understood if one resumes the discussions about the significance of the concept of bilingual education for the deaf as conceived by the *Policy*.

By assigning a linguistic status to the languages of signs and therefore recognizing their value as constitutive of the subjectivities of deaf people, the *Salamanca Statement* considers that all deaf students must have their educational process in these languages (as languages of instruction). Thus, it recognizes that the linguistic difference inside the classroom is a problem that prevents the inclusion of these students. So it indicates that the most appropriate education to the deaf is the one organized in special schools, special classes or units in regular schools (BRASIL, 1994).

Conversely, the instrumental character given to Libras and therefore to not treating it as a language, present in a veiled way of in the discourse of the *Policy*, allows discursively accepting its circulation within the school, without any questioning about the value of its presence and of an education for the deaf built from this language. Accordingly, deaf students can do nothing but adapt to the teaching methodologies designed for hearing students; and interpreters can do nothing but be responsible for the processes of teaching-learning content, without any consideration of the training of these professionals, of the stage of language development of deaf children and of the importance of the teacher-students relationship for school teaching and learning. Added to this process, there is the need to take the students to some space other than the classroom to learn school subjects in Libras (if there are any teachers fluent in the language). This transfer of responsibility to deaf students, translators and interpreters of Libras and to the SES space as a service parallel to regular schooling ends up reinforcing the idea that including just means providing social/school interaction, resuming the principles of school integration.

At the same time, thinking about specialized educational services responsible for student learning and organized based on the difference that constitutes them recovers the view of special education as a possible replacement for regular education. Furthermore, the determination of the need for full-time schooling for these students points to the disregard of the fact that the difficulties in educational processes can be found in the very organization of the inclusive education system, again considering it is the students' responsibility to adapt to an educational model which has not been conducive to such learning.

In the case of Decree No. 5.626/05, built from a concept of bilingual education grounded on the sociocultural difference of the deaf and

on sign language as the basis for the entire educational process, the concept of inclusion is present in only two moments, which, if put into dialogue, can give a dimension of what it defends when it comes to inclusion.

The first mention of the concept occurs in the chapeau of Article 22, which states that, in order to ensure the inclusion of deaf students, educational institutions responsible for primary and secondary education must provide bilingual educational spaces for these students. Shortly thereafter, in Sections I and II of the same article, such spaces are characterized as open to deaf and hearing people. This guideline, which at first might suggest the defense of the enrollment of such students in regular education classrooms, if put in dialogue with the whole text, actually emphasizes the understanding of regular education (as opposed to special) to deaf people, i.e., the idea that the schooling of deaf and hearing people is the same (except for the language of instruction), implying equal educational conditions/opportunities for all.

The concept of inclusion in this Decree has the mark of the need for education of the deaf to be understood differently from the way it has occurred historically in special education and, according to the analysis presented here, also in the *Policy*. The text of the Decree opens the possibility to propose alternative forms of education for deaf students other than those restricted to regular classrooms, provided that the principles of bilingual education are complied with and the claims of the Brazilian deaf communities are heard. Such communities clamor for the need for schooling spaces that have Libras as the language of instruction and written Portuguese as a second language (FENEIS, 2011a, 2011b, 2011c). By expanding the concept of educational inclusion to social inclusion, subsequently defended in Article 25, which addresses the right to health “from the perspective of the full inclusion of people who are deaf or hearing impaired in all spheres of social life,” the Decree contributes

to transforming our society into an inclusive one, guaranteeing the right to education to all Brazilians and, therefore, their participation in all spheres of human activity.

Thus, the concept of inclusion in the Decree opposes the way the interdiscursive fabric constitutive of the *National Policy on Special Education* has been woven. By stating that everyone should be living together without discrimination, the text of the *Policy* ultimately leads to interpretations that reduce the concept of inclusion to school, thus preventing any dialogue aimed at the broad significance of the concept. Considering that no discourse is neutral, given the ideological nature of language, in this clash, the *Policy's* discourse in favor of the recognition of diversity establishes resistances that prevent the dialogue with the Brazilian deaf communities, which have had little voice in the spaces of policy decisions on their education.

Final thoughts

Ideological par excellence, languages reflect the social accents of those who put them into operation, because in taking the word subjects put into play a process marked by conflicts, recognition, power relations and identities. When one understands that languages are responsible for the constitution of subjects and the other(s), that every discourse is necessarily committed to the social places of the one who enounces it, and that therefore “different ideological materials, configured discursively, participate in the judgment of a given situation” (BRAIT, 1997, p. 99), one observes that there is an ideological clash between the senses of bilingual education for the deaf and of inclusion woven in the interdiscursive *fabric of the National Policy on Special Education* in the Perspective of Inclusive Education and in Decree 5.626/05.

Although the *Policy* has been woven through a discourse that seeks an approach to the principles of bilingual education for the

deaf constitutive of the Decree (acceptance of Libras in schools and teaching Portuguese as a second language), the analysis of the statements that underpin it, when brought into dialogue with the proposals advocated, shows inconsistencies and a view of the education of the deaf that does not move from the discursive level, because in the proposition of inclusive practices it reproduces the past that excluded the deaf from educational/social processes. Accordingly, the distance between this document and the Decree becomes inevitable, unraveling thus the reason for the impossibility of dialogue with the claims of the Brazilian deaf communities.

Accepting the difference and appreciating it as constitutive of the human being determines a new look at diversity, at the self (hearing/deaf person) and the *other* (deaf /hearing person), so that, in the return to oneself, what bothers is revealed. In the absence of an understanding of this discomfort and a problematization of the discourses from which we have been constituted, the official discourse puts itself at the service of maintaining the *status quo* without the possibility of resignifying it because, as Sobral (2010) stated, speaking and defending the difference is easy, the hard part is putting ourselves in the place of the ones who are different, recognizing them in their way of being, different from ours.

References

BAKHTIN, Mikhail (Volochinov). **Marxismo e filosofia da linguagem**. 9. ed. São Paulo: HUCITEC, 1999.

BAPTISTA, Claudio Roberto et al. Colóquio: Política Nacional de Educação Especial na Perspectiva da Educação Inclusiva. **Inclusão**, Brasília, v. 18, n. 1, p. 18-32, jan./jun. 2008.

BRAIT, Beth. Bakhtin e a natureza constitutivamente dialógica da linguagem. In: _____ (Org.). **Bakhtin, dialogismo e a construção do sentido**. Campinas: Editora da UNICAMP, 1997. p. 91-104.

BRASIL. Senado Federal. **Constituição da República Federativa do Brasil**. Brasília, 1988. Disponível em: <http://www.senado.gov.br/legislacao/const/con1988/CÓN1988_05.10.1988/CON1988.pdf>. Acesso em: 15 out. 2010.

_____. **Declaração de Salamanca**: sobre princípios, políticas e práticas na área das necessidades educativas especiais. Brasília: CORDE, 1994. Disponível em: <<http://portal.mec.gov.br/seesp/arquivos/pdf/salamanca.pdf>>. Acesso em: 12 abr. 2012.

_____. **O surdo e a Língua de Sinais**. Petrópolis, 1996. Disponível em <http://portal.mj.gov.br/corde/referenciasBiblio/cor_surdo.asp>. Acesso em: 12 abr. 2012.

_____. **Diretrizes Nacionais para a Educação Especial na Educação Básica**. Brasília: MEC, 2001. Disponível em: <<http://portal.mec.gov.br/seesp/arquivos/pdf/diretrizes.pdf>>. Acesso em: 20 maio 2012.

_____. Lei nº 10.436, de 24 de abril de 2002. Dispõe sobre a Língua Brasileira de Sinais e dá outras providências. **Diário Oficial da União**, Brasília, 25 abr. 2002. Disponível em: <http://www.planalto.gov.br/ccivil_03/leis/2002/10436.htm>. Acesso em: 12 abr. 2012.

_____. Decreto nº 5.626, de 22 de dezembro de 2005. Regulamenta a Lei nº 10.436, de 24 de abril de 2002, que dispõe sobre a Língua Brasileira de Sinais – Libras, e o art. 18 da Lei nº 10.098, de 19 de dezembro de 2000. **Diário Oficial da União**, Brasília, 23 dez. 2005. Disponível em: <http://www.planalto.gov.br/ccivil_03/_ato2004-2006/2005/decreto/d5626.htm>. Acesso em: 12 abr. 2012.

_____. **Plano de Desenvolvimento da Educação**: razões, princípios e programas. Brasília: MEC, 2007a. Disponível em: <<http://portal.mec.gov.br/arquivos/livro/livro.pdf>>. Acesso em: 14 abr. 2012.

_____. Decreto nº 6.094, de 24 de abril de 2007. Dispõe sobre a implementação do Plano de Metas Compromisso Todos pela Educação. **Diário Oficial da União**, Brasília, 25 abr. 2007b. Disponível em: <http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2007/decreto/d6094.htm>. Acesso em: 20 maio 2012.

_____. Ministério da Educação. **Portaria Ministerial nº 555**, de 05 de junho de 2007c. Disponível em: <http://sentidos.uol.com.br/downloads/portaria_555.pdf>. Acesso em: 20 maio 2012.

_____. **Política Nacional de Educação Especial na Perspectiva da Educação Inclusiva**. Brasília: MEC/SEESP, 2008. Disponível em: <<http://portal.mec.gov.br/seesp/arquivos/pdf/politica.pdf>>. Acesso em: 12 abr. 2012.

_____. Decreto nº 7.690, de 02 de março de 2012. Aprova a Estrutura Regimental e o Quadro Demonstrativo dos Cargos em Comissão e das Funções Gratificadas do Ministério da Educação. 2012. **Diário Oficial da União**, Brasília, 6 mar. 2012. Disponível em: <http://www.planalto.gov.br/ccivil_03/_Ato2011-2014/2012/Decreto/D7690.htm>. Acesso em: 02 maio 2012.

_____. Secretaria de Educação Continuada, Alfabetização, Diversidade e Inclusão do Ministério da Educação (SECADI/MEC). **Apresentação**. s/d. Disponível em <http://portal.mec.gov.br/index.php?option=com_content&view=article&id=290&Itemid=816>. Acesso em: 02 maio 2012.

BUENO, José Geraldo Silveira. **Crianças com necessidades educativas especiais, política educacional e a formação de professores**: generalistas ou especialistas? 2001. Disponível em: <http://www.educacaoonline.pro.br/index.php?option=com_content&view=article&catid=5:educacao-especial&id=67:criancas-com-necessidades-educativas-especiais-politica-educacional-e-a-formacao-de-professores-generalistas-ou-especialistas>. Acesso em: 29 mar. 2010.

FENEIS. **A educação que nós surdos queremos!** Documento elaborado pela comunidade surda a partir do Pré-Congresso ao V Congresso Latino Americano de Educação Bilíngue para Surdos. Porto Alegre, 1999.

_____. **Nota de esclarecimento da FENEIS sobre a Educação Bilíngue para Surdos** (em resposta à nota técnica N.5/2011/MEC/SECADI/GABI). 2011a. Disponível em: <[http://xa.yimg.com/kq/groups/2996564/2125739876/name/Em+resposta+%C3%A0+nota+t%C3%A9cnica+SECADIMEC+sobre+educa%C3%A7%C3%A3o+bilingue+\(1\).pdf](http://xa.yimg.com/kq/groups/2996564/2125739876/name/Em+resposta+%C3%A0+nota+t%C3%A9cnica+SECADIMEC+sobre+educa%C3%A7%C3%A3o+bilingue+(1).pdf)>. Acesso em: 25 maio 2011.

_____. **Revista da FENEIS**, n. 44, jun./ago. 2011b. Disponível em : <http://www.feneis.org.br/page/imagens/noticias/noticias_2011/Revista%20Feneis_44.pdf>. Acesso em: 10 jun. 2011.

_____. **Carta denúncia** (Carta dos surdos falantes da língua brasileira de sinais ao Ministério Público Federal sobre a Política Nacional de Educação Especial na Perspectiva da Educação Inclusiva imposta à educação de surdos pela Secretaria de Alfabetização, Diversidade e Inclusão do Ministério da Educação). Rio de Janeiro: FENEIS, 2011c. Disponível (em Libras) em: <<http://www.youtube.com/watch?v=m4j80QhpxgA>>. Acesso em: 10 dez. 2011.

JANNUZZI, Gilberta de Martino. **A educação do deficiente no Brasil: dos primórdios ao início do século XXI**. Campinas: Autores Associados, 2004.

LAPLANE, Adriana Frizman; PRIETO, Rosângela Gavioli. Inclusão, diversidade e igualdade na CONAE 2010: perspectivas para o novo Plano Nacional de Educação. **Educação & Sociedade**, Campinas, v. 31, n. 112, p. 919-938, jul./set. 2010.

LODI, Ana Claudia Balieiro. Plurilingüismo e surdez: uma leitura bakhtiniana da história da educação dos surdos. **Educação e Pesquisa**, São Paulo, v. 31, n. 3, p. 409-424, set./dez. 2005.

MENDES, Enicéia Gonçalves. A radicalização do debate sobre inclusão escolar no Brasil. **Revista Brasileira de Educação**, Rio de Janeiro, v. 11, n. 33, p. 387-405, set./dez. 2006.

REVUZ, Christine. A língua estrangeira entre o desejo de um outro lugar e o risco do exílio. In: SIGNORINI, Inês (Org.). **Língua(gem) e identidade: elementos para uma discussão no campo aplicado**. Campinas: Mercado de Letras; São Paulo: FAPESP, 1998. p. 213-230.

SÁ, Nídia R. Limeira de O discurso surdo: a escuta dos sinais. In: SKLIAR, Carlos (Org.). **A surdez: um olhar sobre as diferenças**. Porto Alegre: Mediação, 1998. p. 169- 192.

SKLIAR, Carlos. A localização política da educação bilíngue para surdos. In: _____ (Org.). **Atualidade da educação bilíngue para surdos: processos e projetos pedagógicos**. Porto, Alegre: Mediação, 1999. p. 7-14.

SOBRAL, Adail. Insularidad, extraposición, alteridad e identidad: exploraciones especulativas. **La Pagina**, 88 (especial: La Fascinación Insular), ano XXII, n. 6, p. 95-109, 2010.

UNESCO. **Declaração Mundial sobre Educação para Todos: plano de ação para satisfazer as necessidades básicas de aprendizagem**, 1990. Disponível em: <<http://unesdoc.unesco.org/images/0008/000862/086291por.pdf>>. Acesso em: 20 out. 2010.

Received on June 19th, 2012

Approved on August 3rd, 2012

Ana Claudia Balieiro Lodi is a professor at the Department of Education, Information and Communication (DEDIC), Faculty of Philosophy, Sciences and Languages of Ribeirão Preto, University of Sao Paulo (USP).

