

# Inclusive definitions of legal concepts in Italian: possibilities, limits and a case study

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## Abstract

The traditional use of the generic masculine in the Italian legal language has been criticised for being sexist. Therefore, the paper examines the possibilities and limitations of drafting inclusive definitions of legal agentives in Italian. In particular, it outlines the challenges encountered when rewriting definitions of legal agentives within a terminology database with the help of four undergraduates. The challenges include the need to balance inclusion of all genders with preserving the correct legal meaning, while maintaining comprehensibility and clarity. The abstract nature of legal agentives – which may refer to both natural persons and legal entities – raises questions about some feminine forms. Legally defined agentives may prove difficult to modify to achieve inclusive forms due to the risk of losing intertextual references that ensure legal certainty and of hindering a consistent interpretation of legal concepts. Inclusive definitions of legal agentives in Italian are feasible, but going beyond binary inclusion may be complicated. In-depth legal knowledge is required to propose inclusive and legally accurate alternatives to definitions in the generic masculine.

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## 1 Introduction

Italian is a grammatical gender language with two genders, masculine and feminine. Every noun is assigned to either gender and several elements within the sentence must agree with the gender of the controlling noun. As in other grammatical gender languages (e. g. French, German), the masculine gender is traditionally used to refer to individuals of unknown gender, mixed-sex groups and abstract functions or roles where the sex of the person holding such function or role is unknown or irrelevant (generic masculine).

Italian legal language has been described as a difficult specialised language with complex syntax, peculiar lexis and conservative traits (cf. Cavagnoli 2013: 80–86; Gualdo/Telve 2021: 419–449). The law – and its language – adapts to the needs of an evolving society, but the process is not always straightforward. For example, the many efforts to promote simpler legal and administrative language (i. a. Cortelazzo/Pellegrino 2003; Dipartimento della Funzione Pubblica 1993; Fioritto 2009) resulted in significant but by no means sufficient improvements (cf. Gualdo/Telve 2021: 418). In addition, the use of the generic masculine in Italian has been repeatedly considered sexist and likely to reinforce gender stereotypes (cf. Fusco 2020: 38; Giusti 2022: 16; Sabatini 1987: 87) as it under-represents women in public discourse, in the media, in

legal and institutional language (cf. Giusti 2022: 3f.). The same applies to non-binary people (cf. Comandini 2021: 47).

Regarding non-binary individuals, it is important to note that the Italian legal system does not currently provide for their legal recognition. The legal framework remains firmly rooted in a binary conception of gender, which is reflected in various legal provisions that assume fixed gender roles, such as those governing marriage or civil status. However, the issue of non-binary identities is gaining increasing social and cultural visibility. A notable example is the adoption of “alias careers” by universities, allowing students to use a name and identity that align with their perceived gender (cf. Parigiani 2024). Constitutional Court ruling no. 143/2024 represents another significant development. While reaffirming that the legal recognition of a third gender is not currently foreseen under Italian law, the Court explicitly acknowledges – for the first time – the existence of non-binary individuals. The ruling underscores the need for effective protection and recognition of non-binary persons to counteract negative impacts on their dignity, health and overall well-being. However, the Court emphasises that it is the responsibility of the legislature to address the issue through a clear and comprehensive legal framework.

Related to inclusive language, the first publication calling for an equal representation of women in Italian public discourse dates back to the 1980s (Sabatini 1987). Recently, strategies to avoid discriminating against non-binary individuals or explicitly include them in communication have also been proposed (cf. Comandini 2021 for an overview). In general, there has been growing attention to non-sexist language and inclusive communication. Efforts have been made to disseminate the correct feminine forms of many professions, job titles and roles that were rarely used or had fallen out of use in the 20<sup>th</sup> century (cf. Cortelazzo 2024), often causing hesitation among native speakers today (cf. Fusco 2020: 55). For example, frequent doubts concern the use of *medica* to designate a female doctor and *avvocata* or *avvocatessa* for female barristers (cf. Robustelli 2017).

The plea for a language that may make the role of women in society visible and not discriminate against any gender (identity) has led to several developments. In 2022, the publisher Treccani updated their print dictionary by adding the feminine forms of nouns and adjectives that were traditionally recorded only in their masculine form. The aim was to promote inclusion and gender equality. The Italian language academy Accademia della Crusca has often published answers to questions on specific words or communicative strategies on their website and in their journal *La Crusca per voi* (Accademia della Crusca 2011). Many guidelines for inclusive language have been produced by and for public institutions, universities, private organisations and the media (i. a. Legacoop Romagna 2021; MIUR 2018; Robustelli 2012, 2014; UNI 2024). Regional governments have passed laws for non-sexist language within their normative and administrative texts, notably the Province of Bolzano (Provincial Law No. 5/2010) and the Region Emilia-Romagna (Regional Law No. 6/2014).

Institutional communication should be inclusive and free from discrimination, at all levels, not just in bodies that have produced guidelines or regions that have passed dedicated legislation. Using a language that does not exclude anyone based on their sex or gender identity is a means to enact the right to non-discrimination enshrined in Article 21 of the EU Charter of Fundamental Rights (CFREU) and, in Italy, in Article 3 of the Constitution of the Italian Republic. Further

laws forbid, for instance, discrimination in the workplace and during the recruitment process (cf. Legislative Decree No. 198/2006).

However, when dealing with legal language, several aspects need to be considered, which we discuss in this paper: the abstract nature of legal concepts, the relevance of intertextuality in the legal domain, the need for clarity and legal certainty. Most guidelines on inclusive communication developed by public administrations stress the importance of clarity, simplicity and precision in legal and administrative language (i. a. MIUR 2018: 7, 18; Robustelli 2012: 15). Additionally, the requirement for legal norms to be clear and precise reflects the principle of legal certainty, a fundamental tenet of the EU legal order that has been repeatedly affirmed by the Court of Justice of the European Union (cf. Margiotta 2021: 20). Partly for this reason, legal language has been considered unsuitable for “innovative experiments” initiated by a minority (Accademia della Crusca 2023: 4), such as the practice of using symbols (\*) or neomorphemes (-ə) to explicitly address non-binary people. Language authorities do not endorse these inclusion strategies and often advise against using them, as they heavily influence the morphology of the language and risk being incomprehensible, especially for specific groups of people (e. g. persons with reading disabilities).

The following sections outline the challenges of striving for inclusive legal language in Italian, focusing on definitions of legal concepts extracted from the Information System for Legal Terminology *bistro* (Section 2). We briefly illustrate our qualitative and quantitative analyses (Section 3) and discuss the main challenges faced (Section 4). Section 5 draws relevant conclusions.

## 2 Background

Despite the increased need for guidance on the use of feminine and epicene agentives – not only in general language but also in specialised domains – there are few publicly available terminology databases that provide such forms for the Italian language. Epicene agentives, such as *giudice* [‘judge’] or *vittima* [‘victim’], which do not change their form and therefore designate persons of any gender, are regularly recorded. However, they are never marked as epicene or marked as masculine if their form is invariable while agreement can reveal either masculine or feminine gender (e. g. *il/la giudice*). Some occurrences of feminine agentives can be found in the European terminology database IATE (e. g. *infermiera* [‘female nurse’], *Segretaria generale della Commissione europea* [‘Secretary-General of the European Commission’]). The Swiss federal terminology database TERMDAT records feminine agentives more systematically (e. g. *ministra* [‘female minister’], *consigliera nazionale* [‘national councillor’]). Still, we can confirm Bengoechea’s (2017: 215) impression that non-sexist language is scarcely implemented in terminology databases.

The terminologists maintaining *bistro* have carefully considered the consequences of going beyond the canonical masculine form of legal agentives in their terminological data to include feminine and (a higher number of) epicene agentives. The challenges posed by the concept-oriented structure of terminology databases and the consequences for termbase structure and data categories within multilingual terminology databases have been discussed in other publications (cf. RaDT 2025; Ralli/Evers 2024). In this paper, we focus on the implications for terminological definitions, particularly for definitions of Italian legal agentives. As long as all agentives are recorded exclusively in their canonical (masculine) form – even though they may

be intended to refer to all genders – there is no problem in defining concepts in the masculine form. For example, *successore* [‘successor’] can be defined as *colui al quale viene trasmesso un diritto* [‘he to whom a right is conveyed’]. The feminine agentive *succeditrice* is rarely used and may raise doubts as to its correctness, so it would be of great help to termbase users if it were officially recorded. However, entering *succeditrice* as a synonym for *successore* in the terminological entry (following the method applied by IATE and TERMDAT) would require the definition to be rewritten to fit all the terms listed in the entry (e. g. *persona a cui viene trasmesso un diritto* [‘person to whom a right is conveyed’]). The open question is, therefore, whether and to what extent it is possible to rewrite all current definitions of legal agentives in the generic masculine to be inclusive of all genders.

*bistro* caters for a diverse group of domain experts (e. g. drafters of laws and administrative texts), language mediators (e. g. translators, interpreters), students and anyone who needs to write, understand or translate legal and administrative texts in the three official languages of South Tyrol (Italian, German and Ladin). In a multilingual region, this includes law firms, companies and the general public. The largest number of *bistro* users work for local public administration bodies. For this reason, following the local guidelines for inclusive writing in Italian (Provincia autonoma di Bolzano 2024), it was clear from the outset that symbols and neomorphemes were to be avoided in favour of strategies that are officially accepted by Italian – and German – language authorities.

Legal language aims to be objective, impersonal (cf. Cavagnoli 2013: 85), neutral and universal (cf. Pacella 2020: 127). The language of codes and laws, in particular, aims to generalise and abstract from specific cases to establish provisions that may apply to everyone. Many legal concepts, such as justice or causality, do not exist in a physical sense; they are abstract mental representations (cf. Jakubiec 2022: 1840). When dealing with legal agentives, the relation between the abstract legal concept – which is independent of the gender dimension – and the concrete person embodying it – who will have a specific sex and gender identity – becomes fuzzy. For example, Art. 50(1) of Legislative Decree No. 267/2000 states that the mayor and the president of the province are bodies responsible for the administration of a municipality or province: *Il sindaco e il presidente della provincia sono gli organi responsabili dell’amministrazione del comune e della provincia*. As long as a mayor is considered a body, it is a legal entity. The focus is not on the individual but on their function or role, with complete depersonalisation (cf. Pacella 2020: 127).

Notwithstanding the aspired abstraction from concrete persons, all terms designating legal agentives will have a grammatical gender. In Italian, it is the masculine form that is used with a generic meaning. However, in practice, it is common to find this inclusive, generic use when referring to legal roles and subjects in codes and laws, while, for example, in case law and procedural documents, the gendered versions of agentives are used to match the sex of the specific person embodying the role (cf. Dell’Anna 2019: 357). This conflict between abstraction and generalisation versus designating a specific referent that can be male, female or non-binary – and therefore require a gendered agentive to avoid misrepresentation and discrimination – is not easy to solve. So far, the impact of the many documents recommending a more equal representation of genders in Italian legal and administrative texts has remained quite limited (cf.

Cavagnoli 2013: 77), both at the national and at the EU level (cf. Cavagnoli 2019: 161; Mori 2019: 60).

Against this background, our case study sought to evaluate the possibility of finding a compromise between, on the one hand, abstraction and generalisation in legal language and, on the other, inclusive communication within definitions of Italian legal agentives, while maintaining the clarity and legal correctness that are essential for a terminology database to be considered trustworthy.

### 3 Method

To assess to what extent existing definitions of legal agentives using the generic masculine could be rephrased to make them more inclusive, if not of all genders, at least of the male and female genders, in 2024 we conducted a preliminary study with the help of four female undergraduates. The students were enrolled in the Language Mediation programme of the Istituto di Alti Studi SSML Carlo Bo and had volunteered for a three-months collaborative internship (150 hours each).

The tutors expected a fruitful exchange with members of a younger generation who were supposed to be more creative in their writing and open to using feminine and inclusive agentives. Language students were also deemed more likely to overcome the traditional use of the generic masculine in Italian legal and administrative texts than law students.

The internship began with an introduction to the principles of terminology science and the structure of terminological definitions. The students were also provided with an overview of the strategies for gender-sensitive (re)writing in Italian, including their goals, advantages, drawbacks, domains and frequency of use as well as levels of acceptance among Italian language authorities. The tutors presented examples of both inclusive and non-inclusive definitions – the latter together with possible rewriting strategies – and encouraged discussion on doubts and challenges. The students received a collection of scientific and practice-oriented references, including their main reference documents: two guidelines for inclusive writing drafted for the Italian public administration at the national (cf. Robustelli 2012) and local levels (cf. Provincia autonoma di Bolzano 2024).

The introduction lasted about two hours. The regular follow-up online meetings between tutors and students lasted approximately one hour and were scheduled every two weeks. In between these meetings, the students were left free to organise their joint and individual work. They used a shared online document and reported having had exchanges via conference calls and instant messages.

Out of a total of 639 definitions of entries with terms containing legal agentives in *bistro*, the tutors reduced the dataset to 271, excluding all cases where the agentive was part of a complex term but not as head (e. g. *astensione del giudice* [‘abstention of the judge’]) and did not designate a person. The students’ assignment consisted in classifying the 271 definitions according to whether they were inclusive of all genders or not, highlighting issues to be addressed and proposing possible alternative definitions based on the guidelines, the tutors’ input and other (inclusive) definitions in the dataset. They were advised to strive for inclusion of all genders,

using split forms (i. e. explicitly mentioning the masculine and feminine forms) only as a residual option. They were also reminded not to disregard clarity and legal correctness.

All their proposals were discussed together with the tutors – a legal expert and two terminologists – and amended where necessary. The main difficulties reported by the students and discussed during the meetings with the tutors are addressed in Section 4.

#### 4 Discussion

In our set of definitions, one third (34.3%) were already inclusive of all genders while two thirds (65.7%) required rephrasing. The students incorrectly classified some definitions as inclusive, for example, when the generic masculine was hidden in a clitic attached to a verb (es. *Maggiorenne che si trova in condizioni di abituale infermità di mente, tale da renderlo incapace...* [‘An adult who is in a habitual condition of mental unsoundness, such as to render *him* incapable ...’]).

An example for an inclusive definition in *bistro* is “membro della giunta regionale, provinciale o comunale” [‘member of the regional, provincial or municipal council’] that defines council members of any gender. Still, the students discussed the feminine form *membra*. Younger generations seem to have started using the feminine form, while in formal writing *membro* refers to all genders (cf. Thornton 2020: 29). Similarly, one of the students asked whether *soggetto* [‘legal entity’] had a feminine form. While the adjective *soggetto* has the feminine form *soggetta* (e. g. *una legge soggetta a modifica* [‘a law subject to amendment’]), the noun is considered invariable in standard language, even though *soggetta* can rarely be found in humorous or colloquial contexts. This episodic evidence may confirm that the use of feminine forms derived from epicene masculine nouns is currently in a developing phase and tends to expand, especially in the language of young Italians (cf. D’Achille 2023).

The definitions that needed to be rephrased (average length: 31 words, median: 26 words) generally contained more than one noun, adjective, past participle or other element marking (the masculine) gender. For example, the epicene agentive *rappresentante* [‘agent’] was defined as *colui che ha il potere di agire in nome e per conto del rappresentato* [‘he who has the power to act in the name and on behalf of the (male) represented person’]. Both the pronoun *colui* and the noun *rappresentato* are generic masculines. An alternative definition that includes all genders would be: *chi ha il potere di agire in nome e per conto della persona rappresentata*. Another example shows that split forms are sometimes the only acceptable option. A *sindaco metropolitano* or *sindaca metropolitana* [‘(male or female) metropolitan mayor’] can be defined as *sindaco o sindaca del comune capoluogo* [‘(male or female) mayor of a regional or provincial capital’]. There is no short, clear and well-known epicene alternative to the two gendered nouns *sindaco* and *sindaca* so that the rephrased definition ends up excluding non-binary mayors. However, this is also a good example that may prompt questions concerning the need for a feminine agentive. If a *sindaco* is a body within the administration, so is the type of *sindaco* that governs capital cities. An abstract legal entity does not have a specific sex or gender identity. This raises the legitimate question of whether a feminine noun should be used at all (see Section 4.1). Such reflections proved particularly challenging for students without in-depth legal knowledge. In the Subsections 4.1 to 4.4, we address the specific challenges they faced related to introducing inclusive language in definitions of legal agentives.

#### 4.1 Recognising legal agentives

Recognising legal agentives means identifying concepts that have a human referent. In legal language, agentives typically refer to individuals who practise a profession (e. g. *lawyer*), perform specific actions (e. g. *perpetrator*), fulfil certain roles (e. g. *witness*), hold an office (e. g. *guardian*) or have a particular legal status (e. g. *heir*). However, identifying them is not always simple. What initially appears to be an agentive – based on its linguistic form – may actually lack an immediate reference to a person upon closer inspection. This is the case for terms that refer to legal persons or entities, include both natural and legal persons or denote legal functions. Being able to distinguish between nouns referred to humans and personifications of legal entities or functions was a notable source of doubts for the four students.

For example, in the context of public digital identity systems, the *gestore dell'identità digitale* ['identity provider'] is always a legal entity. Specifically, it is a public or private organisation that provides and verifies digital credentials for secure user identification, enabling users to access online public administration services. The organisation is a distinct entity from the individuals who work for it and – as a legal entity – does not have a specific sex or gender identity. In such cases, one may argue that it is not necessary to use a feminine designation or find inclusive alternatives to the masculine noun.

A more complex situation occurs when terms refer to both natural persons and legal entities. For example, an *operatore economico* ['economic operator'] is “any natural or legal person or public entity or group of such persons and/or entities [...] which offers the execution of works and/or a work, the supply of products or the provision of services on the market” (Directive 2014/24/EU, Art. 2(1)). By definition, the concept includes natural and legal persons. When the term refers to a natural person, it may be necessary to use the feminine form *operatrice economica* for female economic operators or a split form for mixed-sex groups. However, when referring to a legal entity, the term can remain in the original masculine form as defined in the EU Directive. Attributing gender to a legal entity would be artificial and unnecessary from both a legal and linguistic viewpoint. Using split forms could also falsely suggest that the concept refers exclusively to natural persons. Therefore, from a legal point of view, maintaining the (generic) masculine form ensures clarity and avoids unnecessary complications in the interpretation of the legal concept. Especially in definitions of legal agentives, the reference will never be to a specific natural person. When defining legal agentives that refer to both natural and legal persons like economic operator, a very good option is using the invariable designation *soggetto* ['subject'], which includes them all. After having understood this possibility, the students strived to use invariable and gender-inclusive nouns that can be referred to both natural persons and legal entities, such as *soggetto* ['legal entity'] or *parte* ['party'], the latter primarily in the context of lawsuits and contracts.

A further example concerns terms that designate legal bodies or abstract functions. For instance, in the language of law and politics, the term *legislatore* ['legislature'] generally refers to the source of law production. Although it is grammatically masculine and has the form of an agentive, it is often considered conceptually neutral as it denotes an institution or, in an abstract sense, legislative power as a whole. In this case, it is possible to opt for inclusive alternatives, such as *potere legislativo* ['legislative power'] when referring to the abstract concept or *organo legislativo* ['legislative body'] when referring to a concrete body. An inclusive phrase like *chi*

*esercita il potere legislativo* [‘who holds legislative power’] may also be a viable option in some contexts.

Ultimately, being able to identify agentives correctly and use them appropriately in legal contexts is crucial for avoiding ambiguities and ensuring legal clarity, correctness and precision.

#### 4.2 Ensuring preservation of legal meaning

In the legal context, word choice must be extremely precise, as similar terms can carry distinct meanings and lead to different interpretations. The use of inclusive language should not introduce ambiguity or alter the legal meaning of a text. This can happen when sensible suggestions from guidelines for inclusive writing are applied without understanding their effects on legal meaning (cf. Robustelli 2012: 15), as the students sometimes did.

For example, a frequent suggestion found in guidelines is to replace generic masculine agentives with collective nouns or nouns indicating a function (cf. Robustelli 2012: 21; Provincia autonoma di Bolzano 2024: 8). While the guidelines emphasise that such replacements are not always possible or correct in all contexts, this warning is easily overlooked by people without in-depth legal knowledge. Consider, for example, the possibility of replacing *Presidente del Consiglio dei Ministri* [‘(male) President of the Council of (male) Ministers’] or the shorter form *Presidente del Consiglio* [‘(male) President of the Council’] with *Presidenza del Consiglio (dei Ministri)* [‘Presidency of the Council (of Ministers)’]. The *Presidente del Consiglio* is the head of government, presides over the Council of Ministers and heads the *Presidenza del Consiglio*. The *Presidenza*, however, refers to the administrative structures that the *Presidente* relies on to perform their functions, which are organised into departments and offices. Replacing the first term with the second could distort the legal meaning of a text, erroneously attributing to the *Presidenza del Consiglio* powers that are reserved exclusively for the *Presidente del Consiglio*. For instance, changing the definition “person nominated by the President of the Council” to “person nominated by the Presidency of the Council” with the aim of making it more inclusive could introduce an error. The Presidency is a supporting body and does not hold the same authority as the President, who has decision-making powers (cf. Legislative Decree No. 303/1999, Art. 2). In such cases, it would be preferable to use a split form, ensuring both legal accuracy and inclusion, at least for female presidents.

In legal discourse, it is essential to use precise and accurate terms to warrant their correct legal interpretation. While inclusion is an important objective, it must not come at the expense of clarity and legal precision (cf. Accademia della Crusca 2023: 1; MIUR 2018: 7, 18; Robustelli 2012: 15). Consequently, inclusive rewordings must be carefully assessed to ensure they align with the original meaning of the text.

#### 4.3 Identifying non-alterable legal terms

In legal language, there are terms that are difficult to change to make them more inclusive because they are set in law or are the result of established traditions. They should retain their exact wording to prevent ambiguities and ensure effective legal communication.

Consider the concept of *buon padre di famiglia* [‘good family father’]. In civil law, it serves as a benchmark to gauge the level of care, attention and diligence an average person should

exercise in fulfilling contractual obligations. It is comparable to *due diligence*. The designation of the concept has a long story within the Italian legal system and can be seen as particularly outdated and sexist. Other countries, notably France and Belgium, are changing the designation for their equivalent concepts of *bon père de famille*. In Belgium, the preference is now for *personne normalement prudente et diligente* [‘ordinarily prudent and reasonable person’] or *personne prudente et raisonnable* [‘prudent and reasonable person’] (cf. Fernandez Dominguez 2020: 2); in France, for *personne raisonnable* [‘reasonable person’] (cf. Gałuskina 2017: 76). However, such development has not yet taken place in Italy. The traditional designation refers to a specialised meaning consolidated over time through judicial and scholarly interpretation. Any alternative wording could be interpreted differently, leading to uncertainties in applying the legal concept (cf. Morra/Bazzanella 2002).

It is clear that this case and other potentially sexist expressions need a more contemporary and inclusive designation. A positive example comes from Italian family law where *patria potestà* [‘paternal power’] became *responsabilità genitoriale* [‘parental responsibility’] following various legal reforms (cf. Chiochetti/De Camillis/Stanizzi 2019: 121). However, such changes should be favoured by relevant actors – primarily the legislature – whose role is to interpret, analyse, and, if necessary, amend legal language to ensure clarity, precision and appropriateness in line with societal evolution.

#### 4.4 Preserving clarity, comprehensibility and accessibility

Clarity, comprehensibility and accessibility are crucial in formulating good legal definitions. Following public administration guidelines, we decided against using symbols and neomorphemes, as they might not be accessible or understandable for everyone. This includes people with reading disabilities, users of screen readers for the visually impaired and those who are simply not familiar with these writing strategies. But also all other strategies proposed by guidelines for inclusive writing should ensure clarity and precision in legal discourse. As recognised by the students during exchanges with the tutors, split forms, such as *candidati e candidate* [‘(male and female) candidates’], stretch the text and may be perceived as redundant, especially if used repeatedly and systematically. Too many collective nouns, like *corpo docente* [‘teaching body’], may render a text more impersonal and less engaging. Periphrases used for reasons of inclusive writing are longer and may impair precise legal interpretation. For example, *rappresentante dei lavoratori per la sicurezza* [‘representative of the (male) employees regarding safety’] has a specific definition in Legislative Decree No. 81/2008. An inclusive alternative like *chi rappresenta la forza lavoro per la sicurezza* [‘who represents the workforce regarding safety’] is not defined and not used in legal texts, handbooks or case law. By avoiding a legally defined term that has become established over time and has been explained and interpreted in many legal sources, there is a risk of losing all the intertextual references that help to ensure legal certainty. This posed notable challenges to the four volunteer students, who often initially opted for split forms even when viable gender-inclusive alternatives were possible. They felt more confident in applying systematic rules than looking for specific solutions for each case, probably due to a lack of legal knowledge.

Despite all these caveats, writing inclusive definitions of legal agentives is possible and desirable. However, it is important that any change be carefully evaluated in order not to compromise

the original legal meaning or the clarity and comprehensibility of the texts. Sometimes, we have achieved inclusive definitions that were even better and more precise than the original ones. For example, the concept *detentore dei rifiuti* [‘waste owner’] from environmental law was originally defined as *produttore dei rifiuti o persona fisica o giuridica che ne è in possesso* [‘producer of waste or natural or legal person who possesses it’] in *bistro*. With the objective of removing the generic masculine term *produttore* [‘producer’] we found two good alternatives: *persona fisica o giuridica che ha prodotto dei rifiuti o ne è in possesso* [‘natural or legal person who has produced or possesses waste’] and *soggetto che ha prodotto dei rifiuti o ne è in possesso* [‘subject who has produced or possesses waste’]. Both are inclusive and at the same time clear and correct from a legal point of view. The specialised knowledge of the tutor with a degree in law proved essential in finding these alternatives.

## 2 Conclusion

This paper addresses the possibilities of rewriting a set of definitions of legal agentives contained in the Information System for legal Terminology *bistro*, illustrating the limitations and challenges encountered. The terminological entries published in *bistro* are primarily consulted by local public administration staff. Therefore, strategies for inclusive writing that are not accepted by language authorities and excluded from many relevant guidelines – including those published by the local public administration – have not been considered. We have shown that it is often possible to rephrase definitions using the traditional generic masculine to be more inclusive. However, not all definitions are easy to rewrite with the aim of including all genders. Sometimes, split forms are the only viable option.

Striving for inclusion while aiming for clarity and precision seems an impossible balancing act. It is always important to avoid implementing suggestions found in guidelines in a systematic way because they might not be acceptable or adequate in all contexts. For example, we have seen that replacing or modifying some agentives may lead to incorrect legal information or reduce clarity and precision since the intertextual reference to a legally established and defined concept might be lost. For similar reasons, systematically replacing masculine forms with split forms is not always the only or best solution, albeit sometimes an easy one.

Acceptable compromises are often available, as the examples in the paper show. However, doubts remain, for example, when agentives are not intended to refer to natural persons but to legal entities. It is not always simple or even possible to distinguish every occurrence of an agentive based on whether it refers to a legal entity or the person embodying an abstract legal entity. Equally problematic are agentives used to refer to mixed groups of natural and legal persons. The students working on the case study often struggled with finding alternative formulations that were correct and that could, for example, avoid using split forms. Very often, good solutions could only be found by individuals having in-depth knowledge of the legal domain in addition to a good overview over the possible strategies for inclusive writing.

In this respect, involving language mediation rather than law students is a clear limitation. The four undergraduates in language mediation struggled with understanding when nouns were referred to natural persons and/or legal entities. Despite the advice given by tutors, they rarely took the time to look for in-depth legal information before proposing amendments to existing definitions. They also had difficulties in understanding the legal consequences of solutions

proposed in guidelines depending on the context (e. g. replacing *presidente* with *presidenza*). Sometimes, they seemed to favour a one-fits-all solutions like using split forms in a systematic way or even proposing the use of asterisks to obtain gender-inclusive forms. It would be interesting to repeat the study with law students. On the one hand, law students could be more aware of the missing recognition of other genders besides the binary genders in Italy and influenced by the traditional use of the generic masculine in the legal domain. On the other hand, they could be more confident in proposing legally correct and inclusive alternative definitions of legal agentives.

Further limitations include the short internship duration, small student count and their homogenous gender and age. For example, we have only episodic evidence that the younger generations of Italian speakers might be more open to female forms of agentives that older generations would consider invariable and epicene (e. g. *membro*, *soggetto*) but not enough data to confirm the trend.

## References

- Accademia della Crusca (2011) *Cos'è "La Crusca per voi"*. [accademiadellacrusca.it/it/contenuti/cose-la-crusca-per-voi/6942](http://accademiadellacrusca.it/it/contenuti/cose-la-crusca-per-voi/6942) [19.01.2026].
- Accademia della Crusca (2023): *Risposta al quesito sulla scrittura rispettosa della parità di genere negli atti giudiziari posto all'Accademia della Crusca dal Comitato Pari opportunità del Consiglio direttivo della Corte di Cassazione*. Accademia della Crusca. [accademiadellacrusca.it/Media?c=54099131-d9f9-4f94-b999-e7aa4646b317](http://accademiadellacrusca.it/Media?c=54099131-d9f9-4f94-b999-e7aa4646b317) [08.04.2025].
- Bengoechea, Mercedes (2017): "Agentives for Women, a Gap Still to Fill: Dismissing Non-Sexist Language Policies in Terminological Resources". In: Faini, Paola (ed.): *Terminological Approaches in the European Context*. Cambridge, Cambridge Scholars Publishing: 200–221.
- Cavagnoli, Stefania (2013): *Linguaggio giuridico e lingua di genere: una simbiosi possibile*. Alessandria: Dell'Orso.
- Cavagnoli, Stefania (2019): "Linguaggio giuridico europeo e italiano nella prospettiva linguistica di genere. In: Cavagnoli, Stefania/Mori, Laura (eds.): *Gender in legislative language. From EU to national law in English, French, German, Italian and Spanish*. Berlin, Frank & Timme: 143–182.
- Chiochetti, Elena/De Camillis, Flavia/Stanizzi, Isabella (2019): „Terminologische Herausforderungen bei Gesetzesänderungen am Beispiel des Familienrechts“. In: Simonnæs, Ingrid/Christiansen, Marita (eds.): *Legal translation: Current Issues and Challenges in Research, Methods and Application*. Berlin, Frank & Timme: 113–128.
- Comandini, Gloria (2021): "Indagine su un corpus di italiano scritto informale sul web". *Testo e Senso* 23: 43–64.
- Cortelazzo, Michele (2024): "Davvero 'le professioni hanno un nome preciso' e non vengono declinate per genere? Osservazioni di storia della lingua italiana". *Linguistik online* 132, 8/24: 29–40. doi: 10.13092/lo.132.11443.
- Cortelazzo, Michele/Pellegrino, Federica (2003): *Guida alla scrittura istituzionale*. Roma: Laterza.

- D'Achille, Paolo (2023): *Ancora problemi di genere: ci sono donne anche tra pedoni, personaggi, draghi, mostri e geni!* [accademiadellacrusca.it/it/consulenza/ancora-problemi-di-genere-ci-sono-donne-anche-tra-pedoni-personaggi-draghi-mostri-e-geni/28443](http://accademiadellacrusca.it/it/consulenza/ancora-problemi-di-genere-ci-sono-donne-anche-tra-pedoni-personaggi-draghi-mostri-e-geni/28443) [08.04.2025].
- Dell'Anna, Maria Vittoria (2019): "Genere e rappresentazione del femminile nei testi del diritto e dell'amministrazione in Italia". *Kwartalnik Neofilologiczny* LXVI 2: 353–360. doi: 10.24425/kn.2019.128409.
- Dipartimento della Funzione Pubblica (1993): *Codice di stile delle comunicazioni scritte ad uso delle amministrazioni pubbliche. Proposta e materiali di studio*. Roma: Istituto poligrafico.
- Fernandez Dominguez, Sébastien (2020) : *L'appréciation in abstracto du bon père de famille en responsabilité civile : analyse et comparaison des solutions données en droit belge et en droit anglais*. Dissertation, Université catholique de Louvain.
- Fioritto, Alfredo (2009): *Manuale di stile dei documenti amministrativi*. Bologna: Il Mulino.
- Fusco, Fabiana (2020): "L'abitudine fa la sindaca e l'avvocata'. Il genere femminile nella lingua italiana, anche a partire da Alma Sabatini". In: Somma, Anna Lisa/Maestri, Gabriele (eds.): *Il sessismo nella lingua italiana. Trent'anni dopo Alma Sabatini*. Pavia, Blonk: 37–58.
- Gałuska, Ksenia (2017) : « Le standard juridique de bon père de famille et la symétrie entre les expressions bon père de famille et bonne mère de famille en droit français ». *Roczniki Humanistyczne* 65/8: 75–86. doi: 10.18290/rh.2017.65.8-6.
- Giusti, Giuliana (2022): "Inclusività della lingua italiana, nella lingua italiana: come e perché. Fondamenti teorici e proposte operative". *DEP. Rivista telematica di studi della memoria femminile* 48/1: 1–19.
- Gualdo, Riccardo/Telve, Stefano (2021): *Linguaggi specialistici dell'italiano*. Roma: Carocci. IATE – *Interactive Terminology for Europe*. [iate.europa.eu](http://iate.europa.eu) [08.04.2025].
- Information System for Legal Terminology *bistro*. [bistro.eurac.edu/](http://bistro.eurac.edu/) [08.04.2025].
- Jakubiec, Marek (2022): "Legal Concepts as Mental Representations". *International Journal for the Semiotics of Law* 35: 1837–1855. doi: 10.1007/s11196-021-09853-7.
- Legacoop Romagna (2021): *Le linee guida su politiche e linguaggio di genere in azienda*. Legacoop Romagna. [legacoopromagna.it/2021/10/20/le-linee-guida-su-politiche-e-linguaggio-di-genere-in-azienda/](http://legacoopromagna.it/2021/10/20/le-linee-guida-su-politiche-e-linguaggio-di-genere-in-azienda/) [08.04.2025].
- Margiotta, Stefano (2021): "Certeza del diritto e diritto positivo". *Nomos – Le attualità nel diritto* 1: 1–37. [nomos-leattualitaneldiritto.it/wp-content/uploads/2021/06/3.-S.-Margiotta-Certeza-del-diritto-e-diritto-positivo.pdf](http://nomos-leattualitaneldiritto.it/wp-content/uploads/2021/06/3.-S.-Margiotta-Certeza-del-diritto-e-diritto-positivo.pdf) [08.04.2025].
- MIUR – Ministero dell'Istruzione, dell'Università e della Ricerca (2018): *Linee guida per l'uso del genere nel linguaggio amministrativo del MIUR*. MIUR. [mim.gov.it/documents/20182/0/Linee\\_Guida\\_+per\\_1\\_uso\\_del\\_genere\\_nel\\_linguaggio\\_amministrativo\\_del\\_MIUR\\_2018.pdf](http://mim.gov.it/documents/20182/0/Linee_Guida_+per_1_uso_del_genere_nel_linguaggio_amministrativo_del_MIUR_2018.pdf) [08.04.2025].
- Mori, Laura (2019): "La sociolinguistica dei corpora per lo studio della lingua inclusiva di genere". In: Cavagnoli, Stefania/Mori, Laura (eds.): *Gender in legislative language. From EU to national law in English, French, German, Italian and Spanish*. Berlin, Frank & Timme: 39–65.
- Morra, Lucia/Bazzanella, Carla (2002): "Considerazioni sul buon padre di famiglia". *Rivista critica del diritto privato* 4: 529–563.

- Pacella, Gemma (2020): “Il particolare plurale”. In: Somma, Anna Lisa/Maestri, Gabriele (eds.): *Il sessismo nella lingua italiana. Trent’anni dopo Alma Sabatini*. Pavia, Blonk: 125–133.
- Parigiani, Roberta (2024:) “Corpi, prassi e pratiche alla luce della sentenza 143/2024 della Corte Costituzionale”. *BioLaw Journal* 3: 35–49. doi: 10.15168/2284-4503-3187.
- Provincia autonoma di Bolzano (2024): *Direttive per il linguaggio di genere*. 3rd ed. Bolzano: Provincia autonoma di Bolzano. [https://assets-eu-01.kc-usercontent.com/e6f8f5ff-b94b-01fb-b36f-926b5e8f8000/123261ed-e32f-4934-beea-67f6a8db3bb4/Richtlinien\\_ita\\_nov2024\\_DEF.pdf](https://assets-eu-01.kc-usercontent.com/e6f8f5ff-b94b-01fb-b36f-926b5e8f8000/123261ed-e32f-4934-beea-67f6a8db3bb4/Richtlinien_ita_nov2024_DEF.pdf) [19.01.2026].
- RaDT – Rat für Deutschsprachige Terminologie (2025): *Gendern und Terminologie. Eine Orientierungshilfe für die Terminologieverwaltung*. publikationen.radt.org/RaDT\_Gendern\_2025\_deutsch.pdf [08.04.2025].
- Ralli, Natascia/Evers, Elisabeth (2024) “To gender or not to gender, that is the question: gender-inclusive language in the legal context”. *Terminology Science & Research* 27: 75–92. [journal-eaft-aet.net/index.php/tsr/article/view/7157/7491](http://journal-eaft-aet.net/index.php/tsr/article/view/7157/7491) [08.04.2025].
- Robustelli, Cecilia (2012): *Linee guida per l’uso del genere nel linguaggio amministrativo*. [accademiadellacrusca.it/sites/www.accademiadellacrusca.it/files/page/2013/03/08/2012\\_linee\\_guida\\_per\\_luso\\_del\\_genere\\_nel\\_linguaggio\\_amministrativo.pdf](http://accademiadellacrusca.it/sites/www.accademiadellacrusca.it/files/page/2013/03/08/2012_linee_guida_per_luso_del_genere_nel_linguaggio_amministrativo.pdf) [08.04.2025].
- Robustelli, Cecilia (2014): *Donne, grammatica e media. Suggestimenti per l’uso dell’italiano*. Ariccia: Giulia Giornaliste. [accademiadellacrusca.it/sites/www.accademiadellacrusca.it/files/page/2014/12/19/donne\\_grammatica\\_media.pdf](http://accademiadellacrusca.it/sites/www.accademiadellacrusca.it/files/page/2014/12/19/donne_grammatica_media.pdf) [08.04.2025].
- Robustelli, Cecilia (2017): *Donne al lavoro (medico, direttore, poeta): ancora sul femminile dei nomi di professione*. [accademiadellacrusca.it/it/consulenza/donne-al-lavoro-medico-di-direttore-poeta-ancora-sul-femminile-dei-nomi-di-professione/1237](http://accademiadellacrusca.it/it/consulenza/donne-al-lavoro-medico-di-direttore-poeta-ancora-sul-femminile-dei-nomi-di-professione/1237) [08.04.2025].
- Sabatini, Alma (1987): *Il sessismo nella lingua italiana*. Roma: Presidenza del Consiglio dei Ministri.
- TERMDAT. *The Federal Administration’s terminology database*. [termdat.bk.admin.ch](http://termdat.bk.admin.ch) [08.04.2025].
- Thornton, Anna M. (2020): *Per un uso della lingua italiana rispettoso dei generi*. Aquila, Università degli Studi dell’Aquila. [univaq.it/include/utilities/blob.php?item=file&table=allegato&id=4925](http://univaq.it/include/utilities/blob.php?item=file&table=allegato&id=4925) [08.04.2025].
- UNI – Ente italiano di normazione (2024): *Comunicazione inclusiva: linee guida per la parità di genere nel linguaggio*. UNI. [uni.com/wp-content/uploads/LineeGuida\\_LinguaggioParitaGeneriDEFINITIVO.pdf](http://uni.com/wp-content/uploads/LineeGuida_LinguaggioParitaGeneriDEFINITIVO.pdf) [08.04.2025]

## Legal References

- Constitution of the Italian Republic: Senato della Repubblica: *Constitution of the Italian Republic*. [senato.it/documenti/repository/istituzione/costituzione\\_inglese.pdf](http://senato.it/documenti/repository/istituzione/costituzione_inglese.pdf) [08.04.2025].
- Constitutional Court: Corte Costituzionale: “Sentenza 143/2024, 23/07/2024”. [cortecostituzionale.it/actionSchedaPronuncia.do?param\\_ecli=ECLI:IT:COST:2024:143](http://cortecostituzionale.it/actionSchedaPronuncia.do?param_ecli=ECLI:IT:COST:2024:143) [08.04.2025].
- Directive 2014/24/EU: “Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC”. *EUR-Lex, Official Journal of the European Union* (2014). [eur-lex.europa.eu/eli/dir/2014/24/oj/eng](http://eur-lex.europa.eu/eli/dir/2014/24/oj/eng) [19.01.2026].

- CFREU: EU “Charter of Fundamental Rights of the European Union”. *Official Journal of the European Communities* 2000, C 364/01. [europarl.europa.eu/charter/pdf/text\\_en.pdf](http://europarl.europa.eu/charter/pdf/text_en.pdf) [08.04.2025].
- Legislative Decree No. 81/2008: “Attuazione dell’articolo 1 della legge 3 agosto 2007, n. 123, in materia di tutela della salute e della sicurezza nei luoghi di lavoro. (Decreto legislativo 9 aprile 2008, n. 81)”. *Gazzetta Ufficiale della Repubblica Italiana*. [www.gazzettaufficiale.it/eli/id/2008/04/30/008G0104/sg](http://www.gazzettaufficiale.it/eli/id/2008/04/30/008G0104/sg) [08.04.2025].
- Legislative Decree No. 198/2006: “Codice delle pari opportunità tra uomo e donna, a norma dell’articolo 6 della legge 28 novembre 2005, n. 246 (Decreto legislativo 11 aprile 2006, n. 198)”. *Gazzetta Ufficiale della Repubblica Italiana*. [www.gazzettaufficiale.it/eli/id/2006/05/31/006G0216/sg](http://www.gazzettaufficiale.it/eli/id/2006/05/31/006G0216/sg) [08.04.2025].
- Legislative Decree No. 267/2000: “Ripubblicazione del testo del decreto legislativo 18 agosto 2000, n. 267, recante: ‘Testo unico delle leggi sull’ordinamento degli enti locali’, corredato delle relative note (Decreto legislativo 18 agosto 2000, n. 267)”. *Gazzetta Ufficiale della Repubblica Italiana*. [www.gazzettaufficiale.it/eli/id/2000/10/30/00A13719/sg](http://www.gazzettaufficiale.it/eli/id/2000/10/30/00A13719/sg) [08.04.2025].
- Legislative Decree No. 303/1999: “Ordinamento della Presidenza del Consiglio dei Ministri, a norma dell’articolo 11 della legge 15 marzo 1997, n. 59 (Decreto legislativo 30 luglio 1999, n. 303)”. *Gazzetta Ufficiale della Repubblica Italiana* [www.gazzettaufficiale.it/eli/id/1999/09/01/099G0366/sg](http://www.gazzettaufficiale.it/eli/id/1999/09/01/099G0366/sg) [08.04.2025].
- Provincial Law No. 5/201: “Legge della Provincia autonoma di Bolzano sulla parificazione e sulla promozione delle donne e modifiche a disposizioni vigenti (Legge provinciale 8 marzo 2010, n. 5)”. *Gazzetta Ufficiale della Repubblica Italiana*. [www.gazzettaufficiale.it/eli/id/2011/01/22/010R1439/s3](http://www.gazzettaufficiale.it/eli/id/2011/01/22/010R1439/s3) [08.04.2025].
- Regional Law No. 6/2014: “Legge Quadro per la parità e contro le discriminazioni di genere (Legge regionale 27 giugno 2014, n. 6)”. *Gazzetta Ufficiale della Repubblica Italiana*. [www.gazzettaufficiale.it/eli/id/2014/08/02/14R00292/s3](http://www.gazzettaufficiale.it/eli/id/2014/08/02/14R00292/s3) [08.04.2025].