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Walk the Talk on Gender Equality: Is the Language of EU Institutions' Staff Regulations Really Gender Neutral?

Predicar con el ejemplo en materia de igualdad de género: ¿el lenguaje del Estatuto de los Funcionarios de las Instituciones de la UE es realmente neutral?

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Abstract: This paper analyses the discourse surrounding the legal framework that governs the career of civil servants working within European Union Institutions, focusing on how equality and diversity values are communicated and embedded in daily professional life. The study employs a methodological approach that examines the discourse found in applicable Human Resources legal provisions currently in use. Particular attention is given to the linguistic features of terminology related to gender and inclusiveness. The research indentifies areas where the language used in the EU human resource legal framework could be improved for the benefit of all staff.
Keywords: corpus-based discourse analysis; human resources management; European institutions; gender neutral language.
Summary: Introduction. Research Hypothesis. Literature Review. Methodology. Research Findings. Conclusions.

Resumen: Este artículo examina el discurso presente en el marco jurídico que regula la carrera profesional de los funcionarios públicos de las instituciones de la Unión Europea, con especial atención a la manera en que se comunican los valores de igualdad y diversidad en la vida laboral cotidiana. El estudio adopta un enfoque metodológico centrado en el análisis del discurso contenido en las disposiciones legales vigentes en materia de recursos humanos. Asimismo, se analizan de forma detallada las características lingüísticas de la terminología relacionada con el

género y la inclusión. El trabajo concluye señalando diversas áreas en las que el lenguaje utilizado en el marco jurídico de los recursos humanos de la UE podría mejorarse en beneficio de todo el personal.
Palabras clave: análisis del discurso basado en corpus; gestión de recursos humanos; instituciones europeas; lenguaje inclusivo.
Sumario: Introducción. Hipótesis de la investigación. Marco teórico. Metodología. Resultados de la Investigación. Conclusiones.

INTRODUCTION

Equality between women and men is a fundamental principle of the European Union, enshrined in its founding treaties. Article 8 of the Treaty on the Functioning of the European Union (TFEU) states that: "In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women" (European Council, *Consolidated Version of the Treaty on the Functioning of the European Union*). Since its ratification in 2000, the Charter of Fundamental Rights of the European Union explicitly fosters equality between women and men. The text is legally binding for all Member States of the European Union and for all the European Institutions.

Nevertheless, a first reading of the EU Institutions' staff policies shows that they are written in a language that does not reflect the fundamental EU value of equality between women and men.

1. RESEARCH HYPOTESIS

The aim of this paper is to analyse the use of the English language in the context of the human resources (HR) management of EU Institutions. The research hypothesis is that the language of internal HR policies and legal texts is not inclusive and does not foster or inspire gender equality.

The first consideration, which is plainly evident, is that the language of the EU Staff Regulations (European Council, *Regulation No. 31 (EEC)*) and their HR implementing provisions are simply not gender neutral (McConnell-Ginet; European Parliament, *Gender Neutral Language*). Unmarked masculine forms (Gathercole; Pauwels; Sulis and Gheno) are used in the vast majority of the texts, as provided for in Article 1 of the EU Staff Regulations (1c).

The clash of narratives with the high-level texts (i.e., the Founding Regulations) vis-à-vis the secondary legislation (Staff Regulations) is

reinforced by the reading of the language on the principles of equality and diversity as integrated into the Treaties founding the European Union, and in particular as stipulated by Article 2 of the Treaty on European Union, on the EU values:

> The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail. (European Council, *Consolidated Version of the Treaty of the European Union* 17)

The significance of this research lies in the European Union's historical role in shaping the principles of equality and diversity. The core of the European Union is strongly based on the values of democracy, the rule of law and the equal treatment of its citizens, who are celebrated for their diversity.

As these represent core values of the European Union, reflected in its motto "United in diversity," it is highly relevant to examine the discourse (Gee, *An Introduction; How to Do*) produced by "European Union in action" and to assess the consistency in how these values are understood and implemented within EU institutional workplaces.

In particular, this research aims to show that the Discourse of HR legal texts and policies used in the European Institutions (hereinafter referred to as EU HRM legal corpus) is not inclusive and cannot be considered as a good example of gender neutrality.

2. LITERATURE REVIEW

With the aim of investigating the Discourse on internal HR management, it is important to define, in the first place, the term "discourse." This is not an easy task, and different scholars have tried to frame its definition over the past decades, contributing to the creation of a sociolinguistics discipline called discourse analysis (Antelmi; Baker, *Sociolinguistics; Using Corpora in Discourse Analysis; Using Corpora to Analyse Gender*; Fairclough, "Discourse and Text;" Gee, *An Introduction; How to Do*; Halliday, *An Introduction*; *Explorations*; Harris; Paltridge; Tannen et al.; van Dijk, *Critical Discourse Analysis*; Wodak and Meyer).

A comprehensive definition of discourse has been given by Tannen et al., according to whom there are three main categories of discourse:

1) Any text that goes beyond a simple sentence.
2) The language in use, in particular how people are "performing" language, for example in interactions, conversations, etc.
3) A broader range of social practices may include non-linguistic and non-specific occurrences of language use. In such sense, discourse includes social interactions and common understandings, as included in a broad system of thoughts and speaking acts regulated by social rules at a particular point in time).

This last category of Discourse, as considered for this study, is defined by James Gee (*An Introduction; How to Do*) as "big D" Discourse, i.e., a system of meaning or ideology that is built in the common interaction among participants. Discourse contrasts with discourse (lowercase), which is simply an instance of communicative acts in a given language (Gee, *An Introduction; How to Do*).

In this context, within the dimension of discursive practice, it is extremely important for this research that language can be a bearer of change; language creates culture, opinions and practices; it is closely linked to the power of the participant in a Discourse (Fairclough, "Discourse and Text;" *Language and Power*). By choosing a certain word in a text, we highlight our attitude and our convictions. The words we choose make us feel like a part of a community define our identity (Fairclough, "Discourse and Text;" *Language and Power*; van Dijk; Baker, *Using Corpora in Discourse Analysis*; Wodak and Meyer; Gee, *An Introduction; How to Do*).

To analyse the Discourse used in the staff legal framework of EU Institutions, this paper takes into account aspects related to Discourse in the workplace and identity building (Alvesson and Kärreman; Bhatia, "Simplification;" *Analysing Genre*; Cotter and Marschall; Grant and Iedema; Holmes; Kärreman; Koester; Kutatlezde; Mautner; Mayr, *Language and Power;* "Institutional Discourse;" McQuaid et al.; Rodríguez; Shen et al.; ten Thije and Maier; Wodak et al.).

The paper is also grounded in studies on the Discourse on equality and diversity, in particular in relation to gender neutrality (Ahmed; Baker,

"Language;" *Public Discourses*; Eckert and McConnell-Ginet; Goddard and Mean; Harrington et al.; Hankivsky; Özbilgin and Tatli; Talbot).

3. METHODOLOGY

Although there is a wide range of corpus-based resources on the European acquis (Baisa et al.; Steinberger et al.), this research focuses on the rules and legal provisions related to the management of human resources currently in force in EU Institutions.

A specialized corpus—the EU HRM legal corpus—was created specifically for this research; the corpus contains all the currently applicable staff rules for civil servants working for the institutions of the European Union. This corpus consists of fifty-eight documents (on forty-seven HR-related subject matters), and it includes different types of legal documents. The most important document of the corpus is the Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants (CEOS).[1] The corpus also includes 57 implementing provisions of the Staff Regulations, which are staff policies giving voice to the different rules applicable by virtue of the SR and CEOS.

The total amount of tokens in the corpus is ca. 216,000. Although the size of the corpus could be considered small, it is important to mention that its representativeness (Sinclair) is complete:

> The value of a corpus is clearly dependent not on its size but on what kind of information we can extract from it. Therein lies the importance of corpus tools; we need to have tools that can provide us with the information that we desire. (Anthony 146)

As mentioned, the corpus is specialized: its genre is well defined and the documents collected in the corpus are a complete set of all the applicable rules related to the management of staff working for the different EU institutions.

The main part of the research analysis will be devoted to the examination of semantical aspects, encompassing how meaning is created in particular instances and how EU values are reinforced with the use of a gender neutral language (Baker, *Using Corpora in Discourse Analysis*; Dooley and Levinsohn; Fairclough, "Discourse and Text;" Gee, *An*

[1] See: https://eu-careers.europa.eu/en/documents/regime-applicable-aux-autres-agents/.

Introduction; How to Do; Glynos et al.; Harris; Halliday, *An Introduction; Explorations*; Hodges et al.; Hyland; Jørgensen and Phillips; Maingueneau; Paltridge; Strauss and Feiz; Tannen et al.; van Dijk, *Critical Discourse Analysis*; Wodak and Meyer).

The use of language in the EU HRM legal corpus is being examined in the context in which it is utilized (Baker, *Using Corpora in Discourse Analysis*), following the idea that "language is not necessary discourse. Discourse is linked to context. Discourse requires participants. Discourse is built on responsivity. And Discourse is bounded by structure" (Strauss and Feiz 9).

The internal framework of rules and provisions sets the foundation of what all staff need to know and how they are expected to perform their duties. In fact, the Discourse of the EU HRM legal framework sets the performative view of the organisation vis-à-vis its workforce (Bréda et al.; Cotter and Marschall; Holmes). Because of organisational dynamics, everyone is faced with an established set of norms and rules, but also values that determine and contribute to the creation of one's own identity within the organisational structure (Baker, *Using Corpora in Discourse Analysis*; Cotter and Marschall; Edward; European Commission, *The Business Case for Diversity*; Gee, *An Introduction; How to Do*; Penas-Ibáñez and López-Sáenz).

Regarding the (per)use of the language in this communicative context, EU civil servants structure their experiences of reality (Foucault) and try to "digest" them as their own. In fact, as determined by Wodak and Fairclough ("Critical Discourse Analysis"), "organizations are socially constructed through acts of languaging which create situations, knowledge, social identities and relationship between people and groups" (258). This implies that organizations naturally bring together diverse individuals, and that establishing common ground can help improve cooperation and integration among all staff members (Bréda et al.).

In our opinion, if the management of equality, diversity, and gender neutrality is not consistent with the principles and values that have crafted the identity of the European Union itself, a dissonance might be perceived both internally by staff members and externally by the general public.

For the purpose of determining the discourse around the values of equality and diversity in the EU HRM legal corpus, the latter is analyzed in this research in the Austinian sense (Austin), i.e., Discourse as an overall "speech act." Consequently:

> Almost any speech act is really the performance of several acts at once, distinguished by different aspects of the speaker's intention: there is the act of saying something, what one does in saying it, such as requesting or promising, and how one is trying to affect one's audience. (Ingber 134)

This might seem like a bold assumption, but it should be noted that the EU HRM legal corpus prescribes and guides the behavior of all EU staff in the various stages of their working life in the EU institutions. Even the least qualified and experienced staff members consult the corpus, at least on some occasions, for guidance or to understand the rules governing their working life. As mentioned, the EU HRM legal corpus regulates the legal aspects related to career, working time, family allowances and emoluments, requests for special leave or pension management, together with the implementation of social measures and insurance entitlements.

Since the nature and the tone of the different provisions in the corpus are clearly prescriptive, it is to be expected that staff members receive equality and diversity discourse in the corpus as a well-established framework to embrace equality in EU institutions.

By analyzing various aspects of this discourse, this research highlights that organisational corporate texts are significant and entail a certain agency, which can make the difference in the EU internal context and its set of values (Cotter Marschall). As aforementioned, the overall Discourse on gender in the EU HRM legal corpus is considered insufficient to guarantee that gender mainstreaming is implemented successfully.

4. Research Findings

The first finding on the lack of gender neutrality refers to the use of unmarked masculine forms throughout the corpus, stemming from the first Article of the EU Staff Regulations, as mentioned in the introduction of this paper:

> Any reference in these Staff Regulations to a person of the male sex shall be deemed also to constitute a reference to a person of the female sex, and vice-versa unless the context clearly indicates otherwise. (European Council, *Regulation No. 31 (EEC)* 4)

As the plural form might be used in the English language (Pearce), the arguments for using only the masculine pronoun cannot be defended. This

article was firstly introduced with the reform of the Staff Regulations of 2004, supposedly to address gender neutrality.

It seems that article 1c of the Staff Regulations was introduced only as a disclaimer, hence denying responsibility for the absence of references to the feminine gender, and possibly to avoid revising the references to male staff members in most parts of the Staff Regulations. The concealed message of the legislator, however, becomes plainly evident as an attempt to avoid changing all the pronouns in the Staff Regulations and at the same time to raise awareness of the need to use inclusive language that respects the gender identity of female staff members.

The concordance of the pronoun "he" amounts to 506 hits in the entire corpus (Fig. 1), which is not surprising, given the caveat expressed in Article 1c, quoted above.

Fig. 1. KWIC results for the term "he"

Concordance Hits 506

Hit	KWIC	File
1	Article 55b of the Staff Regulations. He may do so by applying for	C(2004) 1314 Job sharing (1).txt
2	months' notice. In the latter case, he may be transferred or reassigned to	C(2004) 1314 Job sharing (1).txt
3	out in Articles 2 and 3, he shall be replaced by the designated	C(2004) 1318 Commission driver
4	reserve driver are not fully used, he shall remain available to the Commission'	C(2004) 1318 Commission driver
5	) of the Staff Regulations, if s/he is physically and mentally able to	C(2004) 1318 Recruitment of dis:
6	a mental or physical impairment, s/he shall state in his/her report	C(2004) 1318 Recruitment of dis:
7	, as determined below, is provided. S/He shall also state whether in his/	C(2004) 1318 Recruitment of dis:
8	months after the date on which he attains this age. The request must	C(2004) 1364 Calculation of pens
9	months of the date on which he is notified of the amount to	C(2004) 1364 Calculation of pens
10	of the child can prove that he or she actually and habitually lives.	C(2004) 1364 Family allowances.
11	's brother or sister, even if he or she has no means whatsoever,	C(2004) 1364 Household allowan
12	official's household and 20% where he or she does; for the remaining	C(2004) 1364 Persons to be treat
13	child is requested or of which he or she is the usufructuary. This	C(2004) 1364 Persons to be treat
14	, the official must provide evidence that he or she is contributing regularly to	C(2004) 1364 Persons to be treat
15	former member of a European institution. He/she shall be remunerated on a	C(2004) 1588 Disciplinary proced
16	certificate promptly to the Medical Service he or she must notify or have	C(2004) 1597 Absences of sickne
17	the official is unable to travel, he or she must notify the medical	C(2004) 1597 Absences of sickne
18	person concerned is fit to work, he or she shall immediately inform the	C(2004) 1597 Absences of sickne
19	grounds for a period during which he or she has already been authorised	C(2004) 1597 Absences of sickne
20	part-time working on medical grounds, he must ask the Medical Service?	C(2004) 1597 Absences of sickne

The second interesting feature of the research refers to the use of feminine forms. The pronoun "she" does not occur independently at any point in the text, revealing that gender sensitivity is not reflected in the text. There are only seven instances in the corpus where the combined form "he or she" is used. This renders the phrase in Article 1c—"and vice versa unless the context clearly indicates otherwise"—largely redundant, since the context never indicates otherwise.

In order to further explore the principle of gender sensitivity in language, it is necessary to analyze the use of masculine and feminine pronouns combined, not only in the Staff Regulations but also in the rest of the EU HRM legal corpus. The findings of the research point to the fact

that there is no consistency in the use of the terms "he" and "she." Different forms are used to express the subject or object in feminine or masculine form: "he," "she," "he or she," "he/she," "him," "her," "him/her," "him or her," "his," "her," "hers," "his/her," "his or her." In particular, to refer to both female and male, we can find in the corpus the combined forms "he or she," "he/she," "s/he."

It seems that the form "he/she" was included in the Staff Regulations' reform of 2004, which reveals that the inconsistency in the use of masculine and feminine pronouns responds to the different policies on linguistic diversity embedded in the EU HRM legal framework.

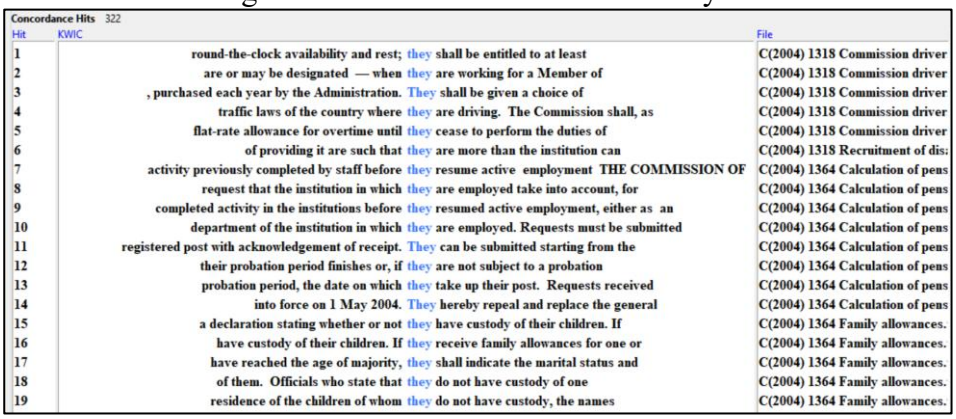
This is a crucial factor in determining the consistency in style of the various parts of the corpus, as diachronic variation, stemming from provisions written in different years, often plays a significant role.

The research showed that the use of the masculine stand-alone form or the masculine/feminine form in the corpus is rather inconsistent. It should be noted that the presence in the EU HRM legal corpus of the unmarked masculine form "he," for example, is rather limited in all implementing provisions. In these texts, in fact, the feminine form is used in combination with the masculine one in many instances, while in the Staff Regulations this is not the case; rather, the opposite holds. In the Staff Regulations, the use of the unmarked masculine form seems to be standard practice.

We can observe that the use of the masculine form is a settled and established practice in the Staff Regulations of Officials and Condition of Employment of Other Servants, while the combined masculine/feminine form is preferred over the unmarked masculine form in the language of implementing provisions. As mentioned, the consistency in such sense is also rather limited since there is no clear rationale for the use of the two forms. While there are certain exceptions as outlined below, the use of the unmarked masculine form may be perceived as discriminatory towards women (Gathercole; Pauwels; Sulis and Gheno).

The gender-neutral form "they," as recommended in the paper Gender Neutral Language of the European Parliament (European Parliament, *Gender Neutral Language*) is also not present in the corpus. The form "they" hits only 322 times in the corpus, and it is not always used to guarantee a better gender neutrality.

Fig. 2. KWIC results for the term "they"



Concordance Hits 322

Hit	KWIC	File
1	round-the-clock availability and rest; they shall be entitled to at least	C(2004) 1318 Commission driver
2	are or may be designated — when they are working for a Member of	C(2004) 1318 Commission driver
3	, purchased each year by the Administration. They shall be given a choice of	C(2004) 1318 Commission driver
4	traffic laws of the country where they are driving. The Commission shall, as	C(2004) 1318 Commission driver
5	flat-rate allowance for overtime until they cease to perform the duties of	C(2004) 1318 Commission driver
6	of providing it are such that they are more than the institution can	C(2004) 1318 Recruitment of dis:
7	activity previously completed by staff before they resume active employment THE COMMISSION OF	C(2004) 1364 Calculation of pens
8	request that the institution in which they are employed take into account, for	C(2004) 1364 Calculation of pens
9	completed activity in the institutions before they resumed active employment, either as an	C(2004) 1364 Calculation of pens
10	department of the institution in which they are employed. Requests must be submitted	C(2004) 1364 Calculation of pens
11	registered post with acknowledgement of receipt. They can be submitted starting from the	C(2004) 1364 Calculation of pens
12	their probation period finishes or, if they are not subject to a probation	C(2004) 1364 Calculation of pens
13	probation period, the date on which they take up their post. Requests received	C(2004) 1364 Calculation of pens
14	into force on 1 May 2004. They hereby repeal and replace the general	C(2004) 1364 Calculation of pens
15	a declaration stating whether or not they have custody of their children. If	C(2004) 1364 Family allowances.
16	have custody of their children. If they receive family allowances for one or	C(2004) 1364 Family allowances.
17	have reached the age of majority, they shall indicate the marital status and	C(2004) 1364 Family allowances.
18	of them. Officials who state that they do not have custody of one	C(2004) 1364 Family allowances.
19	residence of the children of whom they do not have custody, the names	C(2004) 1364 Family allowances.

In order to further explore the most interesting features related to the use of the masculine and feminine pronouns in the EU HRM legal corpus, this research throughly examined the provisions with a high degree of inconsistency in the use of those pronouns, as we can find examples where the combined "he/she" form is used, implying that both pronouns need to be included to ensure gender-inclusive language:

> The divorced spouse of an official or a former official shall be entitled to a survivor's pension, provided that, on the death of the former spouse, he/she can justify entitlement on his/her own account to receive maintenance from him by virtue of a court order or as a result of an officially registered settlement in force between himself/herself and his/her former spouse. (European Council, *Regulation No. 31 (EEC)* 121)

This example is excerpted from Article 27 of Annex VII, and it was added in the 2004 Staff Regulations reform. This example reveals that the addition seems to be in line with the ongoing non-sexist language practices in 2004, which tended to use both pronouns to avoid being interpreted as biased or discriminatory against women (Council of Europe).

There is another implementing provision, the Commission Decision on disciplinary procedures (C(2004) 1588), which also includes the same form "he/she." However, it is to be noted that other implementing provisions of the same period display the inconsistent use of either the unmarked masculine only or the combined "he or she" forms. A possible explanation for this could be related to the different drafters of the text or,

more specifically, to the chefs de file, which is the department within the Commission responsible for each subject matter.

These inconsistencies may, therefore, be attributed to their interpretation of the policies of the EU on the use of non-sexist language in documents and communications. Nonetheless, thorough scrutiny of the different rules on the same legal topic (in this case, pensions) confirms a lack of consistency in the use of gender pronouns that cannot be attributed to either the time when the provision was drafted or to the particular subject matter. The implementing provision on transfer of pension rights, for example, addresses the same subject matter, but uses the gender form "he and the combination "he or she" interchangeably, and never uses the form "he/she."

Another example is the implementing provision on absences because of sickness or accident (C(2004) 1957), where most gender forms are the combined "he or she," except for one instance where only the unmarked masculine pronouns "he" and "him" are used:

> Part-time work on medical grounds will be granted by the Medical Service either on its own initiative or following a request by the official or other servant. If it is the official or another servant who requests part-time work on medical grounds, he must ask the Medical Service for a medical examination and produce a reasoned attestation from the doctor treating him. (European Commission, *Absences*, 7)

Of the remaining implementing provisions which use an inconsistent mix of pronouns, two include all forms ("he," "he/she" and "he and she"), three include "he" and "he or she" and one includes "he" and "he/she." All data are reported in Table 1:

Table 1. Use of masculine and feminine pronouns in the different texts of the EU HRM legal corpus

Implementing provision	Masculine form only	Masculine and feminine	Mixed
Staff Regulation and Condition of Employment of Other Servants	he	he/she	yes
Job-sharing C(2004) 1314 of 14/04/2004	he		
Duties of Commission drivers C(2004) 1318 of 07/04/2004	he		
Recruitment of disabled persons C(2004) 1318 of 7/04/2004		s/he	
Calculation of pension rights C(2004) 1364 of 15/04/2004	he		
Persons treated as dependent child C(2004) 1364/2 of 15/04/2004		he or she	
Family allowances C(2004) 1364/4 of 15/04/2004		he or she	
Household allowance C(2004) 1364/4 of 15/04/2004		he or she	
Disciplinary procedures C(2004) 1588 of 28/04/2004 and C(2010) 8180 of 24/02/2010		he/she	
Sickness or accident absences C(2004) 1597/11 of 28/04/2004	he	he or she	yes
Anti-Harassment C(2006) 1624/3 of 26/04/2006		he or she	
Middle management C(2008) 5028/2 of 9/09/2008 and C92016) 3288 of 16/06/2016		he or she	

Missions guide C(2008) 6215 of 18/11/2008 and C(2017) 5323 of 27/09/2017		he or she	
Teleworking C(2009) 10224 of 18/12/2009 and C(2013) 9045 of 16/12/2013		he or she	
Temporary occupation of management posts C(2009) 7839 of 19/10/2009		he/she	
Family leave C(2010) 7494 of 05/11/2010		he/she	
Parental leave C(2010) 7572 of 05/11/2010		he/she	
Employment of Contract Staff C(2011) 1264 of 02/03/2011 and C(2013) 8967 of 16/12/2013	he	he or she and he/she	yes
Transfer of pension rights C(2011) 1278 of 03/03/2011	he	he or she	yes
Reclassification of CAs C(2013) 2529 of 03/05/2013 and C(2014) 2222 of 07/04/2014		he or she	
Assistance with home care or sick child C(2013) 4876 of 07/08/2013		he or she	
Outside activities C(2013) 9037 of 16/12/2013	he		
Classification C(2013) 8970 of 16/12/2013	he		
Working time C(2014) 2502 of 14/04/2014		he or she	
Part-time work C(2013) 9046 of 16/12/2013	he	he or she	yes
Leave C(2013) 9051 of 16/12/2013	he	he or she and he/she	yes
Education allowance C(2013) 8971 of 16/12/2013		he/she	

Place of origin C(2013) 8982 of 16/12/2013	he		
Removal expenses C(2013) 9040 of 16/12/2013	he		
Leave on personal grounds for officials . . . C(2013)9054 of 16/12/2013	he		
Appraisal of officials and temporary agents C(2013) 8985 of 16/12/2013	he	he or she	yes
Promotions C(2013) 8968 of 16/12/2013		he or she	
Reimbursement due to officials assigned non-EU C(2013) 8990 of 16/12/2013	he		
Housing policy C(2013) 8965 of 16/12/2013	he	he/she	yes
Living conditions allowance C(2013) 9032 of 16/12/2013		he/she	
Policies for engagement of temporary staff C(2013) 9049 of 16/12/2013	he		
Appraisal of contract staff C(2014) 2226 of 07/04/2014	he	s/he	
Adviser functions C(2016) 3214 of 07/06/2016	he		

Of particular interest is the provision on the engagement of contract staff (C(2013) 8967), where we can find a prevalence of the combined form "he or she," one instance in which the drafter included the form "he/she," and another instance in which only the variant "he" is included. The use of the inclusive or unmarked masculine form "he" in this provision is particularly revealing when analyzing non-sexist and gender-inclusive language within the EU legal framework since the pronoun refers to the role of the appeal assessor:

> The appeal assessor shall be the Director-General carrying out this duty at the moment of his or her first intervention in the appraisal procedure. He

> may delegate the role of appeal assessor to a member of senior management. (European Commission, Engagement 12)

The role of the appeal assessor is normally performed by the Director-General in the European Commission and the use of the inclusive "he" draws the attention to the fact that such prominent role in the hierarchy is usually held by a man. Thus, the use of the unmarked masculine form may affect the social perception of professional roles and "lead to a male bias in mental representations" (Horvath et al. 1).

This is a clear example of unmarked masculine form that supports an increase in male representation, contributing to making women less important in the workplace, especially beyond certain managerial levels. In contrast, when referring to the role of contract staff, which by nature does not involved any managerial responsibilities, a combination of masculine and feminine pronouns is present. The use of gender-fair alternatives, in this case, indicates that women can also be associated with this particular role.

To validate this hypothesis that word choice reflects implicit gender bias and may affect the social perception of professions, the implementing provision on the appraisal of contract staff (C(2014) 2226) was analyzed. This provision follows a remarkably similar pattern in the use of gender forms to the provision on the engagement of contract staff since the combined forms "he or she" are used when referring to the role of contract staff and the unmarked masculine pronoun "he" is used to refer to a countersigning officer:

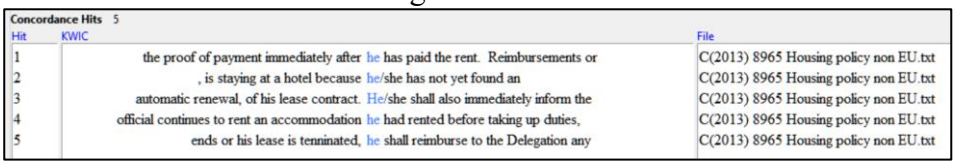
> The countersigning officer shall verify whether the appraisal procedure has been respected and whether the report has been drafted in a coherent manner, in accordance with these general implementing provisions and consistent with the Staff Member's performance. He shall confirm, complete or modify the report. (European Commission, Appraisal of Contract Staff 5)

It should be noted that, similarly to the appeal assessor, the countersigning officer is a manager, normally ranking as high as a director. This confirms that masculine pronouns are preferred for referring to high-ranking roles, while word pairs combining masculine and feminine pronouns are usually chosen when referring to low-ranking roles.

Another interesting example of inconsistent and biased use of gender forms in the corpus can be found in the implementing provision on housing

outside the EU. In this text, the variations included are "he/she" and "he." It is particularly interesting to note that "he" is the form used with verbs related to rent and payment—"rent," "reimburse," "pay"—and "he/she" is used with verbs related to arrangement and information—"find," "inform" (see Fig. 3).

Fig. 3. KWIC of the pronoun "he" in the implementing provision on housing outside the EU



Concordance Hits 5

Hit	KWIC	File
1	the proof of payment immediately after he has paid the rent. Reimbursements or	C(2013) 8965 Housing policy non EU.txt
2	, is staying at a hotel because he/she has not yet found an	C(2013) 8965 Housing policy non EU.txt
3	automatic renewal, of his lease contract. He/she shall also immediately inform the	C(2013) 8965 Housing policy non EU.txt
4	official continues to rent an accommodation he had rented before taking up duties,	C(2013) 8965 Housing policy non EU.txt
5	ends or his lease is tenninated, he shall reimburse to the Delegation any	C(2013) 8965 Housing policy non EU.txt

Without prejudice to the fact that pronoun choice might be unintentional, these patterns may reflect bias related to gender stereotypical roles, where the man is the one in charge of paying the rent and the woman the one in charge of practicalities, such as liaise with housing agents to find a place to rent and inform the administration:

> The use of words, phrases, and language constructions related to gender role stereotypes can reflect societal perceptions of strengths, gentleness, or household roles associated with certain genders. (Salsabila et al.)

In the corpus, there are also some examples where pronouns are not linked to gender stereotypes. One example can be found in the implementing provision on leave, where, as described above, the patterns of pronoun choice vary from the unmarked masculine form "he," to the more inclusive word pairs "he or she" and "he/she." It is worth mentioning that all the pronouns used in this text refer interchangeably to staff members as well as to the Appointing Authority, with no difference in the use of masculine *vis-à-vis* the role of management. It can, therefore, be concluded that, in this specific provision, inconsistencies in the use of pronouns do not reflect bias related to gender roles and do not contribute to reinforcing the social perception of masculine vs feminine professions.

These findings are corroborated by the analysis of collocations. A particularly illustrative example to highlight the predominant unmarked masculine form is the study of two different collocates, "husband" and "wife." While the corpus brings scarce evidence of neutral terms, such as

"spouse(s)," with only 33 tokens, it is interesting to read the discourse that the terms "husband" and "wife" bring along.

In fact, the term "spouse" has been introduced in the EU HRM legal corpus with the 2013 revision and is used in different instances together with the terms "husband" and "wife." Although a positive shift to a more neutral language is taking place, there are still examples where the terminology is neither fostering the integration of LGBTI persons nor contributing to embracing diverse sexual orientations and identities within the EU staff. For example, in different provisions, mostly related to payments and allowances, the terms "wife" and "husband" are still the only ones attested.

The data included in Table 2 and Table 3 clearly show that both "husband" and "wife" collocate with each other, and that both terms have some collocates in common, such as "employed," "official," "request." The term "wife" is the only one which also collocates with words such as "maternity," "birth" and "death," words which never collocate with the term "husband" in the EU HRM legal corpus.

Table 2. Collocates of the term "husband"

Frequency	Freq (L)	Freq (R)	Stat	Collocate
1	1	0	14.9721	cases
7	0	7	14.6095	wife
1	1	0	11.1647	foregoing
1	0	1	9.1141	both
3	3	0	8.66223	cases
1	0	1	8.51265	employed
1	1	0	8.05322	meaning
5	0	5	8.02722	officials
5	0	5	7.90815	are
4	0	4	7.84796	who

Table 3. Collocates of the term "wife"

Frequency	Freq (L)	Freq (R)	Stat	Collocate
7	7	0	14.6095	husband
1	1	0	14.6095	cases
1	1	0	10.8022	foregoing
1	1	0	10.2876	deceased
2	1	1	9.63223	maternity
1	1	0	9.08595	birth
1	0	1	8.75153	both
3	3	0	8.29966	cases
1	0	1	8.15008	employed
5	0	5	7.66465	officials

Although this may be explained by the diachronic nature of the EU HRM legal corpus (Barone), drafted over a span of more than fifty-five years and bearing a different sensitivity towards gender-inclusive language, it shows a stereotypical role associated with the concept of "wife" (Salsabila et al.). Since the text has not been redrafted in recent years, this lack of sensitivity regarding the power of language to foster or hinder equality is obvious and needs to be redressed.

These considerations lead to another important aspect highlighted by this research, which is related to the situated meaning of the discourse on gender in the EU HRM legal corpus. In other words, without prejudice to the disclaimer of Article 1c of the EU Staff Regulations, one may wonder how the continuous use of the unmarked masculine forms throughout the entire corpus is perceived.

Besides the use of gender-neutral pronouns, looking into the nouns related to gender neutrality, it is interesting to note that no shift has been made on a diachronic dimension on the use of more inclusive denominations. In fact, some examples of the use of non-gender-neutral nouns in the EU HRM legal corpus are related to terms such as "chairman," which is used instead of "chairperson" or simply "chair." The term appears 47 times in the corpus and its occurrence is not particularly surprising, given the fact that in Europe there is still a European Ombudsman and not an Ombudsperson. The use of terms which are not gender-neutral, such as "chairman" in this example, reinforces gender stereotypes such as "man as professional" and "woman as silence" (Fuertes-Olivera).

CONCLUSIONS

In any communicative act, there are two distinct types of meaning which the recipient perceives (Gee, *An Introduction*). On the one hand, the general meaning, when the recipient has general expectations on how language is normally used. On the other hand, a particular context meaning in which the recipient interprets the sense of the communication as situated in a particular context. Words and sentences in a specific communication do not always align with the general understanding or use of a word, although they contribute to shaping the general practice of participants in communication.

Unmarked masculine forms usually activate male-only representations, resulting in the drastic invisibilization of women. The findings of this research show that the massive use of unmarked masculine forms in the EU HRM legal framework might contribute not only to decreasing the level of gender sensitivity in staff working for the EU institutions, but it may also lead to interpreting its discourse as biased and discriminatory against women.

In fact, the results of the investigation conducted on the rules governing the legal framework of EU civil servants show that the instances of the masculine pronoun "he" amounts to 506 hits, while "she" appears only a few times and mostly in the lexical bundle including the masculine form "he or she." While there are cases where "they" as gender-neutral pronoun is used, the term occurs only 322 times in the corpus.

This is a flagrant contradiction to the principles of the EU on the use of gender-neutral language (European Parliament, *Gender Neutral Language*). This situation may contribute to the construction of a prototypical image of the male EU staff member as null gender, thus perpetuating the assumption that the default and normative gender is male rather than female (Fuertes-Olivera; Wagner et al.).

At the same time, the findings point to a possible shift towards gender-neutral language, as illustrated by the growing use of terms such as "spouse," instead of "husband" and "wife," and the choice of more inclusive pronouns, such as "he or she" and "he/she," in some of the latest legal provision.

In addition, the analysis demonstrates that the EU HRM legal framework establishes a robust set of rules to safeguard dignity and ensure equal treatment for all individuals, in line with the policies and principles of the EU institutions. Considering all initiatives of the the EU institutions

towards a more inclusive working environment, the trend is surely going in the right direction.

The identity of the civil servants working for the EU institutions, and their endeavors to foster gender equality, may be strengthened by a more consistent use of gender-neutral language, which could reaffirm the core values and principles of the European Union by embedding them in all its texts.

After conducting this research, it is a contention of the author that the magnitude of the effect of such an effort to improve gender-neutral language in the EU Staff Regulations would be substantially impactful on the staff working for the European Union.

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