

GENDER-NEUTRAL LANGUAGE IN OFFICIAL AND LEGAL DOCUMENTS

An innovation in elegance

Historically, what has been regarded as acceptable has passed through several stages. The first was the *gender-specific language* using only the male pronoun 'he/him/his', which was once believed to be authorized for every sort of document by the Interpretation Act of 1850 (and its successors) — but whose stated purpose was simply 'for shortening the Language used in Acts of Parliament'. Nowadays increasing numbers of people regard this usage as reprehensible. The second was the supposedly preferable 'he or she' (sometimes 's/he') phrase which certainly exemplifies the intended *gender-inclusive style* but which rigid traditionalists are inclined to view as undesirably clumsy, and some criticize as sloppy. In addition, this usage carries the unfortunate connotation that it has been thought necessary to mention the female presence in order to dispel any doubt over whether the particular document applies to women as well as to men.

What is wanted is a fresh alternative for the new millennium, to reflect the population as a whole – in which the numbers of women and men are more-or-less equal. This modern approach will demand the introduction of strictly *gender-neutral language* to provide a standard of impersonal expression appropriate for legal and official documents. This approach may initially entail total reconstruction of a few sentences in order to sidestep the need for gender-specific words, without detriment to the sense — but it seems likely that the process will soon become automatic. Its implementation can be achieved in several complementary ways:

- (1) In a surprising number of cases, it is just as clear simply to omit the pronoun;
- (2) References to people in the singular can be turned to the plural;
- (3) Sentences with an active verb can be turned into the passive form;
- (4) Non-subjective terms can be adopted, such as 'one', 'individual', 'person';
- (5) The pronouns THEY, THEM, THEIR can be substituted. Before 1850, this usage was quite common and examples occur in various writers of standing, including Shakespeare*. However, the usage is controversial to the extent that a few grammarians still believe it to be prohibited – though its future adoption seems irreversible, according to Fowler**. Consequently, this fifth alternative will be recommended only when it is much more concise than the other four (most often when the genitive case is involved); even so, the change can always be deferred if the proposed readers are likely to object, until people have had time to get accustomed to this development — analogous with the situation in the past when 'you' superseded 'thou'.

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* Oxford English Dictionary (second edition 1989), Vol. XVII.

** Fowler's Modern English Usage, revised third edition by R W Burchfield, 2004 (pp. 779, 776-7).