

Language and Gender

The Importance of Including a Gender Perspective in the Language of the Constitutional Reform in Spain

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Abstract

Language is a reflection of culture, and at the same time it helps to build that culture. In the same way, it can be used to transform it. Language serves for describing a culture, to show what we see, but at the same time, it strengthens the relationships of power that exist on the basis of male power. In this way, we can use language to build other kinds of relationships based on equality.

The Spanish Constitution is written in the masculine. Although it is based on equality, masculine language shows that the power relations lean towards men, and this hides women's participation. When a text or a legal message uses structures or words that hide or discriminate against one gender, it can be said that linguistic sexism exists, and this violates the principle of equality. This is a reflection about what is happening in our society because language describes cultural values. This exclusion of women in the constitutional text is in itself a denial of them as subjects of rights and as citizens. This is not only a denial of the part of power that corresponds to them, but also the consolidation of a collective story of female subordination.

Therefore this article aims to focus on the need to carry out a revision of the Spanish Constitution in female and inclusive language that, in parallel to the recognition and guarantee of parity democracy, makes women visible as autonomous subjects. In addition, it also breaks with the male universality of the language and the monopoly of male language to define the sources of the law, as well as rights, powers, institutions, values and policies.

Keywords: language, gender, Constitution, reform, Spain.

A Language and Culture

Language is a reflection of the culture and at the same time has helped to build that culture, in the same way it can be used to transform it. Language also serves to express ourselves and to communicate, to mean and describe a culture, to show what we see. And at the same time it plays with and strengthens the relationships of power, so we can use it to build other kinds of relationships based on equality.

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For this reason we can say that language serves to build, and this is why it is so important to take care of it.

Language is not aseptic or innocent, but rather a social product of the hegemonic culture in every time and place, and also therefore of interest, forces, conflict and consensus, as Torres del Moral said.¹ In the same way that it serves to reveal a culture, it can also serve to build it.

Language is the vehicle of ideas and also reflects values, hence the necessary connection between language, law and politics. Language is the structure that supports law and its historical development. It gives an account of the pre-existing world (descriptive language), but it can also be prescriptive, identifying a type of behaviour. Language acquires its full meaning depending on the use that is given: If the law makes people behave in a certain way, it does it through the use of words, therefore the words may modify behaviours and actions.² The strength of the words is another element to take into consideration as a tool of transformation, which is why we need to sometimes insist on the use of terminology or linguistic resources that apparently, or at first glance, collide with tradition.

When a speech, a text or a legal message uses structures or words that hide or discriminate against one gender, linguistic sexism is incurred, and this violates the principle of equality.³ This is a reflection of the culture and what is happening in our society because the language describes cultural values. As explained by María Luisa Balaguer, taking into account that “language is not itself sexist, but rather it is the use that is made of it. Most of sexism is social. And this seems to be a universal fact.”⁴

I The Influence of the Patriarchy in the Language of the Law

Legal language, also built on the patriarchal structures, has been marked for centuries by the following features:⁵

- “1 The male standard and human standard merge and become identical. The male is not only normal but the normative, and feminine happens to be an exception to the rule.
- 2 As the male norm is the human norm, it is also appropriate and indisputable when used as the customary pattern of thought, language and research. In such a way that when we talk about democracy or people’s rights, we refer to a kind of democracy made by and for men, or of rights recognized exclusively for men. Language, thought, research, in mascu-

1 A. Torres del Moral, ‘Redacción de la Constitución en clave no masculina’, *Revista de Derecho Político*, No. 100, UNED, 2017, p. 178.

2 F.J. Laporta San Miguel, ‘El lenguaje y la Ley,’ *Revista Española de la Función Consultiva*, Vol. 6, julio-diciembre 2006.

3 A. Rubio Castro & E. Bodelón González, *Lenguaje jurídico y género: sobre el sexismo en el lenguaje jurídico*, available at: www.poderjudicial.es (last accessed 4 November 2017), p. 12.

4 M. Luisa Balaguer, ‘Género y lenguaje. Presupuestos para un lenguaje jurídico igualitario,’ *Revista de Derecho Político*, No. 73, 2008, p. 81.

5 J. Astola Madariaga, ‘El género en el lenguaje jurídico: utilización formal y material,’ *Feminismos*, No. 12, diciembre 2008, p. 34.

line generic, is so ancient and so inherent in the use of language that many people – including jurists of recognized prestige – are not able to see that they have only approached to the problem just partially.

- 3 when it is necessary to talk about women *per se*, as women differ from the male standard – conceived as a standard human – by the mere fact of just being it, this thought projects them as objects alien to mankind, *i.e.*, while men are presented as subjects, able to name a reality, women are presented, when they occur, such as objects related to them and, uniquely, from their standpoint”.

There is abundant literature on the analysis of the influence of sexism in language, as well as to various proposals for the solution provided. In particular, the work of María Luisa Calero⁶ should be noted. Sexism is embedded not only in the structure of the languages (in their morphosyntactic levels, lexical and semantic) but also in the interactional use of them (pragmatic level) and their different expression according to the gender of the speaker.

Aside from the perspective that is adopted, it is an objective fact that there are linguistic expressions (in greater or lesser degree, depending on the language) that project the subsidiary role that, through the centuries, has been assigned to women.

II The Use of ‘Masculine’ Gender for Naming Generic Nouns and Including ‘Feminine’

The use of the generic male, or the use of the masculine to designate the universal, is one of the most serious problems in the Spanish language that perpetuates the own values of the patriarchal culture and restrains progress towards real equality. It is a tradition unique to Romanic languages such as Spanish that reflects once again the strength of patriarchal culture and society that banishes women from the spectrum of social, legal, political, cultural and so forth, and it makes them not feel represented because what is not named does not appear or does not exist, although any references to the male gender are deemed to include references to the female gender. Marisa Calero explains that since school we have been indoctrinated that the Spanish term ‘man’ defines all mankind, men and women (DRAE 2014, 23rd ed., still defining man in its first meaning as “rational, lively male or female”).

In the case of the Spanish language, as in the case of other languages derived from the Indo-European family, male gender is used *de facto* with a supposedly generic and universal value, against the female, which is reduced in its use to exceptional cases (what in linguistics is called with the label of ‘gender marking’).

6 M. Luisa Calero Vaquera, ‘Del silencio al lenguaje (Perspectivas desde la otra orilla),’ en *En femenino y en masculino*. Cuaderno de Educación No Sexista n 8, Madrid, Ministerio de Trabajo y Asuntos Sociales (Instituto de la Mujer), 1993, pp. 7-11. ‘Lenguaje, género, sexo: Reflexiones desde la lingüística y desde el feminismo,’ en Junta de Castilla y León, *Mujeres, Hombres y Medios de Comunicación*. Junta de Castilla y León, Valladolid, 2002, t. I, pp. 113-131. ‘Glosario,’ en Margarita Lliteras Poncel (coord.), *Guía de estilo 1: Lengua y discurso sexista*, Junta de Castilla y León, Valladolid, 2003, pp. 155-230. Y en M.A. Calero Fernández, *Sexismo lingüístico. Análisis y propuestas ante la discriminación sexual en el lenguaje*, Madrid, Narcea, 1999.

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This is how it works in the Spanish morphological category ‘gender’ system, if we limit ourselves to a mere and aseptic description of the phenomenon.

The words that designate the male are not really inclusive of the feminine, because what actually happens in the discourse – where we make a critical analysis – is that the male overrides, that is, it is used instead of the feminine; said in other words, it is a metonymy, in which the part (the one considered the prototype because it has more value) is used by all.

It is obvious, then, that one of the most serious problems in the Spanish language for real equality is the use of masculine to designate the universal. The solution to this problem can come through several resources, for example, the use of inclusive binomials, the unfolding of grammatical genres, the use of generic/collective nouns where possible, and the use of the word ‘person’ as an individual of the human species and therefore omni-comprehensive of women and men.

In the face of those who despise the use of inclusive binomials for breaking the tradition of Spanish, it is necessary to emphasize that even that argument is not valid because historically it has been used in classical Spanish literature and especially in legal language.⁷

In communicative acts, the male form of nouns, adjectives and other determinants in their use as a generic can set a semantic trap to the recipient of messages. The male categorical genre creates in our minds male human beings, and the female categorical genre, female human beings. That is why we consider fully justified the different proposals that have emerged in recent years in order to avoid their use as far as possible.⁸

B Language and Society Transformation

In order to overcome the negative consequences for equality and justice, it is necessary to incorporate the gender perspective into the language as well, especially the legal one, and as a reflection of a new social state agreement it should be present in the drafting of the new Constitution.

If language helps the system of patriarchal domination, and if this domination is ideologically perpetuated through it, “we can understand the need to use the gender perspective in language as one of the ways of rebuilding that domination.”⁹ Only by reviewing it we will be able to overcome the partial human model that continues to hinder the full citizenship of women.¹⁰

I The Opposition of ‘Some’ Linguists

In the last few years, many non-sexist language guides have been published in Spanish universities, autonomous communities, town councils, trade unions, and

7 C. Smith, *Estudios cidianos*, Madrid, Cupsa 1977, p. 211; also B. Dutton, ‘The Popularization of Legal Formulae in Medieval Spanish Literature’, in *Renaissance and Folklore Studies in Honor of J. E. Keller*, Newark, Juan de la Cuesta, 1980, pp. 13-28.

8 Alario et al., *Nombra en masculino y en femenino*, Madrid, Instituto de la Mujer, 1995, pp. 11-23.

9 Balaguer, 2008, p. 82.

10 A. Rubio Castro, *Las innovaciones en la medición de la desigualdad*, Madrid, Dykinson, 2013, p. 16.

feminist collectives. They try to offer certain rules aimed at making women visible and avoiding the generic masculine. However, some linguists and politicians (conservative political parties) are against this new policy of using gender perspective language in spite of the international and European rules and policies about equality.

Despite this and the reasons mentioned in order to include gender perspective in language, we have found and will find resistances. One of the most important rejections to this perspective is the Royal Spanish Academy of Language (RAE), the institution that aims to ensure the correctness and uniformity in the use of the Spanish language. It has been especially critical of proposals and has also shown its resistance to incorporate in the recent editions of its dictionary terms such as 'gender' in the way it is being used in the fields of social and legal sciences. The RAE has so far resisted the use of the term 'gender', in the sense given by the social and legal sciences practically since the 1960s. The theory advocated by RAE is summed up in the following idea: "words have gender while living beings have sex." This position of the RAE reached its maximum expression when the Spanish government presented the draft of what would later become Organic Law 1/2004, of comprehensive measures against gender-based violence. Without being required, or required to do so, the RAE issued a report on 13 May 2004 urging the government to change the name of the law.¹¹

This controversy reached one of its highest points when in March 2012 an extensive report signed by Ignacio Bosque and signed by 27 academic men and 5 academic women was made public.¹² In the report, a harsh criticism of language guides and particularly of the proposals contained therein to make women visible was carried out.¹³

Another report was requested in 2018 by the Vice Prime Minister of Spain, Carmen Calvo, but it is still pending. The report has been completed but it has not been published yet.

The word 'gender', increasingly used when one wants to talk about stereotypes that weigh on both sexes and which lead to the predominance of the male and, consequently, to the subordination of women, acquired international significance as a result of the IV United Nations Conference on women, held in Beijing in 1995. It was introduced for the first time, clearly, on the one hand, the concept of gender as "social creation that conditions the role of women and men in society so that all relationships between men and women had to be re-examined" and, on the other hand, what then would be called impact of gender (mainstreaming or transversality), which already had been outlined in Nairobi, as an expression that

11 Balguer Callejón, 2008, pp. 88-89.

12 www.rae.es/sites/default/files/Sexismo_linguistico_y_visibilidad_de_la_mujer_0.pdf (last accessed 2 November 2017).

13 Astola Madariaga, 2008, p. 51.

sums up the effect that any political decision has on the situation of women and men and so the consequences arising for equality must be taken into account.¹⁴

This approach not only allows but also forces to integrate in the evaluation of the standard the impact of gender. Indeed, it is the social construction of gender that influences the genesis, development and application of a rule from the perspective of the equality of women and men with the result, so far, of the division of spaces and the determination of social roles that have placed women in a position of inferiority.¹⁵ The recognition of the importance that, in our legislation, the sex/gender system has was picked up in the act 30/2003, 13 October, of gender impact that mentioned United Nations¹⁶ and European Union precedents.¹⁷ The impact of gender is recognized to verify in practice the effect of rules on women and men that, in principle, seem to be non-sexist but in the end are found to be against equality.

II *The Power of Language to Transform*

Women, since the beginning of the 20th century, have been obtaining citizenship rights whose achievement was unthinkable just years ago, thanks to the (sometimes bloody) struggles waged by many pioneers of feminism. The recent visibility of women has led to revolutionary changes in legal, legislative, labor, political, and educational fields even in traditionally male areas. It is true that some redoubt remains still reluctant to assimilate the new events and make their own social innovations of as much importance as the fact that we discussed, but undoubtedly will come sooner than later, change in those stagnant ideas.

Social developments influence language. Extralinguistic factors are an important driver in the evolution suffered by all languages. According to these theories, which defends of the existence of a close link between language and thought, languages influence “the mentality and the feelings of speaking community”.

Mayim Bialik¹⁸ argues that words have meanings and the way in which we use them shapes the way we perceive things in mind. Perhaps if we begin to use language that lifts women up and does not place them on the same level as sweet, small and tender things, it will allow them to be treated as something more than that.

Each language contains its own speakers in a particular vision of the world, which is not reality but a particular reality (what in linguistics is known as Sapir-Whorf hypothesis). Languages are interposed between the way of thinking of

14 En de N. Campillos (Ed.), *Género, ciudadanía y sujeto político*, Valencia, IUED, 2002; J. Sevilla Merino, ‘Mujeres y ciudadanía: la democracia paritaria’, *Col·lecció Quaderns Feministes* núm. 4. Institut Universitari d’Estudis de la Dona, Universitat de València, 2004. M. Dolors Calvet Puig & J. Sevilla Merino, *Reforma estatutaria y perspectiva de género*, Corts Valencianes.

15 C.A. MacKinnon, *Hacia una teoría feminista del Estado*, Madrid, Feminismos, Ed. Cátedra, Universitat de València, Instituto de la Mujer, 1995.

16 Fourth World Conference Beijing, 1995. Five years later, from 5 June to 9 June 2000, the 23rd special session of the UN General Assembly with the theme “Beijing + 5 - Women 2000: Gender Equality, Development and Peace for the Twenty-first Century took place.

17 Decision of the European Council, 20 December 2000.

18 Mayim Bialik holds a PhD in neuroscience, although she is most known in the media for being the protagonist actress of The Big Bang Theory.

their speakers and the way in which they observe and interpret reality. Therefore, it is concluded that it is so important to act on languages because if fossilized androcentric, misogynistic or sexist ideas are not detected and cancelled, they will continue influencing our way of thinking. Accordingly, a refined language of sexist elements could exert some influence on our way of perceiving the world.

Linguistic changes that we are supporting here are considered even more necessary from the moment that it is thought that “if languages are human works, they have to have a brand of the person who created them”.¹⁹ Men appropriated the language, as they did with the rest of human institutions and cultural manifestations of the people (law, religion, morality, mythology, art, science, etc.) and have been perpetuated, serving all of them and from the origin of the times, a concrete image of the woman: inferior, despicable and dangerous.

Changes in language are therefore necessary to name women; and, therefore, we must do them: prejudices, inertia, or the weight of grammatical rules, which, on the other hand, have always been susceptible to change, cannot and should not prevent it. In the Spanish language there are terms and multiple resources to name men and women. The language has enough richness so that this can be done.²⁰

It is intended, in short, to influence languages with the aim of transforming them and finally achieving “naming the world in feminine”²¹ since – it is said – what is not named does not exist. Such action on languages is absolutely legitimate and feasible, such as acting on any human work. It is what Alvaro García Meseguer²² has called “linguistic engineering”, which “consists of providing rules, without forcing the existing language, to get it to be used in a non-sexist way, especially in its written form”.

In the Spanish State, although with some delay in comparison with other Western countries, proposals (some from official bodies) have been launched in order to strip the common Spanish language and the other co-official languages (Catalan, Galician and Basque) of the sexism that permeates them.²³ The authors who propose such changes agree on the idea that it is necessary to make particular progress in the feminization of the lexicon of languages, as well as in some

19 Calero Fernández, 1999, p. 79.

20 C. Alario, M. Bengoechea, E. Lledó y A.Vargas, *Nombra en femenino y en masculino*. Instituto Andalus de la Mujer (Junta de Andalucía) / Instituto de la Mujer (Ministerio de Asuntos Sociales)1995.

21 M. Rivera Garretas, *Nombrar el mundo en femenino. Pensamiento de las mujeres y teoría feminista*. Barcelona, Icaria, 1994.

22 A. García Meseguer, *Lenguaje y discriminación sexual*, Madrid, Montesinos (1ª ed. 1977), 1988.

23 Alario y otras, 1995; Calero Fernández, 1999; Ayala y otras (2006). Also: Ministerio de Educación y Ciencia, 1988, el Ministerio de Asuntos Sociales, 1989, el Ministerio para las Administraciones Públicas 1990, la Generalitat Valenciana, 1987, la Generalitat de Catalunya, 1992, el Instituto Vasco de la Mujer, 2008 and also Instituto Cervantes, 2011.

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specific aspects of the morphological level – such as that of the “generic male” – with the aim of naming and giving existence to women.²⁴

The debate – such as the one proposed here from the legal level – on the desirability of modifying a language (in this case, in its written form) because of its sexist features is a legitimate one: it has the right to exist, regardless of the approaches and the solutions offered.

C Language and Constitution

The male subject, also in the Spanish Constitution, appears at the center of the discourse,²⁵ whereas women ‘appear’ dependent on them in any case. They are displaced from the spirit and letter of the covenant. In this way, not only solid patriarchal legal structures are extended, but also collective conceptions about male supremacy continue to be built. Therefore, to speak of the legal language is to speak of who exercises power and how it is exercised: “Language encloses power, patriarchal power”.²⁶ That is why incorporating women not only into power but also in language involves making them present, which has not only a material dimension but also a symbolic dimension.

This devalued position of women is evident in both the dogmatic and organic part of the Spanish Constitution, and it has its most obvious and primary reflection in a language that makes them invisible to the extent that a generic male is used by universal as the subjects who make up half the citizenship are not ‘named’. In this way, women have been denied as citizens because they do not appear either as holders of rights or as representatives of the political institutions. In other words, they do not exist as autonomous subjects, legitimized for the exercise of power, and, moreover, they have been discriminated in the political, legal and cultural structures, which has prevented their access to certain goods and rights.

This exclusion of women from the very ‘grammar’ of the constitutional text in itself constitutes a denial of their status as subjects and therefore citizens. Indeed, sovereignty lies with the people (Section 1.2 Spanish Constitution), but that sovereignty, that part of power that belongs to citizens, is not manifested in terms of those who are not even named. And I insist, this implies not only a denial of their share of power but also the consolidation of a collective narrative through which female subordination continues to be nurtured.

Hence the need for a constitutional revision in which, in parallel with the recognition and guarantee of a parity democracy, women are made visible as autonomous subjects. At the same time, it is necessary to break with male universality and the monopoly of male rationality in the rights, powers, institutions, values

24 Report ‘Sexismo lingüístico y visibilidad de la mujer’ (2012), *Boletín de Información Lingüística de la Real Academia Española* (BILRAE) (2012), disponible en www.rae.es/sites/default/files/Sexismo_linguistico_y_visibilidad_de_la_mujer_0.pdf.

25 P. Violi, *El infinito singular*, Madrid, Cátedra, 1991.

26 M. L. Balaguer, *Hijas del mercado. La maternidad subrogada en un Estado Social*, Madrid, Cátedra, 2017, p. 165.

and policies. This is because “the use of masculine language reproduces and conceals inequality between women and men. It condemns women to invisibility, makes them disappear as subjects of discourse, politics and therefore excludes them from citizenship. The generic female in language is the place where we can reside as political subjects: every time we name a female plural subject we are unveiling the imposture of the male neutral and pointing out the disparity in the distribution of power”.²⁷ The use of non-sexist language connects with the ultimate meaning of constitutionalism – and feminism – which is none other than ‘human emancipation’²⁸

I Proposals for the Constitutional Reform with Gender Perspective in Spain

Overcoming sexist and androcentric language in the Spanish Constitution, which in turn will produce benefits throughout the legal system, should be projected into three fundamental strategies:²⁹

- 1 The revision of all those expressions and concepts in the Constitution that are defined on the basis of universal male and in which women are therefore not visible
- 2 The express recognition of women as citizens, which implies their presence, also through language, both in the dogmatic and organic part of the Constitution
- 3 The express recognition of principles and values as well as of rights and freedoms strictly related to women, their bodies, their capacities or, in general, their full and free development as equivalent subjects to men.

There are recommendations based on the equality plans, the equality laws, in particular the Organic Act on Equality of Women and Men, 3/2007, recommendations of the Observatory of the General Council of the Judiciary or reports of the State Council, and also from a good number of authors both philologists and constitutionalists who offer interesting proposals to be able to draft a constitution with a non-androcentric perspective.

Torres del Moral³⁰ proposes the use of generics where possible (person, citizenship, nationality), avoiding male generics; the use of indefinite pronouns of the type “who” instead of “the ones that”;³¹ or recourse to bodies, offices or institutions rather than their holders. The following criteria should generally be followed:

First, the requirement of non-sexist legal language stems from the strict application of the principle of gender mainstreaming in legal systems and should

27 M. Bengoechea, ‘Necesidad de poseer cuerpo y nombre para acceder plenamente a la ciudadanía’, *Congreso Internacional Género, Constitución y Estatutos de Autonomía*, Madrid, INAP, 2005, p. 8.

28 Rubio Castro & Bodelón González, 2017, p. 32.

29 29 Works of Bengoechea, Rubio Castro & Bodelón González, 2017, pp. 41-43.

30 Torres del Moral, 2017.

31 Notice that in Spanish “the ones that” is “los/las que” and this is gender marked, the same as “those who”, “aquellos o aquellas que”, however, “quien, quienes” (who or those who), is not. Therefore, in Spanish “quien, quienes” is recommended.

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be regarded as a logical consequence of the equality of women and men as a principle underlying a democratic state.³²

Second, the principle of parity should be kept in the different moments of gestation of law – drafting, enforcement, interpretation and reform – and should therefore oblige all public authorities – legislative, executive and judicial – as well as all subjects involved at such times. Its application in the day-to-day activities of lawyers, prosecutors and, in general, of all staff working in the field of judicial administration, as well as in any area of public administration, would be essential.

Rules must be clear and precise, and they must reflect reality in the most accurate way possible. This means taking into account the two halves that form citizenship and, therefore, overcoming the patriarchal schemes that continue to dominate legal language. In many cases, it will be necessary to search for terms that are neutral or inclusive. In others, we will have to look for more precise terms that can identify when we are referring to a man or a woman.

Third, the duty of correction from a gender point of view should also be controlled in all the documentation generated by the public administrations and especially in the judgments of courts and tribunals. Hence the usefulness of the Documents and Guides, which, for example in Spain, have proliferated in recent years mainly aimed at the administrative field, although it would be necessary to establish common criteria. In addition, its use should be prevented from becoming optional, establishing from the different administrations the obligation of its observance. This need should also be taken into account by all advisory bodies such as legal offices or, more so, statutory bodies such as the advisory councils, as we have pointed out by that of the Autonomous Community of Andalusia.

The abovementioned should have a previous background, which is gender training – and therefore also in the use of non-sexist language – of all legal operators and, in general, of all staff of public administrations. Such education should start at universities, which should be extended in the most specific areas such as the judicial or administrative schools and should also be included in the tests of access to the civil service.

In particular, the presence of women as subjects of power and as citizens would have to be made explicit in the Preamble of the Constitution, in whose current wording women are not seen.

Where possible, depending on the meaning, the term ‘person’ will be used. Sometimes it is not possible because it refers to the Spanish people or Spanish citizenship, that is, people born in Spain or with Spanish nationality, but most of the time it could be used as a more neutral word that encompasses any individual independently of sex, nationality, or age.

In addition to express and confirm the commitment to parity democracy, the Preamble should logically make it very clear that the Constitution intends to protect Spanish *women* and men and ensure a dignified quality of life for *all people/each person*. In other words, from the preamble itself, the status of women as citizens should be made clear, and there should be no doubt that the “constituent agreement” has overcome “male substitute universality.” The conventional use of

32 Rubio Castro & Bodelón González, 2017, p. 22.

male invokes female subordination: “equality cannot be achieved between a recognizable, conceivable and named subject and another who is invisible and unnamed.”³³

The connection established in the constitutional states between citizenship and nationality means that the term *Spaniards* (ending with masculine morpheme) (*españoles*, *Spanish men*) is repeatedly reiterated by the constitutional sections in order to make clear who holds certain rights and where sovereign power resides. Beyond the fact that in some respects constitutional reform should take into account the overcoming of ‘nationality’ as a determining criterion for full access to rights (art. 13), all articles in which the universal masculine excludes *Spanish women/female* should also be reformed. In some cases, it will be possible to replace the term with an inclusive and generic one, using the vocable ‘person’ or ‘citizenship’, as appropriate; in others, there will be no choice but to duplicate the word in feminine and masculine.

33 Bengoechea, 2005, p. 8.