

Master Thesis

**GENDER THEORIES AND THE “THEORY OF GENDER”.
Pro-catholic discourses on the Italian legislation in the field of
protection against gender based discrimination**

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INDEX

1. Introduction	p. 1
a. Premise	p. 1
b. Relevance of the topic	p. 3
c. Justification	p. 6
2. Theory chapter	p. 9
a. Introduction	p. 9
b. Philosophy of science	p. 10
c. Discourse and power: Fairclough's language power theory	p. 11
d. Gender theories	p. 14
i. Gender essentialism theory	p. 15
ii. Gender constructivism theories	p. 16
iii. Gender performativity theory	p. 18
iv. Beyond the binary concept of gender	p. 21
3. Method and methodology chapter	p. 24
a. Introduction	p. 24
b. Critical discourse analysis	p. 25
c. Qualitative data analyzed	p. 28
d. Research design overview	p. 29
4. Analysis chapter	p. 31
a. Introduction	p. 31
b. The so-called "theory of gender" under the Vatican's interpretation ..	p. 31
c. The law proposal DDL n. 2005/2021, generally known as Zan Bill ...	p. 37
i. Text content	p. 38
ii. Legislative procedure	p. 40
iii. A broader analysis of the hearings with a quantitative point of view	p. 41
iv. Analysis of the pro-catholic hearing.....	p. 47
5. Conclusions	p. 68
Bibliography	p. 71

Appendixes:

1. Statistic Resident population as of January 1, 2022 by sex, age and marital status Italy
2. ddl n. 2005-2021
3. Hearings Statistic overview and transcriptions

1

Introduction

a. Premise

In the Italian legal system, the theme of gender creates greater pressure on three main sectors: in the sector of the individual's identity, in the branch of family law, and in the theme of the fight against violence and discrimination. The topic of this thesis falls into the last of these three sectors and is part of the theme of gender based violence and discrimination.

In recent decades, there have been steps forward in the protection of members of the LGBTIQ+ community in general, first with the legalization of relationships between people of the same sex, both male and female, who are no longer punishable by law since January 1, 1890 with the entry into force of the new Zanardelli penal code, then with the legislative provision in 1982 of the possibility for transgender people to legally change sex, up to the most recent Cirinnà law¹, a much-debated law that starting from June 5, 2016 has provided for same-sex couples the institution of civil unions, guaranteeing them some of the rights of marriage², and has recognised some rights³ to cohabiting couples, whether they are of the same sex or opposite sex.

However, the Italian national system is still lacking in regulations to protect the LGBTIQ+ community, and a clear gap exists in the issue of gender-based discrimination and violence, where all the proposed laws put forward over the years⁴ have never managed to obtain final approval from the parliament.

¹law n. 76, 20 may 2016

² with the exception of the obligation of fidelity, some fiscal and economic constraints and adoptions

³ even if minimal rights

⁴ In 2006, there was a bill, not approved, to modify art. 3 of the Italian Constitution, in order to prohibit discrimination based on sexual orientation and gender identity. In 2009, the Chamber of Deputies shelved a proposal against homophobic hate crimes that would have led to increased penalties for crimes committed because of the victim's sexual orientation. In 2013, there was the Scalfarotto bill that would have prohibited discrimination based on sexual orientation and gender identity, which was approved by the Chamber of Deputies with 228 votes in favor, 57 against and 108 abstentions. However, the Senate began to examine the bill but never reached final approval.

Lastly, there was the so-called Zan law proposal⁵, aiming at combating discrimination and hate crimes based on sexual orientation, gender identity and disability, which failed too. After this proposal, no other national law against discrimination based on sexual orientation or gender identity has been proposed or introduced. Only at the regional level, some regions have equipped themselves with laws to protect gender-based discrimination, which however have a limited scope and little effectiveness.

The continuous failure of all the proposals highlights that the Italian legal climate is hostile to the protection of LGBTIQ+ people's rights, never obtaining, despite several attempts, a national law to protect them against discrimination.

Italy is also a country with strong Catholic roots, despite being a secular state, also due to the presence of the Vatican within the national territory (in the middle of Rome, the Italian capital, where also the governmental bodies have their central offices) and the sharing of the same language, which makes contacts and influences much simpler and more direct.

This is not to say that the lack of protection for this community derives unequivocally from the primacy of the Catholic religion in Italy, which has with no doubts ideologies and values that over time have had friction with the recognition of the LGBTIQ+ community, but with this thesis we want to analyze the pro-Catholic discourses and the anti-gender ideology entered in the preliminary phase of the last bill that attempted to fill the legislative gap on the subject of discrimination, namely the Zan Bill.

Therefore, this study conducted a critical discourse analysis of discourses conducted in the legislative field of gender-based discrimination and violence during the preliminary investigation phase of auditions of the law proposal.

The research aims to address the following question: What specific discourses and ideologies are identified in the pro-catholic hearings developed for the investigation phase directed to decide the approval of the gender-based discrimination law?

⁵ Ddl n. 2205/2021

b. Relevance of the topic

Protection against gender-based violence and discrimination is not a purely theoretical issue but has an important practical impact on the Italian population, as it is a phenomenon that impacts multiple people.

To understand this impact, it is interesting to carry out a preliminary brief analysis of the statistics on the topic⁶.

The company Ipsos, conducts an yearly LGBT+ Pride Report to monitor people's opinions and attitudes regarding the identity and main issues of the LGBT+ community. In the 2023 survey⁷ a sample of about 22,500 people from 30 different countries were interviewed, and it turned out that the 47% had a relative, friend or work colleague who is lesbian/gay/bisexual/transgender, with an increase of 5 points compared to 2021. Concerning Italy, 9% of the people interviewed define themselves as LGBT+⁸.

Between 2020 and 2021, the Italian National Institute of Statistics (Istat) and the National Office against Racial Discrimination (Unar) conducted a survey⁹ using a self-completed questionnaire, addressed to all people who were or had been in a civil union on January 1, 2020, which involved over 21 thousand people¹⁰. The survey examined the working conditions and any experiences of discrimination suffered.

On the Italian territory, as of January 1, 2021, a total of 50,208,329 people aged 18 or over were resident¹¹. Of these, 21,353 people (equal to 0.4% of the total

⁶However, in light of the correct and binding right to privacy of individuals for areas of their private life, such as their gender identity and sexual orientation, there are no statistics capable of reviewing the entire resident population, but there are statistics carried out by external companies that are able to show the extent of the phenomenon.

⁷ LGBT+ Pride Report 2023 (Ipsos) available at https://www.ipsos.com/sites/default/files/ct/news/documents/2023-06/ipsos%20LGBT%2B%20Pride%202023%20Global%20Survey%20Report%20-%20rev_0.pdf

⁸ in particular, 2% define themselves as homosexual, 3% bisexual, 1% pansexual/omnisexual, 1% asexual, and 4% define themselves as transgender/genderfluid/non-binary

⁹ ISTAT-UNAR survey on workplace discrimination against Lgbt people, years 2020-2021, available at https://www.istat.it/it/files//2022/03/REPORTDISCRIMIAZIONILGBT_2022_rev.pdf

¹⁰De Rosa, E. et. al.: La nuova forma delle famiglie. InGenere, July 20, 2022. available at <https://www.ingenere.it/articoli/la-nuova-forma-delle-famiglie>

¹¹ Appendix 1 - Statistic Resident population as of January 1, 2022 by sex, age and marital status Italy

population) were in a civil union¹² or already in a civil union¹³, considering both civil unions established in Italy and the transcriptions of unions (or similar institutions) established abroad¹⁴.

This data gives us an estimate¹⁵ of the presence of gender nonconforming people in the territory, detecting people in civil unions, as a group made up of individuals who wanted to avail themselves of the tools provided by the regulatory framework to have their status as a couple legally recognized but who did not want/could not resort to the legal institution of marriage¹⁶.

Furthermore, the statistic showed how in the labor market, there are discriminations against people in civil unions, homosexuals and bisexuals¹⁷. Hence, 26% of employed or formerly employed people (meaning 1 in 5 people) declared that being homosexual or bisexual represented a disadvantage during their working life in at least one of the three areas considered (career and professional growth, recognition and appreciation, income and remuneration)¹⁸. This disadvantage related to one's sexual orientation was reduced in those contexts where a diversity manager figure was present, due to a more widespread culture and awareness on these issues, showing how the aspect of awareness is important¹⁹. About 6 out of 10 people among the interviewed declared to have suffered microaggressions in the workplace²⁰. Almost all victims of micro-aggressions stated that they had heard someone "call a person a faggot or use the expressions lesbian, gay or similar in a

¹²Civil union is a form of cohabitation of a couple, based on emotional and economic bonds, to which Italian law recognizes, through a specific legal institution, a legal status similar, in many respects, to that conferred by marriage, and, as we will see later, it is the institution designated by the Italian legislator to allow same-sex couples a union with legal value.

¹³ (due to dissolution of the union or death of the partner)

¹⁴ Of these over 21 thousand people, over 20 thousand, equal to 95.2% of the total, are people in civil unions or already in unions who live in Italy and declare a homosexual or bisexual orientation. For the remaining 4.8%, 0.2% declare an asexual orientation, 1.3% another orientation, the remaining quota prefers not to answer. Among those who declare a homosexual or bisexual orientation, 65.2% are gay, 28.9% are lesbians, 4.2% are bisexual women and 1.7% are bisexual men.

¹⁵although not exhaustive (since it does not consider the entire homosexual and bisexual population)

¹⁶ ISTAT-UNAR survey on workplace discrimination against Lgbt people, years 2020-2021, available at https://www.istat.it/it/files//2022/03/REPORTDISCRIMINAZIONILGBT_2022_rev.pdf

¹⁷Indeed, due to their high level of education and mature profile, the vast majority are employed (77%) or have been in the past (22.5%), only a negligible share have never worked (0.5%)

¹⁸ Ibid

¹⁹ Ibid

²⁰to be defined as brief daily exchanges that send denigrating messages to some individuals because they are part of a group, subtle insults (verbal, non-verbal, and/or visual) directed at people often in an automatic or unconscious way that can have effects on the state of psycho-physical well-being of a person

derogatory way” (over 9 out of ten), but also, albeit to a lesser extent, it happened that they were “asked about their sexual life” (38.7%)²¹.

The discriminations were detected also outside the workplace: the 17% of employed or former employed people claimed to have been discriminated against in at least one other area of daily life²². Indeed, almost one in two homosexual or bisexual people (46.9%) were discriminated in the school sector, LGBT parents have had the experience of seeing their children mocked or pointed out because of their sexual orientation (11.5% and 12.2% respectively)²³.

It is interesting to see that the 91.1% of the interviewees have claimed that trans people or people with non-binary gender identity are very or quite discriminated against in Italy (56.3% and 34.7% respectively)²⁴. This shows that discrimination exists both against homosexual people, and (even greater) in the hypothesis of gender nonconforming people who do not fall within this community.

The observations and experiences reported by interviewees, both male and female, in the open field dedicated to the conclusion of the questionnaire, highlighted the existence of a clash between daily life for LGBT people and the logic of institutions²⁵.

This data shows the existence of an issue of discrimination for the community in Italy, that can also be seen from the fact that the tolerance in the country towards gender nonconforming people is not high: indeed, in the 2018 European Social Survey, answering the question whether “Gays and lesbians should be free to live as they wish”, the 14% of the Italians interviewed expressed themselves against it, placing Italy at odds with other Western European nations, which instead show a very high level of agreement with this idea (less than 5% of Irish, English, Dutch or

²¹ Ibid

²² Ibid

²³ mothers and fathers reported that their children have been excluded or rejected by other children (7% of mothers and 5.5% of fathers), and that they have been avoided or excluded by other parents (19.5% of fathers and 17% of mothers, among those who had preschool-age children).

²⁴ the share of those who indicated “very discriminated against” is more than double that referring to the spread of discrimination against homosexual people (19.7%)

²⁵ De Rosa, E. et al (2022): La nuova forma delle famiglie. InGenere, July 20, 2022. available at: <https://www.ingenere.it/articoli/la-nuova-forma-delle-famiglie>. In particular, difficulties were reported in the daily management of family life resulting from the lack of legal recognition of both parents for the children of homoparental couples: it was highlighted the impossibility for the non-biological parent to withdraw from school without authorization, to take sick/maternity leave, to assist them in hospital; forms and information systems that do not always include the item united/a, and situations that take on more serious implications in cases of separation or death of the biological parent.

Norwegians say they are against or very against it, with the French and Germans only a few points above)²⁶.

The precedent data represents only a small segment of the LGBTQIA+ population in Italy, but shows the existence of discrimination in everyday life.

In light of this, it can be asserted that a regulation aimed at marginalizing gender-based discrimination and violence could help against it, and the regulatory gap cannot be justified with a lack of need, which on the contrary was found from this data.

c. Justification

This research aims to fall into the field of gender studies and in particular adhere to the concept of gender as a constructed category, as arranged and outlined, among others, by authors such as Butler, Gottschall, Foucault, Ackerly and True, whose works constitute the starting frame of this analysis and gave me the instrument to analyze the questions raised by this paper.

This thesis intends to analyze, from a critical perspective, how the church is using the term "theory of gender" and how it is reproduced in the gender based discrimination legislation, corroborating the work of authors such as Sara Garbagnoli and Lorenzo Bernini, which have put their academic effort to challenge the meaning of the term as it has been used in recent decades in Italy, and to give back to gender theories their correct understanding and place in the gender studies' field.

Garbagnoli in particular, well summarizes in 5 points the main deformations that the inventors of the "Gender Ideology" concept subject to theories and research on the sexual order²⁷:

1. First of all, she contests the use of "theory" in singular and as a synonym for "ideology" because it undermines its very legitimacy, and cancels the social and intellectual history that has led to the production of multiple positions and theories (more or less radical).

²⁶Il sole24ore: Dati, sondaggi e studi accademici: i numeri della comunità di gay e lesbiche e l'anomalia italiana. June 12, 2021. available at https://www.infodata.ilsole24ore.com/2021/06/12/dati-sondaggi-studi-accademici-numeri-della-comunita-gay-lesbiche-lanomalia-italiana/?refresh_ce=1 Last viewed 27/08/2024

²⁷Garbagnoli S., speech: Il genere, la denaturalizzazione dell'ordine sessuale e la reazione del Vaticano', 22nd of March 2016 at Palazzo Ducale di Genova, published the 4th of August 2016 <http://www.intersexioni.it/il-genere-la-denaturalizzazione-dellordinesessuale-e-la-reazione-del-vaticano/>

2. Secondly, the Vatican does not translate the English word "gender" in Italian, precisely in order to mark the concept as so unacceptable that it cannot even be translated.

3. Third, the Vatican has fabricated a synonymous repertoire of the concept such as "gender ideology," "gender theory," "sexual gender ideology," "subjective sexual gender theory," and so on, all with the strategic purpose of political labeling, operating as pseudo-concepts that circulate in the political space as if they were actual concepts and operate as a distorting label to create an enemy, as a rallying signal to establish and accredit a mobilization group, and as scarecrow terms to impress third parties. Indeed, one of the Vatican's aim was, and is, to block legal reforms that denaturalize the family order by opening up to the recognition of homoparenting, or of blocking training courses for teachers or reforms of school programs that aim to counteract sexist and homotransphobic stereotypes that are still rooted in common sense and so produce violence against girls, boys and adolescents.

4. Fourth, the Vatican claims that "gender ideology" means that everyone is free to choose their sexual identity, thus eliminating the constructivism that characterizes the work produced in gender studies that shows how the norms and hierarchies that define the sexual order are historically constructed and solidly naturalized.

5. Finally, the Vatican misrepresents the concepts of gender theories, demonstrating a "strategic ignorance" of them: it knows them poorly, but knowing them well is not its goal. The Vatican opposes what it calls "gender feminists" including Butler and Delphy, and has been calling for the creation of a "new feminism" since 1995, which, it says, does not eliminate the specificities of female genius and values sexual difference. It even comes up with its own definition of gender, according to which gender is an acceptable notion if it is defined as "the transcendent dimension of sexuality that conforms to the natural order already written in the body". Gender is therefore the reflection of sex as a fact of nature, making the very use of the concept of gender completely useless.

Garbagnoli showed how the concept of 'theory of gender' is, as a matter of fact, inconsistent from the gender theories that are, and have been, studied in the field of gender studies.

My thesis wants to contribute to the work that these authors, among others, have done and are still doing in the Italian academic field, and finds its distinction with respect to the sectors studied by these authors, because it is placed in a more restricted field, wanting to highlight the influence of what they have already studied and analyzed also in the sector of the legislation for the fight against discrimination.

2

Theory chapter

a. Introduction

In this thesis I aim to analyze discourses carried out in the process of a law proposal, which has not been approved, that falls into the field of the protection of gender nonconforming people. Therefore, I need to use two theories. The first one concerning the relation between power and language: I will analyze Fairclough's language power theory, that focuses on the relation between language discourses and power, and on how social struggle is strictly connected to power relations.

In consideration of the study of a law proposal process, it would seem logical to resort to a theory concerning policy-making. However, I have not followed this path because my focus is not on the political process that led to the legislation process, nor on the underlying power relations, but my attention is focused on the discourses carried out by subjects following a Catholic ideology within the investigative process of the proposed law. Therefore, although the legislative process assumes relevance in this sense, it is not at the heart of the analysis, maintaining a marginal role. For this reason, I will conduct a brief examination of how the legislative function is implemented in the Italian legal system, in order to provide readers with the basic tools adequate to understand the process that the Zan bill had and the phase in which the hearings were undertaken, but I will not analyze the political process that supported it at the beginning. Instead, I have opted for a theory focused on the study of language and how it can be used to create power through discourses, because these are the core of the analysis I will conduct.

The second one is gender theories, which is more a group of theories that allows me to go deeper in the thematic of gender.

Under the umbrella of the term 'gender theories' various theories fall, such as, between others, feminist theories, queer theories, gender constructivism and gender essentialism. This thesis does not intend to go into depth in each of these theories, since first of all the time and space would be missing, and secondly it is not necessary for the purpose of elaborating its theme.

This chapter will focus on the contradistinction between gender constructivism and gender essentialism, giving definitions and analyses that are necessary to understand the general contraposition between gender theory as carried out in the field of gender studies, and the so called ‘theory of gender’²⁸ (also called gender theory or ideology of gender) according to conservative catholic environment.

Both language power theory and gender theories will be used to analyze the concept of “theory of gender”, used in the last decades in conservative catholic environment, and how it has been proposed by the Vatican and re-proposed into Italian society, especially in gender discrimination field through the hearings carried out by the government in light of the law proposal ‘Zan’ that will be presented.

This concept has spread in almost all the countries worldwide, especially those with catholic roots, but this thesis, due to a lack of time and space, will focus only on the Italian’s environment and the legislation concerning gender-based discrimination and violence.

b. Philosophy of science

This thesis falls into the field of post-structuralism.

Post-structuralist movement emerged in the philosophy and humanities field in the 1960s and 1970s, and challenged the tenets of structuralism, which had previously held sway over the interpretation of language and texts in the humanities and the study of economies and cultures in the social sciences²⁹. Post-structuralists, critiqued in particular structuralism's reliance on centers and binary oppositions: they developed new ways of thinking about difference and identity that are anti-essentialist rather than grounded or fixed *a priori*.

Gender constructivism theorists, such as Butler with her performativity theory, can be defined as post structuralist theorists, challenging the normativity definition of gender as binary: feminist post-structuralism, indeed, troubles the binary categories of male and female, making visible the constitutive force of linguistic practices, and dismantling their apparent inevitability³⁰.

²⁸ I want to clarify that the term ‘theory of gender’ will be placed in quotation marks, through the thesis, based on the supported fact that such theory has no foundation in academic field and has no support by researchers and authors in gender studies field.

²⁹ Woodward, J.P. (2009) in International Encyclopedia of Human Geography

³⁰ Gannon, S. et al, (2005). Feminism/ Poststructuralism.

c. Discourse and power: Fairclough's language power theory

The first theory I am going to present is Fairclough's language power theory and concerns the relation between language discourses and power.

Norman Fairclough is an author and Professor of Linguistics at Department of Linguistics and English Language at Lancaster University, and has argued that discourses is the place where relations of power are actually exercised and enacted³¹.

Discourses work in a double way. At the societal and institutional levels, social structures determine discourses³²: the way in which orders of discourse are structured, and the ideologies they embody, are indeed determined by relationships of power in particular social institutions, and in the society as a whole³³. In the same way, discourses reproduce those powers, and are usually used as a tool to construct or maintain structures of power in society, and to reinforce ideologies underneath.

Power relations are, following Fairclough's theory, always relations of struggle, which is interpreted as the process whereby social groupings with different interests engage with one another, and this social struggle occurs between groupings of various sorts (women and men, black and white, young and old, etc.): as class relations are the most fundamental relations in class society, class struggle is the most fundamental form of struggle³⁴.

Gender, in particular gender equality, is also to be seen as a social struggle: as we will see, the society is based on gender norms that also provides gender roles, to describe how people of a particular gender and age are expected to behave in that given social context. Gender stereotypes that exist in society can limit access and opportunities for individuals to participate in social change, especially for those in vulnerable positions such as women, LGBTQ+, and minorities³⁵. Therefore, gender is a dominant factor in shaping social change: changing stereotypical views that limit roles and expectations based on gender can pave the way for more inclusive and equitable social change³⁶.

³¹Fairclough, N. (1989) Language and power. London: Longman, 1989, p.43

³²Discourse refers to any spoken, written or visual language, and according to Fairclough, the term discourse can be used to make a connection between language and the wider society.

³³Fairclough, N. (1989) Language and power. London: Longman, 1989, p.31

³⁴Ibid, p.34

³⁵Azka, M. (2023). The role of gender in the dynamic of social change: analysis of intersectionality in the context of contemporary society. 10.31219/osf.io/ab8e4.

³⁶Ibid

Social struggle can be more or less intense and can appear in more or less overt forms, but all social developments, and any exercise of power, take place under conditions of social struggle³⁷. This has consequences on language and discourses: language is both *a site of* and *a stake in* class struggle, and those who exercise power through language are constantly involved in struggle with others to defend (or lose) their position³⁸.

Discourses are being determined by social structures on one side, and have effects upon them on the other side, contributing to the achievement of social continuity or social change: it is because of this relationship between discourses and social structures that discourses assume such importance in terms of power relationships and power struggle³⁹. The control over discourse by institutional and societal power-holders is indeed one factor in the maintenance of their power⁴⁰.

Language is a very powerful tool also in the field of gender, where in the last decades many authors have contributed to study the relations between gender and language. The most significant theoretical work to influence the field of language and gender has been Judith Butler's (1990) *Gender Trouble* and, more specifically, her notion of gender as performative. Such an account states that gender is not a stable, prediscursive construct residing in individuals; rather it emerges in discourse and in other semiotic practices⁴¹. In other words, individuals do not simply act out a pre-existing gender; they are always actively involved in the "doing" of gender⁴². The idea is that even the most normative of identities are discursively produced and require repeated iterations⁴³. Butler's work questioned the monolithic and essentialist understandings of femininity and masculinity and opened the doors to the "pluralizing" of femininities and masculinities as to Cameron words⁴⁴.

³⁷Fairclough, N. (1989) *Language and power*. London: Longman, 1989, p. 34

³⁸ Ibid, p.35

³⁹ Ibid, p.37

⁴⁰ Ibid

⁴¹Ehrlich S. et al.: *Introduction Language, Gender, and Sexuality*. In "The handbook of language, gender, and sexuality" by Susan Ehrlich, Miriam Meyerhoff, and Janet Holmes, published in 2014 by John Wiley & Sons, Incorporated.

⁴² Ibid

⁴³ Ibid

⁴⁴Cameron, D. (2008). "Theoretical Issues for the Study of Gender and Spoken Interaction." In Pia Pichler and Eva Eppler (eds.), *Gender and Spoken Interaction*, 1–17. Basingstoke: Palgrave Macmillan

This allowed to turn the attention to the various ways that linguistic resources can be deployed in producing a wide range of femininities and masculinities in different contexts or communities of practice⁴⁵.

Taking a discourse perspective analysis helps understanding the complex and subtle ways in which gender is represented, constructed and contested through language.⁴⁶

For the language power theory, the analysis of power in discourse can be split into two disciplines⁴⁷: power *in* discourses and power *behind* discourses.

Power *in* discourse reveals how powerful participants control and constrain the contributions of non-powerful participants. There are three types of constraints: on content (on what is said or done), on relations (the social relations people enter into in discourse), and on subjects (or the subject's position people can occupy)⁴⁸.

It is interesting how this constraint works differently in face-to-face discourses and in one-side discourses. Indeed, in face-to-face interaction, participants alternate between being the producers and the interpreters of text, but in one side discourses (such as writing, mass media and also hearings), there is a sharp divide between producers and interpreters⁴⁹. Producers' power is exercised in the way that they have the sole producing rights and can therefore determine what is included and excluded, how events are represented, and even the subject positions of their audiences.

Differently, power *behind* discourse is based on the idea that the whole social order of discourse is put together and held together as a hidden effect of power⁵⁰. The power effect of a discourse is imposed upon all of those involved, by the system itself. This is enforced, both in the negative sense of what sanctions are taken against those who infringe the rules/ the ideology underneath the authority expressed in a discourse, and in the positive sense of what affirmations there are for those who abide by them. This kind of power can be seen in the relation between doctor and patient, between ministers of a religious cult and believers, and so on.

⁴⁵ Eckert, P. et al. (1992). "Think Practically and Look Locally: Language and Gender as Community-Based Practice." Annual Review of Anthropology, 21: 461–490 in Ehrlich S. et al.: Introduction Language, Gender, and Sexuality. In "The handbook of language, gender, and sexuality" by Susan Ehrlich, Miriam Meyerhoff, and Janet Holmes, published in 2014 by John Wiley & Sons, Incorporated.

⁴⁶ Litosseliti, L. et al. (2002) Gender Identity and Discourse Analysis.

⁴⁷ Fairclough, N. (1989) Language and power. London: Longman, 1989, p.43

⁴⁸ Ibid, p.46

⁴⁹ Ibid, p.49

⁵⁰ Ibid, p.55

In simple words, power *behind* discourses is the sociological and ideological reasons that are behind who is asserting power over others and why.

But it must be considered that power, whether it is 'in' or 'behind' discourse, is never definitively held by any person, or social grouping, because power can be won and exercised only in and through social struggles in which it may also be lost: those who hold power at a particular moment have to constantly reassert their power, and those who do not hold power are always liable to make a bid for power⁵¹. This always works: both whether one is talking at the level of a particular situation, or in terms of a social institution, or in terms of a whole society. Power at all levels is won, exercised, sustained, and lost in the course of social struggle⁵².

In this thesis I analyze through a language power theory's lens the ideology at the base of the Vatican's interpretation of the "theory of gender", in particular the article written by the Archbishop of Utrecht, concerning the church anthropology and the theory of gender⁵³. This lens will be used also to study the hearings carried out in the Zan proposal context, in a legislative environment, seen as one sided discourses, where the content is determined by the author. We will look for the power in the discourse that can be found in the position assumed by the speaker and its authority, while the power behind the discourse is to be looked at in the deeper ideology that they aim to perpetrate. This theory will be used together with gender theory (which will be more focused on understanding the meaning of gender that lies behind the discourses analyzed and the struggle that the law proposal aimed at face), and also together with the instrument of critical discourse analysis, as a tool to look for the power that the discourse reproduce and intend to reinforce.

d. Gender theories

Gender theories is a term that includes in itself various theories that place the concept of gender at their center. The assertions of these theories, and what they support, vary from one to another, and also between different authors and researchers in the field of social sciences and gender studies, providing different

⁵¹ Ibid, p.68

⁵² Ibid.

⁵³Card. W. J., Eijk, Archbishop of Utrecht: L'antropologia cristiana e la teoria del genere. Incontro delle Commissioni dottrinali europee (Esztergom, 14 gennaio 2015) available at https://www.vatican.va/roman_curia/congregations/cfaith/incontri/rc_con_cfaith_20150114_esztergom-eijk_it.html

interpretations and definitions in order to study and research the concept of gender and its role in society.

A different interpretation of gender is at the base of the social struggle that lies under the contraposition between the essentialist concept of gender, and the constructivist's one. There is indeed a concept of essentialism behind the discourses carried out by the Vatican and its followers, while a constructivism concept stays behind the idea of the law proposal Zan.

i. Gender essentialism theory

A theory which considers gender and sex one in the same, is gender essentialism. It asserts that men and women act differently and have different options in life because of intrinsic or essential differences between the sexes⁵⁴, supporting the idea that men and women are fundamentally different for reasons that are unchangeable⁵⁵.

Therefore, gender essentialism claims that gender is a 'natural category' that is biologically determined based on a person's sex assigned at birth⁵⁶. A person's gender is, therefore, considered to be based on biology (e.g., chromosomes, hormones, anatomy) and science⁵⁷: the sex assigned at birth is "natural" and any deviation from identification with the stereotypically associated gender is "unnatural" and/or "tampering with nature"⁵⁸.

Furthermore, gender is considered immutable, being fixed from birth and cannot be changed. By this logic, it is not valid to change gender over time or for one's gender identity to shift from one that coincides with one's sex assignment at birth⁵⁹.

⁵⁴Boskey, E. (2020): "Gender Essentialism Theory" published in verywellhealth, url <https://www.verywellhealth.com/elizabeth-boskey-phd-3132569> , Updated on April 11, 2020

⁵⁵Meyer, M. et al (2016): Gender essentialism in children and parents: implications for the development of gender stereotyping and gender-typed preferences. *Sex Roles*. 2016; 75:409. doi:10.1007/s11199-016-0646-6

⁵⁶Bastian, B, et al (2006). Psychological essentialism and stereotype endorsement. *Journal of Experimental Social Psychology*, 42(2), 228–235. <https://doi-org.zorac.aub.aau.dk/10.1016/j.jesp.2005.03.003>

⁵⁷Saguy, T., et al (2021). The gender-binary cycle: The perpetual relations between a biological-essentialist view of gender, gender ideology, and gender-labelling and sorting. *Philosophical Transactions of the Royal Society B: Biological Sciences*, 376(1822). 20200141. <https://doi-org.zorac.aub.aau.dk/10.1098/rstb.2020.0141>

⁵⁸Hoogendoorn, G., et al (2021). Tampering with nature: A systematic review. *Risk Analysis*, 41(1), 141–156. <https://doi-org.zorac.aub.aau.dk/10.1111/risa.13619>

⁵⁹Bastian, B., et al (2006). Psychological essentialism and stereotype endorsement. *Journal of Experimental Social Psychology*, 42(2), 228–235. <https://doi-org.zorac.aub.aau.dk/10.1016/j.jesp.2005.03.003>

As a consequence, females and males are seen as the only two gender categories that have to be considered, and they follow gender roles that are attributed to their category. The expression “men are from Mars, women are from Venus” reflect essentialist thinking: the belief that all members of a category share fundamental or ‘essential’ qualities that make them what they are⁶⁰.

Gender essentialists believe in the assumption that women and men are distinctly, immutably, and naturally different, and thus have complementary skills: differences between the sexes are sometimes described in categorical ways, and attributed in a deterministic fashion to fixed biological factors⁶¹.

Gender essentialism is the base for inequality based on gender, because it considers the differences between men and women as immutable and connected to their innate sex at birth: it supports the existence as stereotypes such as women are caring, the center of the family value, gentle and sensible, while men are strong and *pater familias*, caring about the family survival through their work.

This theory has a strong base in religious beliefs, where it actually found its first basis: male and female are created by God, and individuals are immutably one or the other⁶².

ii. Gender constructivism theories

Oppositely to gender essentialism theory, there is gender constructivism theory, that has been theorized differently by different authors.

According to Boskey⁶³, gender essentialism is not supported by evidence, being instead, a common system of biases that affect how the world works. In fact⁶⁴, people who identify as non-binary⁶⁵ explicitly reject the notion of gender essentialism

⁶⁰Skewes, L. et al. (2018): Beyond Mars and Venus: The role of gender essentialism in support for gender inequality and backlash. PLoS One. 13(7):e0200921. doi: 10.1371/journal.pone.0200921. PMID: 30040839; PMCID: PMC6057632.

⁶¹Fine C. (2010) Delusions of gender: How our minds, society, and neurosexism create difference. New York: Norton.

⁶²Thatcher, A. (2011). ["Gender: language, power, and history"](#). God, sex, and gender: an introduction. Chichester, West Sussex, United Kingdom: Wiley-Blackwell. p. 19. ISBN 9781444396379.

⁶³Boskey, E. (2020) “Gender Essentialism Theory” published in verywellhealth, url <https://www.verywellhealth.com/elizabeth-boskey-phd-3132569> , Updated on April 11, 2020

⁶⁴ibid.

⁶⁵It indicates a person who does not recognize themselves in the idea that there are only two genders, male or female. Non-binary people do not feel like they were born in the wrong body (although they may want to change some aspects), in fact, they often harmonize characteristics related to the male or female gender.

by forgoing either male or female identities, and also people who identify as male and female can reject gender essentialist norms through actions, beliefs, and behaviors.

According to Jule Allyson⁶⁶, gender theory can be defined as “the study of what is understood as masculine and/or feminine and/or queer behavior in any given context, community, society, or field of study”, comprehending, among others, literature, history, sociology, education, applied linguistics, religion, health sciences, philosophy, cultural studies. The term gender refers to “what is nurtured”, to categories such as social expectations, roles, and behaviors, feminine and masculine considered as behavioral patterns⁶⁷. It is strictly referring to the concept of gender identity. So defined, it differs from the term sex, which refers instead to the “nature” of the body, to categories of the biologically observable human body, female and male or intersex⁶⁸.

According to Disch⁶⁹, gender theory is concerned with the construction or the development of the self and implies a theory where individual speaking, thinking, acting, and perceiving are viewed as formed with culturally specific patterns of behavior that develop over time. Such assertion emerges from an interpretation of gender as constructed and formed in social interactions, included in the theory of gender constructivism, where gender is defined as an organizing principle of social orders that divides people into two major categories: “men” and “women”⁷⁰. In everyday life, indeed, gender is constantly part of who and what we are, influencing how others treat us, and our general standing in society: our bodies, personalities, and ways of thinking, acting, and feeling are gendered⁷¹. The process of gendering starts from birth by naming, clothing, and interaction with family, teachers, and peers: a person’s identity as a boy or girl, and then as a man or woman, is felt as, and usually explained as, a natural outcome of the appearance of its genitalia, the signs of the biological sex, deriving from how our anatomy was determined by XX or XY

⁶⁶ Jule, A. (2014) “Gender Theory.” *Encyclopedia of Quality of Life and Well-Being Research*, Springer Netherlands, pp. 2464–66, https://doi.org/10.1007/978-94-007-0753-5_1137.

⁶⁷ Ibid.

⁶⁸ Ibid. It’s also important to underline that for some authors also biological sex is constructed, and masculine and feminine behaviors are considered rooted in the psychological area (Halberstam, J. (1998). *Female masculinity*. Durham, NC: Duke University Press).

⁶⁹ Disch, E. (Ed.). (2008). *Reconstructing gender: A multicultural anthropology*. New York: McGraw-Hill

⁷⁰ Lorber, J. (2018). *The Social Construction of Gender*. 10.4324/9780429494468-36.

⁷¹ Ibid.

chromosomes, which is considered to influence our brains and therefore our subsequent behavior as females or males⁷².

This gender identification process is continuously recreated by itself. The sex distinction between males and females creates an expectation of behaviors onto that specific sex category, that creates a behavior pattern which forms the gender identity.

For the social constructionists gender is not sex, but is an organizing principle of social order that divides people into the two major categories of “men” and “women”, which are expected to be different, are treated differently, and so become different⁷³. Because we are gendered, we “do gender,” and doing gender constructs our behavior, identities, and work and family lives⁷⁴. This concept is well defined by Lorber words: “throughout our lives, we dance a gendered dance, and through the dance we are gendered”⁷⁵.

iii. Gender performativity theory

In this interpretation, it is fundamental to recall the author Judith Butler, whose works have questioned the concept of gender and is generally indicated as the one who opened the way to the public debate on gender and in particular strongly contested by the Vatican, considered the founder of the “theory of gender” as interpreted in that environment, as will be seen later.

In fact, in the 90s, Butler published the book 'gender trouble' from which the gender performativity theory emerged, that has had wide-ranging and significant implications in a variety of fields⁷⁶. Her theory of performativity challenged categorical understandings of gender, suggesting that gender is constituted (and reconstituted) through ritualized performances of gender norms, and can be subverted through denaturalizing naturalized acts⁷⁷.

In gender trouble, the author argues that gender is not internal but is a repeated performance of acts, gestures, and desires evident on the body's surface, and “such

⁷² Ibid.

⁷³ Ibid.

⁷⁴ West, C. et al (1987). Doing gender. Gender & Society 1, 125-151.

⁷⁵ Lorber, J. (2018). The Social Construction of Gender. 10.4324/9780429494468-36.

⁷⁶ Jenkins, J., et al (2017). Gender trouble in the workplace: applying Judith Butler's theory of performativity to news organizations. Feminist Media Studies, 18(2), 157–172. <https://doi-org.zorac.aub.aau.dk/10.1080/14680777.2017.1308412>

⁷⁷ Ibid

acts, gestures, [and] enactments, generally construed, are performative in the sense that the essence or identity that they otherwise purport to express are fabrications manufactured and sustained through corporeal signs and other discursive means⁷⁸.

By the use of the word performativity, she doesn't mean to affirm that gender can be object of a continual resignification, as she has clearly explained, stating that: "there is a bad reading, which unfortunately is the most popular one... (that) goes something like this: I can get up in the morning, look in my closet, and decide which gender I want to be today. I can take out a piece of clothing and change my gender, stylize it, and then that evening I can change it again and be something radically other so that what you get is something like the commodification of gender, and the understanding of taking on a gender as a kind of consumerism"⁷⁹. What she means is that performativity is not a choice: those who do not "do their gender right" following gender norms, are ostracized within the culture, as the broader power structure prioritizes the maintenance of a gender polarity or binary⁸⁰. Consequently, gender norms determine the acceptability and intelligibility of the subject, and how this performativity is repeated can "displace the very gender norms that enable the repetition itself"⁸¹. This performativity of gender can be dismantled, in her opinion, through discourses, repeating acts, behaviors, or desires that challenge prevailing gender assumptions, reinforcing a new approach to doing gender⁸².

Interviewed by the journal *Le Nouvel Observateur*, Butler has clarified that the assumption that she denies the existence of biological sex is not true, affirming that⁸³:

"Many people ask me whether or not I admit the existence of biological sex. Implicitly, it is as if they were telling me: "You would have to be crazy to say that it does not exist!" And in fact it is true, biological sex exists, indeed. It is neither a fiction, nor a lie, nor an illusion. My answer, more simply, is that its

⁷⁸Butler, J. (1990/1999): *Gender Trouble: Feminism and the Subversion of Identity*. New York: Routledge p. 173

⁷⁹Jenkins, J., et al (2017). Gender trouble in the workplace: applying Judith Butler's theory of performativity to news organizations. *Feminist Media Studies*, 18(2), 157–172. <https://doi-org.zorac.aub.aau.dk/10.1080/14680777.2017.1308412> reporting Butler interview in *Artforum* 1992

⁸⁰Ibid

⁸¹Butler, J. (1990/1999). *Gender Trouble: Feminism and the Subversion of Identity*. New York: Routledge p. 189

⁸²Ibid

⁸³Butler J, interview by *Le Nouvel Observateur*, 16/04/2015 available at <https://www.lavoroculturale.org/sulla-teoria-del-gender-judith-butler/redazione-lc/2013/>

definition requires a language and a framework of understanding - exactly like all things that can be contested, in principle, and which in fact are. We never have an immediate, transparent, undeniable relationship with biological sex. Instead, we always appeal to certain discursive orders, and it is precisely this aspect that interests me.”

Explaining her performativity theory, she specified that:

“Gender theory does not describe the ‘reality’ we live in, but the heterosexual norms that hang over our heads. Norms that are transmitted to us daily by the media, by movies, as well as by our parents, and we perpetuate them in our fantasies and in our life choices. They are norms that prescribe what we must do to be a man or a woman. And we must constantly negotiate with them. Some of us are passionately attached to these norms, and embody them with ardor; others, however, reject them. Some detest them, but go along with them. Still others benefit from the ambiguity... I am therefore interested in exploring the gaps between these norms and the different ways of responding to them.”

Butler's theory is therefore a critical theory, which aims to contest the heterosexist power that oppresses sexual minorities, but it is not a normative theory, which intends to erase the identities of men and women, who are also the subjects of heterosexuality⁸⁴.

Nowhere does Butler state that one's own gender identity can be chosen, nor that the gender identity of others can be voluntarily manipulated from the outside: the fight against heteronormativity is not necessarily a fight against heterosexuality aimed at erasing sexual difference⁸⁵.

Gender constructivism, and gender performativity theory, differ from gender essentialism theory, and are fundamentally concerned with interrupting sexist systems and stereotypes and exploring ever-new ways to be human in regards to any gendered performances of the self⁸⁶.

⁸⁴ Bernini L, La "teoria del gender", i "negazionisti" e la "fine della differenza sessuale", in AG About Gender, International Journal of Gender Studies, 2016, Vol. 5, N°10, pp. 367-381

⁸⁵ Ibid.

⁸⁶ Foucault, M. (1978). The history of sexuality: An introduction. Harmondsworth: Penguin, in Jule, A. "Gender Theory." Encyclopedia of Quality of Life and Well-Being Research, Springer Netherlands, pp. 2464–66, https://doi.org/10.1007/978-94-007-0753-5_1137.

According to Gottschall⁸⁷, the way that gender is theorized has gone through a dramatic shift in the last few decades. Indeed, gender has changed from a fixed and certain binary concept of men and women, to a social construct that can be reevaluated. Gender is considered a social construct, and as such it is part and parcel of our epistemological foundations; that is, it participates in the way we think about thinking⁸⁸. Gender constructs are imbricated in our process of self-knowledge and self-identification and in our interactions with others⁸⁹.

iv. Beyond the binary concept of gender

In many aspects, a part of today's society asks to overcome the binary concept of gender as the only possibility to include other gender identities that do not fall into either one or the other primary binary category (man/woman), being also gender identities of persons whose characteristics go beyond or are opposite to the connotation of sex at birth. It is the case of gender nonconforming people⁹⁰.

Indeed, according to Ackerly and True, the gender binary is also socially constructed, which means that it denies the existence of an autonomous male/female subject, and gender has to be seen as an effect of historically-specific discourse, performance, and disciplinary practices⁹¹.

The supporters of this request and gender constructivism theorists do not affirm that females and males are not existing categories, nor that we should find one or more categories of gender where people can better fit in. It is a more open concept of gender, especially of gender identity, that pushes to give access to other gender identities, which need to be considered and studied in different fields (from scientific fields, to social sciences, to literature and so on). Indeed, gender theories develops in the field of gender studies, which is an interdisciplinary field that examines the sociocultural, political, and ideological aspects of sexual categorization and relations, exploring how gender and sexuality are constructed and changed in individual and

⁸⁷Gottschall, M. (2002) The Ethical Implications of the Deconstruction of Gender. In: Journal of the American Academy of Religion June 2002, Vol. 70, No. 2, pp. 279–299.

⁸⁸ *ibid.*

⁸⁹ *Ibid*

⁹⁰ Gender nonconformity means not adhering to gender roles and expectations that corresponds to the binary concept of gender. It includes things as simple as a woman wearing a tie such as something as complex and life-changing as adopting new pronouns.

⁹¹Ackerly, B. et al, (2010) Back to the future: Feminist theory, activism, and doing feminist research in an age of globalization. Women's Studies International Forum 33 (2010) 464–472. P.467

social identities, and how they intersect with other dimensions of social difference such as class, race, religion, and nationality⁹².

As we have seen, between the theories of gender we can find many sectorial theories, such as gender essentialism theory and gender constructivism theory (that we have already mentioned earlier), or feminist theories, queer theory and so on. Most of them aim to study and interrupt sexist systems and stereotypes and to explore ever-new ways to be human in regards to any gendered performances of the self⁹³. With a diversity of concepts, approaches, objects, and methods, these theories and research converge to show that sex and sexuality have to do with historical and social relations of domination⁹⁴.

Nevertheless, the term “gender theory” has been distorted and mis-interpreted as a “theory of gender”, starting as a neologism coined in conservative Catholic circles in the 1990s to refer critically to gender science studies, which are proclaimed to conspire to destroy the idea of a traditional family based on a clear definition of sexes and gender roles⁹⁵.

This concept is currently in use with this negative exception in the Italian public discourses, especially by the Catholic representative, making the expression theory of gender (or gender theory or gender ideology) an umbrella term, used as a slogan against the feminist and LGBT movements, in opposition to the struggles, claims and theories that these movements have elaborated and produced⁹⁶.

Oppositely, gender theories aim to answer questions such as ‘What is gender?’ ‘How do the new genders enter into the constructions of our society, in our gender and social norms?’

⁹²McConnell-Ginet S. (2012), “Linguistics and Gender Studies” in [Philosophy of Linguistics](#), Pages 503-530

⁹³ Foucault, M. (1978). *The history of sexuality: An introduction*. Harmondsworth: Penguin, in Jule, A. “Gender Theory.” *Encyclopedia of Quality of Life and Well-Being Research*, Springer Netherlands, pp. 2464–66, https://doi.org/10.1007/978-94-007-0753-5_1137.

⁹⁴Garbagnoli S., speech: *Il genere, la denaturalizzazione dell'ordine sessuale e la reazione del Vaticano*, 22nd of march 2016 at Palazzo Ducale di Genova, published the 4th of August 2016 <http://www.intersexioni.it/il-genere-la-denaturalizzazione-dellordinesessuale-e-la-reazione-del-vaticano/>

⁹⁵State of mind. *Il Giornale delle scienze psicologiche “Genere-Gender”* available at <https://www.stateofmind.it/gender/#:~:text=Il%20termine%20gender%2C%20in%20italiano,l%C3%A0%20della%20differenza%20sessuale%20biologica>, last access 19/08/2024

⁹⁶Garbagnoli, S. as reported in “«Teoria del gender»: come è nata e a cosa serve”, in *La 27esima ora*, Rizzoli Corriere della Sera, 6 novembre 2017 available at <https://27esimaora.corriere.it/17-novembre-06/teoria-gender-come-nata-cosa-serve-bbf2dfba-c2b0-11e7-985a-e44f18aa540b.shtml> last access 19/08/2024 self traslation

Many gender theories question and challenge the exclusivity of binary gender identity (man/woman) by opening the doors to other gender identities, but doesn't collide with the existence of male and female as gender identities themselves.

3

Method and methodology chapter

a. Introduction

Having explained the theories that I mean to use in my research, it is now necessary to present the method that will give me the practical instrument to conduct the analysis. I intend to approach discourses carried out during the hearing of the Zan law proposal through a critical lens, evaluating what the text in itself reports and what meaning it intends to convey. To this end, the critical discourse analysis method offers me the appropriate tools to be able to carry out both a pure linguistic analysis and a search “between the lines” of what values and ideologies that type of language and discourse intends to evaluate and devalue.

In the analysis of the hearings, I use qualitative data to carry out this thesis, but I have decided to do a preliminary quantitative overview of the whole hearings recorded by the Senate of the Republic as part of the examination of the draft law 2205/2021, concerning the fight against discrimination or violence based on sex, gender or disability. This is because it allows us to extract a general overview of the opinions that came out from the hearings and the general ideology which permeated the hearing phase as a whole.

To do it, I have divided in 5 bigger groups all the people that were heard, based on their belonging to a professional category (legal experts), on the idea that they themselves declare to support (pro-Catholic and feminist), on the lack of categorization because they belong to different professional categories or orders of ideas (uncategorized group) or on being an LBTIQ+ person or in support of the community. I have then distinguished based on their idea on the bill, between positive, negative and negative for technical reasons.

b. Critical discourse analysis

Critical discourse analysis is a qualitative research method used, between others, in social science, for studying written or spoken language in relation to its social context⁹⁷. To conduct a discourse analysis means to examine how language functions and how meaning is created in different social contexts⁹⁸. It is relevant for this thesis because it can be applied to any instance of written or oral language: inputs as government documents, interviews and newspapers and periodicals are suitable for doing the analysis. Through the analysis researchers aim to gain an understanding of social groups and how they communicate⁹⁹, and in this case I aim to understand how pro-catholic discourses have communicated in the field of gender discrimination legislation in Italy.

In order to conduct this analysis the work of Norman Fairclough, considered the father of critical discourse analysis, becomes relevant again. He comes to discourse analysis from a linguistics and language perspective, and sees discourse as "a social practice which constructs social identities, social relations and the knowledge and meaning systems of the social world ... [which] both reflects and produces the ideas and assumptions relating to the ways in which personal identities, social relations, and knowledge systems are constituted through social practice"¹⁰⁰.

In other words, critical discourse analysis sees the language of discourse as a kind of two-way mirror: it both reflects and contributes to the social world, its knowledge systems and its social relationships¹⁰¹.

Fairclough's critical discourse analysis is strictly connected to his language power theory and has two dimensions: the "communicative event", as the specific incident of language use, and the "discourse order", as the "discourse practices" or the way language is used within a particular social institution.

⁹⁷Luo, A. (2023, June 22). Critical Discourse Analysis | Definition, Guide & Examples. Scribbr. Retrieved September 16, 2024, from <https://www.scribbr.com/methodology/discourse-analysis/>

⁹⁸ Ibid

⁹⁹ Ibid

¹⁰⁰Nielson, A.E. et al (2009), "A discourse analysis of the disciplinary power of management coaching", *Society and Business Review*, Vol. 4 No. 3, pp. 204

¹⁰¹Use discourse analysis. (n.d.). Emerald Publishing. <https://www.emeraldgrouppublishing.com/how-to/research/data-analysis/use-discourse-analysis#:~:text=References-,Definition%20of%20discourse%20analysis,analysis%20performed%20using%20this%20method.%22>

It combines an "internal" study of language with "external" study of its context – how the text is affected by social practices and relations¹⁰².

This method can indeed be used to reveal power relationships, and how certain groups can be marginalized¹⁰³.

Fairclough's approach to critical discourse analysis emphasizes the intrinsic connection between language and social practice, viewing discourse as a form of social action¹⁰⁴. His model focuses on investigating how societal power relations are established and reinforced through language use.

Discourses also have the ability to reproduce classes and ideologies as a hidden agenda¹⁰⁵. Indeed, class relations determine discourse (and social practice generally), and are themselves reproduced in discourse, creating a continuous circle¹⁰⁶.

Fairclough points out that all the social institutions have as 'hidden agenda' the reproduction of class relations and other higher-level social structures, in addition to their overt agenda¹⁰⁷.

This also happens when the discourses carried out are in the field of gender.

As a matter of fact, giving the important role that language covers in gender thematic, feminist researchers have expanded on critical discourse analysis and developed the feminist critical discourse analysis (FCDA), which investigates power and ideology through a gender lens¹⁰⁸. Numerous studies have been conducted in different countries employing various approaches to critical discourse analysis, revealing that texts often underline masculine power, tending to present men as dominant, strong, active, and intelligent, while women are pictured as passive, submissive, and

¹⁰²Cheng, A.Y.N. (2009), "Analysing complex policy change in Hong Kong: what role for critical discourse analysis?", *International Journal of Education Management*, Vol. 23 No. 4, pp. 360-366.

¹⁰³Use discourse analysis. (n.d.). Emerald Publishing. <https://www.emeraldgrouppublishing.com/how-to/research/data-analysis/use-discourse-analysis#:~:text=References-,Definition%20of%20discourse%20analysis,analysis%20performed%20using%20this%20method.%22>

¹⁰⁴Fairclough: Theory & Discourse | StudySmarter. (n.d.). StudySmarter UK. [https://www.studysmarter.co.uk/explanations/english/key-concepts-in-language-and-linguistics/norman-fairclough/#:~:text=with%20a%20reader.,Norman%20Fairclough%3A%20Critical%20discourse%20analysis%20\(CDA\),knowledge%2C%20ideology%2C%20and%20power.](https://www.studysmarter.co.uk/explanations/english/key-concepts-in-language-and-linguistics/norman-fairclough/#:~:text=with%20a%20reader.,Norman%20Fairclough%3A%20Critical%20discourse%20analysis%20(CDA),knowledge%2C%20ideology%2C%20and%20power.)

¹⁰⁵ Fairclough, N. (1989) *Language and power*. London: Longman, 1989, p. 41

¹⁰⁶ Ibid

¹⁰⁷ Ibid

¹⁰⁸Lazar, M. (2005) *Feminist CDA as Political Perspective and Praxis*. In *Feminist Critical Discourse Analysis. Gender, Power and Ideology in Discourse*; Lazar, M.M., Ed.; Palgrave Macmillan: Basingstoke, UK, 2005; pp. 1–28.

emotional¹⁰⁹. These representations are able to reinforce gender stereotypes and gender norms which are generally recognized as working in the society, norms which have a double power: on one hand they define what a certain gender is for our society, and on the other they continue to reinforce the very role that is at the basis of gender (feminine/masculine), constructing it.

Gender roles are, hence, reproduced in discourses and reinforced by it. It is consequently important to critically analyze them in order to find this reinforcement of gender norms also where such intention has not been openly declared. Discourses exercise a power often with the author of them being unaware: critical analysis is a very good instrument to reveal the power underneath language and has a big potential social impact in raising people's self-consciousness towards their own speeches and those of their interlocutors.

Discourses, therefore, indirectly contribute to the reproduction of the unequal social relations of our society, through naturalizing hierarchy, and between others, gender norms. The stereotype and gender norm that we want to look for in this research, is the very base of gender norm: the gender binary concept. We will look into discourses critically to see whether this gender norm is recalled, how it is addressed and what ideology is underneath it.

To do it, we will take into account Fairclough's three levels of analysis¹¹⁰:

1. description: the text of the communicative event itself is taken into account, with reference to its vocabulary, to the eventual use of metaphor and rhetorical forms, and the types of argument used. We will hence focus on the text by itself, on how the language is like, if it is emotive, persuasive, friendly, or demanding, and the tenor of the declarations.
2. interpretation: it focuses on the discourse practice, how the particular communicative event changes or copies existing practice within that particular discourse. We will take into account how the discourse can be received and interpreted by the readers, considering who the target audience is, the motivation behind it (is a certain ideology being presented? Who might benefit from that?), and the interaction that occurs.

¹⁰⁹Tabatadze, S. (2023) Woman against a Woman? Inherited Discourses to Reproduce Power: A Gender Discourse Analysis of School Textbooks in the Context of Georgia. *Educ. Sci.* 2023, 13, 795. <https://doi.org/10.3390/educsci13080795>

¹¹⁰Nielson, A.E. et al (2009), "A discourse analysis of the disciplinary power of management coaching", *Society and Business Review*, Vol. 4 No. 3, p. 20

3. explanation: It aims to set the discourse into the context of the wider society and the current cultural norms and values considered, the relationship between the interaction with discourse and the social context is under study. Consequently, we will place the discourse within the wider society and look for the ideology that is underneath it.

Fairclough's method gives a practical tool to proceed with the analysis, and will be adapted with a gender perspective in order to approach the questions that this research aims to answer.

c. Qualitative data analyzed

As object of the critical discourse analysis, I have used again the hearings recorded by the Senate of the Republic as part of the examination of the draft law 2205/2021, concerning the fight against discrimination or violence based on sex, gender or disability.

They are relevant with Fairclough theory and method because such discourses made in a legislative procedure and directed to the legislative body, have a double aspect: first, they have the open intention to influence the decision on the topic they have been required to talk about, but secondly they are also able, as hidden agenda, to reproduce social constructions, such as gender classes (as binary) and norms, as the "normal" and "recognised" rule, and they do so with the language they use and the ideology they reproduce.

The people heard were many, but they will not all be analyzed in detail. Only those hearings released by members in a pro-Catholic position will be taken into consideration in details, and this precisely in order to evaluate what specific discourses can be identified and what ideology comes out from their development, looking for how the so-called gender ideology has been brought back into the discussion before the Italian legislative body, in the preliminary phase of the adoption of a legislative text.

The hearings taken into account are: Anna Cavallo, President of the association Siamo Così, Sister Anna Monia Alfieri, and Professor Gianandrea Di Donna, University of the Holy Cross of Rome.

d. Research design overview

After having outlined all the theories and the method that I intend to use, and before continuing with the analysis chapter, I want to give an overview of how I have decided to structure the research, to give an instrument that explain why I have chosen these specific theories and method together with the data, that can give a better understanding of my research design.

My intention in this thesis is to critically look for the role that the pro-catholic discourses had in the legislative field of gender based discrimination, to understand what ideology is behind them and what norms, specifically gender norms, they reproduce.

On this base, I have set my research question in “What specific discourses and ideologies are identified in the pro-catholic hearings developed for the investigation phase directed to decide the approval of the gender-based discrimination law”, and to give an answer I needed to have a theory that would help me in setting the thesis topic in the academic environment of gender studies.

Based on this, I will use essentialism, constructivism and performativity theories of gender, in order to have enough instruments both to explain the Vatican’s point of view in their conception of the “theories of gender” (and in this, gender essentialism is fundamental) and to carry out an analysis that questions it (and in this constructivism and performativity is necessary).

In order to have a more centered analysis, I have decided to focus on one single law proposal, the law proposal n. 2005/2021, in the field of gender discrimination: I chose it because it is the latest proposal in order chronological (and therefore the most current), and because it contains in its text the concept of gender identity which is central in understanding the pro-catholic discourses on gender topics.

As for the data, these are the ones that I used for conducting the analysis: an article written by the Archbishop of Utrecht in 2015, the text of the law proposal n. 2005/2021, the hearings that were registered in the investigation phase of the legislative proposal (being in video format, I have partially transcribed them in the appendix n.3).

The first document was chosen in order to give my readers enough knowledge of the Vatican’s point of view, because it presents how the church interprets the concept of

gender and the idea they have on gender studies. As I will say later, this empirical data represents a good compromise because of its clarity and completeness.

I have then explained the content of the text of the law proposal, to have a clear visual of what it would have foreseen if it had come into force.

With regard to the aspect of the analysis of how the church vision entered into the law proposal process, the legislative procedure has many texts and technical data, and in Italian society many discussions have been raised about the proposed law, all with arguments that can be traced back to the gender ideology supported by the church, both in the public debate and in the political debate.

However, I believe that focusing on the analysis of the investigation phase of the legislative proposal, and therefore on the hearings, is the best way to understand how the gender ideology supported by the church was introduced, being an integrant part of the legislative process itself and therefore playing a role in the procedure that ended with a negative outcome.

Of these hearings, the most relevant are those held by explicitly pro-Catholic speakers, but I also believe it appropriate to carry out a broader, albeit more superficial, study of the hearings in general, evaluating their primary content and to which group the other speakers could be traced back, which allows us to have a broader vision of the Italian ideological field in which this legislative proposal is inserted.

Considering that the hearings have been taken in the form of speeches and that I want to look at what kind of ideologies they expressed, I need an instrument to take into account how discourses are made and which power they can have. Because of this I will use Fairclough's power language theory and, together with it, in order to carry out a critical perspective (given the not coincidence within theories of gender in gender studies and the Vatican's "theory of gender") I will use the same author's method of critical discourse analysis, having more coherence in order to examine the empirical data I chose, and giving me a practical tool to conduct the analysis and to go back to my research question and answer it.

4

Analysis chapter

a. introduction

Following the intention of this thesis to study how the conceptualization carried out around the ‘theory of gender’ by the Vatican has been re-proposed in the regulatory evolution on gender discrimination in the Italian territory, this chapter will start explaining the concept of “theory of gender” and its roots, to then focus on the Zan Bill and its hearings, as the most relevant legislation proposal advanced in Italy in the last years to fight gender-based discrimination and violence.

b. the so-called “theory of gender” under the Vatican’s interpretation

To continue the analysis with a critical discourse analysis of the Zan Bill hearings, a preface is necessary on what the “theory of gender” is, since it is the object on which the analysis will focus later.

The ‘theory of gender’, also called generally gender theory or gender ideology, is a neologism coined in conservative Catholic circles in the 1990s to refer critically to scientific gender studies, that are accused to plot for the destruction of the family and of a supposed natural order on which to base society¹¹¹.

The term has been coined with an omni comprehensive meaning, that includes whatever theory that concerns, positively, gender non conforming thematic (such as gender constructivism, queer theory, and gender studies in general). In other words, conservative environment has attributed a negative meaning to the concept of ‘theory of gender’, with the intention of making it the scapegoat against any theory or idea that challenges the binary conception of gender with the traditionally attributed roles.

¹¹¹Garbagnoli S., (2014) «L'ideologia del genere»: l'irresistibile ascesa di un'invenzione retorica vaticana contro la denaturalizzazione dell'ordine sessuale, in About Gender. Rivista internazionale di studi di genere, Vol 3, N° 6, pp.250

However, from a theoretical and academic point of view, a 'theory of gender' by itself doesn't exist in scientific fields.

The expression was coined with the publication of the Lexicon of ambiguous and controversial terms published under the aegis of the Pontifical Council for the Family in 2000, with the intent of labeling, distorting and delegitimizing what was produced in the field of gender studies¹¹². But even before, some Vatican collaborators close to Opus Dei, to anti-abortion associations or promoters of the so-called "reparative theories of homosexuality" have dedicated themselves to this work of labeling-deformation since the mid-90s in reaction to the documents discussed and voted on at the fourth world conference on women held in Beijing in 1995, where the term gender was firstly used, but have been put in quotation marks under pressure from the Vatican¹¹³.

Afterwards, the term migrated into discourses, through slogans chanted by thousands of protesters (in France and Italy, above all) mobilized against the adoption of legal reforms aimed at reducing discrimination suffered by non-heterosexual people (same-sex marriage, recognition of homoparenting, law to combat homophobic and transphobic violence)¹¹⁴.

The syntagm "gender ideology" was built by the Vatican as a distorting label used since the mid-90s to create a new discursive device with two objectives: first, to reaffirm the transcendent nature of the sexual order, questioned by the knowledge and claims of sexual minorities, and secondly, to delegitimize any political, cultural, juridical and theoretical intervention aimed, explicitly or implicitly, at the denaturalization of the norms that cross and define the sexual order in force¹¹⁵.

Into this purpose we can find the power *behind* the discourse, as the value and ideology that it aims to protect and to reinforce.

To deeper comprehend it and reveal the Vatican's ideology underneath, we can observe the article written in 2015 for the Meeting of the European Doctrinal

¹¹² Ibid

¹¹³ Ibid

¹¹⁴ Ibid

¹¹⁵ Garbagnoli S., speech: Il genere, la denaturalizzazione dell'ordine sessuale e la reazione del Vaticano', 22nd of march 2016 at Palazzo Ducale di Genova, published the 4th of August 2016 <http://www.intersexioni.it/il-genere-la-denaturalizzazione-dellordinesessuale-e-la-reazione-del-vaticano/>

Commissions by the Archbishop of Utrecht, concerning the church anthropology and the theory of gender¹¹⁶.

I have chosen this article for its completeness of analysis on the topic: It does not belong to the most important, as there are several papal declarations and documents that contest gender theories and the concept itself, however it is able to offer the point of view of the Vatican and the church in a clear and complete way, simplifying the understanding also for those who do not have a specific knowledge of Catholic anthropology.

In his disquisition, Card starts first by defining what gender theory is (or better, how the Vatican interprets it): he affirms that it was born in the field of gender studies, in order to answer the question 'in what way gender, understood as a role imposed on women by society, is rooted in sex, in the biological and natural characteristics of the body'. Therefore, he claims that those who adhere to this theory would consider gender as the role socially constructed by men and women, determined, only remotely and weakly, by biological sex, thus also detaching itself from the very being of the human person, who could then identify with another role of his or her own choice or according to his or her sexual orientation¹¹⁷.

The Archbishop of Utrecht continues recalling Sommers¹¹⁸ assertion that gender theory has its roots in a process of radicalization of feminism starting from the 1960s. He continues affirming that classical feminism, of liberal inspiration, was born around the mid-1800s, aiming to achieve equal rights for women (such as the right to vote, to own property, to work, to marry and to divorce), while the radicalization of feminism went over it, no longer focusing on achieving equal rights for women, but centered on the very being of women, asking the question of what women were, whether a being determined by biological sex and above all by reproductive structures or, instead, a being determined by a role imposed by society. This role was considered humiliating because it implied the domination of the male, relegating women to the primary purpose of serving for reproduction and making them prisoners of the family. He continues saying that the primary idea of radical feminism,

¹¹⁶Card. W. J., Eijk, Archbishop of Utrecht: L'antropologia cristiana e la teoria del genere. Incontro delle Commissioni dottrinali europee (Esztergom, 14 gennaio 2015) available at https://www.vatican.va/roman_curia/congregations/cfaith/incontri/rc_con_cfaith_20150114_esztergom-eijk_it.html

¹¹⁷ Ibid

¹¹⁸Sommers C. H., (1994): Who stole feminism. How women have betrayed women, New York/London: Simon & Schuster, 1994, particularly chapter 1 "Women under siege"

in its various forms, is the liberation of women from all that¹¹⁹. To support this, he reports assertions of several researchers in the field of what he defines as radical feminism (such as de Beauvoir, Firestone, Marx, Engel, Lévi-Strauss, Lacan, Foucault and Butler) all focused on trying to, in his opinion, subvert the role that women have in the family according to what he defines as the natural order of things, and how such duties would entail, in his opinion in the eyes of these authors, a negative connotation of women, of their bodies and their role, as they are considered connected to negative experiences (he recalls the changes in women's bodies during adolescence, the resulting male attention, the feeling of being "objects" by the female gender in the eyes of men, the reproductive role of women in the family seen as limiting, and so on)¹²⁰. In his opinion, all these arguments would be the basis for which members of radical feminism would like to subvert gender roles, even going so far as to contest the gender binary, opening up to what he still calls the "theory of gender"¹²¹.

At this point, he lists the reasons why the discussion on sex and gender initiated by radical feminism, leads to ideas and opinions that seriously contrast with the doctrine of the Church in various fields¹²²:

1. First of all, he argues that gender theory has repercussions on the way of seeing family, marriage and sexuality. In fact, he opposes the struggles that exist both at national and international level in order to pursue "gender equity", recalling the United Nations Fourth World Conference on Women in Beijing in 1995, which was a crucial moment for the emergence of the so-called 'gender theory', having triggered the opposition of the Catholic Church to what was asserted and supported. In fact, in that conference, not only the representatives of the International Gay and Lesbian Human Rights Commission, requested the recognition of the sexual autonomy of women, who should be "free from any discrimination or oppression, particularly for

¹¹⁹ Card. W. J., Eijk, Archbishop of Utrecht: L'antropologia cristiana e la teoria del genere. Incontro delle Commissioni dottrinali europee (Esztergom, 14 gennaio 2015) available at https://www.vatican.va/roman_curia/congregations/cfaith/incontri/rc_con_cfaith_20150114_esztergom-eijk_it.html

¹²⁰ Ibid

¹²¹ Ibid

¹²² Ibid

women who deviate from sexual and gender codes”¹²³, but the term “gender” was actually adopted in its final report as part of an action point, namely “to design, implement and monitor with the full cooperation of women politicians and effective, efficient [...] and mutually gender-sensitive programmes”¹²⁴. He specifies that “discrimination against people and the use of violence against them because of their sexual orientation must be rejected”, but highlights that the policies proposed to promote gender identity, implying the facilitation of the detachment of gender from biological sex, go further and must therefore be opposed.

2. Secondly, he highlights how the ‘gender ideology’ would have repercussions on the fundamental right to life. In fact, within the scope of gender equality, among sexual and reproductive rights, the issue of abortion falls, as a woman’s right to safe procured abortion, which contrasts with the Vatican’s belief in a prenatal right to life from fetal age.
3. Finally, in a strictly ecclesiastical context, the ‘theory of gender’ would make the biological distinction between man and woman indifferent, with serious repercussions on fundamental elements of the Christian faith, such as the analogy between the relationship between Christ and the Church and that between the husband and wife (Eph. 5:21-33). There would also be repercussions on the doctrine regarding the ordained ministry, which, on the basis of this analogy, is reserved for men.

What the Archbishop said clarifies the position of the Catholic Church on what they define ‘theory of gender’, also generally referred to as ‘gender ideology’ or gender theory, and is significant in identifying the power behind every discourse carried on by the followers of this interpretation¹²⁵: when the term ‘theory of gender’ is used with this meaning, it brings with it these values and ideas that characterize it to reinforce them.

¹²³Wilson A., (1996) “Lesbian visibility and sexual rights at Beijing,” *Signs* 22 (1996), Autumn, pp. 214-218; Statement by P. Beverley for the United Nations Fourth World Conference on Women in Pechino the 13 september 1995, <http://www.un.org/esa/gopher-data/conf/fwcw/conf/ngo/13123944.txt>.

¹²⁴ Annex I, “Beijing Declaration,” n. 19; cf. nn. 24, 38; “Mission Statement,” n. 3, <http://www.un.org/esa/gopher-data/conf/fwcw/off/a--20.en>.

¹²⁵based on a negative meaning of gender and gender studies, whose sole purpose is intended (erroneously, as seen the the theory chapter) to abolish any existence of the binary concept man/woman in order to subvert what is considered the natural order of things and the institutions that result from it, such as the primary institution of the Church which is considered the traditional family (man, woman and children).

The neologism, with all what it brings with it, has spread in the Italian country, becoming the dominant definition of gender ideology or theory, and has been reinforced in everyday life by:

- catholic representatives and associations, such as the commonly known Pro Vita & Famiglia¹²⁶, a non-profit organization with a strong influence in the Italian territory, which defines its role to be in favor of children, mothers and fathers, to defend the right to life from conception to natural death, to promote the family based on marriage between a man and a woman, and to support the freedom and educational priority of parents¹²⁷;
- political members: there are various speeches of the parliament right-members¹²⁸ supporting the gender essentialism concept with the exclusivity of a binary gender idea. The current Minister for Family, Birth Rate and Equal Opportunities in the Meloni government, has recently justified the refusal of the Italian government to sign the Declaration for the promotion of European policies in favor of the Lgbtqia+ community¹²⁹, saying that the document is *“very unbalanced towards the so-called gender”*, while the current government on charge *“have a very clear idea: anyone can choose who to have romantic and sexual relationships with, but the freedom to be whoever you want supported by the document is an ideological forcing and a denial of the reality of the facts, because the reality of the body and sexual belonging cannot be changed completely. It is legitimate to intervene to adapt one’s body to one’s own discomforts and needs, but this cannot be made a canon”*. Furthermore, she underlined her adherence to the exclusivity of the concept of gender affirming that *“there are females and there are males...We (intended as the Italian government on charge) intend to preserve the*

¹²⁶ Pro Vita & Famiglia is very active throughout Italy also thanks to the 110 territorial clubs they have, and is supported by donations and campaigns aiming to inform and raise public awareness at every level, with online and offline initiatives, poster and print campaigns, sail trucks, flash mobs, sit-ins, demonstrations and marches.

¹²⁷ https://www.provitaefamiglia.it/chi-siamo?_gl=1*1fz4gb8*_up*MQ..&gclid=CjwKCAjwxNW2BhAkEiwA24Cm9J3J2uuHa5P_9dCmaMS5EVSaC3onv5q6epjXtlCOwxD6AopKhuouqxoCRpEQAvD_BwE

¹²⁸ such as, between others, the Prime Minister Giorgia Meloni, Matteo Salvini and Eugenia Maria Roccella.

¹²⁹ Declaration on the continued advancement of the human rights of LGBTIQ persons in Europe Signed on the occasion of the High Level Conference “Pride Alliances and Policy: Towards a Union of Equality” 17 May 2024, available at <https://belgian-presidency.consilium.europa.eu/media/kvibjar1/declaration-final.pdf>. It has been signed by 18 European countries. The 9 countries that have not signed it are: Italy, Hungary, Romania, Bulgaria, Croatia, Lithuania, Latvia, the Czech Republic and Slovakia.

*anthropology in which we have always been immersed and on which parenthood and the continuity of the human group are based, because if you take away males and females, parenthood also changes and we cannot be surprised if children are no longer made*¹³⁰. This document has not been signed because it is considered too similar to the Zan law proposal¹³¹.

- communication media: journals and television programs simply refer to the theory of gender in the exception that has been previously explained, corroborating, again and again, a process of attributing meaning to the term.

The reproduction of the concept in so many environments has demonstrated the efficiency and capability of the use of the language made by the catholic sources to express its power (power *in* discourse) and fight for the maintenance of their power to determine the meaning of 'gender' into the italian social system.

c. The law proposal DDL n. 2005/2021, generally known as Zan Bill

In order to counter attack the spread of this "theory of gender" in Italy, and to give further protection against discrimination to the LGBTIQ+ community, the left-side wing of the government proposed to adopt a law against discrimination and hate crimes based on sexual orientation and gender identity.

The law proposal is generally known as Zan Bill (D.d.l n.2005/2021)¹³², and was presented on June 30, 2020, in Italy to the Chamber of Depute by the Italian Minister Alessandro Zan¹³³, as a unified text of a series of legislative proposals which had at their core the intention to fight gender based violence and discrimination¹³⁴. It assumes particular relevance being the most recent proposal in the topic and carrying a definition of gender that differs from an essentialist point of view, embracing a constructivist definition of it.

¹³⁰interview of Maria Eugenia Roccella, Italian Minister of family, available at <https://www.vanityfair.it/article/ministra-roccella-no-a-forzature-gender-si-e-maschi-o-si-e-femmine>

¹³¹ <https://europa.today.it/unione-europea/italia-contro-dichiarazione-ue-lgbt.html>

¹³² Appendix n. 2, D.d.l n.2005/2021

¹³³ Member of the Democratic Party, he is known to be a representative of the LGBT community.

¹³⁴The bill was supported by the Five Star Movement, the Democratic Party and Free and Equal, and by the LGBT rights associations Arcigay and GayLib. On the contrary, the right wing parties Lega and Fratelli d'Italia declared themselves against its approval, declaring that the proposal would have limited freedom of expression.

i. Text content

The text presented aimed to fill a legislative gap in Italy, by amending articles 604-bis and 604-ter of the penal code (Mancino law of 1993), introducing a clause to protect the "pluralism of ideas" and, in addition, recognizing May 17 as the National Day against Homophobia, Lesbophobia, Biphobia and Transphobia, inviting public administrations and schools to organize initiatives on that date.

The Zan bill, which takes its name from its creator, the PD¹³⁵ deputy Alessandro Zan, specifically provided for the toughening of penalties for crimes and discrimination against homosexuals, transsexuals, women and disabled people.

According to the text of the bill, the crimes related to a discrimination against homosexuals, transsexuals, women and disabled people, would have been equated to those established by article 604 bis of the penal code which currently provides the criminal sanction of imprisonment in the cases of propaganda and incitement to crime for reasons of racial, ethnic and religious discrimination, contrasting racism and hatred on religious grounds. The provision nowadays aims at protecting respect for human dignity and the principle of ethnic, national, racial and religious equality, and the Zan bill meant to provide for the expansion of the criminal offense with the addition of penalization of the discriminatory conduct sanctioned therein that was based also on sex, gender, sexual orientation, gender identity and disability. The purpose of discrimination based on sex, gender, sexual orientation, gender identity and disability would also have become a general aggravating circumstance¹³⁶.

To clarify the meaning of the used terms and provide a clear definition of them, the first article of the bill provides the following definitions:

- a) sex: defined as the biological or anagraphic sex;
- b) gender: interpreted as any external manifestation of a person that is in accordance with or in contrast with social expectations related to sex;
- c) sexual orientation: meant as the sexual or emotional attraction towards people of the opposite sex, the same sex, or both sexes;

¹³⁵as for Democratic party

¹³⁶ aggravating circumstances are defined as those that increase the penalty provided for the simple crime or those that expressly provide for the application of a more serious penalty, but of a different nature than that provided for the simple crime (art. 61 italian penal code)

d) gender identity: meant as the perceived and manifested identification of oneself in relation to gender, even if it does not correspond to sex, regardless of having completed a transition process.

It is evident that these definitions are more in line with gender constructivism theories, as we have analyzed in the theory chapter, distinguishing between sex and gender and also between sexual orientation and gender identity, recognising that gender, gender identity, sexual orientation can vary from anagraphic sex and they recognise an interpretation of gender identity beyond the binary. Oppositely, they contrast with gender essentialism theory, which would require gender identity and sex as binary and as one in the same.

In order to give further protection the freedom of expression of ideas, constitutionally protected in the Italian legal system, the text of the law included a clause to protect the pluralism of ideas and freedom of choice¹³⁷. Indeed, it stated that the law would not apply in cases of free expression of beliefs or opinions as well as legitimate conduct attributable to the pluralism of ideas or freedom of choice, provided that they were not capable of determining the concrete danger of committing discriminatory or violent acts.

The bill also established a national day against homophobia, lesbophobia, biphobia and transphobia, to promote a more widespread "culture of respect and inclusion as well as to combat prejudice, discrimination and violence motivated by sexual orientation and gender identity"¹³⁸. However, this day would not have led to reductions in working hours in public offices, nor would it constitute a holiday or entail a reduction in hours for schools of all levels¹³⁹. It was simply foreseen that on the occasion of the National Day against Homophobia, Lesbophobia, Biphobia and Transphobia, ceremonies, meetings and any other useful initiative would be organized for the achievement of the purposes of promoting a culture of respect and inclusion as well as combating prejudice, discrimination and violence motivated by sexual orientation and gender identity, in implementation of the principles of equality and equal social dignity enshrined in the Constitution.

A further commitment was foreseen for schools and public administrations to implement activities to promote the culture of respect and inclusion as well as to

¹³⁷ art. 4 Bill Zan - appendix 2 ddl 2005-2021

¹³⁸ art. 7 c.1 Bill Zan - appendix 2 ddl 2005-2021

¹³⁹ art. 7 c.2 Bill Zan- appendix 2 ddl 2005-2021

combat prejudice, discrimination and violence motivated by sexual orientation and gender identity, without however providing dedicated funds for this, but requiring to include it in the resources already available and in any case without new or greater burdens for public finances¹⁴⁰.

ii. Legislative procedure

As per the ordinary legislative process¹⁴¹, the text of the law was firstly presented to the legislative body, and subjected to an investigation phase: it began its approval phase in the Chamber of Deputies, following multiple postponements, on 27 October 2020 with the vote on the preliminary questions of constitutionality, which were rejected¹⁴².

On November 3, an amendment proposed by Lisa Noja was approved to also prohibit discrimination based on disability. On November 4, the bill was approved by the Chamber of Deputies with 265 votes in favor, 193 against, and one abstention, and then passed to the Senate (navette procedure) for its analysis and approval.

However, on 27 October 2021, the Senate, instead of continuing with the ordinary legislative procedure, decided to use a special tool, the so-called 'tagliola'¹⁴³, which

¹⁴⁰ art. 7 c. 3 Zan bill - appendix 2 ddl 2005-2021

¹⁴¹ law-making process in the Italian system: In the Italian legal system, the legislative power is in the hands of a body called Parliament, and in particular the legislative function is exercised collectively by the two chambers that compose it#.

The process of forming a law is divided into successive phases:

1. the presentation of the project: the legislative initiative consists in the presentation to one of the two chambers of a draft law, composed of one or more articles and preceded by an explanatory report. The texts presented directly by members of the Government are called 'Disegno di Legge (DDL)'. Following the presentation, the legislative projects are announced to the Assembly, printed and distributed as quickly as possible. They are then assigned to the permanent Commission competent for the matter dealt with by the project.
2. The ordinary phase of approval of the draft law is divided into two phases:
 - a. first there is the examination by the permanent parliamentary Commission, responsible for carrying out an investigation and a preliminary evaluation and preparing a text for discussion in the Assembly;
 - b. Then, there is discussion and deliberation by the Assembly.

Each bill must be approved by the Chamber to which it was first presented.

Following an initial approval, the bill is transmitted to the other Chamber, which may approve the text as it is, and then the bill will move on to the next phase, or it may make changes. If changes are made, the bill is passed back to the other chamber for approval again. This process of passing from one Chamber to the other (commonly called navette) continues until the text is approved by both with identical wording.

3. When the law obtains double approval, there is the final phase, namely promulgation by the President of the Republic and publication in the Official Journal.

¹⁴² rejected with 251 votes against and 201 in favor

¹⁴³ This instrument, in fact, allows that, before the examination of the articles of a bill begins, a senator for each group can advance the proposal to not proceed to such examination (article 96 of the Senate regulation). The result is that a bill is sunk even before discussing the merits of the various articles.

led to the approval by secret ballot of the non-procedure of the bill requested by the politician parties Lega and Fratelli d'Italia (right-wing parties), with 154 votes in favor, 131 against and 2 abstentions, blocking the process and sinking the bill, also preventing the possibility of filing identical or excessively similar bills in the following six months.

In fact, with the use of this instrument, the Italian government did not express itself on the merit of the measure, exploiting the existence of a technical *escamotage* to avoid having to express itself.

The vote not to proceed on the merits has however already demonstrated the contrary position of the majority of members of the Italian Senate¹⁴⁴, in contrast instead with the majority of the members of the Chamber of Deputies who had approved the text under examination¹⁴⁵.

However, the hearings held during the preliminary investigation phase by the competent commission of the government remain relevant for understanding the entrance of the “theory of gender” into the procedure for the discrimination legislation and will be the subject of the following analysis.

iii. A broader analysis of the hearings with a quantitative point of view

The hearings carried out in the preliminary phase of the Zan Bill, available for listening on the official website of the Senate of the Italian Republic, are 42¹⁴⁶.

Only 3 of these hearings will be examined in detail with the ausilium of critical discourse analysis and theories, since they are those with a direct connection and relevance to the theme of this thesis. As explained in the method chapter, these are the hearings that converge in the Catholic ideology that underlies the so-called theory of gender.

However, I believe it is important to provide an overview of all the hearings, which have themselves demonstrated to have almost equal topics and a common pattern.

¹⁴⁴ 154 votes in favor to apply the ‘tagliola’ procedure, 131 against and 2 abstentions

¹⁴⁵ 265 votes in favor of the approval of the DDL Zan, 193 against, and one abstention

¹⁴⁶ appendix 3: Hearings Statistic overview and transcriptions

https://webtv.senato.it/leg18/4621?video_evento=201001 27 maggio 2021

https://webtv.senato.it/leg18/4621?video_evento=202101 3 giugno 2021

https://webtv.senato.it/leg18/4621?video_evento=202901 8 giugno 2021

https://webtv.senato.it/leg18/4621?video_evento=203101 8 giugno 2021 n. 2

https://webtv.senato.it/leg18/4621?video_evento=207001 15 giugno 2021

https://webtv.senato.it/leg18/4621?video_evento=210601 22 giugno 2021.

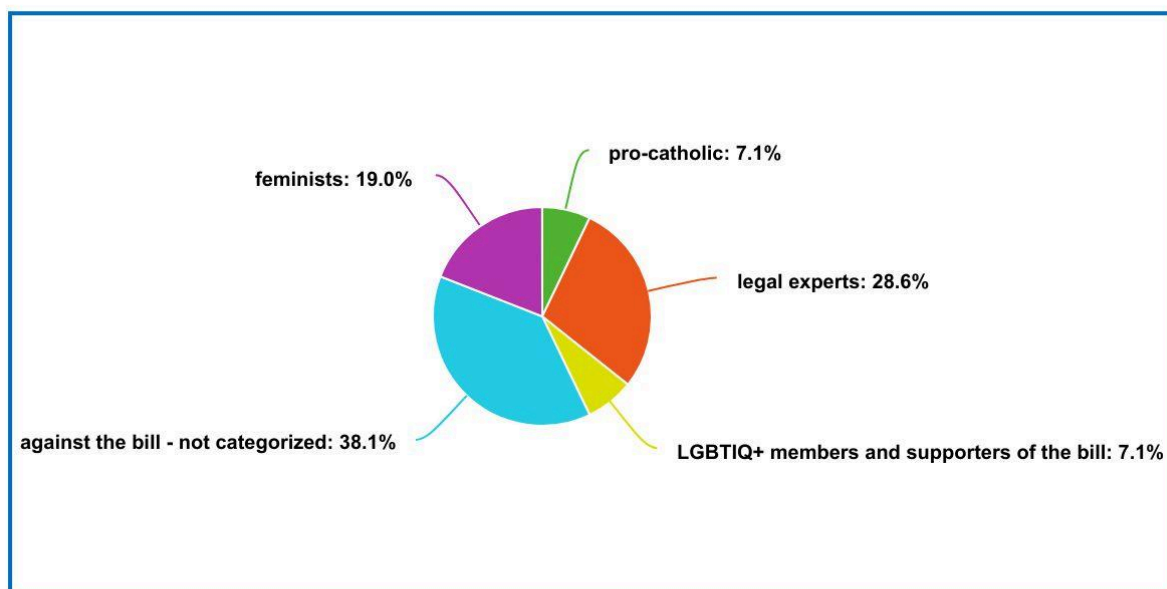
From this general outlook, we can extrapolate a quantitative overview of the hearings that allows us to extract the first results from them, and helps in answering the research question showing a pattern in them and focusing on the same topic.

Indeed, a broader analysis allows us to see a wider overview of the opinions that came out from the hearings from the different speakers, and a common line which permeated the hearing phase as a whole: we will see, hence, how, even though the central theme was the concept of gender identity, there was an extremely low representation of LGBTIQ+ people, which is the one that is more concerned by the theme and towards which most of the critics against the approval of the bill were carried out.

The hearings, in addition to those supporting a pro-Catholic ideology, can be divided into 4 large groups:

1. hearings of legal experts (12 people),
2. hearings of declared feminists (8 people),
3. hearings against the Zan bill that cannot be categorized (16 people)
4. hearings of LGBTI members and supporters of the bill (3 people).

Hearings groups



pro-catholic legal experts LGBTIQ+ members and supporters of the bill
against the bill – not categorized feminists

meta-chart.com

The first group¹⁴⁷ (legal experts) has raised by majority¹⁴⁸ critical issues with the bill with reference to criminal law, highlighting how the formulation of the crime did not respond to the principles of specificity and certainty of the criminal law, leaving open the risk of a too broad discretion of the judging power and therefore of a lack of certainty of punishment. The uncertainty would be based on the notion of discrimination and on the definitions provided by the Zan Bill in its article 1, in particular with regard to gender identity, defined by most as a vague concept and linked to a pure and simple subjective feeling of the person. Some jurists (only 2 out of 12) have instead contested this vision, highlighting how: a) the notion of discrimination is already in use in the article 604 bis of the criminal code on which the bill was based, with regard to racial, ethical, national and religious reasons, and is already defined in the national legal system by laws and sentences; b) the concept of gender identity would not be a novelty in the Italian legal system either, since it is not only referred to in several ordinary laws, but also defined by the Constitutional Court¹⁴⁹ itself, which has given it constitutional, and therefore superior, rank as a "constitutive element of the right to personal identity, which falls fully within the scope of the fundamental rights of the person" guaranteed by art. 2 of the Constitution and by art. 8 of the European Convention on Human Rights.

The second group includes many feminists and representatives of feminist associations, whose majority¹⁵⁰ believe the Zan bill is detrimental to women's rights, and this despite the fact that the female sex would have been included in criminal protection as a gender. There are various reasons for this: some have contested that women do not fall into a minority category to be protected as they constitute a large portion of the Italian population, and that including them in this protection would be equivalent to underestimating them and diminishing the work done over the years for their broad recognition; others have highlighted that the concept of gender also includes men who therefore would also be protected, creating the oxymoron of protecting the "stronger sex" in a society already marked by patriarchy; others still, claimed that misogyny is a phenomenon that requires greater protection than homo/lesbian/transphobia and therefore should not be put on the same level. They all converge in not wanting to put the issue of misogyny and discrimination against

¹⁴⁷ Appendix 3. 12 members are highlighted with orange colors

¹⁴⁸ 10 out of 12 members

¹⁴⁹ Italian Constitutional Court, decision n. 221/2015

¹⁵⁰ 6 out of 8

women, which must have, in their opinion, a higher relevance and importance, at the same level with homo/lesbian/transphobia and discrimination based on gender, which is considered a less important issue. They also contest how the concept of gender in the proposal could incorporate a vision beyond the binary of the term: in fact, they showed support for an essentialist vision of the term gender, opposing the recognition of a gender identity that goes beyond the binary man/woman, considered harmful to the rights of the female category and risky in terms of their protection.

In opposition to this idea, only a couple of participants which declared themselves feminists, expressed support for the law proposal Zan, claiming that both male violence against women, and violence against LGBTQI people, represent different manifestations of gender-based violence. They have different specificities but with the same cultural root, which is to be found in the heteropatriarchal system. In their opinion, in order to provide protection, it would not be necessary to find something that unites the groups that suffer discrimination and violence (among which there are women, migrants, LGBTI members and so on), but it would be sufficient to identify the perpetrators, that is to be found in the men, who carry the patriarchal values that create discrimination. Their point is that the fight of feminism to bring to light the widespread discrimination against women must not exclude the other discriminated subjects who today need to receive recognition for a life free from violence.

The third group (not categorized) is the wider one. It is very generic, and composed differently by representatives of other religious groups in Italy, such as the evangelical church and muslims, by writers and journalists, and by people that have expressed previously their idea concerning the bill. It is interesting to notice that all of these interviewed are against the law proposal¹⁵¹ for two main reasons: 3 of them expressed the concern that the law proposal would limitate the freedom of expression and that this freedom must be protected against all, as the base of a democratic and liberal state form; the others have rejected the concept of gender identity as given by the bill, supporting once again an essentialist interpretation of gender and sex and refusing the incorporation of other gender identities distinguished by males and females.

The last group is composed of only 3 people. One is a declared homosexual writer¹⁵², one is a member of a non-profit social promotion association that brings

¹⁵¹ 15 out of 15

¹⁵² Giorgio Ponte

together prominent figures from the Italian LGBTI+ business community¹⁵³, and the last one is a professor and coordinator of the Italian national network for the fight against hate speech and phenomena¹⁵⁴. While the last two are in favor of the content of the law proposal Zan, the first one expressed a negative opinion on it. It is interesting to notice how the only member of the LBGTI community that has been called to bring its personal experience was against the bill, and reported his belief in a binary concept of gender, claiming that his being homosexual doesn't bring him out of the distinction between females and males. In his opinion, LGBT activism has a desire for revenge, which for him can become a desire for vengeance and he doesn't align himself in such a movement.

This means that in the hearings for a law that would aim to protect, within others, gender non conforming people, only one person heard, Mario di Carlo, was part of the LGTIQ+ movement in Italy, meaning that there hasn't almost been any representation of them in the process. This is an important fact to take into account when considering that almost all of the hearings were of negative opinion towards the approval of the law proposal.

Indeed, in consideration of the opinion expressed on the proposed law by the hearings we can divide them into 3 groups:

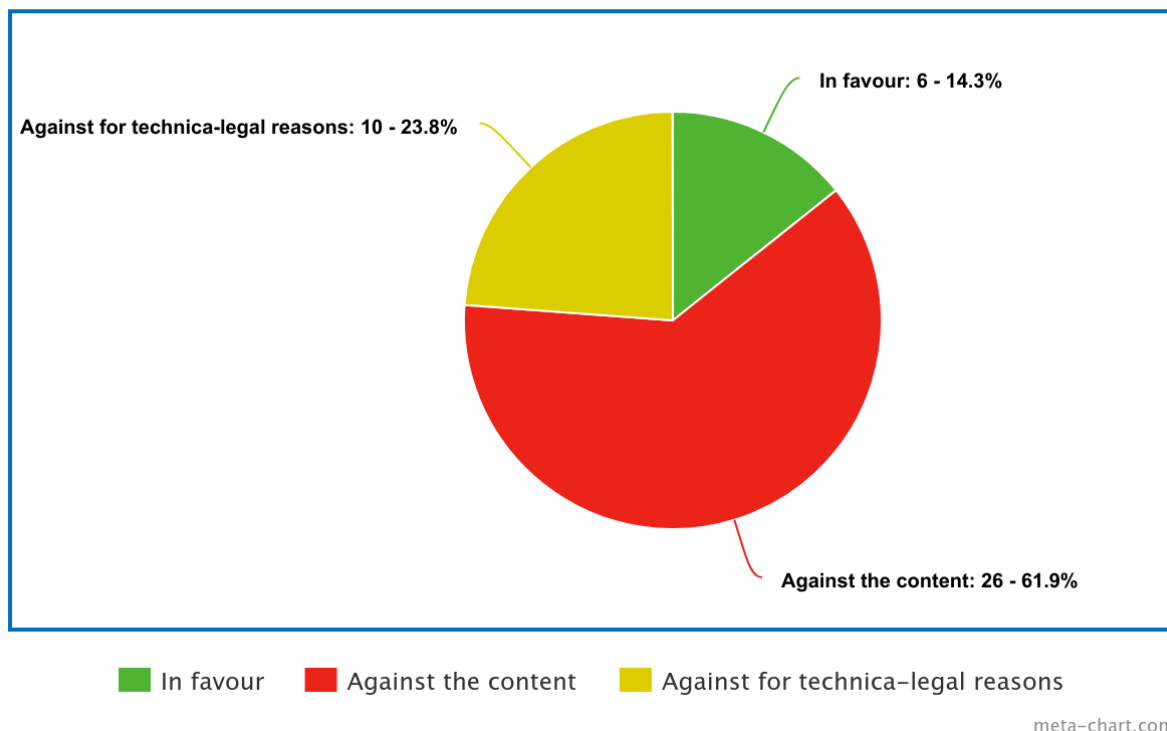
- in favor of the law proposal;
- against the content of the measure;
- against the approval for technical-legal reasons, without going into the merits of it.

The following pie chart shows the results of the hearings: only 14.3% of those heard were in favor of the approval of the law with the content it had, while the 61.9% expressed a negative opinion on it. The remaining 23.8 % didn't express themselves on the merit of the measure, but expressed technical criticisms and risks that could have arisen in the practical application by the courts.

¹⁵³ Mario Di Carlo

¹⁵⁴ Federico Faloppa

HEARINGS RESULTS



The main motivation behind the requested rejection of the proposal is to be found in the rejection of the concept of gender identity and in not wanting a constructivist gender concept to obtain recognition through the approval of the law. Indeed, in some of the auditions, it was proposed to change the term gender identity with transexuality, considering that in their opinion that was the only “other” gender that could be considered and that could need protection. This assumption has been opposed by those who supported the Zan proposal because of its reductive vision and scope, that would exclude all the other gender nonconforming people from the bill.

It has also been highlighted that the legislation would not be necessary since discrimination would already be sanctioned by the Italian legal system through the general legislation against violence and that a specific legislation for the category would be superfluous. Some speakers motivated their rejection in the supreme value of the right to free expression of thought that should be protected in any case. A strong contrast has also been found with reference to the article 7 of the proposed law, where it provided for a school’s intervention in the field of homo/lesbian/transphobia with specific meetings with LGBTIQ+ associations,

considered by many to be an invasion of the right of educational choice that belongs to parents, and to them alone.

Almost all the people that rejected the proposal, declared that it is important to protect against discrimination but that gender identity cannot be recognised as a concept, being a purely subjective way of feeling, a strictly personal perception of the self.

From these data, it results that the quorum of the participants requested in this phase of the law proposal is very limited, because it excluded all those who could have had an opinion on the topic, being direct recipients (such as the LGBTIQ+ community), and who could give their personal experiences, who instead were not consulted here.

We can also note that the predominant theme of the hearings remained the concept of gender identity, seen mostly as an element to be eliminated and that would contrast with the essentialist ideology of gender that is considered dominant by most, and that certainly was dominant in the audience of those heard in that venue. Gender was in fact seen as a category that must be considered as one with sex, to be distinguished into female and male, and to be protected as such. The possible opening to a broader vision of gender, which could include gender nonconforming people, was judged to be a source of confusion and uncertainty, the result of a personal feeling of the human being that cannot find space in legal protection.

IV. Analysis of the pro-catholic hearing

In order to continue the analysis in detail of the hearings, I will use Fairclough's¹⁵⁵ three-dimensional model and therefore, I will consider in my study the three stages:

1. description: allows to analyze the text by itself, watching what the used language is like, if it is manipulative, friendly, or demanding, and the tenor of the declarations.
2. interpretation: It considers how the discourse will be received and interpreted by the readers, taking into account who the target audience is and the motivation behind it

¹⁵⁵Fairclough, N. (1995) Critical Discourse Analysis. (1995)

3. last one, explanation: the discourse will be set into the context of the wider society and the current cultural norms and values considered.

The first and second step will be analyzed in couple for every singular discourse because it allows a more logic analysis of the quotes, while the explanation step will be conducted considering all the hearings together, considering that all the discourses have shown a similar pattern and a reproposal of the same value and ideology in order to combat the approval of the bill Zan, reinforcing a power behind their discourses that can be seen as unified.

Hearing 1, Anna Cavallo - description and interpretation
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Anna Cavallo¹⁵⁶ is the President of the association Siamo Così, a social promotion association founded on November 23, 2019, by the will of a group of women in order to explore issues, according to female sensitivity, specific to the dignity of women: from motherhood, to its role in today's society, to the education of children and young people to combat the phenomena of addictions, drugs, alcohol, gambling addiction, from the fight against the commodification of the person, of the woman's body, to the sale of ovules, to the renting of the womb, up to the sale of children, with the aim of protecting those who have no voice, and to forcefully affirm the right of every child to be born and to have a mother and a father¹⁵⁷.

The speaker therefore gives voice to what is supported by the association that defines itself as feminist, and which has a Catholic religious influence. This catholic belonging can be seen because it is affiliated with the ACLI association (Associazioni cristiane lavoratori italiani, to be translated in Christian Associations of Italian Workers) and on its official website there is an entire section entitled "faith and culture"¹⁵⁸, in addition to references to religious values and saints.

It can therefore be stated that this association belongs to a pro-Catholic ideology.

In its works it promotes a concept of "traditional" family, defined as composed of a mother, a father and children and declares that it carries out its activities in order to

¹⁵⁶ Appendix 3 Hearings transcription and Statistic

Audition registered by the Government commission, 27 of May 2021, disposable at the link <https://webtv.senato.it/webtv/commissioni/contrasto-della-discriminazione-o-violenza-sesso-genere-o-disabilita-3> self-made translation from italian to english in the text

¹⁵⁷ <https://www.associazionesiamocosi.com/chi-siamo>

¹⁵⁸ <https://www.associazionesiamocosi.com/fede-e-cultura>

promote cultural and social initiatives to develop topics concerning women in society, aiming to implement a claim for the female role different from the stereotypes promoted today by the mass media system, for what is defined a “new feminism”¹⁵⁹.

As for the linguistic register and tone used, it can be defined as formal and refined, as it is directed to a government body, but at times informal and familiar, where it uses more common expressions¹⁶⁰ in order to try to create empathy with its listeners, to gain their understanding.

In the speech, we can find different discourse dimensions. I use the term ‘discourse dimensions’, and not simply ‘discourses’ on purpose, because they are still not discourses in the way Faircloughs defines the term, as a social practice which constructs social identities, social relations and the knowledge and meaning systems of the social world. Indeed, the identification of discourses under this definition of them, will be made in the third step of the analysis.

In particular, we can identify four main dimensions of discourses in the audition:

1. dimension of the traditional family

The speech carried out by President Cavallo reiterates, and intends to strengthen, the concept of the traditional family, as composed of mother, father and children. It supports the fundamental distinction between men and women so that this concept is protected:

*The definitions in paragraph 1¹⁶¹ intend to separate sex from gender in order to **impose** an anthropological ideology that **cancel**s the masculine and the feminine and **reshapes** the values dear to us of the family composed of mother and father and children. The family is a natural society as defined by the constitution.*

The words she uses, such as the verbs “impose”, “cancel”, “reshape” are strong and radical terms: they recall the destruction of the value the association intends to protect. These terms, combined with the concepts expressed, allow us to define her

¹⁵⁹ Association website “who we are”, available at <https://www.associazionesiamocosi.com/chi-siamo>

¹⁶⁰ such as, for example, “dear to us”

¹⁶¹ As the definitions of gender identity and sex

speech as manipulative: she recalls the definitions of the Zan Bill, attributing different and additional meanings to them in order to discredit its content.

As already highlighted, in fact, the Zan bill does not enter into the topic of family law, it does not foresee the possibility of adoption for LGBTQI+ people nor the possibility of procreation. Therefore, the topic of the integrity of the traditional family is a topic that is outside the legislative text and is dragged in by President Cavallo as a useful argument to bring listeners closer to her idea. Doing so, in fact she puts a theme that is central to Italian society, such as the theme of the family, before the theme of the law, which is discrimination, as if to imply that with this law the next automatic step would be the recognition to the LGBTQI+ community the possibility to form a family, which would therefore be different from the traditionally recognized family (mother, father, children), through institutions such as adoption, PMI or others. All themes that the law does not touch upon and does not even allude to.

2. dimension of the binary conception of gender

President Cavallo expressly claims her support for a binary conception of gender, adding that a different idea is offensive and harmful towards women.

She asserts that the text of the Zan bill would affect women as such, lacking them respect and protection. In her words:

*We feel deeply concerned and offended as women, mothers and grandmothers, for the equation with **non-biological genders** based only on **self-determination**. We women who have fought to obtain rights that would now be **usurped** by men who perceive and define themselves as women”.*

She tries to gain empathy from her female listeners, and she calls upon categories such as *mothers* and *grandmothers* in order to be more concrete in her search for an addressee for her speech and gain greater empathy. To do so, on the one hand, she expresses concern for the very value of women, which she says would be discredited, and on the other she implicitly offends the LGBTQI+ community: her words imply that women should not be equated with subjects who are considered inferior by her and her association, as "*non-biological genders based only on self-determination*", defining them as men who intend to *usurp* women's rights only based on their own perception and definition of themselves. This is a textual

metaphor that makes the transsexual person appear as an usurper, a person who intends to steal someone else's role.

From her words, a very negative vision of the transsexual or transgender person emerges, considered as beyond nature (non-biological) and a usurper of rights, as a man in the false guise of a woman.

3. dimension of re-education of people to gender ideology. The so-called single thought

In this particular point of her speech, we will notice how the so-called “gender ideology” has insinuated itself both into her discourse, and, more in general, into the general field of gender-based violence and discrimination.

The rapporteur starts this dimension highlighting that the law would also provide as a crime the simple “*manifestation of ideas and thoughts as an expression of a presumed internal disposition*” with the possibility for the judge to provide a re-educational measure for those convicted of such crimes.

This re-educations sanction is defined by the rapporteur as

*a re-education for those who oppose gender ideology, forcing them to collaborate with LBGT associations. This is outlined as a **re-education of thought** for those who are against this ideology. We wonder if this is possible in the democracy in which we live.*

With these words, a discursive technique focused on *pathos*,¹⁶² is used, in order to get the listeners on their side, by conveying that a principle such as the democratic principle itself, which is a primary principle on which the Italian Republic is founded, is at risk if the proposed law to protect against gender-based violence and discrimination were to be approved. And this because, in her opinion, the re-educational function that the judge could attribute in the event of a conviction, would act as a re-education of thought in favor of gender ideology¹⁶².

And here comes the “theory of gender” as interpreted by the Vatican in the parliamentary speeches on the Zan bill.

¹⁶² it must be also taken into account that pursuant to art. 27 of the constitution, criminal sanctions in Italy must have a re-educational purpose for the offender

No definition is given of this concept. It is taken for granted in the Catholic vision we have seen, and also reported in common discourse. It is only pointed as the enemy, as a thought whose roots must be uprooted and whose risk of expansion must be drastically eradicated from society and from the education of young people.

And with this last point I connect to the next theme that the speaker brings forward.

4. dimension of youth education

Referring to art. 7 of the law proposal, which provided for a day against homo/trans/lesbophobia with a provision for a school activity aimed at combating these phenomena, the rapporteur expressed a negative opinion asserting that such a provision would be to the detriment of man as such.

*We are worried about our children and grandchildren, since art. 7 would like to introduce educational offer plans in schools that concern the specifics of homophobia, lesbophobia, biphobia and transphobia, to the **detriment of respect for the human person as such**. Such definitions appear to categorize the human, and among other things cause **disorientation** in the evolutionary phase of the child and the adolescent in particular. We are surprised that in schools, to respect involves dividing people into categories and does not consider the human person as such, integral in its essence and entirety. We propose the creation of a national day of respect for the person.*

Again, in the words of Mrs. Cavallo, particularly in the words “worried about our children and grandchildren”, there is an attempt to empathize with the listeners, asserting concern for everyone's children and grandchildren if this law were to come into force.

The connection between the expressed concern, the provision of a school activity against homo/trans/lesbophobia, and the so-called related lack of respect for the person as a whole remains unclear. How one can exclude the other is left in doubt, not explained. However, the term *disorient* is used: this suggests that for the rapporteur, an education of young people on gender issues would be suitable to disorient them on their gender identity, to confuse them and therefore to divert them from what they see as the right path.

She then seems to make fun of the day proposed by the Zan bill, proposing in its place a national day in respect of the person.

5. dimension of freedom of opinion and religion

The Zan bill is also accused of being a source of discrimination itself.

*We are firmly convinced that this bill is **unacceptable, inadequate, antidemocratic and dangerous** for the entire society, because it creates a deep rift between citizens who will see their values and their freedom of opinion and religion compromised. Furthermore, our concern concerns free religious expression, because monotheistic religions are based on God's creation of man and woman. We wonder if this freedom will be compromised and we will have to submit to the **dictatorship of the single thought** that this law wants to impose. Will it still be possible, by virtue of the educational freedom provided for by the Italian constitution, art. 33, to tell our children and grandchildren that he created them male and female? For these reasons we want this bill to be rejected*

The text expresses a strong pathos: it uses words with incontrovertible meaning as “unacceptable”, “inadequate”, “antidemocratic”, “dictatorship”, and “dangerous” to fight the law proposal. All terms that have in themselves the same meaning to contrast the law proposal, but that are repeated more and more times to strengthen their force.

Once again we find a manipulative mechanism in the language of the rapporteur: she asserts that the bill would limit freedom of expression and religion to such an extent that it would even be illegal to recall a typical religious assertion that would see man as created by God, in male and female. However, it was clarified that the law would not affect in any way the manifestation of such ideas, and the use of this example and the reference once again to “**single thought**”, referring to gender ideology, can be identified in an attempt to awaken the souls of the listeners, making them feel in danger and at risk, asserting circumstances that have no basis in the text, but that are a fear commonly spread in society¹⁶³.

¹⁶³ the fear of the different, which undermines one's educational and religious values, and can thus corrupt the generation of young people

Hearing 2, Sister Anna Monia Alfieri - description and interpretation

Anna Monia Alfieri¹⁶⁴ is an Italian teacher and nun, who has taken perpetual vows since 2001. She has significant technical expertise in the field as she graduated in law and economics. She plays a very active role in the battle for the right to education, in particular in favor of parents' freedom of educational choice (art. 30 cost), students' right to learn, freedom of teaching (art. 30 cost) overcoming any economic discrimination (art. 3). She gives great importance to educational freedom and to school in its most general sense, arguing that "*A more equitable school, of quality open to all comes from educational pluralism: autonomous state schools, free private schools*"¹⁶⁵.

Her words are particularly important because she is considered an authoritative figure in the Catholic world, with great technical expertise and the ability to rise above the fray in the issues of her competence even with respect to the various political parties.

For this reason her speech has a strong hold on listeners, because she is considered very authoritative, and she is often consulted by the government and political movements in the sector of the right to education¹⁶⁶.

Her speech is for a first part technical, contesting the Zan bill for reasons of purely legal origin¹⁶⁷. For the remaining part she focuses on her area of greatest expertise, namely the right to education.

The discourses dimensions that are found in his speech are 4, and coincide, in part, with those that we analyzed in the previous speech:

¹⁶⁴ Appendix 3 Hearings STatistic overview and transcription

Audition registered by the Government commission, 3 of June 2021, disposable at the link https://webtv.senato.it/leg18/4621?video_evento=202101 self-made translation from italian to english in the text

¹⁶⁵ CV Anna Monia Alfieri, available at https://www.ildirittodiapprendere.it/wp-content/uploads/2021/06/CV-Suor-Anna-Monia-Alfieri_RotaryClub.pdf last access 3/10/2024

¹⁶⁶ Ibid

¹⁶⁷ As already seen in the analysis of the hearings in general, there have been several technical criticisms of the text in terms of the peremptoriness of the criminal law provision, which the rapporteur also brings forward in this speech under purely technical profiles.

1. dimension of re-educating people to gender ideology. The so-called single thought
- and
2. dimension of the binary conception of gender

The first two discourse dimensions are intertwined in the speech put forward by Sister Alfieri.

In her words we find the idea of the “theory of gender” as the enemy, as something that must be stopped.

*“The proposed law .. creating a protected category opens the way to an anthropological vision of a person raised by an anonymous system .. the confusion is **covered up** with the law and the **dominant thought** is spread throughout the schools. Any **regurgitation of common sense** is transformed into a crime. The mechanism seems to me to be this. Let's be clear, gender identity is far from being connected with the shared condemnation of homophobia, it is a completely different chapter that does not rhyme with guarantee, protection, but with indoctrination of **single thought** probably to ensure certain and safe gains for some circuit....”*

She uses a refined and persuasive lexicon, with strong and radical terms (terms in bold, that have a strong meaning). The rapporteur defines the statements that would become a crime in light of the Zan bill (i.e. propaganda speeches and incitement to crime for reasons connected to sex and gender) as “*regurgitations of common sense*”. It is important to highlight the use of the chosen words: *regurgitation of common sense*, as a metaphor developed with terms that recall disgust (regurgitation) and common rules (common sense), capable of eliciting a reaction from listeners.

According to her vision, expressing opinions inherent to gender identity, even when they would be criminalized by the Zan bill, would be equivalent to bringing the discussion on gender back to common sense, to normality, that is, bringing the concept of gender back to the binary identity of biological sex: men and women.

Even in her words, as in those of Anna Cavallo, there is a reference to gender ideology, which she refers to as a single thought, a dominant thought, which would

be “*indoctrinated*” in young people with the provision of the duty of schools to implement activities to promote the culture of respect and inclusion as well as to combat prejudice, discrimination and violence motivated by sexual orientation and gender identity¹⁶⁸.

In the last statement she claims that gender identity would be disconnected from the fight against homophobia, but would be definable as an indoctrination of single thought “*probably to ensure certain and safe gains for some circuit*”: it is a lexical technique to allude to power and economic games that would be at the basis of the proposed law, in order to manipulate the listener to believe that it is a corrupt maneuver, from which some subjects (whom she does not identify, however) would obtain a personal gain.

I define this sentence as a manipulative technique because it is not justified or proven in any way, and it implies her knowledge of corruption facts without however providing any element that can prove what she asserts.

However, it is an element that has hold in common feeling, since political corruption and personal interests at the basis of the promulgation of a law are not such rare events in Italy, and therefore a sentence so asserted, said by a person who has authority in the political and legal world, considered *super partes* has the ability to stain the proposed legislation by insinuating the doubt of corruption.

3. dimension of the education of young people

Very strong words are reserved for this theme, where the rapporteur links to two limits that the Zan bill would cause.

On the first hand, it would limit the free educational choice of parents. She expresses this by arguing that the Zan law proposal:

*“mortifies .. the right to freedom of educational choice of parents. The bill in art. 7 actually limits the freedom of educational choice that is foreseen and is only in the hands of parents by art. 30 of the constitution and by the universal declaration of human rights. Let us remember that the education of children is the primary responsibility of parents and that **no one, the school, the church, the state, can replace them.** The Zan bill leaves this question open.*

¹⁶⁸ art. 7 Zan Bill

Introducing highly divisive and ideological themes into school, mostly pertaining to the sphere of sexual identity and education in affectivity, certainly has negative effects. This is obvious. First of all, that of dividing. A bill cannot divide.

In his view, the Zan bill, where it provides for intervention in schools, would create a division between people because the issue of gender identity is defined as highly divisive and ideological. She argues that no one can limit the educational choices of parents, not the school, not the church, not the state. However, this idea appears more like a stance with the intent of reinforcing the value of parents and obtaining their support, since in reality it does not find full foundation in the system, as compulsory schooling is provided for with subjects and content imposed by the state and which the parent cannot opt out of¹⁶⁹. These activities often include issues that have a social value, such as the fight against climate change or poverty, discrimination and so on. Therefore, social issues already enter into the education of children whether the parents want it or not.

The second limitation that the rapporteur highlights would concern the right of teachers to teach.

*The Zan Bill in art. 7 limits the freedom of teaching ... of teachers recognized by art. 33 of the constitution. The freedom of teaching would be emptied of its essential contents, that is, the didactic autonomy and the free cultural expression of the teacher guaranteed, recognized by art. 33 of the constitution... Therefore it is evident that ... the Zan Bill ... as it is written increases the gap of discrimination, indeed it fuels it, creates new figures of crime... mortifies the freedom of expression, of education of parents and of teaching of teachers, directs society towards a real ideological **indoctrination**. All this has nothing to do with the fight against discrimination. It is quite the opposite... The text needs to be revised precisely in these aspects, which tend to create a **single thought**, through widespread training, which is no longer information, does not provide the tools for young people to learn to orient themselves, but indoctrinates them."*

¹⁶⁹Even in the case of homeschooling, subjects and contents are still imposed and outlined in their minimum necessary by the state.

Once again it is recalled how the legislation to combat gender-based violence and discrimination is defined as supporting a *single thought* (the so-called gender ideology), as a tool not against discrimination but for *indoctrinating* young people who would find themselves incapable of forming their own opinion on the matter.

The word indoctrinate can be found more than once in her text: a word that can be literally defined as subjection to incessant ideological propaganda. A term that alludes to the complete elimination of rational and free choice of the individual, and of the children in this case, that is generally considered dangerous and the base of dictatorial systems. Basically, the gender identity concept is considered by the speaker so strong to mislead the education of the youth and to eradicate any other teaching or thought in gender perspectives.

However, here too there is a lack of connection as to how a planned implementation of activities to promote the culture of respect and inclusion as well as to combat prejudice, discrimination and violence motivated by sexual orientation and gender identity, referred to in art. 7, would represent widespread training and would not instead be configured as information capable of providing young people with the right tools to be able to orient themselves and form their own opinion.

4. dimension of freedom of opinion

Like Anna Cavallo, Sister Alfieri argues that the proposed law limits freedom of thought and expression.

it is clear that art. 4 ... puts freedom in conflict with the freedom of thought recognized by art. 21 of the constitution. What wins first? it is not possible. Pluralism of thought and freedom of choice cannot be put in conflict with freedom of thought.

To assert her idea, the rapporteur uses an antithesis to express an ultimatum: if the proposed law were to come into force, the freedom of a pluralism of ideas and choice would be eliminated. Once again, no consideration of the limitation of liability clause provided for by the proposed law and the fact that in any case a constitutional regulation such as art. 21 which protects the right to free expression of thought makes such a perspective unverifiable.

Professor Di Donna¹⁷⁰ also belongs to the order of the Catholic Church, in particular he holds the role of presbyter and is a professor of liturgy.

He expresses his opposition to the proposed law for multiple reasons, of a "*philosophical, legislative, constitutional nature... with respect to opinion and thought, at an educational and ethical moral level*", but in his discourse he decided to focus exclusively on a point that he considers fundamental, which he defines as "*anthropological scope*". In light of the discourse dimensions already identified in the analysis of previous hearings, the argument deduced by the priest falls mainly into two of them: the dimension of the binary conception of gender and the so-called gender ideology.

Before continuing in the detail of his words, we can note that the language used by the priest is very refined, with a formal regime that seeks to demonstrate a profound competence in the subject matter he deals with.

1. dimension of the binary conception of gender

Like the two previous speakers, Professor Di Donna expresses support for an essentialist vision of the concept of gender, and expresses a strongly negative opinion on the definition of gender provided for in the bill that does not match the definition of sex.

*Man... is a sexual being: male and female... Suddenly the Italian Republic would **no longer know** anthropology, medicine, psychology, natural sciences, everything would be **put in the cellar** in exchange for an emotional perception.*

*The Italian Republic, instead of placing itself at the service of the **truth of man**, and of the search for what man is, would uncritically support emotional perceptions, exchanging them for science, biology, natural sciences, anthropology on man.*

¹⁷⁰ Appendix 3 Hearings Statistic overview and transcription

Audition registered by the Government commission, 22 of June 2021, disposable at the link https://webtv.senato.it/leg18/4621?video_evento=210601 self-made translation from italian to english in the text

To express himself, he uses strong terms, arguing that everything that goes beyond the binary man/woman is unscientific, against biology and natural sciences. We can find the rhetorical figure of hyperbole, where he uses sentences like the Italian Republic *would no longer know* or *put in the cellar*, used in order to exaggerate the concept he intends to support to give him greater persuasive power. As if a whole Republic because of a law could eliminate from its knowledge fields such as biology or science in its integrity.

In the same way, he connects the binary conception to the one and only “*truth of man*” that the Italian Republic should serve.

2. dimension of re-educating people to gender ideology. The so-called single thought

In his words we find strongly what we have already seen to be the “gender ideology” according to the Vatican’s vision.

And in fact, recalling the definitions that the Zan Bill gives in its first article, he explicitly asserts:

*Sex is (defined as) biological sex. It is like saying that water is wet water. That is, it is said that biology exists, but it is not said that biologically male and female exist. It would seem that the male-female, biological-scientific data could be understood as an ideology. This **incontrovertible data** and **millenary anthropological heritage**, would like to be retired... they would like to make people think that to this anthropological data man-male/man-female, a very long list of genders should be added, which would begin to exist a priori... they would not be biological data but... perceived. I mean that the anthropological demonstration of existence is satisfied with perception. LGBTQ+, the plus... is endless. It would no longer be permissible, no longer possible for man to grasp himself in his essence, identity, anthropology. On the basis of 15 lines it would sanction whoever would still want to safeguard the human freedom to continue to think of himself as a man, to self-grasp himself as a man, to self-define himself.*

In the words of the priest, the binary man/woman is in danger where a concept of gender other than sex were taken into consideration.

He reconnects the binary concept to a millenary anthropological heritage, as if with this "new ideology of gender", which would add, in his opinion, an indefinite and endless category of genders, millennia of human truth were erased, up to the point of making it unlawful for the person to express human freedom and self-grasp, self-define.

In his choice of words we perceive an aporia: on the one hand he highlights that adding other genders to the binary man/woman would make the genders "infinite" on the basis of a perception, on the other, just a few sentences later he argues that this addition would limit the human freedom to self-grasp, self-define. In practice, he recognizes the possibility of man to self-define, and therefore perceive himself, but only within the category of man/woman.

In his words, a perception of himself different from the normative one (binary), is categorized as "suffering": for him, LBGTIQ+ people are suffering people, who experience internal discomfort, and who (he actually admits) suffer discrimination. People who ask for help and who need to be helped and supported because they experience discomfort about their sexual identity.

*The same people who care a lot about the approval of this bill, citizens, Italians, and who present what they themselves define as **dysphoria** or fluid sexual orientations, experience, and for this reason **ask for help, suffering, fatigue, fears, injustices, persecution, offenses, violence, discrimination** and among these often young people and adolescents. And the weight of these new perspectives on sexuality and gender, as it is defined, would be placed on the shoulders of the legislator, so that he helps and supports these people. This would demonstrate that this is a very real area of human experience, not abstract. I am not so crude as not to understand that behind this word, emotional perception, there are **human discomforts, sufferings, on one's sexual identity**.*

One cannot help but read a strong stereotype in these words, in the LBGTQI+ category, as people to be helped because they live a suffering.

However, he does not take into account that gender non-conforming people do not necessarily experience gender dysphoria, as suffering, but can simply have a different perception of themselves and feel fully satisfied and happy.

His words try to express empathy towards LGBTIQ+ people, he tries to make himself empathetic and understanding, but they reveal a "medical" vision of the category, which he conceives as needing help.

Explanation and results

In this last step of the analysis, we can identify, from the discourse dimensions, the main discourses and set them into the context of the wider society and consider the current cultural norms and values.

This allows us to answer meanwhile to the research question that this thesis posed in the introduction: What specific discourses and ideologies are identified in the pro-catholic hearings developed for the investigation phase directed to decide the approval of the gender-based discrimination law?

Indeed, answer to this question means to find what kind of discourses have been carried out and what ideology they supported, and also set the arguments supported in the hearings into the society setting and between gender norms.

From the analytical instruments used in the research study, we can categorize the discourses into 2 main domains, and in particular, following Fairclagh's power language theory, we can define them with the power struggle, as the conflict between two opposing fractions, that is underneath.

<u>Domain 1: "traditional" essentialist conception of gender VS the so-called Gender Ideology</u>
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Discourse: the vision of man and woman is an integral part of the essence and human anthropology which, as such, excludes any possibility of accepting a definition of gender identity that differs from sex.

This discourse contains 4 of the dimensions expressed by the 3 speakers analyzed (dimension of the traditional family, dimension of the binary conception of gender, dimension of re-educating people to gender ideology - the so-called single thought, and dimension of educating young people).

In fact, the traditional family formed by man and woman is, according to religious belief, the logical and natural consequence of the existence of man and woman, as created by God. This requires an education of young people that respects the binomial and is limited to it.

The “theories of gender” is therefore defined as a *single thought*¹⁷¹ capable of misleading people from the right path towards what is defined as human truth.

We are at the core of the theme of gender struggle, of how society is based on gender norms that provide gender roles, to describe how people of a particular gender and age are expected to behave in that given social context.

This is evident in the words of Anna Cavallo, who recalls the traditional family to draw a line above any formation that can be configured differently from the binomial man/woman + children. In her words, and in the other speakers’ one, the concept of gender must be equalized with biological sex. But they also go further the idea of the concept of sex and gender as purely biological distinction: their words also intend to recall a divine meaning of the binary concept.

Hence, in their thesis, the only gender identities to be recognised are men and women, first because that is how biological sexual characteristics can be distinguished¹⁷², and second, because this is how they have been *created*. And through the word *create*, we can find the divine anthropology concept of humanity, of males and females and of the reproductive role they have, following the bible: “*God created man in his own image, in the image of God he created him; male and female he created them. God blessed them and said to them, 'Be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves on the earth.*”¹⁷³.

Following this idea, in their words we can re-find the criticisms advanced by the Vatican to constructivist theories of gender, and in particular to the work of Judith Butler, where they attribute to her work a desire to eliminate the categories of man and woman.

In fact, we can find this repeated discourse: they believe that taking into consideration any idea that could broaden the boundaries of the normative binary man/woman would directly lead to an erasure of the distinction between females and

¹⁷¹ term that we can find in all the speech analyzed

¹⁷² here we could also open a chapter on the topic of intersexuality, which is also a category in the scientific and biological fields, but here would go beyond the strictly analyzed topic

¹⁷³The Holy Bible, genesi 1,26-28. Self translation from Italian to english.

males, eliminating the results achieved by feminist struggles¹⁷⁴ and undermining everything on which the Catholic anthropological vision of man is based.

As Anna Cavallo recalls, the Catholic religion teaches that God created them, man and woman. Man and woman only.

This is a process of stereotyping gender theories, interpreted as exclusivizing theories (as if they were normative theories) that would be able to eliminate with their vision the very biological conception of sex, which instead, is reiterated, recognized by the theorists of gender theories themselves (see in this regard the paragraph concerning gender theories and how Judith Butler expressly recognizes that the binomial man and woman cannot be erased).

This stereotype creates, and at the same time reproduces (precisely in the speeches we have analyzed) a gender struggle: a conflict of power between constructivist theories on gender and the Vatican conception of gender ideology.

A conflict that limits access and opportunities for individuals to participate in social change, especially for those in vulnerable positions such as women, LGBTQ+, and minorities. Which led, in this case, to the demolition *a priori* of the Zan bill, which was accused of eliminating millennia of human anthropological history, since it provided a definition of gender different from the definition of biological sex, thus canceling any possibility of approving a law against gender-based violence and discrimination. Because the term “gender” is precisely what the followers of the Vatican’s idea of “theory of gender” do not want to see in the law. Simply using the term gender would mean to eliminate the binary concept of women and men.

The speakers analyzed, gave the bill a capacity that goes well beyond that of a legislative text: for them, providing activities to promote a culture of respect and inclusion as well as combating prejudice, discrimination and violence motivated by sexual orientation and gender identity, in implementation of the principles of equality and equal social dignity enshrined in the Constitution, has been equated to indoctrination.

We must not ignore the use of the term *indoctrination*, which over the centuries has always been attributed to religious teaching, which is in fact generally connected to Catholic doctrine, which, in this case is turned around, used in reverse, in order to

¹⁷⁴ as we have seen, in fact feminists have attacked the Zan bill precisely on this point

protect human anthropology that gender ideology in their vision would destroy, eliminating the very essence of man.

This can be looked under the lens of language power theory: the Vatican, and the conservative environment in general, feeling under threat by new ideas that suggested how gender can be seen differently than sex, and how the binary distinction could not be the only way to interpret gender, entered in a social struggle with it and, to maintain their power to define what is right and what is not in the theme, under the light of a religious point of view, they used language as a weapon to defeat those who they identified as enemies: gender theorists. Therefore, discourses against gender identity have been carried out in this particular legislative environment in order to proclaim and reaffirm their power on the topic of what a man is, what the anthropology of human beings is, to protect the religious belief in the essentialist concept of gender, and to influence their followers and the society. And this is the *power behind the discourses* carried out by the speakers in the promulgation process of the Zan Bill, that meant to remind how nature have to work, to remember that biological sex is woman and men, and nothing beyond it, to sustain once again that the field of gender studies in the enemy that intends to unroot the human history and the natural order of things: god created them, men and women.

Domain 2: Discourse on conflict between rights

Discourse: alternative between expression of thought and right to non-discrimination

A second dimension that we see unfolding in the hearings concerns the free expression of thought, of the pluralism of ideas, which is considered limited by a law that would criminally sanction those conducts of propaganda and incitement to crime based on sex, gender, sexual orientation, gender identity and disability.

The theses supported by the speakers imply that such criminalization would no longer make it possible to express one's opposition to a definition of gender different from the definition of biological sex, which is at the basis of the Christian anthropology of man, and consequently the freedom of religion would also be compromised.

This assertion is however based on an erroneous starting point. In fact, criminalization would only occur where propaganda and incitement would make the danger of committing a crime concrete. Expressing one's opinion, no matter how discriminatory it may be (for example, calling homosexual people faggots) would not have become punishable under the Zan bill, but would only have been punishable if the conduct were capable of concretely inciting other people to commit a crime of violence against the LGBTQI+ community according to an objective criteria.

During the hearings, in the final questioning phase, a question was raised whether, in light of the Zan law, a priest who, by virtue of his religious beliefs, expressed an opinion contrary to a photographer carrying out a photo shoot for a gay couple at their wedding would be punishable. The jurists questioned on the case denied this possibility, since it would not be a conduct that would concretely be capable of inciting violence. Just as today a priest could advise one of his faithful not to carry out professional functions (such as a photographer) during others religious services, for example Muslim ones, without this constituting a crime today (and propaganda and incitement to crime for religious reasons are already criminalized by law).

We do not want to delve into the issue of the lack of specificity of the conduct that the Zan bill intended to criminalize, which were raised by technicians from the legal world. And this because it is outside the content of this thesis.

What we intended to focus on here are ideological issues that pro-Catholic speakers have raised, attributing to the bill a subversiveness and a harmfulness that has not however been demonstrated by their words, which have re-proposed the theory on gender as put forward by the Vatican, without opening up to discussion and without taking into consideration that gender identity already exists in our legal system.

In fact, it is recognized by the Yogyakarta Principles (the Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity), which are a supranational source directly applicable within the Italian law system, and which are binding for all member states of the European Union. Gender identity is also recognized by the internal Constitutional Court as a right of the person, as a constitutive element of the right to personal identity, fully included in the scope of the fundamental rights of the person (art. 2 of the Constitution and art. 8 of the ECHR) (sent. 221/2015 Constitutional Court) and is more over present in various other rulings of the supreme courts and other regulations.

The arguments supported on the limitation of the right to the pluralism of ideas therefore find no foundation, and in any case should find a balance with all the fundamental rights of the human person, including the right to personal identity and gender identity.

This is another discourse and topic that the Catholic vision supports in order to maintain the basic essentialist gender norms.

Representing fundamental rights, such as freedom of expression, opinion and religion, as at risk constitutes an effective technique to reinforce the negativity of the proposed law and the values it brings with it. In this case, the opposition to the use of the term gender in a conception that differs from the one supported. We see once again the *power behind discourse*, in that ideology supported by the catholic church for which the theories on gender contrast with the fundamental rights of the individual, with the very essence of man and with his anthropology.

5

Conclusions

The intention of this work was to give an answer to the question ‘what specific discourses and ideologies are identified in the pro-catholic hearings developed for the investigation phase directed to decide the approval of the gender-based discrimination law’.

The analysis conducted allowed to reach the result explained in the last paragraph of the previous chapter, where we have seen that the “theory of gender” was deeply represented in the hearings for the law proposal Zan, reinforcing and reproducing in particular a discourse that coincides with a rooted gender norm in the catholic environment and also, more generally, in the Italian society: the exclusivity of the binary conception of gender.

This gender norm is set in the bigger struggle existing between the “traditional” essentialist conception of gender and the so-called gender Ideology, represented by constructivists ideas of gender identity. There is a contrast between those who support the idea that being a man or a woman is an integral part of the essence and human anthropology, excluding any possibility of accepting a definition of gender identity that differs from sex, and those who, on the contrary, believes that gender identity is the result of a social practice of gendering, that starts by dictating first of all what a male and what a female is, up to defining which roles are suitable for each of them. The bigger struggle, hence, is to be found in the binary concept of gender itself, which is the stronghold to which essentialist theories, and the Vatican crusade against the “theory of gender”, cling to in their discourses.

Therefore, a law proposal that in its very beginning defined gender as something different from sex, with a constructivist basement, and went further, in recognising a gender identity that can differ from the binary concept, and would include the perceived and manifested identification of oneself in relation to gender, (regardless of having completed a transition process), could not be accepted under the essentialistic lens, embracing all concepts that are considered highly contrary to the very nature of man as binary, both because of biology reasoning, and for divine origin. Concepts that are against the founding values of the society as intended

under the Vatican's lens, such as the traditional family and the very principle of freedom of religion and thought.

This struggle has therefore manifested itself in its maximum strength in the speeches against the concept of gender identity, which has been labeled as a "single thought" suitable for *indoctrinating* society starting from the most innocent, namely the young, who would have been exposed to the issue from the early school age.

And so the speeches of the Catholic supporters have fully expressed the greatest fear that underlies the criticism against gender theories, namely the elimination of the concepts of females and males, and thus the risks of decay of the values of the traditional family and its procreative role.

All these discourses are found not only in the words of the pro-Catholic people interviewed, but in most of the speeches made by the people heard, belonging to the world of journalism, literature and feminist movements.

The enemy of these values, identified in the constructivist concept of gender identity supported by the theorists of the so-called "gender ideology", is therefore accused of wanting to eliminate, eradicate from history and society the very foundation of humanity: man and woman, who live and procreate together, moving the world forward.

Therefore, the words of supporters of constructivist gender theories have been manipulated and their meaning modified to the point of making their theories pass as normative theories against heterosexuality that would aim at the cancellation of sexual difference.

As we have seen, however, constructivists propose to leave open the question of sexual difference, contesting the automatic naturalistic, binary and heteronormative conception of sexual difference defended by the Vatican¹⁷⁵. This does not therefore entail the elimination of male identity and female identity, and the fight against heteronormativity that they carry out should not be defined as a fight against heterosexuality that would aim at the cancellation of sexual difference. On the contrary, they try to explain, using Bernini's words, how gender is not a natural fact, but neither is it only the product of cultural conditioning, and how sex is not the product of cultural conditioning, but neither it is only a natural fact¹⁷⁶.

¹⁷⁵Bernini, L. (2016): La "teoria del gender", i "negazionisti" e la "fine della differenza sessuale", in AG About Gender, Vol. 5, N°10 pp. 367-381

¹⁷⁶ Ibid

In order to counter the ideology that has been attributed to constructivist theories, the Vatican deemed it necessary to strengthen its power in dictating the gender laws that govern society, using man's primary tool: language, with its ability to convince, to reinforce concepts, to move people's souls, and to bring them back to the right path. A process that contributed to the fall of the bill against gender-based violence in Italy. To conclude, language has been used as a tool to strengthen the movement against so-called gender ideologies, permeating with new strength the neologism "*theory of gender*" created in more conservative circles. But remains open the possibility that the process will be reversed, that the neologism "theory of gender", from being the incarnation of the enemy, becomes a symbol and value of the fight against gender-based discrimination and violence, as has already happened in the past with the term queer¹⁷⁷, changing the current balance of power. Because it is precisely in this possible change that Fairclough has highlighted the greatest fragility of all relations of power struggle: in how power is never definitively held by any person, or social grouping, because power can be won and exercised only in and through social struggles in which it may also be lost. In his words, power at all levels is won, exercised, sustained, and lost in the course of social struggle. And social struggle lives and feeds itself in language, which is not only a place of expression of power, where it can be reiterated and reinforced, but is a real dimension in which power itself is created, changes, and mutates.

¹⁷⁷ term in the past associated with a negative connotation, assimilated to the term faggot, which over time has transformed, taking on a new positive value, until its inclusion in the acronym LGBTIQ, before the more recent +, symbol of the movement activities of the category

Bibliography

Ackerly, B. et al, (2010) Back to the future: Feminist theory, activism, and doing feminist research in an age of globalization. *Women's Studies International Forum* 33 (2010) 464–472. P.467

Annex I, “Beijing Declaration,” n. 19; cf. nn. 24, 38; “Mission Statement,” n. 3, <http://www.un.org/esa/gopher-data/conf/fwcw/off/a--20.en>.

Azka, M. (2023). The role of gender in the dynamic of social change: analysis of intersectionality in the context of contemporary society. 10.31219/osf.io/ab8e4.

Bastian, B., et al (2006). Psychological essentialism and stereotype endorsement. *Journal of Experimental Social Psychology*, 42(2), 228–235. <https://doi-org.zorac.aub.aau.dk/10.1016/j.jesp.2005.03.003>

Bernini L, (2016) La "teoria del gender", i "negazionisti" e la "fine della differenza sessuale", in AG About Gender, *International Journal of Gender Studies*, 2016, Vol. 5, N°10, pp. 367-381

Bernini, L. (2021) “LGBTQIA_+” ISBN 9788812009633, Treccani Libri.

Boskey, E. (2020): “Gender Essentialism Theory” published in verywellhealth, url <https://www.verywellhealth.com/elizabeth-boskey-phd-3132569> , Updated on April 11, 2020

Butler, J. (1990/1999): *Gender Trouble: Feminism and the Subversion of Identity*. New York: Routledge p. 173

Cameron, D. (2008). “Theoretical Issues for the Study of Gender and Spoken Interaction.” In Pia Pichler and Eva Eppler (eds.), *Gender and Spoken Interaction*, 1–17. Basingstoke: Palgrave Macmillan

Card. W. J., Eijk, Archbishop of Utrecht: L'antropologia cristiana e la teoria del genere. Incontro delle Commissioni dottrinali europee (Esztergom, 14 gennaio 2015) available at https://www.vatican.va/roman_curia/congregations/cfaith/incontri/rc_con_cfaith_20150114_esztergom-eijk_it.html

Cheng, A.Y.N. (2009), "Analysing complex policy change in Hong Kong: what role for critical discourse analysis?", *International Journal of Education Management*, Vol. 23 No. 4, pp. 360-366.

De Rosa, E. et al. (2022): La nuova forma delle famiglie. In *Genere*, July 20, 2022. available at <https://www.ingenere.it/articoli/la-nuova-forma-delle-famiglie>

Disch, E. (Ed.). (2008). *Reconstructing gender: A multicultural anthropology*. New York: McGraw-Hill

Eckert, P. et al. (1992). “Think Practically and Look Locally: Language and Gender as Community-Based Practice.” *Annual Review of Anthropology*, 21: 461–490

Ehrlich S. et al.: Introduction Language, Gender, and Sexuality. In “The handbook of language, gender, and sexuality” by Susan Ehrlich, Miriam Meyerhoff, and Janet Holmes, published in 2014 by John Wiley & Sons, Incorporated.

Fairclough, N. (1995) *Critical Discourse Analysis: The critical study of language*. London and New York: Longman.

Fairclough, N. (1989) *Language and power*. London: Longman, 1989.

Fine C. (2010) *Delusions of gender: How our minds, society, and neurosexism create difference*. New York: Norton.

Foucault, M. (1978). *The history of sexuality: An introduction*. Harmondsworth: Penguin, in Jule, A. "Gender Theory." *Encyclopedia of Quality of Life and Well-Being Research*, Springer Netherlands, pp. 2464–66, https://doi.org/10.1007/978-94-007-0753-5_1137.

Gannon, S. et al, (2005). *Feminism/ Poststructuralism*. In the book: *Research methods in the social sciences* (pp.318-325), Publisher: Sage, Editors: Bridget Somekh, Cathy Lewin

Garbagnoli S., (2014) «L'ideologia del genere»: l'irresistibile ascesa di un'invenzione retorica vaticana contro la denaturalizzazione dell'ordine sessuale,in *About Gender*. Rivista internazionale di studi di genere, Vol 3, N° 6, pp.250

Gottschall, M. (2002) *The Ethical Implications of the Deconstruction of Gender*. In: *Journal of the American Academy of Religion* June 2002, Vol. 70, No. 2, pp. 279–299.

Haines EL, et al (2016) , The times they are a-changing ... or are they not? A comparison of gender stereotypes, 1983-2014. *Psychol Women Quarter*. 2016;40(3):353-363. doi:10.1177/0361684316634081

Hoogendoorn, G., et al (2021). *Tampering with nature: A systematic review*. *Risk Analysis*, 41(1), 141–156. <https://doi-org.zorac.aub.aau.dk/10.1111/risa.13619>

Jenkins, J., et al (2017). *Gender trouble in the workplace: applying Judith Butler's theory of performativity to news organizations*. *Feminist Media Studies*, 18(2), 157–172. <https://doi-org.zorac.aub.aau.dk/10.1080/14680777.2017.1308412>

Jule, A. (2014) "Gender Theory." *Encyclopedia of Quality of Life and Well-Being Research*, Springer Netherlands, pp. 2464–66, https://doi.org/10.1007/978-94-007-0753-5_1137.

Lazar, M. (2005) *Feminist CDA as Political Perspective and Praxis*. In *Feminist Critical Discourse Analysis. Gender, Power and Ideology in Discourse*; Lazar, M.M., Ed.; Palgrave Macmillan: Basingstoke, UK, 2005; pp. 1–28.

Litosselliti, L. et al. (2002) *Gender Identity and Discourse Analysis*. In book: *Gender Identity and Discourse Analysis* (pp.1-39). DOI:[10.1075/dapsac.2.01sun](https://doi.org/10.1075/dapsac.2.01sun)

Luo, A. (2023, June 22). *Critical Discourse Analysis | Definition, Guide & Examples*. Scribbr. Retrieved September 16, 2024, from <https://www.scribbr.com/methodology/discourse-analysis/>

Lorber, J. (2018). *The Social Construction of Gender*. 10.4324/9780429494468-36.

McConnell-Ginet S. (2012), "Linguistics and Gender Studies" in [Philosophy of Linguistics](#), Pages 503-530

Meyer, M. et al (2016) *Gender essentialism in children and parents: implications for the development of gender stereotyping and gender-typed preferences*. *Sex Roles*. 2016; 75:409. doi:10.1007/s11199-016-0646-6

Nielson, A.E. et al. (2009), "A discourse analysis of the disciplinary power of management coaching", *Society and Business Review*, Vol. 4 No. 3, pp. 204

Saguy, T., et al, (2021). The gender-binary cycle: The perpetual relations between a biological-essentialist view of gender, gender ideology, and gender-labelling and sorting. Philosophical Transactions of the Royal Society B: Biological Sciences, 376(1822). 20200141. <https://doi-org.zorac.aub.aau.dk/10.1098/rstb.2020.0141>

Skewes, L. et al. (2018): Beyond Mars and Venus: The role of gender essentialism in support for gender inequality and backlash. PLoS One. 13(7):e0200921. doi: 10.1371/journal.pone.0200921. PMID: 30040839; PMCID: PMC6057632.

Sommers C. H., (1994) Who stole feminism. How women have betrayed women, New York/London: Simon & Schuster, 1994, particularly chapter 1 "Women under siege"

Tabatadze, S. (2023) Woman against a Woman? Inherited Discourses to Reproduce Power: A Gender Discourse Analysis of School Textbooks in the Context of Georgia. Educ. Sci. 2023, 13, 795. <https://doi.org/10.3390/educsci13080795>

Thatcher, A. (2011). "[Gender: language, power, and history](#)". God, sex, and gender: an introduction. Chichester, West Sussex, United Kingdom: Wiley-Blackwell. p. 19. [ISBN 9781444396379](#).

The Holy Bible, genesi 1,26-28. Self translation from Italian to english.

West, C. et al (1987). Doing gender. Gender & Society 1, 125-151.

Wilson A., (1996) "Lesbian visibility and sexual rights at Beijing," Signs 22 (1996), Autumn, pp. 214-218; Statement by P. Beverley for the United Nations Fourth World Conference on Women in Pechino the 13 september 1995, <http://www.un.org/esa/gopher-data/conf/fwcw/conf/ngo/13123944.txt>.

Woodward, J.P. (2009) in International Encyclopedia of Human Geography, In R. Kitchin, & N. Thrift (Eds.), International Encyclopedia of Human Geography (pp. 396-407). Elsevier Science. <https://doi.org/10.1016/B978-008044910-4.00727-6>

Speeches

Butler J, interview by Le Nouvel Observateur, 16/04/2015 available at <https://www.lavoroculturale.org/sulla-teoria-del-gender-judith-butler/redazione-lc/2013/>

Garbagnoli S., speech: Il genere, la denaturalizzazione dell'ordine sessuale e la reazione del Vaticano', 22nd of march 2016 at Palazzo Ducale di Genova, published the 4th of August 2016 <http://www.intersexioni.it/il-genere-la-denaturalizzazione-dellordinesessuale-e-la-reazione-del-vaticano/>

Links

Association website "who we are", available at <https://www.associazionesiamocosi.com/chi-siamo>

Boskey, E. "Gender Essentialism Theory" published in verywellhealth, url <https://www.verywellhealth.com/elizabeth-boskey-phd-3132569> , Updated on April 11, 2020

European Institute for Gender Equality (EIGE) - [Glossary & Thesaurus](#)

Fairclough: Theory & Discourse | StudySmarter. (n.d.). StudySmarter UK. [https://www.studysmarter.co.uk/explanations/english/key-concepts-in-language-and-linguistics/norman-fairclough/#:~:text=with%20a%20reader.,Norman%20Fairclough%3A%20Critical%20discourse%20analysis%20\(CDA\),knowledge%2C%20ideology%2C%20and%20power.](https://www.studysmarter.co.uk/explanations/english/key-concepts-in-language-and-linguistics/norman-fairclough/#:~:text=with%20a%20reader.,Norman%20Fairclough%3A%20Critical%20discourse%20analysis%20(CDA),knowledge%2C%20ideology%2C%20and%20power.)

Fournier A., Gender Identity - What Does Gender Nonconforming Mean? available at <https://www.verywellmind.com/gender-identity-and-expression-5185416> Updated on March 26, 2024

Garbagnoli, S. as reported in “«Teoria del gender»: come è nata e a cosa serve”, in La 27esima ora, Rizzoli Corriere della Sera, 6 novembre 2017 available at https://27esimaora.corriere.it/17_novembre_06/teoria-gender-come-nata-cosa-serve-bbf2dfba-c2b0-11e7-985a-e44f18aa540b.shtml last access 19/08/2024

<https://www.associazionesiamocosi.com/>

<https://europa.today.it/unione-europea/italia-contro-dichiarazione-ue-lgbt.html>

interview of Maria Eugenia Roccella, Italian Minister of family, available at <https://www.vanityfair.it/article/ministra-roccella-no-a-forzature-gender-si-e-maschi-o-si-e-femmine>

Il sole24ore: Dati, sondaggi e studi accademici: i numeri della comunità di gay e lesbiche e l'anomalia italiana. june 12, 2021. available at https://www.infodata.ilsole24ore.com/2021/06/12/dati-sondaggi-studi-accademici-numeri-della-comunita-gay-lesbiche-lanomalia-italiana/?refresh_ce=1 Last viewed 27/08/2024

ISTAT-UNAR survey on workplace discrimination against Lgbt people, years 2020-2021, available at https://www.istat.it/it/files//2022/03/REPORTDISCRIMINAZIONILGBT_2022_rev.pdf

LGBT+ Pride Report 2023 (Ipsos) available at https://www.ipsos.com/sites/default/files/ct/news/documents/2023-06/Ipsos%20LGBT%2B%20Pride%202023%20Global%20Survey%20Report%20-%20rev_0.pdf

Lussiana, V: Gender non conformity: una guida ai nuovi termini dell'identità di genere, 28 Dicembre 2020, By Eco Associazione available at <https://www.ecoassociazione.it/gender-non-conformity-una-guida-ai-nuovi-termini-dellidentita-di-gener-e/> last access 19/08/2024

State of mind. Il Giornale delle scienze psicologiche “Genere-Gender” available at <https://www.stateofmind.it/gender/#:~:text=Il%20termine%20gender%2C%20in%20italiano.l%C3%A0%20della%20differenza%20sessuale%20biologica.> last access 19/08/2024

Use discourse analysis. (n.d.). Emerald Publishing. <https://www.emeraldgrouppublishing.com/how-to/research/data-analysis/use-discourse-analysis/#:~:text=References-,Definition%20of%20discourse%20analysis,analysis%20performed%20using%20this%20method.%22>

Yogyakarta principles on the application of international human rights law in relation to sexual orientation and gender identity, March 2006. <http://yogyakartaprinciples.org/introduction/>

<https://gaycenter.org/community/lgbtq/>

https://www.provitaefamiglia.it/chi-siamo?_gl=1*1fz4gb8*_up*MQ..&gclid=CjwKCAjwxNW2BhAkEiwa24Cm9J3J2uuHa5P_9dCmaMS5EVSaC3onv5q6epjXtIC0wxD6AopKhuouqxoCRpEQAvD_BwE