



Quality in Gender+ Equality Policies

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Report Analysing Intersectionality in Gender Equality Policies for Spain and the EU

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1. Introduction¹

Until recently, Spain had shown only incipient and weak signs of institutional change to address intersectionality. Assuming Hancock's distinction of different approaches to the study of inequalities (Hancock, 2007; Kantola and Nousiainen 2009), the country has continued its 'Unitary Approach', in which inequalities are tackled by separate institutions and gender has primacy. So far, there has been no trace of Hancock's 'Intersectional Approach', through which intersections between multiple equality strands are analysed, and only little evidence of the 'Multiple Approach' of 'double or multiple discrimination' in policy discourses around equality policies (Platero, 2008, 2007a, 2007b). Apart from a few exceptions, even the attention given to the issue of intersectionality in Spanish academia is scarce, and mainly related to European research projects, not national policy. As shown in an updated state of the Art (see: 2.), there are nevertheless some signs of concern for addressing multiple discriminations, to be found mostly in "grey" literature (reports issued by public entities or NGOs, literature with a militant content).

This evolution can be partly attributed to the tremendous changes in Spanish society over the three past decades. One of the key transformations lies in the role played by women, and their incorporation into the labour market. This, along with the incorporation of Spain into the European and international arenas, has precipitated many economic and social transformations. The most recent socio-economic and demographic shifts have led also to the inclusion in the public agenda of new public issues such as those relating to migration, elderly and dependent people, and gender discrimination. All these changes have promoted a certain degree of awareness for citizens' diversity and recognition of the state's responsibility for the problems this diversity might generate. These 'new' problems thus created a scenario in which multiple discriminations and the interaction between different inequality axes might, or should, become a public issue as well.

However, while the analysed documents refer to a great variety of possible intersectional axes of inequality, there is a general lack of articulated and/or explicit references to multiple or intersectional discrimination in Spanish public policies. As pointed out by Platero in her analysis of (the lack of) intersectionality in Spanish policies regarding gender and sexual orientation (Platero, 2007a; 2007b; 2008), there is a strong tendency towards 'monofocused' policies (focusing on gender equality, disability, migration, employment, care and family) 'that do not take into account the complexity of peoples' lives' (Platero, 2007b: 35). Over the selected period in QUING, the most common axes found are age and social class. Social class is connected to measures oriented to working women (affirmative actions within the labour realm), to social aids for economically vulnerable women within domestic violence, and to women living in less developed countries within the trafficking in women sub-issue. Concerning age, this variable is especially important within trafficking in women, though it also appears when addressing domestic violence. Disability also received some attention,

¹ This section draws in part upon the paper by Bustelo, M. "Spain: A better performer in gender than in intersectionality", presented at the Fourth Pan-European Conference on EU Politics, Riga (Latvia), 25-27 Sept. 2008. A version of this paper will be published in the *International Feminist Journal of Politics* in 2009, as part of a special issue on 'Institutionalization of intersectionality' edited by Johanna Kantola and Kévat Nousiainen.

both in employment policies and equality plans, along with the promotion of specific plans for disabled women such as the '*Plan de acción para las mujeres con discapacidad*' (Action Plan for Women with disability) (2007). Ultimately, as huge transformations are taking place in the Spanish population structure, the migrant / national cleavage, as well as ethnicity or religion have gained importance, to become one of the hottest social and political issues in Spanish polity, also addressed in some gender equality policy documents.

Nonetheless, over the selected period of time, the few references to other inequality axes besides gender that might be found in policy texts and discourses, depend on the date of the documents (the more recent the documents, the more probable the references), the ideology (conservative documents, produced by conservative governments or conservative voices in parliamentary debates, tend to pay less attention to other inequalities), and the issues tackled in the documents. While increasing attention is paid to the intersection of gender, age and class regarding *gender violence and trafficking in women* (López *et al.* 2008) – as in the National Plan for Social Sensitivity and Prevention of Gender Violence (2006), which also takes disability into account -, other discrimination axes have received little attention in the making of non-employment policies or when addressing 'intimate citizenship'.

In terms of institutional machineries, despite the excellent performance record regarding gender equality policies over Rodríguez Zapatero's first term (March 2004-March 2008), the new General Secretary for Equality Policies has been strictly devoted to gender equality and has not tackled any other inequalities. In April 2008, a new 'Ministry of Equality' was nonetheless created under the second government of Rodríguez Zapatero. Though there is some evidence of a very recent concern for intersectionality in the brand-new structure of the Ministry of Equality, the debate is still emerging and the main impetus seems to be compliance with the European legislation by enacting a new 'Equality Treatment Law', to be passed in late 2009 (Bustelo, forthcoming 2009).

Why is Spain, which moved from a latecomer to a pioneer in equality policies in barely two decades, reacting so slowly to the European developments in jointly tackling multiple inequalities? What future developments are planned at the institutional level? What are the political discourses around these issues and how are they embedded into the different policy frames revealed by the issue histories and document analysis?

This report addresses these questions by exploring current policy developments. Drawing upon recent contributions to the theoretical approach of intersectionality (Verloo, 2006 ; Hancock, 2007) and the most relevant references to multiple discrimination in the Spanish literature, it firstly aims at identifying the intricate implications in terms of intersectionality of the different frames revealed by the development of equality policies (3.1) and gender equality machineries (3.2). Do these frames hinder a better accounting of intersecting inequalities by public authorities and/or non-governmental actors? If so, how (un)favourable to an intersectional approach are the dominant frames identified for each debated issue (3.3)? Then, still focusing on the national level, we address the range of inequality axes which have been primarily invoked in public debates, paying attention to the overall (social and political) context in which discussions took place (4.1) and to the (lack of) contribution of civil society organisations to multiple/intersectional approaches (4.2).

Consecutively focusing on the respective weight allocated to different inequality axes in the public debate, the report raises the unequal salience of intersectionality in respective

issues (5.1 – 5.3), both in terms of policy making (equality legislation and equality machineries) and collective action (the role of NGOs or other actors in bringing intersectionality between multiple discriminations onto the agenda). Then we summarize the extent of the current debates on intersectionality, emphasizing the reference to the EU policy frame in the area of anti-discrimination, while noting that Europeanization processes have thus far had a rather limited impact on the making of Spanish equality policies (5.4).

Since Spain is taking its very first steps in diversity and intersectionality institutionalisation, patience is necessary before we can fully assess the changes in the meanings and/or relevance of different forms of intersectionality. Instead, we suggest focusing on the most recent evolutions toward a greater concern for tackling multiple discriminations in a sole set of policy measures or through common institutional machineries. At the regional level, the Basque Equality Law of April 2005 has undoubtedly provided a first consistent example of a multiple approach. At the national level, progress has been closely related to the Ministry for Equality established in 2008-2010² and to the current making of an Equal treatment law, to be passed by the end of 2010. The possible consequences for each sub-issue of this recent shift towards an intersectional approach will be discussed, stressing the uncertain definition of the competence and scope of these new instruments (6.1).

As a conclusion, this report attempts to draw out some prospects for the future of intersectionality in the Spanish polity, emphasizing possible points of contention or resistance that might be found around intersectionality and the European discourse on diversity. It also proposes some hypotheses about the consequences of the absence of an intersectional point of view among public and non-governmental actors, and of a simultaneously dominant unitary approach, for the reproduction of a wide range of inequalities (6.2).

2. Literature review

Gender studies have long engaged with mutual relationships between different inequality axes, albeit not initially referring to the concept of intersectionality. The articulation of gender with class and/or “race” was a major topic of analysis in the 1970s and 1980s, questioning how gender relations shaped - or were shaped by – class relations. Race was also at stake, as analysing the mutual constitution of gender and class often led to emphasis upon the role of ethnic segregation or racist stereotypes in reinforcing and reproducing gender and class inequalities. Typically, Marxist analyses prioritized the structure of class relations over gender and ethnic inequalities, which were conceived as derivative from the capitalist order, to be erased as the latter was defeated. Identity politics juxtaposed problems through single lenses (ethnicity, gender or sexual orientation...), thus neglecting for instance black, lesbian women. This debate on the derivative (through a hierarchy of inequalities dominated by those related to class stratification), additive or, as an intersectional approach might point out, mutually constitutive dimension of a range of inequalities could be identified at different levels. Analytically, the question was whether to address gender as a social construction generating its own effects in terms of social/race relations, or as derived from

² This report does not fully take into account the changes occurred after its date of submission, with the unexpected abolition of the Ministry for Equality (October 2010).

the general structure of class relations and/or political order. Simultaneously, this debate affected the positioning of emerging women's movements towards other social and political claims, challenging their willingness to address a broader range of inequalities and their ability to represent the social/ethnic diversity among women. In terms of collective action, this can be linked to the dilemma of feminist militancy between acting independently of other political claims, and subordinating its own goals to those of a larger social mobilization.

Path dependent features in the literature on inequalities

In the case of the second wave of democratization in Latin America and Southern Europe, such an alternative questioned women's contribution to the transition to democracy (Schmitter ; 1998). In Spain, a debate around the articulation of the feminist movement and about its relationship to the state's machinery emerged, known as the opposition between *monism* versus *dualism*, or *unique militancy* ('*militancia única*') versus *double militancy* ('*doble militancia*'). Feminist women from the first group stated that feminist goals were part of a bigger fight in favour of democracy and political rights, consecutively assuming participation in political parties. Later, most of these women would take part in the women's machinery. On the other hand, feminists of the second group (*dualism*) argued that feminism's fight should be independent from other political claims and they rejected any alliance with political parties or state machinery³. Despite being closely associated to the Socialist worker's party (PSOE), to the United Left (IU) and to other left-wing or independent political organizations, future "femocrats" have thus been primarily concerned with building institutions for enforcing gender equality, as permitted by the new Spanish Constitution, with limited interest for other inequality axes. Similarly, women involved in the building of an independent women's movement were initially probably more eager to advocate common interests than emphasize social, age or ethnic differences among women (even if regional and linguistic cleavages played a role in the building of Spanish feminist movements).

This situation, which can be described as path-dependent towards the conditions of the democratic transition and the very first debates that occurred in the women's movement, was not only reflected in the scope of newly established equality machineries or the agenda of women's organizations, but also in the literature. Along with the absence of some inequality axes in post-transition Spain until late 1990s, such as migrant/national or religious cleavages⁴, this situation contributes to explaining the void left in the academic, official or militant literature. The late seventies and eighties saw the emergence of most social movements, along with new civil rights, while policies for specific groups were also being launched (youth, women, children, etc.). The attention to 'double discrimination' is rooted in the very beginning of these organizations and social movements, such as the feminist movement which organized relevant conferences addressing issues like prostitution, lesbianism, pornography, etc. The dimension of intersectionality (even if not mentioned as such) has therefore long remained in the focus of 'double (additive) discrimination' or

³ The most dramatic example was seen in the Conference held in Granada in 1979, where disagreements hindered joint conclusions (Escario, Alberdi and López- Acotto 1996).

⁴ Except in the form of a secularization vs. religious (Catholic) cleavage (Stein & Rokkan, 1967)

'Y.M.C.A. syndrome'⁵ in Platero's terms (2008), despite the increasing scholarly attention dedicated to gender equality. Due to the tremendous social and demographic changes that occurred in the past 25 years, including increasing female participation in the labour force and ultimately, immigration, there has nonetheless been a growing concern for other inequalities and their gendered implications. Especially in the last few years, numerous Spanish publications can be found concerning issues such as women and disability, women and immigration, women and race, gypsy women, prostitution, and intersectional sexual minorities (HIV, ethnicity, age, gender, sexual orientation, etc), which take into account the increasing diversity of women (See examples in the annex, for instance Romero Bachiller, 2003; González Cortés, 2005 ; Arnau Ripollés, Toboso Martín, 2008).

A dominant focus on double (additive) discriminations

The main characteristic of this emerging literature is a focus on double (additive) discriminations- gender + other inequality, or *vice versa*. This is strongly present in the case of studies on gender + disabilities and gender + migrant status, although the latter usually link migrant status with poverty and/or vulnerability, but alternatively put the major emphasis on gender *or* poverty. Yet the axes women and immigration/ethnic origin is receiving an increasing amount of public and scholarly attention, thus revealing a broader spectrum of approaches, going from the dominant additive perspective on double discriminations towards more complex intersectional analyses. Additionally, given the fact that Catalonia has been on the first line of immigration flows over the past ten years, it is therefore not surprising that a great deal of attention was paid to this issue by Catalan institutions. A quite strong perception of the additive discrimination perspective is also to be found in the emerging literature on Roma women, including poverty, gender and ethnicity. Yet thus far most of the available work on Roma women originates in state-funded research or NGO reports, with a limited number of academic works. Moreover, the topic of Roma women is usually constructed as specific, and thus separated from the larger issue of ethnicity/racism. As it is primarily concerned with the construction of identities, the LGBT literature is paying greater attention to diversity, with some insights on vulnerability or ethnicity. Although there is an increasing concern for discriminations against specific LGBT groups or individuals in relation with other grounds of vulnerability (ethnic origin, illegal migrant status), the interest for intersectional approaches – both as a paradigm and a perspective for policy making – is being developed by only a limited number of studies.

Since the concept of intersectionality is being widely used at the European level in academic studies, especially after Crenshaw's contribution (1989, 1991) on gender and ethnicity, it is not surprising that most of the recent literature explicitly dedicated to intersectionality in Spain is linked to international joint research programmes (MAGEEQ and QUING; see Platero, 2008, 2007a, 2007b; Bustelo forthcoming 2009) or is being produced by younger scholars with a wider perspective on discrimination (see, for instance Romero Bachiller 2003a, 2003b, 2003c). The available literature therefore includes books translated

⁵ It is frequent that politicians and policy makers face the task of intending to bring diversity into their actions by trying to represent each strand of inequality, producing a phenomenon of having 'one of each', as if each discrimination was taking place in isolation.

into Spanish or with international contributions that highlight the issue of intersectionality (for instance Hooks et al. 2004; Rodriguez et al., 2006). These articles and books not only provide an assessment of the progress of equality policies and institutions, but also reflect a growing interest in diversity and the complexity of equality issues. They reveal the move towards the inclusion of other strands of inequalities such as disability, immigration, age or religious beliefs. Recently events and conferences in the Spanish academic field have paid attention to intersectionality, including *Múltiples identidades, múltiples discriminaciones. Género e interseccionalidad en la discriminación* (Multiple identities, multiple discriminations. Gender and intersectionality within discrimination), which took place in August 2008 at the International University Menéndez Pelayo (Santander). This conference was aimed at bringing together regional women's policies and academics into a discussion on intersectionality analysis, which prompted some public statements from regional politicians⁶ supporting the inclusion of intersectionality in policy making. In addition, at the Women's World Conference in Madrid, Kimberlé Crenshaw addressed intersectionality (July, 2008). These events have had a positive impact in academia and civil society, which may result in future developments on the concept of intersectionality and its application.

From a background to a systematized concept?

Among academics, a shift can also be noticed in the use of intersectionality, from a "background" or implicit, often unnamed concept (Adock and Collier, 2001), covering a huge diversity of meanings, to a more "systematized" concept, able to structure empirical findings and generate hypotheses. Drawing upon Crenshaw's definition, which underlines the need to account for multiple grounds of identities, Platero (2007, 2008) discusses the transformative nature of Spanish equality policies and their ability to challenge a rather static definition of sexual identities. Assessing Equality laws both at the national and the regional levels, she emphasizes that most of them are embedded in an "inclusion strategy" which focuses on exclusion, rather than on the gender, male or "binary" orders. The salient issue of same-sex marriage is invoked as an example of a situation in which "binary standpoints" leave "little room to problematize the institution of marriage or challenge the norms of monogamy and parenthood. Referring to Hancock's typology of unitary/multiple strands/intersectional approaches, Bustelo (2009) articulates intersectionality both as a research paradigm and a possible model for public policy. As noted by Mieke Verloo (2006), "inequalities are not equivalent", since social categories are connected to inequalities in different ways and since inequalities can be located in different structures and reproduced in different ways. Such an *aporia* should lead to the consideration of different strategies to address differentiated inequalities. Therefore, it challenges the very content of the Equal treatment Act to be adopted in 2010 and the future of equality policies in Spain, especially after the abolition of the Ministry of Equality, as the articulation between gender and other grounds of inequality remains unclear, both in terms of diagnosis and prognosis. Moreover, Bustelo points to

⁶ E. P (2008). "La igualdad plena requiere políticas que contemplen las múltiples desigualdades". *Diario Montañas* 08.18.2008

possible resistances to an intersectional institutional approach, with some tensions emerging between different groups around the definition of the scope and competences of the Ministry (see also: 5 & 6).

The contribution of “grey” literature

Despite the main focus on multiple-discrimination and intersectionality found in academia, NGOs have been providing services and debates on double discrimination, being the primary source of support for women in multiple discrimination situations. For instance, the role played by NGOs in the promotion of women with disabilities, immigrant women (La Rueda 2005) or Roma women is crucial (Fundación Secretariado Gitano, 2008), as well as the internal debate over the subordinate role of women “making a difference” within those organizations. Nonetheless the discourses in those NGOs have not progressed fast enough to incorporate accurate references to intersectionality, and so far are diverse in how close they are to the additive/multiple approach of inequalities. This may also be partly attributed to the strategic need for these organizations to be easily identified by public authorities, in relation with a sole strand of discrimination (see: 4.). Amnesty International is the exception, since their analysis of violence against women and racism does incorporate an intersectional analysis, probably due to their international influence (see: Amnesty International 2004, 2008). Moreover, there are authors who contribute to bridging the theoretical gap between the literature produced by NGOs and by academics, as their research interest is closely related to their own life experiences or activism.

Perspectives

Although recent and limited in Spain, the interest for addressing multiple axes of discriminations along with gender is growing. The above-mentioned studies have been dominantly located in different areas of research, depending on their respective major inequality axis, for instance:

- State-funded reporting in the case of Roma women
- State-funded research and NGO literature for disability + gender
- Both academic and public (regional) institutions in the case of migrant women
- Academics and NGOs in the case of intersectional sexual minorities.

As a consequence, specific attention should be dedicated to the respective framings of multiple discrimination and/or intersectionality in future academic works, taking into account the design and origin of the studies on multiple grounds of discrimination.

Moreover, since some axes of inequalities addressed in the literature (migration) are becoming particularly relevant in the Spanish context, should we expect a growing interest in women's ethnic diversity and if so, does it mean a more intersectional approach or a focus on double discrimination (gender + ethnicity or migration) ?

In addition, it is likely that the interest for intersectional issues will increase, as there are some signs of institutionalization. The functioning of the Ministry for equality in the next few years might stimulate new questions and hypotheses concerning the very content of an

intersectional approach in Spain, as well as the contribution of civil society to the making of anti-discrimination policies. The available literature also needs to be linked to the current debates on the adoption of a new Equality law which has been promoted by the EU directives (see: 6.)

Additional questions

In the light of the recent progress in the literature, and given the institutional changes that are taking place, this report shall additionally focus on the following set of questions:

- How may current debates and institutionalization processes have an impact in the promotion of intersectional analysis in Spain? What kind of intersectional analysis is likely to emerge: additive, or truly intersectional?
- Do NGOs, Gender Equality bodies and political actors perceive diversity and intersectionality as something different to and separated from gender? For instance, the long standing promotion and establishment of policies and resources for immigrant or disabled people may produce a perception among those NGOs of not needing a new law. They may not frame the situation as a window of opportunity; meanwhile gender bodies may be feeling threatened by the consideration of other inequalities and having to share resources and public attention. How deeply will the European debate on diversity be incorporated into the Spanish policy making and civil society debates?
- Considering intersectionality as it is promoted at the EU level and the Spanish heritage in terms of equality policies, which aspects of the European model will be incorporated into Spanish policy-making?
- Which strands of inequality will remain invisible? Which moves in the ladder of discrimination (following Gail Rubin's idea of hierarchies) will take place in the short run? Are these promoted by the EU legislation? Are these changes linked to recent changes such as legislation on same sex marriage, gender violence, dependency, etc.?
- To what extent is it seen as preferable for NGOs to continue to promote an additive perspective of intersectionality - or even a "closing ranks" (Hancock, 2007) unitary strategy - rather than adopting a more abstract concept, since it provides for a certain visibility and intelligibility of their problems?

References

The references listed below give a first mapping of current discussions on multiple discriminations. As these have emerged quite recently, the list includes different kinds of literature, such as NGO reports, studies published by social workers, feminist literature, and unpublished academic papers.

- Albiol Soto, Marta (2005). *Estudio sobre procesos de inserción sociolaboral en mujeres migrantes*. La Rueda Andalucía. Proyecto Acoge. On-line: http://www.integralocal.es/upload/File/la_rueda_libro.pdf

- Amnesty International. 2008. *España: entre la desgracia y la invisibilidad. Políticas del estado español en la lucha contra el racismo*, AI report.
- Amnesty International, 2004. *No más violencia ni discriminación contra mujeres lesbianas y bisexuales*. AI Report.
- Bustelo, Maria (forthcoming 2009). Spain: A better performer in gender than in intersectionality. *International Feminist Journal of Politics*, Special issue 2009 "Institutionalising Intersectionality", Editors: Johanna Kantola and Kevät Nousiainen.
- Bell Hooks (et.al.) (2004). *Otras inapropiables: Feminismos desde las fronteras*. Madrid: Traficantes de Sueños.
- Romero Bachiller, Carmen y García Dauder, Silvia (2003). Saturaciones identitarias: De excesos, Materialidades, Significación y sus (in)visibilidades. *Clepsydra. Revista de estudios de género y teoría feminista de la Universidad de la Laguna*. (2): 37-56.
- Romero Bachiller, Carmen (2003). De diferencias, jerarquizaciones excluyentes, y materialidades de lo cultural. Una aproximación a la precariedad desde el feminismo y la teoría queer. *Cuadernos de Relaciones Laborales*. 21(1): 33- 66.
- Romero Bachiller, Carmen (2003). Los desplazamientos de la "raza"-de una invención política y la materialidad de sus efectos. *Revista Política y Sociedad*. Madrid. 40 (1): 111-128.
- Platero, Raquel (2008). 'Outstanding challenges in a post-equality era: The same-sex marriage and gender equality laws in Spain. In *International Journal of Iberian Studies*, 21 (1), pp. 41-49.
- Platero, Raquel (2007a). "Intersecting gender and sexual orientation. An analysis of sexuality and citizenship in gender equality policies in Spain. 'Contesting Citizenship: Comparative Analyses'", *Critical Review of International Social and Political Philosophy*, CRISPP 10 (4), pp.575–597.
- Platero, Raquel (2007b). 'The limits of equality: the intersectionality of gender and sexuality in Spanish policy making', *Kvinder, Køn & Forskning* (1), pp. 33-49.
- Platero, Raquel et al. (2008). 'Series of LARG Country reports. Spain: Intimate Citizenship'. Quing project unpublished report. Vienna: IWM.
- Rodríguez Martínez, Pilar (ed.) (2006). *Feminismos periféricos. Discutiendo las categorías de sexo, clase y raza (y etnicidad) con Floya Anthias*, Salobreña: Alhuila.

The following sub-sections list some examples of issue-related research, publications and experiences on double discrimination, which are neither exhaustive nor complete.

Women and Disability

- Aranda R., Colebrook E. Fernández-Rubio J., Mendoza F. y Platero Méndez R. (2003). *Las mujeres sordas: formación y posibilidades* Madrid: Instituto de Investigaciones Feministas de la UAM.
- Arnau Ripollés, M^a. S. (2003): "Violencia de Género y Mujer con Discapacidad", Conferencia celebrada dentro de las Actividades organizadas en conmemoración del Día Internacional contra la Violencia de Género (25 de noviembre) por el Consejo de la Mujer del Excmo. Ayuntamiento de Sagunto (Sagunto-Valencia) (24 de noviembre de 2003).

- Arnau Ripollés, M^a. S. (2008). "O Feminismo da diversidade funcional. Facendo camiño..." *ANDAINA. Revista Galega de Pensamento Feminista*. Verán 08. Núm. 49. Págs. 37-40. Disponible en web: <http://www.andainamulleres.org/index.htm>
- Arnau Ripollés, M^a. S. (2008). Violencia de Género y mujeres con discapacidad. Jornada: "Mujeres y Discapacidad". CERMI-CV (Castellón, 20 de mayo de 2008).
- Arnau Ripollés, M^a. S. (2008): «Autonomía y desarrollo de las capacidades para la mejora de la calidad de vida de las mujeres con discapacidad», Ponencia presentada en la *Curso de Verano: "Género y discapacidad. Hacia el pleno ejercicio de las capacidades"*, organizado por la Universidad Autónoma de Madrid (Tres Cantos-Madrid, 11 de julio de 2008).
- Arnau Ripollés, M^a. S. (2008): «La "Vida Independiente" en España: Un análisis desde la Perspectiva de Género». Conferencia organizada por la Fundación Isonomía para la Igualdad de Oportunidades, de la Universitat Jaume I de Castellón. Con la colaboración del Ilmo. Ayto. de Alcora (Castellón, 7 de marzo de 2008).
- Arnau Ripollés, M^a. S. y Gil García, E. M^a. (2007). Aportaciones a la Ley de la "Independencia" desde una perspectiva de género. Accesible en: http://www.minusval2000.com/relaciones/vidaIndependiente/pdf/aportaciones_ley_independencia_soledad_arnau.pdf
- Arnau Ripollés, M^a. S. et al (2008). Las MUJERES de la VIDA INDEPENDIENTE. Accesible en: http://www.minusval2000.com/relaciones/vidaIndependiente/las_mujeres_vida_independiente.html
- Arnau Ripollés, M^a. S. y Toboso Martín, M. (2008). La discapacidad dentro del enfoque de capacidades y funcionamientos de Amartya Sen. En *Araucaria*. Revista Iberoamericana de Filosofía, Política y Humanidades. Año 10, N^o 20, Segundo semestre de 2008. Disponible en web: http://www.institucional.us.es/araucaria/nro20/ideas20_4.htm
- Asociación iniciativas y estudios sociales (A.E.S.) (1998): Guía sobre violencia y la mujer con discapacidad, Proyecto METIS, iniciativa DAPHNE de la Unión Europea. Asociación Iniciativas y Estudios Sociales.
- CNSE (2001). *Guía para Profesionales ante la Violencia y los malos tratos a Mujeres sordas*, Madrid: Confederación Nacional de Sordos de España (CNSE) y Comisión de la Mujer de la CNSE.
- COCEMFE (2003). *Libro Verde: Mujer y Discapacidad. Propuestas para una década*. Madrid: COCEMFE.
- García de la Cruz, Juan José (2004). *El espejo social de la mujer con gran discapacidad*. Madrid: Fundamentos.
- Iglesias, M.; Gil, G.; Joneken, A. et al. (1998): Violencia y la Mujer con Discapacidad, Proyecto METIS, iniciativa DAPHNE de la Unión Europea. Asociación Iniciativas y Estudios Sociales.
- Moya Maya, Asunción (2004). *Mujer Y Discapacidad: Una Doble Discriminación*. Huelva: Hergue.
- Platero Raquel (2004). Mujeres y Sordera. En Fernández Viader, M. P. y Pertusa, E. (Coords). *El valor de la mirada: sordera y educación*. Barcelona: Universidad de Barcelona, PPU.

- Platero, Raquel (2002). Mujeres discapacitadas y malos tratos. *Perfiles ONCE*. 180, pp.14-15.

Women, Multiple discrimination and Roma people

- Berná Serna, David (2007). *Etnicidad y Pobreza en los gitanos Españoles*. Dir: Pilar Monreal Requena/Mercedes Jabardo Velasco. Doctorado en Antropología Social, Area de Antropología, Dto. de Pensamiento Filosófico Español Universidad Autónoma de Madrid.
- Bezunartea, Patricia y Villalba, Pilar (1999). Factores sociales y estructurales que favorecen la exclusión social de las mujeres: situación de la mujer gitana. *Técnicas e instrumentos de trabajo en los programas de intervención social de la población gitana*. Madrid.
- CREA-UB. 2001-2003. *Brudila Callí: las mujeres gitanas contra la exclusión. Superación del absentismo y fracaso escolar de niñas y adolescentes gitanas*. Plan Nacional del Ministerio de Trabajo y Asuntos Sociales.
- Fundación Secretariado Gitano. Conclusiones del Seminario sobre “Mujeres gitanas y Nuevas Tecnologías” celebrado en Madrid en mayo de 2006.
- González Cortés, C. (2005). *Mujeres gitanas: la suma de patrones culturales”*.
- González Cortés, C. (2005). *Romipen en Femenino. Gitaneidad en femenino*.
- Heredia M. (2006). *Nuevas Tecnologías de la Información y Comunicación. La participación de la mujer gitana en los espacios virtuales. Seminario sobre Mujeres gitanas y Nuevas Tecnologías*. Mayo de 2006.
- Méndez C. (2005). “Mujeres gitanas: una revolución tranquila” in *Mujeres hoy*. Canal Solidario.
- Presencia Gitana (1990). *Mujeres gitanas ante el futuro*. Equipo de estudios. Presencia Gitana. Madrid.
- Sánchez M. (2002). *Feminismo gitano. Una aportación solidaria a la superación de las desigualdades de género*. Jornada Dona Gitana: un espai per a la participació. FSGG Barcelona.
- VVAA. *Las mujeres gitanas contra la exclusión*. Proyecto de I+D+I. Plan Nacional del Ministerio de Trabajo y Asuntos Sociales. Instituto de la Mujer 2000-03. Universidades de Almería, Barcelona, País Vasco, Ramón Llull y Zaragoza.
- VVAA (2008). *La situación de multidiscriminación ante el empleo de personas gitanas con discapacidad*. ONCE: Red 2 Red Consultores.
- VVAA (1990). *Primeras Jornadas Sobre la Situación de la Mujer Gitana*. Granada.
- VVAA (2006). *La otra cara de la mujer gitana*. Fundación Secretariado Gitano: Cuadernos Técnicos.

Women and Immigration

- Alegre Canosa, Miquel Àngel (2007). *Geografies adolescents a secundària: posicionaments culturals i relacionals dels i les joves d'origen immigrant*. Barcelona: Generalitat de Catalunya, Observatori Català de la Joventut.
- Ben Terras, Iksan et al. (2004). *Inmigración, multiculturalidad y género*. Sevilla: Instituto Andaluz de la Mujer, 2004
- Carrasquilla Coral, M^a Claudia y Pellicer Balsalobre, Carmen M^a (2001). *Lugares de ida y vuelta*. En Informe ACSUR. Entre el Magreb y España. Voces y miradas de mujeres. Madrid: ACSUR. Obra Social Caja Madrid e IMSERSO. On line: <http://www.acsur.org/acsur/seccion/que/Informe%20mujeres%20magreb.pdf>
- Femenias, María Luisa (2005). El feminismo postcolonial y sus límites. En Celia Amorós y Ana de Miguel, eds., *Teoría feminista: de la Ilustración a la globalización*, 3 tomos., Madrid: Ediciones Minerva vol. 2: Teoría feminista: de la Ilustración a la globalización, pp. 153-214
- Guarderas, M. Paz y Montenegro, Marisela (2005). Mujeres-migrantes: entre la sujeción y la agencia. *Psicología social y problemas sociales / José Romay Martínez* (ed. lit.), Ricardo A. García Mira (ed. lit.), José Eulogio Real Deus (comp.) Psicología política, cultura, inmigración y comunicación social. (2):269-276
- Pujol, Joan ; Bosch, Alba ; Juli Cimarra, Oscar et al. (2005). "Trayectorias y derivas identitarias en el Raval", in Romay Martínez, José ; García Mira, Ricardo (ed.), *Psicología social y problemas sociales*, Vol. 5, pp. 251-260.
- Juliano, Dolores (2000). *Mujeres estructuralmente viajeras: estereotipos y estrategias*. Papers, nº60, Barcelona: UAB.
- Juliano, Dolores (2004). *Excluidas y marginales: una aproximación antropológica*. Madrid: Cátedra; València: Universitat de València.
- Juliano, Dolores (2005). *Les altres dones: la construcció de l'exclusió social: els discursos que ens uneixen i ens separen*. Barcelona: Institut Català de les Dones.
- *La mujer en la perspectiva intercultural*. Madrid: La Muralla, cop. 2006
- Montenegro, Marisela ; Bosch, Alba ; Juli Cimarra, Oscar et al. (2005) "Investigar desde las Participantes: derivas y actuaciones", in Romay Martínez, José ; García Mira, Ricardo (ed.), *Psicología social y problemas sociales*, "Epistemología, procesos grupales y procesos psicosociales básicos" Vol 1, pp. 23-30.
- Oso, Laura (1998). *La migración hacia España de mujeres jefas de hogar*, Instituto de la Mujer, Madrid.
- Pallarés i Gómez, Joan (2007). *Mujeres inmigrantes y trabajo sexual en Lleida*. Lleida: Edicions de la Universitat de Lleida.
- Parella Rubio, Sònia (2003). *Mujer, inmigrante y trabajadora: la triple discriminación*. Rubí: Anthropos.
- Pereda, Carlos; Prada, Miguel Ángel de; Actis, Walter (2003). *La escolarización de hijas de familias inmigrantes*. Madrid: CIDE, Centro de Investigación y Documentación Educativa: Instituto de la Mujer.
- Pérez Cantó, Pilar (ed.), (2000). Parte II: "Ciudadanías imperfectas. El caso de los países del Magreb", en *También somos ciudadanas*, Madrid: Ediciones de la Universidad Autónoma. pp. 291-368.

- Romero Bachiller, Carmen (2006). *Articulaciones Identitarias. Prácticas y representaciones de género y "raza"/etnicidad en "mujeres inmigrantes" en el barrio de Lavapiés*. Tesis Doctoral. Fac. CC. Políticas y Sociología. Dpto. Sociología V (Teoría Sociológica), UCM.
- Ruiz de Almodóvar, Caridad (1996). *Mujer y sexualidad en el mundo árabe*. En Perez Jiménez, Aurelio y Gonzalo Cruz Andreotti, eds., *Hijas de Afrodita. La sexualidad femenina en los pueblos del Mediterráneo*, Madrid: Ediciones Clásicas. pp. 199-213.
- Ruiz García, Marta (2005). "Género e inmigración en la provincia de Huelva: una aproximación cualitativa", en Solé, Carlota; Izquierdo, Antonio (eds.), *Integraciones diferenciadas. Migraciones en Cataluña, Galicia y Andalucía*, Rubí, Barcelona: Anthropos, pp. -182.
- Méndez, Sela ; María, Luz (2005). *Mujer en Marruecos: La modernización como desafío para la identidad islámica*. Titulares, 21/12/2005. <http://igadi.org/index.html>
- Sipi, Remei; Araya, Mariel (2004). *Inmigración y género: el caso de Guinea Ecuatorial*. Donostia, San Sebastián: Tercera Prensa-Hirugarren Prentsa.
- Solé, Carlota (2001). *Mujer inmigrante y globalización*. En Rita Dahl Philipp, ed., *Cuestiones actuales de sociología del género*, Madrid: CIS y Universidad de Santiago, Col. Academia, September, pp. 207-220.
- Tello, Rosa, Benach, Núria y Nash, Mary (editoras) (2008). *Intersticios: contactos interculturales, género y dinámicas identitarias en Barcelona*. Barcelona: Bellaterra.
- VVAA (2006). *Mujeres inmigrantes en la educación de personas adultas*. Madrid: CIDE, Centro de Investigación y Documentación Educativa: Instituto de la Mujer.

Intersectional sexual minorities

- Córdoba, David, Javier Sáez y Francisco Vidarte (2005). *Teoría queer. Políticas bolleras, maricas, trans, mestizas*, Madrid, Barcelona: Egales.
- Gimeno, Beatriz (2002). *Vejez y orientación sexual*, unpublished study.
- Gimeno, Beatriz (2005a). *Historia y análisis político del lesbianismo. La liberación de una generación*, Barcelona: Gedisa.
- Gimeno, Beatriz (2007). *La doble discriminación de las lesbianas*. En Félix Rodríguez González y Angie Simonis (eds.), *Cultura, homosexualidad y homofobia*. Barcelona: Laertes.
- Hernández Ojeda, Carmen G. (2005). *Tesina: Minoría minorizada: la invisibilidad de las activistas lesbianas en la construcción histórica del movimiento español de liberación sexual*. Master's degree. Dir: Gunther Dietz, Dep. Of Anthropology, Universidad de Granada.
- Mateos, Maite (2005). *Por el derecho al divorcio: la violencia en las parejas de mujeres lesbianas*, *Hika*, special issue on gender violence, nº 171-172.
- Martín Romero, Lola; Rodenas Pérez, Manuel y Villaamil Pérez, Fernando (2008). *Estudio sociológico y jurídico sobre homosexualidad y mundo islámico. COGAM y la Comunidad de Madrid*. Consejería de Inmigración. On line: <http://trans.ilga.org/content/download/12033/71503/file/junio-2007-estudio-completo-de-243-paginas-de-homosexualidad-y-mundo-islamico-en-madrid.pdf>
- Platero, Raquel (coord) (2008). *Lesbianas. Discursos y representaciones*. Barcelona: Melusina.

- Romero Bachiller, Carmen, Silvia García Dauder y Carlos Bagueiras Martínez (Grupo de Trabajo Queer), eds. (2005). *El eje del mal es heterosexual. Figuraciones, prácticas y movimientos feministas queer*, Madrid: Traficantes de sueños.
- Tejado Montero, Laura (2007). *Discriminación interseccional: prácticas y representaciones de género en los colectivos lgtb madrileños*. Manuscrito no publicado, Universidad Complutense de Madrid.
- Villaamil Pérez, Fernando (2005). *Era como si tuviese dos angelitos, el bueno y el malo*. Hacia un abordaje etnográfico de la intimidad. En A. Mora (ed.): *Entre virajes y diluvios. Reconsideraciones de teoría y método en la sociedad global*. México: UNAM.
- Villaamil Pérez, Fernando (2004). *La transformación de la identidad gay en España*. Madrid: Catarata.
- Villaamil Pérez, Fernando (2005). Masculinidad, homofobia y clase. Un enfoque socio-antropológico de la experiencia gay. *Revista de servicios sociales y política social*, 70: 9-38.

3. Framing intersectionality in Spain

This section aims at summarizing the most salient issues and changes in the realm of gender equality in Spain, in order to identify the different meanings which have been given to equality in the course of the debates on the three selected issues, and their consequences for addressing more than one discrimination at the same time. The grounds and possible turning points for bringing an intersectional perspective into equality and anti discrimination policies are emphasized, in the light of the general developments of equality legislation and machineries, then through the lenses of the respective issues. The possible implications of the newly established Ministry of Equality (2008), as well as the consequences of two of the most important milestones for developing intersectionality (Law to promote personal autonomy and to assist dependent people⁷, 2006, and Law for effective equality, 2007), will be discussed in more detail in sections 5 & 6.

3.1 Framing gender equality on the general policy level

To the origins of anti discrimination policies

The 1978 Constitution not only inaugurated the current democratic period but also a process of recognition of equality between women and men, after almost four decades of a dictatorship that confirmed women's submission as a State policy. The Spanish Constitution is engaged with equality in three articles, considering it as one of the most important values of the Legal System (1.1), laying the foundations to implement affirmative actions (9.2) and stating equality before the law and the prohibition of any kind of discrimination in terms of birth, race, sex, religion, opinion or any other personal or social circumstance (14).

⁷ Ley de promoción de la autonomía personal y atención a personas en situación de dependencia. (Law promoting personal autonomy and assistance to people in situations of dependency) BOE 299, December 15, 2006.

The next milestone in tackling discrimination and promoting equality came with the approval of the Workers' Statute (*Estatuto de los Trabajadores*) in 1980⁸, stating that employees cannot be discriminated on the grounds of "sex, marital status, age (...) social status, religious beliefs or political opinions, trade union membership, as well as language, psychological, physical or sensorial disability as far as they do not hinder worker's ability" for the job (article 4c). However, gender equality has received the most political attention relative to other inequality axes⁹. Indeed, the creation of the *Instituto de la Mujer* (Woman's Institute) under the first socialist government at the end of 1983 is considered to be the starting point for state feminism and for gender equality public policies in Spain (Valiente, 1995). Since then, gender equality public policy and women's machinery have developed very quickly, especially as all Spanish Regional Governments (*Comunidades Autónomas*) followed the national example during the late 1980s and also developed an ample regional women's machinery, as well as specific domestic legislations (Bustelo, 2008). Nonetheless, this major change also inaugurated a unitary approach, focusing on a sole strand of inequality, gender, with fewer references to other grounds of discrimination.

This dominant approach – which could also be addressed as a strategic framing - was reflected in the different policy instruments of Spanish equality policies. Apart from 'hard law', we refer specifically to *Equality Plans*¹⁰ which have been the main and almost exclusive policy instruments regarding Spanish gender equality policies for the first twenty five years of their history until the 'equality laws' arrived (Bustelo and Ortals 2007) . Until the late 2000s, this has been noticeable for all issues addressed in this report.

Prior to the period analysed in QUING (from 1995), the first targeted measures on the national level had come into force in the field of intimate citizenship. Law 11/1981, of 13 May¹¹, states the equal status between husband and wife, shared parental authority and the equal status of children born within and outside of marriage. Some months later, one of the most controversial acts of the democratic period was passed: Law 30/1981, of 7 July¹², which allowed civil marriage and established the regulation of divorce, considered by the feminist movement as an indispensable step for the modernisation of social life. No less controversial was the approval of the regulation of abortion, just five months after socialist victory (1983), which established the legalization of abortion under specific circumstances (article 417bis) coming into force only in 1985 due to conservative opposition.

⁸ Ley 8/1980, March, 10th, 1980.

⁹ The Women's Institute is an autonomous body attached firstly to the governmental structure of the Ministry of Culture, then to Social Affairs (Royal Decree 727/1988, of 12 July), then to Employment and Social Affairs (Royal Decree 758/1996, of 5 May). It was also briefly attached to the Ministry of Equality (2008-2010).

¹⁰ An 'equality plan' is a group of measures and objectives drawn up by gender equality institutions. Its implementation is planned in a concrete period of time, four years on average. Gender equality institutions are not the only actors that implement the Plans, on the contrary, different governmental departments and civil society organizations take part in the development of the measures.

¹¹ Law 11/1981, on modification of the Civil Code regarding filiation, parental custody and economic regime of marriage [*Ley 11/1981, de 13 de mayo, de modificación del Código Civil en materia de filiación, patria potestad y régimen económico del matrimonio*].

¹² Law 30/1981, on modification of marriage regime and to regulate nullity, separation and divorce procedures [*Ley 30/1981, de 7 de Julio, por la que se modifica la regulación del matrimonio en el Código Civil y se determina el procedimiento a seguir en las causas de nulidad, separación y divorcio*].

Growing attention was paid to women's contribution to decision making, as the approval of the Law 5/1985, regulating the political representation of citizens at the central level, launched a long discussion on positive action towards women's increased representation among political parties¹³. Yet up until the late 1990s, the main legislative steps were to be noticed in the field of gender based violence. With respect to rape, in 1983 it was established in the Penal Code that the supposed 'forgiveness' of the victim was not an excuse to acquit the aggressor. In 1989,¹⁴ the issue was re-framed, moving from an assault against women's honour to a crime against sexual freedom. The passive subject of the crime was no longer conceived only as a woman but as a person, and the definition of rape extended beyond heterosexual vaginal coitus. At the beginning of the eighties, rape and sexual abuse was a very hot issue for the feminist movement, with the main actions directed to the social awareness of this problem. The reform of 1989 covered a new regulation on domestic violence.

Building equality through unitary approaches

The turning point from considering violence against women as a private matter to a public issue that is subject to State intervention took place during the following Conservative government (1996- 2004). Not only had the feminist movement demanded a Comprehensive Act on Violence since the beginning of the nineties, but also the media played a key role after Ana Orantes' case¹⁵ drew public attention, leading to a deeper social and political sensitivity. In 1998, the first *Action Plan against Domestic Violence* (Plan de Acción contra la Violencia Doméstica, 1998- 2000) was approved, and the following year a new Organic Law¹⁶ was enacted to introduce repeated psychological violence as an offence. Since the beginning of the nineties, the feminist movement had demanded the approval of a Comprehensive Act in the matter. This claim was assumed by the Socialist Party [PSOE] which submitted two bills, in 2000 and 2002, both rejected by the Conservative Party [PP] since it had absolute majority in Parliament. Yet, in 2004, an unexpected victory permitted the PSOE to successfully submit the Organic Law 1/2004 on Integral Protection Measures against Gender Violence¹⁷.

Simultaneous to the increasing political concern for gender violence, debates on women's political representation were reopened, as PSOE and the coalition *Leftist Party (Izquierda Unida, IU)*, the third political party at the national level state, discussed rising

¹³ During the late eighties, this text produced an internal debate within left wing political parties regarding women's political participation. In the Socialist Party (PSOE), due to pressure of feminist women, the discussion ended with the approval of a 25 percent women's quota for internal party positions and on party electoral lists in 1988.

¹⁴ Organic Law 3/1989, to update Penal Code [L. O. 3/1989, de 21 de junio, de actualización del Código Penal].

¹⁵ In 1997, a popular TV show broadcasted the interview with Ana Orantes, explaining the judge's sentence of having to cohabit with a violent ex-husband. She was killed the day after the interview, bringing a new perspective of the media to the issue of violence against women.

¹⁶ Act on modification of the Penal Code regarding domestic violence, and of the Criminal Procedure Law [L.O. 14/ 1999, de 9 de junio, de modificación del Código Penal en materia de malos tratos y la Ley de Enjuiciamiento Criminal]

¹⁷ Ley Orgánica 1/2004, de Medidas de Protección Integral contra la Violencia de Género

quota levels on internal party positions and on party electoral lists¹⁸. In contrast, the Conservative Party (PP) showed a clear position against legal quotas, stating that valuable women will reach powerful positions without state intervention. As a consequence, with absolute majority in Parliament, the PP rejected a bill that proposed to introduce a compulsory quota of 40 percent in all parties. The bill was submitted by the Socialist Party (PSOE) in 2001. Until the approval of the Law for effective equality between men and women in 2007 (see: below), the increasing presence of women in political decision, rising from 6% in early 1980s up to 36% in 2004, could not be explained without the quotas approved by left wing parties (Valiente 2007).

Concerning gender equality and non employment, debates during the QUING period (from 1995 onwards) have focused primarily on the sub issue of '*reconciliation of work and family life*'. The reconciliation of work and family (and personal) life has been the most salient one since it has been frequently discussed by a multitude of actors. Partly as a response to EU policies on the issue, the concept 'reconciliation' was introduced in the III Equality Plan (1997-2000) and turned into one of the central aspects of the IV Equality Plan (2003-2006). 'Reconciliation' has evolved into a recurrent notion that shapes the debates on (non)employment, gender equality and social policy. The Conservative government of *Partido Popular* (1996-2004) made 'reconciliation of work and family life' a key issue of the political agenda. During the Conservative government the 'Reconciliation Law' was adopted. Law 39/1999, which drew upon the European Community Directives 96/34/EC on parental leave and 92/85/CEE on maternity protection in the labour market, illustrated how the reconciliation debate was closely linked to motherhood and rights related to maternity leave. In a context where Spain has come to have one of the lowest birth-rates in Europe, the focus on motherhood has long overshadowed other issues such as the care for elderly. Overall, the policies that aimed to address the 'reconciliation' were oriented towards women, or 'working mothers', and the managing of paid and unpaid work, care and productive work, employment and family life (or *family responsibilities*). The Socialist government (2004-) declared gender equality a priority, and the issue of reconciling 'personal, family and work life' was treated as a key issue in the 2007 Law for effective equality.

However, even if 'reconciliation' has become an important and recurrent issue on the political agenda, 'reconciliation' policies in Spain show great deficiencies when it comes to public services and infrastructures related to the care of children, elderly and disabled people. These limitations have been primarily addressed by voices from civil society, and two main positions can be differentiated on the issue of reconciliation, those who believe in the possibility of effectively achieving a balance between employment and family/personal life through practical solutions, and those who believe that reconciliation problems result from structural features of capitalist societies and from interactions between gender, ethnicity, class, nationality, etc.

The emergence of sexual rights in the Spanish political scenario is highly relevant since it has produced enormous changes over a short period of time. The recent history of repression and dictatorship with severe restriction in freedom for women and the punishment

¹⁸ In IU, the 30% quota was raised up to 35 percent in 1990, and a quota of 40 percent was approved in 1997

of homosexuality and transgenderism (16/1970 Law on Social Danger and Rehabilitation) contrasts with the developments that present the Spanish State as social laboratory of sexual freedoms (Osborne, 2006) in the last decade.

There is no doubt that same-sex partnership has been the 'hottest' issue regarding partnership rights in Spain in the last twenty years. Although there was no consensus over the demand for partnership or marriage rights, the first proposals can be found in the early nineties, with the lesbian feminist organizations (see Pineda, 2008). But it is only from the 1990s onwards that partnership legislation has fully developed, resulting in a situation in which different regions granted different rights, in the absence of national legislation concerning partnership rights for both different and same sex couples. This situation has been profoundly transformed once the partnership rights' strategy was discarded by the Spanish Federation of Lesbians, Gays, Transgenders and Bisexuals (FELGBT) with the support of political parties and the demand of same sex marriage gained relevance, finally resulting in the modification of the Civil Code through the Act allowing marriage between same-sex partners¹⁹ adopted during José-Luis Rodríguez Zapatero's first term (2005). Nonetheless, sexual rights are defined not only by the access to partnership rights for both heterosexual and same sex couples and later to same sex marriage, but also by the emergence of transgender rights, which resulted in the approval of law 3/2007 that allows changes in the names of transgender people, and the ongoing debates on further rights for transgender people²⁰. The European Directives have impacted these sexual rights much more clearly than the other two issues of reproductive and marriage/divorce/separation rights. One of the first European texts regarding sexuality was the 1989 European Parliament recommendation to member States regarding their role in avoiding the discrimination of transgender individuals. Also, the increasing visibility of gay and lesbian rights in the late nineties emerged while the Amsterdam Treaty came into force (1999) with specific remarks on sexual orientation, and received new impetus after the 2000/78/CE and 2000/43/CE Directives on non-discrimination and equal treatment in the labour market were passed (see: below).

Besides the role played by LGBT organizations, left wing political parties and the media have been crucial in the shifts affecting the realm of intimate citizenship through LGBT rights. Once again, a unitary approach has been prominent, both on the side of civil society organizations and public authorities. Despite the deep impact of these laws, LGBT organizations have recently argued that the legal reforms were constructed from a neutral, non intersectional perspective which may result in concrete discriminations against lesbians, minors, elderly or immigrant LGBT individuals since the diversity of LGBT people is neglected (Platero 2007).

Different meanings of equality

¹⁹ Law 13/2005, on modification of the Civil Code regarding marriage [*Ley 13/2005, de 1 de julio, por la que se modifica el Código Civil en materia de derecho a contraer matrimonio*].

²⁰ Including the Law 3/2007, of March 15²⁰ enabling transgender people to change their personal data without the need of surgery or legal proceedings.

A unitary approach to discrimination does not mean a unitary definition of equality. As far as gender equality is concerned, Mieke Verloo (2007) reminds us that its contested nature can be assessed through three different levels of analysis: “the first concerns the existence of different visions of gender equality; the second focuses on the different political and theoretical debates that arise within the framework of these visions; and the third refers to the different contextual locations in which such visions and debates over gender equality take place in actual policy practices” (Verloo, 2007: 22).

As explored in the LARG report through selected documents, these two latter levels of analysis reveal different understandings surrounding gender equality. Generally, the idea of *sameness* is connected to equal treatment and equal participation in the public realm (especially in positions of responsibility) and is particularly salient in documents expressing a conservative approach. It is therefore significantly present in the IV Equality plan (2003-2006), adopted under a conservative parliamentary majority, and in the conservative MPs’ speeches during the debate on the adoption of the Law for effective equality (2007).

A perspective based on *equality as difference* has been closely linked to the support of affirmative actions (including promotion of parity and changes in the Penal Code regarding the gendered violence issue), which is headed by voices connected to the Socialist government (2004-2008) and Nationalist voices. It has been especially salient in the most recent policy documents, such as the current Equal opportunities Plan (2008-2011). This plan is promoting a new model of citizenship, for which male behavioural patterns should no longer constitute a reference: “Everywhere, it is quite visible that women are complete human beings and they do not want to be more or less than men but simply women, that is to say, different. Therefore, men should not be considered any more either as the universal reference or as the measure of human experience”. (*Plan Estratégico de Igualdad de Oportunidades*, 2008-2011, final version, pp. 6-7).

Equality as transformation recently gained importance since non-transferable paternity leave was included within the Law for Effective Equality (2007) and several documents aim at overcoming patriarchal structures, agreeing a new social contract and promoting an overall social change. It is thus especially salient in the realm of reconciliation, as described also in the Equal opportunities plan (2008-2011): “Reconciliation consists on making possible for both sexes to have both family and work. That is, men and women could reconcile because they share spaces and times, especially family times. This involves attending children and old people, from the co-responsibility point of view” (*Plan Estratégico de Igualdad de Oportunidades*, 2008-2011, final version). This perspective firstly applied to strategic plans internally adopted by public administrations, such as the (non-coded) Integrated Plan for reconciling private life and work adopted in 2005. (*Plan integral para la conciliación de la vida personal y laboral en la administración*, 2005²¹). Since they are drawing on a more complex diagnosis of gender inequality as embedded into social structures, documents addressing equality as transformation are also the most likely to advocate an intersectional approach. As an example, the above mentioned document dedicates specific attention to disabled or vulnerable persons. In addition, equality as

²¹http://www.map.es/iniciativas/mejora_de_la_administracion_general_del_estado/funcion_publica/concilia.html

transformation is generally connected to changes that should originate in the social and not in the legislative sphere, and is firstly advocated by voices from civil society (see the arguments exposed in the selected press article published during the debates preceding the approval of the Law for effective equality). On the parliamentary ground, the topic equality as transformation finds some of its strongest advocates among nationalist parties (see: intervention of Georgina Oliva, Catalanian Republican Party).

In itself, 'Equality' appears as an important but differently understood frame. The Law for Effective Equality as well as Socialist and Nationalist parliamentary interventions claim for the achievement of *effective* equality, whereas other documents propose an understanding of equality which is closer to *equal participation* and *opportunities*. The frame 'Development' is linked to this latter approach, in that women's integration in the labour realm and public sphere is perceived as making economic development easier. Finally, 'well-being' and 'justice' are also salient frames- the former is linked both to women's discrimination and inequality and to gendered violence. The latter is connected to the need of an historic justice for women, that is, to compensate women's traditional inequality. Democracy and social modernization are other relevant frames. Explicitly related to gender in all selected policy documents, rather than to a broader set of inequalities, the achievement of Equality has long been conceptualized through a unitary approach in Spain. This does not mean that other inequalities were left unquestioned, as shown by the great diversity of inequality axes invoked in selected documents (see: 3.3), but they received less attention, at least until the most recent developments in the approval of regional and national Equality Laws (2004-2008).

Equality laws: a new ground for tackling multiple inequalities?

A new chapter in the making of Spanish equality policies was opened with the approval of six regional equality laws between 2002 and the approval of the national Organic Law 3/2007, of 22 March, for Effective Equality between Women and Men (*Ley Orgánica 3/2007, de 22 de marzo para la igualdad efectiva entre mujeres y hombres*). However, the first regional laws adopted in Navarra (2002), Valencia and Castilla-Léon (2003) or Galicia (2004), all with right-wing majorities, showed quite limited efforts to challenge structural gender inequalities, privileging issues such as gender and the labour market, and *women as mothers* (especially in Galicia), or being limited to very general commitments towards gender equality (Navarra). The Basque "Law for the Equality of Women and Men" approved in 2005 thus strongly contrasts with former practices in terms of equality law making, with five general titles, eighty-three articles and sixteen final dispositions and a framing of gender equality within the principle of equality between women and men and the expressed prohibition of any kind of sex discrimination. Moreover, the preamble points to the intersection of sex discrimination with discrimination due to ethnicity, language, age, disability, wealth, sexual orientation, making an explicit reference to multiple discrimination: "*Basque public authorities guarantee a full and effective exercise of fundamental rights for those women or groups of women suffering multiple discrimination as they embody other factors able to provide the grounds for other situations of discrimination, such as race, colour, ethnic origin, spoken language, religion, political opinions, belonging to a minority, birth,*

*disability, age, sexual orientation or whatever personal condition or social situation*²². Furthermore, these intersections are addressed in *Title III*. The Basque law also reinforces the institutional mechanisms and policy instruments in charge of gender equality.

Table 1. Equality laws approved in Spain. October 2008.

Level/ Region	Date of approval	Name/reference
Navarra	Nov. 2002	<i>Ley Foral 33/2002, de 28 de noviembre, de fomento de la igualdad de oportunidades entre mujeres y hombres, del Parlamento de Navarra</i>
Castilla y León	March 2003	<i>Ley 1/2003, de 3 de marzo, de Igualdad de oportunidades entre mujeres y hombres en Castilla y León</i>
Valencia	April 2003	<i>Ley 9/2003, de 2 de abril, para la igualdad entre mujeres y hombres, de la Comunidad Autónoma Valenciana</i>
Galicia	July 2004	<i>Ley 7/2004, de 16 de julio, gallega para la igualdad de mujeres y hombres</i>
País Vasco	Feb. 2005	<i>Ley 4/2005, de 18 de febrero, para la Igualdad de Mujeres y Hombres</i>
Baleares	Sept. 2006	<i>Ley 12/2006, de 20 de septiembre, para la mujer</i>
National	March 2007	<i>Ley Orgánica 3/2007, de 22 de marzo para la igualdad efectiva entre mujeres y hombres</i>
Murcia	April 2007	<i>Ley 7/2007, de 4 de abril, para la Igualdad entre Mujeres y Hombres, y de Protección contra la Violencia de Género en la Región de Murcia.</i>
Andalucía	Nov. 2007	<i>Ley 12/2007, de 26 de noviembre, para la promoción de la igualdad de género en Andalucía</i>
Canary Islands	Feb. 2010	<i>Ley 1/2010, de 26 de febrero, Canaria de Igualdad entre Mujeres y Hombres.</i>

If, curiously enough, the laws of Navarra, Valencia, Castilla y León, Galicia and Baleares and Murcia had been approved under conservative majorities, in the Basque country, the nationalistic and rather conservative PNV (*Partido Nacionalista Vasco*) offers a “degree of conservatism” which is not comparable to the one shown by the Popular Party, especially regarding social public policies, and revealed to be receptive to the strong leadership of the Basque Women’s Institute (*Emakunde*) (Bustelo, 2008). These contrasting political contexts also explain that the Popular Party met a different fate to the Basque and later the Andalusian equality laws, calling for its unconstitutionality before the Constitutional Court.

²² *Official Bulletin of the Basque Parliament*, nº42ZK, p. 3224, March, 5th 2005

The Basque experimentation surely provided strong incentives for developing Equality laws at the regional level²³, but it was also referred to by Basque MPs during the debates preceding the approval of the Law on effective Equality between Women and Men passed by the Spanish National Parliament on 22 March 2007. Among the coded documents (see also: LARG report), the speech of PNV MP Margarita Uría provided several references to the Basque law, mainly focusing on its multi-discrimination approach. Margarita Uría thus positively assessed the amendments made to the original bill submitted to the Basque parliament, which aimed to take into account women's age and the vulnerability of women flying away from their home country. More generally, the national Law on effective Equality is shaping a new frame for further policy actions in the realm of equality. Consisting in a rich preliminary section, 9 Titles, 78 articles and a complex set of 31 additional dispositions that modify former legislation, it also presents 11 transitory dispositions that revoke any former opposed or contradictory law- and 8 final dispositions. Among the issues addressed by the nine titles is education against discrimination²⁴. However, despite nationalist and civil society voices calling for greater concern for multiple discrimination, the Law on effective equality firstly aims at providing a comprehensive institutional frame for the implementation of gender equality, with emphasis on different social realms, such as the labour realm, women's public participation, access to goods and services, and information society. Finally, new institutions are created to develop the principle of equality in the national public administration, such as the Inter-ministerial Committee for Equality between Women and Men, which is in charge of the coordination of the policies and measures adopted by ministries, and the 'Equality Units' to be created in each Ministry²⁵.

Since 2004, Spanish equality machineries that developed during the past three decades have been reinforced, but also to some extent reconceptualized in their goals and functioning. This shift, which occurred both at the national and the regional levels, may have generated greater concern, as well as new opportunities, for tackling interactions between different kinds of discrimination. This constitutes an ongoing and cumulative process, as several equality laws, some of them extending previous legislations, are being discussed at the regional level. In terms of intersectionality, the equality law due to be passed by late 2009 in Catalonia could be especially relevant, since the *Generalitat* is currently developing numerous policy instruments for mainstreaming gender equality in different fields such as emigration and employment policies (see: below)²⁶.

²³ As an example, Castilla La Mancha is currently elaborating its own equality Law. To be initially focused on reconciliation, it is now expected to pay attention to disabled and vulnerable women suffering multiple discriminations. Galicia is also expected to pass a more comprehensive legislation in the nearest future.

²⁴ Along with Public Policies for Equality; Equality and mass media; equal opportunities at work; The Equality Principle in public administrations (including the Military and Security corps); Equal treatment in the access to good and services; Equality in the private enterprises' social responsibility; and Organizational Dispositions.

²⁵ These 'Equality Units' will be responsible for securing the statistical information formulated by the ministry bodies; advising ministry bodies in relation to the elaboration of statistics; elaborating research to promote equality between women and men; advising on the formulation of gender impact reports; putting forward training proposals; and overseeing compliance of this Act and the effective implementation of the principle of equality.

²⁶ <http://www.redfeminista.org/Noticia.asp?ID=6259> (announcement of the Generalitat).

3.2 Framing intersectionality in equality machineries

The remaking of Women's machineries and Equality bodies at the national level

The *Women's Institute* was established as an autonomous body initially attached to the Ministry of Culture, then to Social Affairs (Royal Decree 727/1988, of 12 July), and later to Employment and Social Affairs (Royal Decree 758/1996, of 5 May). It has its own budget. Additionally, an Observatory to promote Equal Opportunity between Women and Man (*Observatorio para la Igualdad de Oportunidades entre mujeres y hombres*) was created in 2000 (Royal Decree 1686/2000, of 6 October) under a conservative government, and in 2004, the newly elected socialist government established the *General Secretary of Equality Policy* (*Secretaría General de Políticas de Igualdad*, Royal Decree 1600/2004, of 2 July). Its creation suggested a strengthening of gender equality policy, since the Secretary has a higher rank than the *Women's Institute*, consecutively placed under its supervision. However, if establishing the Secretary inaugurated some changes in the practice of public policies (see: *Report on issue histories*), it did not address a broader scope of discriminations under the direction of the well-known feminist academy Soledad Murillo (2004-2008)²⁷ until its integration into the new Ministry of Equality established at the beginning of Zapatero's second term (2008, see: 5. & 6.).

Moreover, while the foundation of the Women's Institute is considered to be the turning point in the institutionalisation of gender equality policies, only a limited number of institutions, with limited budgets and competences, have been created to fight against other inequalities. Nevertheless, the transposition of anti-discrimination EU directives has generated new impetus for expanding equality machineries, as the directive 2000/43 makes compulsory the creation of an Equality body for preventing discrimination on the grounds of racial and ethnic origin. But the announcement of the creation of such a council (to be attached to the Ministry of Labour) in the Law 62/2003 on Fiscal, Administrative and Social Order Measures, was not fulfilled until late 2007. This delay in fully transposing the directive has generated new expectations among civil society, for securing enough voices in the future council in order to balance the weight to be conceded to public administration according to draft projections, as well as threats from the European Commission. On June 27th 2007, the European Commission urged the socialist government to create the equality body dealing with discrimination on the grounds of racial or ethnic origin. On September, 21st, the Council for the Advancement of Equality of Treatment and no Discrimination of People on the grounds of Racial or Ethnic Origin was created by Royal Decree 1262/2007. The new structure should be constituted of 30 members, of which 15 representatives of national (8), regional (4) and local (3) administrations, and 15 representatives of the civil society (of which 11 from the associative realm, including the presidency)²⁸. However, by late 2008, the process of selection initiated in January had still not come to an end.

Meanwhile, other bodies with an advisory character have been created on the ground of

²⁷ Webpage: http://www.mtas.es/sec_igual/bio/s_murillo.htm

²⁸ Real decreto 1262/2007, 21.09.2007, BOE, n°237, October 3rd, 2007, pp. 40190-40194.

the EU anti-discrimination directives, such as the National Disability Council (Law 51/2003 and Royal decree 1865/2004), the Spanish Observatory on Racism and Xenophobia (2005), and the Council of Roma People (2006²⁹). Yet the latter does not fulfil the ECRI's recommendations regarding its independence, competencies and composition. Furthermore, until the creation of the Ministry of Equality, none of these institutions had been clearly drawing on an intersectional approach to discrimination, instead pursuing a unitary approach modelled on the case of gender discrimination. Nonetheless, the national policy level is not the only one at stake when addressing multiple discrimination, and by early 2008, equality machineries developed at the regional level had shown the most consistent signs of moving towards a multiple discrimination – if not intersectional - approach.

Regional Women's machineries and Equality bodies: a step towards intersectionality?

In addition to the nationwide Women's Institute, regional Women's Agencies were created in Andalusia, in the Valencian Community and in Basque Country in 1988; thus inaugurating the regionalisation of equality machineries. Comparable, although not similar, institutions were created in the 14 other *Comunidades autónomas* (CC.AA.) between 1989 and 1995. Regarding the type of organization, ten regions created autonomous bodies, i.e. institutions created by law and with their own budget. *General Directorates* (*Direcciones Generales*) were created in 5 other CC.AA., with a more limited capacity for action. During the QUING period, a number of these have been delegated new competences and have experienced crucial changes in their institutional structure. The Women's general directorate attached to the Ministry (*consejería*) of culture of Extremadura was converted into a Women's Institute in 2001, while the Women's Institute of Andalusia was subordinated to a new ministry (*consejería*) for Equality and well-being (2004). Spain's multi-governmental institutional organisation thus allowed the creation of a complex, continuously evolving institutional framework of women's machinery and equality bodies. Its complexity and strength has been already analysed (Bustelo and Orbals, 2007) while taking into account the type of agency and the governmental area of authority under which these agencies are developed and situated. This last factor (governmental area) might, among others, explain the existing differences among the Spanish regions, with some more open or prone to understanding or institutionalising intersectionality than others (Bustelo, forthcoming, 2009).

Indeed, if the women's agency or the equality body is situated under the 'presidency', which is a cross-sectional authority, as it is in Asturias, Balearic Islands, Catalonia, Murcia and Basque Country, it might be more prone to mainstream equality promotion measures than if integrated with other governmental areas. However, situated with 'social affairs' (as in 5 other CA) might help it to jointly consider other disadvantaged groups, while policies under 'employment' (Madrid) may enable an anti-discrimination strategy that mainly applies to the labour market. It is worthwhile to consider here that good practices of intersectionality might

²⁹ Also in 2006, II Spanish Report relative to *Frame Agreement to protect national minorities* of the Council of Europe is presented. This Report focuses specifically on young Roma women due to the cross-sectional discrimination that they suffer. Special attention is paid to gender violence, cultural identity and social participation.

be found at the regional level in Catalonia, where a new governmental area of 'Social Action and Citizenship' was created in 2006 to tackle issues of equality, and in the Basque Country, which has boasted the best established equality body (*Emakunde*) within the area of presidency since its creation in 1988. In the case of the Basque country, the long-standing continuity and consistency of public action towards equality was also made possible by the continuous presence of a unique person at the head of *Emakunde* from 1988 up to 2005³⁰, simultaneously involved in the making of the 2005 equality Law. This feature also explains that equality plans and equality law were grounded in a consistent framing of gender equality. Moreover, Andalusia has had a stand-alone ministry (*Consejería*) of Equality and well-being since 2004, which enabled the consideration of intersections of gender with other inequalities, especially the ones that affect the different groups they deal with (for example disabled people, Roma, migrants, drug addicts, etc.)³¹. These new concerns are also reflected in the social goals of the Women's Institute, with a greater emphasis on migrant, Roma and disabled women (Bustelo, forthcoming, 2009).

Progress is also notable in the equality bodies designed to tackle other strands of discrimination. As early as 2003, 3 years before the national Council was established, a decree enacted by the Basque government created the *Council for the integral promotion and social participation of the Roma People in the Basque country*. The founding decree makes various references to intersectional inequalities, recommending to the Council to "systematically take into account in its plans and working groups, the different social conditions, circumstances and needs of the gypsy population, and to ensure women's empowerment" (BOPV, December, 5th, 2003: 23665). Its membership includes a representative of *Emakunde*. The first comprehensive plan adopted in 2004 (*Plan Vasco para la promoción integral y la participación social del pueblo gitano*)³², consecutively lists gender equality among its objectives. A gender dimension is also present in different objectives, namely social participation (through women's empowerment) and GBV (in interaction with *Emakunde*). Additionally, gender+ ethnicity, poverty and health are also articulated. A similar process can be observed in the Catalanian government. Following an official act of recognition of the gypsy culture in 2001³³, an in-depth study has been carried out under the supervision of the regional Ministry of Social affairs and well-being, which is associated with a number of gypsy associations. As a consequence, a comprehensive plan has been adopted by the Generalitat in 2006 (*Plan Integral del Pueblo Gitano a Cataluña*) which lists gender equality as one of its four priorities and strictly applies gender mainstreaming (gender is engaged in almost every scheduled action), with great emphasis on women's empowerment. Vulnerability due to unemployment and disabilities are also addressed. Given the non-autochthonic origin of a substantial fraction of the Catalanian

³⁰ Txaro Arteaga.

³¹ Personal interview with Micaela Navarro, Andalusian Ministry (*Consejera*) of Equality and Social Affairs (07.14.2008).

³²

http://www.gizaetxe.ejgv.euskadi.net/r402175/es/contenidos/informacion/pueblo_gitano/es_7946/adjuntos/

³³ Resolución 1046/VI, del Parlamento de Cataluña, sobre reconocimiento de la identidad. del pueblo gitano y del valor de su cultura, 2001.

gypsy minority³⁴, specific measures are targeted for individuals coming from South-Eastern Europe³⁵.

The generalisation of Equality plans: an impetus for intersectionality?

The approval of sectional actions plans integrating a cross-cutting perspective on several strands of discrimination is one of the most promising trends in terms of intersectionality. These plans can draw on the experience of gender equality plans, as those have long been the almost exclusive policy instrument for implementing equality both in Regions and on the national level. Just as the latter were inspired by the *European Action Programmes about Equal Opportunities for Women*³⁶, the new sectional equality plans are reflecting the broadening scope of the European anti-discrimination policies. This can also be noticed in the case of action plans adopted in relation to disabled women, grounded in the Law 51/2003³⁷.

The latest plan, approved in 2007, thus aims to combat double discrimination of disabled women, which is not merely the addition of two discriminations but a more complex situation. In agreement with the 'European Manifesto of Disabled Women' (1997) and *2000/78 European Directive*, the Plan prepares the measures long demanded by organizations of disabled women. Planned measures are divided into two groups: affirmative actions and cross-sectional measures in several realms, such as education, gendered violence, employment and health. The Plan proposes to complement two previous laws. First, Law 51/2003 on *Equal Opportunities and non-discrimination of disabled people* (known as LIONDAU), in which article 8.2 mentions disabled women's additional discrimination and the subsequent need of affirmative actions. Second, it proposes modifying the Law 62/2003 on *fiscal, administrative and social measures*, where the Directive mentioned above is transposed. Moreover, the Plan complements the *First Comprehensive Action Plan for Disabled Women* (2005-8) approved by the Spanish Committee of Representatives of Disabled People (known as CERMI³⁸). This Committee created the 'Commission of Women' in 2000, which impelled the approval of the above Plan.

Located at the interface between hard law and institutional machineries, actions plans are important for the general understanding of the framing of equality. Therefore, it is relevant to stress differences between the *IV Plan on Equal Opportunities between Women and Men*

³⁴ Although this group is specifically addressed, there are no available data for Catalonia. In Spain, the proportion of non-Spanish (or Portuguese) Gypsies is estimated at 3%. Given the latest developments in Italian immigration policy, which allegedly prompted Roma to leave to "more permissive Spain", this is probably an underestimation. Moreover, Catalonia traditionally stands in the front line of intra-European migration flows. See: *El País*, 10.07.2008.

³⁵ http://www.gencat.net/governacio-ap/ACCIO_CIUTADANA/DOCS-FORMULARIS/Pla_poble_gitano.pdf

³⁶ Specifically the fourth National Equality Plan which follow respectively the guidelines of the second, the third, the fourth, and the Fifth European Action Programmes.

³⁷ Law 51/2003, to promote equal opportunity, non-discrimination and universal access for disabled people [*Ley 51/2003, de 2 de diciembre, de igualdad de oportunidades, no discriminación y accesibilidad universal de las personas con discapacidad*].

³⁸ CERMI is one the most important organizations for disabled people, it groups 2900 organizations and represents the nine percent of Spanish disabled people.

(2003- 2006), adopted under a conservative legislature, and the current *Strategic Plan on Equal Opportunities* (2008-2011) that came into force at the beginning of José Luis Rodríguez Zapatero's second term. While the previous one only paid limited attention to the interactions between gender and poverty, the latest is drawing a more complex diagnosis of situations in which “*Women are more likely than men to get trapped in situations of social exclusion (poverty, disability, family breakdown, migration or ethnic prejudices, among others), affecting their citizenship rights*”. These differences may also be explained by the fact that the IV plan was implemented as no Equality law existed, while the Strategic plan, albeit remaining a soft-law policy document, has nevertheless been conceived as an instrument for implementing the 2007 Law on effective equality.

Since it aims at implementing effective equality, the influence of other inequality grounds is mentioned. However, it offers few references to an intersectional approach compared to the analysed nationalist voices that were expressed prior to its approval. But even if those voices are the richest, the latest gender equality plans adopted in the regions do not fully integrate an intersectional perspective either, leaving the mutually constitutive dimension of multiple discrimination merely unquestioned. As an example, although it is claiming for a transversal approach to gender equality in every realm of public action, the Plan for women's policies of the Catalanian government (2008-2011) addresses a rather narrow set of inequalities (migrants and women in vulnerable position due to unemployment)³⁹.

Therefore, it can be assumed that there is still a long way to go in considering the development of an intersectional approach to equality policies in Spain, despite recent changes introduced in the institutional framing of equality (for a prospective assessment of changes after the creation of the Ministry of Equality, see: 6). This is confirmed if we briefly provide an account of the respective framings of the three issues.

3.3 Framings of equality in respective sub-issues

In this sub-section, framings (or meanings) of equality are briefly detailed for each issue, with some preliminary comments in relation to intersectional axes of inequality within the analysed documents on Non-employment, Gender-Based Violence and Intimate Citizenship. In addition, some sub-issue specificities are pointed out. This brief account mainly draws upon coded documents.

Meanings or frames of gender equality in Non-employment

As it has been previously pointed out (see: LARG report), the meanings and the normative framings of gender equality are rather diverse across the sub-issues in Non-employment, and vary with political alignment. Yet family values do seem to be an important underlying norm during both the conservative and Socialist governments and referred to by both conservative and Socialist party representatives. Economic development and women's participation in the labour market are also present in a variety of texts, while gender equality,

³⁹ *Pla de polítiques de dones del Govern de la Generalitat*, approved in July, 2008. http://www.gencat.cat/icdones/pla_politiques_dones.htm

whether defined as *equal opportunities* or *sameness*, often appears but is especially strong in the sub-issue of reconciliation.

In the dominant issue of *reconciliation*, equal opportunities, non discrimination (in the labour market related to care duties), effective equality and co-responsibility (in family obligations) are the most recurrent meanings given to equality. Women's labour market participation is a norm that is considered both good for women's equality and for the economy. It refers to equality (*as sameness*) but without questioning the sexual divisions of labour/ the organization of intimacy. In the parliamentary debate there are differences across political parties with the Socialist MP referring to social justice and the conservative MP highlighting a definition of gender equality as possibilities of reconciling work and family life and referring to Spanish women's interests, equal opportunities and life quality. Reconciliation is generally associated with 'working mothers' as the norm for women. Co-responsibility is a concept that has become recurrent during the time of the Socialist government, it appears in the Law for Equality between women and men and it is promoted by various actors, including the conservative party (focusing on paternity leave). Nonetheless, the norm of co-responsibility is marginal as the focus falls upon reconciliation and the real possibilities and implications of *equal sharing* between women and men are hardly discussed.

As shown by text analysis, debates related to the issue of reconciliation tend to enhance a type of 'dual breadwinner model', emphasizing that today both men and women work (and should work) outside of home. In this sense the normative framing of 'work' appears to shift away from a 'male breadwinner model'. The underlying norms of women's participation in the labour market and economic development fit together with this shift in the norms surrounding work/workers. At the same time, the policy texts are silent on the issue that employment rates are still very low among Spanish women,⁴⁰ with great variations along age differences. The policy discourse takes the 'younger' workers (associated with working parents combining care and employment) as a norm while neglecting the way the system, due to a lack of public services, is based on unpaid care work, usually provided by grandmothers.

More generally, when gender equality is debated in relation to employment policies (this also applies to the *tax/benefit* sub-issue), it largely draws on *the norm of the 'working mother'*, presupposing a heterosexual couple with children and an implicit assumption of 'white', European, middle-class women. While not explicit, these associations can nevertheless be discerned by the absence of 'other' women, women making a 'difference', thus pointing to the lack of attention to diversity and intersectionality. Moreover, the civil society texts elaborated by the feminist movement criticize the lack of a vision of care as work that should be shared by women and men. This has been emphasised during the debates around the Law to promote personal autonomy and to assist dependent people (so-called *Ley de dependencia*) in 2006, resulting in the Law explicitly addressing the fact that over 80% of those who care are women, but also in a set of reconciliation measures that strongly depend on available funds. In the (sub-)issue of domestic worker rights (*tax/benefit*),

⁴⁰ 50,7% in 2006 (INEM)

only the MP of the Leftist Party draws on gender equality, solidarity and justice, whereas the civil society text on this issue emphasizes equal rights and non discrimination.

The policy frames thus contribute to reproducing inequality (e.g. by attributing unpaid care work to grandmothers) without recognizing how categories (such as age, gender or ethnicity) are mutually constitutive.

Meanings or frames of gender equality in intimate citizenship

As already noted, the Socialist Government (2004-2008) made “equality” a central element of their policymaking in what has been called the “Social Legislature”. Understandably, the most dominant frame across the issue of Intimate Citizenship is *equality*, in all texts. The *Equality Frame* implies the same rights, social improvement and extending citizenship rights. The principle of Equality translated into new rights and laws under the frame of gender equality as well as new sexual rights. Nonetheless, despite the fact that all three sub-issues discussed in Intimate Citizenship reflect the debate over equality, gender is not central for all.

The reforms of marriage and divorce have been framed as a matter of extending rights to those traditionally excluded and making getting married and divorce easier and faster. Both reforms established a contract linked to love and chosen relationships, much more than the previous situation of exclusively heterosexual marriage and divorce based on guilt. Nonetheless, gender is clearly absent in the marriage debate⁴¹, with the exception of the discourses of the Catalanian Government (see the Interdepartmental Plan to mainstream sexual rights in public administrations 2006, and the Catalanian Republican Party parliamentary standpoint during the marriage debate 2005).

For those supporting the achievement of marriage rooted in the principle of equality, there were different emphases on equality, full equality, or human rights. The diagnosis constructed precisely on *equality* was linked to the disenfranchisement of gay and lesbian individuals, and therefore new legislation becomes a matter of compensation. It is present in the discourses of CHA (Aragon’s Nationalist Party), BNG (Galician’s Nationalist Party), CC (Canary Island’s Coalition Party), and EAJ-PNV (Basque Nationalist Party) during the marriage debate of June 2005. The emphasis of diagnosis on equality and *full citizenship* contains arguments supporting individual freedom, following social reality and a prognosis in which full access to citizenship rights is legitimizing the institution of marriage in a non-confessional and democratic State. We have found this frame in the LGTB organization manifesto, 13/2005 law, left-wing coalition of parties IU-IC-V, and the Socialist standpoint (in Zapatero’s opening speech in the Parliament and the Socialist Party standpoint).

The diagnosis of the problem as a matter of equality and *human rights* focused on individual rights as human rights, stressing a need for gender analysis as well as for a

⁴¹ The queer voices over same sex marriage did not succeed in gaining attention and challenging the monofocused perspective of the mobilization, in prospect of a more intersectional one. Among these voices: Group of Lesbian Feminist of Catalonia: “Beyond Marriage”: http://www.lesbifem.org/textos/matrimoni/matrimoni_ENG.html; the Karakola feminist group <http://www.sindominio.net/karakola/matrimonios/casate.htm>, Paco Vidate (2005); Pedro Carmona (2005) and Raquel Platero (2006).

prognosis that would call for a wider transformation of society: a transformation that should go beyond marriage, with measures in education and other areas. It was present in the Catalan Republican Party (ERC) parliamentary standpoint (debate, June 30, 2005).

In the divorce debate, the need to reform the former divorce law was grounded in its negative impact on citizens, especially on children and vulnerable spouses. The Leftist Party added a gendered analysis and the concrete impact on women in terms of criminalizing them. Centre-Left wing parties supported the reform of divorce including shared custody and voluntary family mediation as a matter of extending citizenship rights (Socialist Party and the Minister's speech), alleviating the consequences of divorce as well as bringing equality (Law 15/2005), or as a source of social improvement (left-wing coalition of parties IU-IC-V). Linked to this standpoint, the Socialist Party also defended the reform of divorce and marriage as a matter of democracy (Press release by Socialist Executive Council after Catholic Church gathering in favour of traditional family).

A similar frame to equality can be found in the claim for bodily integrity (reproductive) rights and sexual minorities' rights. In the abortion and divorce debates, the feminist standpoint called for recognizing the social reality (i.e. women's need of access to abortion and protection in case of divorce), a social debate that is already accepted by most Spaniards (as is the case of same sex marriage, along with divorce). The Conservative realms of society would claim that there is a lack of consensus and solid political debate. A *Women's right to abortion* is a frame present in the leftist party discourse. The current criminalization of women, the need to have access to a right offered within the public health system, and to offer prevention and assistance to vulnerable women are views present not only in leftist parties but also in the feminist movements (IU-IC-V standpoint at the Parliamentary debate, Electoral Programme, Manifesto in favour of women's right to decide). Similarly, same sex couples' right to marriage and adoption is present in the discourses.

The frame of *Family, children and foetal rights* are present in all three sub-issues. It includes minors' rights and the rights of the foetus and is linked to democracy, conflict of rights and political consensus; for which the political *status quo* regarding abortion should remain, but divorce and same-sex marriage are a threat. While it was rather secondary in coded documents, this frame has ultimately been more salient in the case of reproductive rights. In late 2007, following the discovery of some controversial cases of abortion in private clinics, this frame has been assaulted by pro-life activists⁴² and demonstrations were conducted in major cities by the pro-life lobby, including the Catholic Church. Pro-choice voices called for a full legalization of abortion⁴³, through a revision of the 1985 law. Whereas the PSOE announced it would call all parliamentary forces to an in-depth reflection in case of electoral victory in March, 2008, the Popular Party made clear its pro-status quo position during the electoral campaign⁴⁴ (see also: 5. & 6).

In the case of marriage reform, the debate was presented as a threat to family values, the child's right to a mother and a father (Family Forum Manifesto, Homily by the Madrid Cardinal-Archbishop in the Sacred Nazareth Family Party), or the use of a non appropriate

⁴² *El Pais*, 12.10.2007.

⁴³ Authorized in a few cases. Threats to the psychological health of the woman are by far the most commonly quoted justification for abortion.

⁴⁴ *El Mundo*, 12.18.2007.

legal institution. In the reform of divorce, the conservative voices frame the issue similarly, as a matter of protecting the family institution and its values (*Comprehensive Plan in Family Support*, Conservative Party), in which shared custody was strongly supported only in those cases in which both ex spouses agreed, along with the demand for compulsory family mediation (Conservative Party). In these discourses, the protection of children's and both spouses' rights (Conservative Party), as well as the Catholic values with regard to family (Homily by the Madrid Cardinal-Archbishop in the SNFP), were relevant. In the case of abortion debates, the most conservative realms called for keeping the *status quo* which meant not changing the current legislation on abortion, which has been built on Constitutional values and consensus (Conservative Party), and the need to protect life and the *nasciturus* along with having a secular State and revaluing religion (Conservative Party and Homily by the Madrid Cardinal-Archbishop in the SNFP).

For this frame, gender is mentioned when calling upon men and women performing traditional roles. 'Gender theory' is mentioned as a core value that pursues the destruction of the family through the approval of same sex marriage, more flexible divorce, and the proposals to expand the rights to be able to access abortion, among other illegitimate rights.

A minor frame refers to *men's rights*, presented as men needing protection from the current situation of positive discrimination for women. This is present in the Separated/Divorced Fathers' Association text, in which the prognosis called for individual rights, protection of men's property, guaranteeing children's rights to both parents, shared custody, etc.

Meanings or frames of gender equality in Gender-Based Violence

It is important to note that in Spain there is a clear identification of gendered violence⁴⁵ with (gendered) violence within intimate relationships, which is the form of violence commonly tackled. Therefore, we face a 'metonymic frame' since the expression 'gendered violence' is usually used to refer to one type of such violence, that is, violence committed by intimate partners or former partners. The saliency of this representation in the Spanish context especially since 1997 (Orantes' case), and the importance of the approval of the first Organic Law in the matter (2004), have meant that gendered violence is the usual 'label' that is used when someone wants to speak about violence within affectionate relationships.

Generally speaking, the coded documents show clear engagement with a 'gender equality approach'. Domestic violence, sexual harassment and trafficking in women are problems reflective of the persistence of gender inequality in society. An unequal distribution of power, gender discrimination, and traditional roles and stereotypes are represented as crucial to understanding the persistence of different manifestations of gendered violence. Most of the texts state that the main effect of such violence is the undermining of women's rights (either citizenship rights in domestic violence or dignity and integrity in trafficking in women). Damage to women's (psychological) health is emphasised as another detrimental effect of violence.

⁴⁵ Gendered violence has no proper translation into Spanish.

a) Domestic violence

Within the domestic violence sub-issue, discourses connected to the Left (Socialist Party, Leftist Party and Government) illustrate a *gender equality frame*- gender violence is an effect of structural and historical gender inequality. Both the Law (2004) and the National Plan (2006) on gender violence point out that the main consequence of gender violence is an incomplete citizenship status for women (therefore, they explicitly connect the problem to public domain). The *master frame 'Democracy'* is clearly present (understood as related to women's citizenship and rights). In terms of prognosis, the domestic violence sub-issue also dominantly embraces a '*gender equality*' frame in which victims' attention and protection, prosecution of aggressors and the promotion of comprehensive social change are found.

The combination of a dominant (*gender equality*) and an additive (*democracy and human rights*) framing can be illustrated by the Organic Law 1/2004 on Integrated Protection Measures against Gender Violence. Understanding GBV as a problem of structural and historic gender inequality, the document assesses that one of the main consequences of the problem is the undermining of women's rights. Similarly, the National Plan focuses on the persistence of social/ patriarchal elements that maintain the presence of gender violence. In fact, social obstacles still persist and hinder an equal enjoyment of rights for women and men. These obstacles are based in traditional gender roles and stereotypes, which continue to locate women in a subordinate position. The text focuses on society as having the main responsibility for such persistence and it denounces social resistances which are difficult to overcome (more acute structural component).

In the Law, gender violence is presented as an effect of such a scenario. The text argues that traditional and sexist behaviours and roles sustain gender violence. This issue is defined as the most extreme sign of inequality, as a democratic deficit, and as a manifestation of an incomplete enjoyment of rights, which is linked to women's citizenship status. The National Plan understands gender violence as a structural problem as well. As in the previous document, the main effect of this problem is connected to the undermining of women's rights, specifically, citizenship rights. Additionally, both documents wish to take gender violence out of private realm and to highlight its public consequences. In this sense, gender violence is somehow related to the quality of the 'intimate citizenship'.

b) Trafficking in women

The sub-issue of trafficking in women is the most complex one in terms of gathering frames. Concerning trafficking in women, a '*gender equality*' frame is present; while the Parliamentary Report embraces a definition of the problem which is based on its gendered structural character, the civil society text offers a 'women-centred approach' in which human rights are also mentioned. The representation of the problem as an attack against women's *human rights* is important, and it can be considered a minor and complementary sub-frame. *Health* is also present, through the psychological-after effects of trafficking. In terms of public action in the field, the Parliamentary Report can be considered as a good example of a '*gender equality*' frame, since protection to female victims, the prosecution of mafias and the impulse to reach wider social change are present. While the Catholic Directive and the press article propose solutions oriented towards granting women's rights in a de-gendered way. Nevertheless, references to the protection to victims, prosecution of aggressors and the need

of wide social change appear in both texts. Concerning the Law on Female Genital Mutilation, a *'crime and justice'* frame seems to be the most suitable since the emphasis is on sanctioning.

An intersection between gender and migrant status is often emphasized in this sub-issue, and the documents analysed focus on foreign women as the problem holders. However, recent data provided by the Amaranta Foundation (devoted to the social re-integration of women prostitutes or those at risk of social exclusion) show that the number of Spanish women in brothels has been rising over the last few years, reaching about 30%.

c) Sexual harassment

Sexual harassment is framed as an issue related to gender (in)equality, pointing towards women's historic discrimination, an unbalanced distribution of power and persistent inequality at its root ('GBV as a problem of structural gender inequality'). The Law for Effective Equality offers some ambiguity since the spirit of the text is the achievement of *real* equality for women and men, but regarding sexual harassment the problem is presented from a gender-neutral approach (especially in the distribution of roles). Both the Law and the Conservative speech stress that the main effect of sexual harassment is the undermining of women's rights. In terms of promoting a policy response (prognosis), the analysed documents define sexual harassment as a manifestation of gender violence which hinders equality between women and men. Accordingly, a *gender equality frame* is predominant in this sub-issue. The most frequent norms are equality and non-discrimination, but health deserves attention as well. 'Democracy' as a master frame is present in the Law for Effective Equality.

Conclusions about the meanings of equality in terms of intersectionality

The building of gender equality in Spain through a dominant, unitary approach is not only reflected in the form of Equality machineries and the content of Equality legislation, but also in the meanings of the competitive frames around respective issues. As an example, *equality as sameness*, in the case of (non-)employment policies, largely draws on *the norm of the 'working mother'*, presupposing a heterosexual couple with children and implying a 'white', European, middle class-woman. As a consequence, it leaves no space for other kinds of families or households, whether in the case of shaping reconciliation or tax/benefit policies.

Similarly, the frame of full *citizenship*, identified as dominant in the sub-issue of same-sex marriage, by legitimizing the norm of stable, monogamist couples to which is attached the social function of parenthood, makes no reference to the diversity of LGBT couples. This not only neglects identity differences among gay and lesbian individuals, but also intersecting differences such as ethnicity, age or the national/migrant cleavage, thus potentially reproducing inequalities.

However, framings do not develop in a direction that cannot be changed. On the contrary, their internal logic might well provide the grounds for further reflection or transformation. For instance, by dominantly constructing the issue of GBV as rooted in gendered social structures and through the problem of *full citizenship*, the meanings given to equality in the case of domestic violence can be extended to the situation of migrant women and more

generally to those more vulnerable because of intersecting inequalities (disabled, rural or isolated, etc). For them, the question of enjoying full rights is therefore even more pertinent.

4. The range of intersecting inequalities

Drawing upon the above-mentioned trends in the making of equality policies in Spain, and the preliminary comments on intersectionality within the analysed documents on Non-employment, Gender-Based Violence and Intimate Citizenship, this section firstly aims to identify the main inequalities intersecting with gender. Secondly, it provides a brief mapping of civil society organisations fighting against discrimination, pointing to the lack of an intersectional perspective amongst these actors. Then we attempt to identify the kind of actor that is “the best at doing intersectionality” in the Spanish context or, in other words, in which dynamics originate the most consistent signs of a concern with tackling more than one discrimination with a sole policy instrument.

4.1 The most salient inequalities intersecting with gender

Before addressing the main inequalities intersecting with the three issues more in detail (see: 5.), it should be mentioned that texts analysed for the Spanish case offer a great variety of intersectional axes of inequality⁴⁶ though the most common axes vary by issue. Generally speaking, age, social class (poverty), migrant status, ethnicity, marital status, disability, and sexual orientation are mentioned in the samples of documents selected for each issue, but with considerable variations, both in number of occurrences and levels of salience. Religious beliefs are often implied within ethnicity/migration, while political orientation or trade union participation, as other potential grounds for discrimination, were only mentioned in the texts adopted soon after the transition to democracy and do not appear in the selection of documents.

Age and social class (through the topics of poverty, financial vulnerability, unemployment, worker’s rights) are the most commonly addressed intersecting inequalities. Age is particularly present (and relevant) in the case of Gender-based violence, under the sub-issues of trafficking in women and sexual mutilations. As far as (non-)employment policies are concerned, age also appears in some texts. As an example, the text on feminist demands on the dependency law voted in 2006 referred to elderly women who have spent years caring for others and in the debate on the Law for effective equality of 2007 young women are referred to as facing problems on the labour market (related to motherhood and reconciliation). Social class is also addressed in a variety of situations, although rarely explicitly through the lens of social stratification. It is invoked for instance when tackling unequal treatment in the labour realm, or addressing un-paid care work and lone parents.

⁴⁶ This general pattern is only broken by Susana Camarero’s parliamentary intervention which only mentions gender. On the opposite side of the spectrum, nationalist voices claim for the acknowledgement of women’s diversity by means of recognizing different potential situations of vulnerability. Within the Law for Effective Equality a good number of inequality axes can also be found.

Indeed, while Spain ranks among the countries with a smallest percentage of women among lone parents, lone mothers face greater risk of poverty than lone fathers (lone mothers at-risk-of-poverty account for 45.8% versus 36% of lone fathers at-risk-of-poverty). This vulnerability is related to the fact that fathers are more likely to be in employment (35% of lone fathers are in employment versus 25% of lone mothers)⁴⁷.

The issue of domestic workers' rights is also interesting in the sense that it is the issue where an intersectional analysis seems most relevant. Contradictory interests related to class and migration/citizenship status (and potentially to ethnicity) are articulated in the debates. Yet class divisions appear in an inconsistent way, focusing on class divisions between working mothers/families, but ignoring class divisions between employers and domestic workers. Moreover, the Spanish legal framework has constructed paid domestic work as 'different' from 'normal' types of work. This is reflected in the social security system, in the Special Regime of Domestic Workers from 1985, which regulates employment in domestic service and provides far less protection than the General Regime⁴⁸.

Immigration/citizenship: from a hot issue to the most visible intersection with gender

Simultaneously, the sub-issue of domestic workers points to one of the major shifts that has taken place in Spanish society during the past few years. In 2001, official statistical data indicate that there were about 1.3 million foreign residents in Spain. In 2007, this figure had risen to 3.5 million, which is a 200% increase in 6 years. For some countries of origin, such as Romania or Bolivia, the increase is over 1000%, with these communities respectively reaching 0.5 and 0.2 million (INE, 2007)⁴⁹. The characteristics of the Spanish welfare state, the ageing population, the increasing participation of women in the labour market, and the unequal distribution of domestic and care work between women and men are features interconnected with the expansion of domestic service as a field of employment. Under the legal title 'domestic work', paid care work in private households is gradually becoming more common and migrant women have come to play a crucial role in providing care in the absence of welfare provision. In recent years, the supply of domestic workers has been promoted by the state through its immigration policies. The successive modifications of the foreigners' law have established a policy designed to meet demographic, labour and economic needs, and the continuing incorporation of migrants into domestic work has been promoted through a quota system.

⁴⁷ European Commission (2006), *Gender inequalities in the risks of poverty and social exclusion for disadvantaged groups in thirty European countries*, Spanish experts: María Luisa Moltó and María Pazos Morán. http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf

⁴⁸ From 2000 onwards, integrating domestic workers into the general regime regularly featured in the electoral commitments of the Socialist Party.

⁴⁹ Updated figures according to municipal registers, www.ine.es. See also the 2007 national survey on immigration, carried out by the Spanish national statistical office and the Complutense University of Madrid: *Encuesta Nacional de Inmigrantes* (2007), Madrid, INE.

Table 2. Foreign residents in % of Spanish population, by sex

Foreign residents in Spain	% of Female population	% of Male population
2001	3,12%	3,55%
2007	9,29%	10,72%

Source: INE (2007)

Some basic data are needed to highlight the specific situation of women migrant workers. Generally speaking, nearly 40% of jobs created in Spain from 1999 to 2005, the major period of economic growth since the transition to democracy, have been dedicated to migrant workers – 29.3% among women. In 2006, 89% of these women were employed in the service sector, with 40% employed in the sub-sector of domestic work (Vicéns, José et al., 2006).⁵⁰ This evolution has been accelerated by the extraordinary regularisation process carried out by the Spanish Ministry of Labour and Social Affairs in 2005. On this occasion, 32% of the applications were related to employment in the domestic service sector, and 83 % of the workers within this sector were women. This also explains the closing gap between male and female migrant workers' unemployment rates, although this gap remains at around 4% in 2006 when respectively 8.8% and 12.6% of males and females were unemployed. The higher employment rate of female migrant workers compared to Spanish women (60,5% versus 50,7% in 2006) is also notable. The changing face of job migration to Spain, due to a dramatic increase in absolute figures, but also to the feminization of immigration with the expansion of domestic service, has direct consequences on the topics of female employment in general and on reconciliation. According to José Vicéns et al. (2006), between 1999 and 2005, 9 Spanish women entered the labour market for every 100 female migrant workers coming to Spain. Therefore, it can be also inferred that female work migration to Spain has hindered more structural change in the sexual division of domestic and care work.

Non-employment and GBV+ ethnicity and migrant status high on the agenda

Because of these substantial transformations, which affect the very content of the Spanish welfare state, immigration has been receiving an increasing amount of public attention in the past few years, turning into one of the hottest issues of 2008 legislative campaign. This urged policy makers, following civil society actors, to pay an ever greater degree of attention to the interactions between gender and citizenship/migrant status. Often connected with ethnicity, this was revealed to be one of the most visible intersections with gender (see: 5.). Moreover, one can expect immigration to remain on the top of political agenda, given that Spain is heavily affected by the world economic crisis, with the unemployment rate rising from 8.3% to 11.3% between October 2007 and October 2008⁵¹. Unemployment mainly affects jobs requiring a lower level of qualifications in the construction

⁵⁰ Vicéns, José et al. (2006), *El impacto de la inmigración femenina en la economía española*, Madrid: Universita Autónoma, Instituto de la mujer.

⁵¹ INEM, October 2008. www.inem.es

and services sectors. These jobs are often occupied by migrant workers, thus explaining that during the same period the unemployment rate rose from 12.4 to 16.5% for this category⁵². However, migrant women have been much less affected by these variations, with a narrowing of the gap between male and female unemployment rates in the migrant population. At the present time, while a polemic is growing in Spain about the “need” to contract foreign workers in their countries of origin⁵³, the employment prospects for migrant women are still uncertain. Indeed, if a dramatic drop is to be expected in legal job migration to Spain due to governmental limitations, domestic job opportunities might temporarily survive to the crisis in relation to the progressive application of the 2006 Dependency Act.

Moreover, if ethnicity has already made a difference when tackling Gender Based Violence, especially in the sub-issues of trafficking and sexual mutilation, more recently it has been increasingly raised in relation to domestic violence. This concern has been pointed out both by civil society networks and the academic literature. For instance, Gracia Ibañez (2004) lists the main elements that increase the vulnerability of migrant women in situations of domestic violence, including cultural and linguistic barriers, and the lack of legal documentation, which hinder access to legal support and the initiation of prosecution procedures. Repeatedly emphasised by civil society reports since the vote of the Comprehensive Law for the eradication of domestic violence in 2004 (Amnesty International, 2005 & 2007), this vulnerable situation is confirmed by statistical data; about 35% of women murdered by their partner or ex-partner were foreigners in 2007, corresponding to a proportion 6 times higher than among the Spanish national population. These reasons urged NGOs and more recently, public authorities, to pay greater attention to intersecting inequalities in relation to gender+ ethnicity in GBV. Consequently, training programmes have been carried out for Court officers specialised in domestic violence, focusing on the vulnerable position of migrant women. For details about limitations and obstacles to public action tackling this situation, in relation to Crenshaw’s findings about gender + ethnicity (1991), see also the fifth and sixth sections of the present report.

In relation to gender+ ethnicity/migrant status, (Spanish) Gypsy women are usually addressed separately from other minorities, as there is no connection with the citizenship axis. In addition, while racism and segregation are often addressed in the case of Gypsy women, there were generally no explicit references to racism while tackling inequalities related to migration status and ethnicity. Yet public action dedicated to Gypsy women seems to be increasingly differentiated along the national/migrant cleavage, as an increasing proportion of Gypsies living in Spain originate from the EU new member States (see for example the above-mentioned Action plan adopted in Catalonia).

Intimate Citizenship: missing intersections?

To conclude these general reflections on the range of intersecting inequalities, the limited concern for multiple discriminations intersecting with the issue of Intimate citizenship may be emphasised. Indeed, while multiple discrimination is mentioned (if not consistently

⁵² INEM, October 2008

⁵³ *El País*, 09.06.2008.

addressed) in GBV and Non-employment, and seems to receive greater attention in the making of general equality policies, it has so far been almost absent from the politics of intimate citizenship with the exception of those policies and actions emerging in the Basque Country, Catalonia, etc. Yet the relevance of intersecting inequalities is clear, whether it concerns specific problems that minor or migrant women are facing in access to contraception or abortion, or the obvious diversity (and variety of needs) of LGBT people according to sex, age, social status, citizenship or ethnicity.

However, in the most recent period some voices from LGBT organizations have called for a better accounting of diversity among LGBT people, with emphasis on sexual orientation + ethnicity/citizenship (see: 5.), along with the active debate on the limitation of law 3/2007 on transgender rights and the needs of LGTB elderly people, homophobic bullying, *sans papiers*, refugees and migrants, among others.

4.2 Civil society at work

During the QUING period, Spanish civil society organizations engaged with multiple discrimination in relation to several issues, such as (non-)employment policies (elderly women, migrant domestic workers, disabled women) and Gender Based Violence (young and/or non national victims of trafficking in women, sexual abuse or genital mutilation). Moreover, there are a number of women's organizations organized by public issues and strands of inequalities in Spain, both at the national and the regional level.

A fragmented landscape

As pointed out in previous QUING reports (see, in particular: country context study for Spain), the country has a highly differentiated, somehow fragmented, women's movement. Regional and political or ideological cleavages are at stake, as well as the respective positioning of civil society organizations on controversial issues such as prostitution (pro-regulatory versus abolitionary positions) and, to a lesser extent, marriage, reconciliation and gender-based violence. The continuing fragmentation of Spanish feminism, following the federalization process and the growing importance of regional polities, has probably hindered the development of an umbrella organization able to produce consensus and to advocate the major claims among women⁵⁴. This has been favourable to the advocacy of more narrowly defined interests according to regional or social experiences, or in relation to salient issues such as those addressed in QUING documents. As a consequence, intersectionality has never been natural in the Spanish context. But at the same time, the rich variety of women's organizations in Spain did not hinder coordination and cooperation on different issues, as illustrated in table 3, p. 35.

Coordination showed to be extremely effective for articulating political demands in the debates on GBV. The approval of the Law against Gender Violence can be said to be the

⁵⁴ Established in 1993, the Spanish coordination of the European Women's Lobby gathers about 30 women's organizations, but it does not cover the full range of NGOs advocating broadly defined women's interests. Moreover, it mainly carries out coordination tasks towards EU institutions and the EWL secretary.

most salient success of organizations working on violence issues, but it also mobilised beyond their traditional networks, to include women insiders in (Left-wing) political parties and other civil society actors such as LGBT organizations. Other sub-issues in which feminist organisations have been successful are Parental leave and Parity issues⁵⁵. These successes did not necessarily result from strong and stable alliances, but rather of the constitution of provisional “advocacy coalitions” (Mazur, 2002) or loose, sometimes contentious, ties which were to be occasionally strengthened, as in the case of the struggle for an integral law on violence against women. Another explanation for these successful mobilisations lies in the relationships existing between femocrats, women in the political parties, academic feminists and, in some cases, also movement feminists, in the sense of those described as ‘velvet triangles’ (Woodward 2004). Given the context of the rapid development of equality policies and machineries in which they took place, such relationships can also be described as “epistemic communities” (Haas, 1992), since they are drawing on the elaboration of a common framing of the contested issue⁵⁶, of “what is at stake and of the legitimate means to promote it” (Balme, Chabanet, Wright, 2002).

Nonetheless, and perhaps surprisingly, neither previous experience in coordinated actions, nor the complex institutional architecture created for tackling inequalities, seems to have provided adequate grounds for the promotion of an intersectional approach. In fact, a unitary approach has remained the rule, both for issue-related organizations (as those mentioned in table 3) and organizations representing minoritised women.

Table 3. Nationwide issue-related umbrella organizations

employment/non-employment	<ul style="list-style-type: none"> • Women’s Platform for the Dependency Law • Civic Platform for a Non-transferable Paternity Leave • Women’s World March • Platform for Domestic Workers’ Associations
gender based violence	<ul style="list-style-type: none"> • Women’s Organizations Platform in favour of abolition of prostitution • State Network of Feminist Organisations against Gender Violence • State Platform for Sex Workers’ Rights
intimate citizenship	<ul style="list-style-type: none"> • National Federation for Lesbian, Gay, Bisexual and Transgender Organisations, FELGTB • Platform for an Abortion Law⁵⁷ • Responsible Custody (http://www.custodiarresponsable.org/)

⁵⁵ Very recently, some feminist alliances created through the last abortion contestation have been used for demanding a real gender budgeting perspective.

⁵⁶ A process that may be contentious.

⁵⁷ It has just been created and responds to the renewed campaign against abortion (<http://www.plataformaproaborto.es/>). Commissions for the right to abort have played a key role lobbying for this right since late 70s, but are now mostly disarticulated except in some places, such as Barcelona.

At this point, we may focus on the fact that there has been so far been no real commitment in favour of a multiple discrimination approach, while there have been an increasing number of organisations working simultaneously on gender and other intersecting inequalities (additive approach). These developments have nonetheless been limited, since there are not many organisations specifically addressing gender + one another ground of inequality, and because the interaction of feminist / women's groups with other groups actively working in other inequalities is quite complex in Spain. At this stage, four main elements can be seen as explanatory: the history of the issues put on the political agenda by feminist organizations; the early institutionalization of feminism in Spain, which forged a specific polity/policy arena around these issues; the divergent "ways of doing things" or method of collective action among these organizations, and; the regionalized nature of the Spanish state that led social actors to privilege collective mobilization in the regional polity.

Who is better at doing intersectionality?

Considering these features and the recent steps toward a better accounting for multiple discrimination described in the 3rd section of this report, it is clear that civil society has been pioneer in addressing to what it considered "double discrimination". Nonetheless, generally speaking, civil society organizations, with a few exceptions (such as Amnesty International or La Rueda) have not yet implemented a different understanding of intersectionality and how to address it in a practical way in Spain.

However, some signs of concern for taking into account multiple discrimination have been shown within the debates around some of the issues addressed in this report. This is the case of the still hot issue of domestic violence, increasingly related to the migrant/national cleavage. Here, NGOs have proved to be the most concerned with tackling the complex interaction of gender with class and ethnicity, urging for a more comprehensive understanding of the differentiated realities of women victims (more rarely addressing the diversity among perpetrators). Similarly, the issue of immigration itself, in relation to (non)employment policies, has been the ground for some consistent efforts toward a complex understanding of the situation of women, and for a critical assessment of public policies. Finally, LGBT organizations deserve mention as they are increasingly emphasising diversity among LGBT individuals (see also: 5.).

Nonetheless, these signs which can be hardly described as an emerging trend are strongly related to the Europeanization of Spanish anti-discrimination policies. Therefore, if compared to the political will (or need) to comply with EU legislation (see also: 6.), this incipient shift observed in the scope of civil society actors might be considered as secondary. At this point, a distinction should be made in the contribution of these actors to an intersectional approach of inequalities, that is, whether it is displayed at the national or the regional level. Indeed, until a Ministry for Equality was created in spring 2008, policy instruments developed at the national level did not necessarily represent the most consistent effort in tackling multiple discriminations, if compared with those conceived in some regions (Basque Country, Catalonia or Andalusia). On the one hand, this can be related to the continuing expansion of equality policies in the above-mentioned regions and to the existence of well-established, stable equality machineries. Apart from the already cited

Emakunde or Catalanian Women's Institute, women's centres were established in Andalusia as early as 1978, before the granting of regional autonomy in 1981. This network anticipated the development of strong and consistent equality policies, well served by the uninterrupted socialist leadership in the region.

Therefore, on the other hand, this can be related to the features of the political structure of these regional polities. This of course implies the political spectrum; different views had already been expressed during political debates preceding the approval of the most recent Equality acts and action plans at the national level, which underlined in particular a greater concern for tackling multiple discrimination among nationalist voices (PNV and ERC). Yet, the highly differentiated ideological backgrounds of these two parties suggests that in this matter, the building of an autonomous public space at the regional level, with specific (good) practices in terms of policy making⁵⁸, is likely to play a greater role than a conservative/progressive cleavage. In Andalusia, where the quest for regional autonomy is not grounded in nationalism, the leading, sometimes vanguard role, is traditionally assumed by the regional branch of the Socialist party in the field of equality policies due to the action of female insiders (Ortbals, 2008).

As illustrated by the conception of regional action plans in favour of Roma people or disabled persons, civil society organizations have contributed to the promotion of a multiple discrimination – if not intersectional – approach in some regional polities. Therefore, this could be formulated as a working hypothesis, to be confirmed in the light of further developments (see the prospective reflections about the new Ministry for Equality in Section 6.); civil society organizations might be better at doing intersectionality at the regional level, depending on the form of movement-state cooperation and policy instruments that are being developed in these polities. These initiatives⁵⁸ may generate an impact in the national agenda, as in the case of other civil rights and mobilizations (see for instance the emergence of partnership rights in twelve regions and the later regulation of same sex marriage at the national level).

Yet, as another example of the complexity of the Spanish multi-level governing system, Ortvals points out that in the case of Andalusia, “decentralization did not serve as an opportunity for feminist organizations to influence all policy matters” and that “party feminism was the most compelling reason for change in the region” (Ortbals, 2008: 104, 107). Nonetheless, building associations and civil society networks is also promoted by public authorities of Andalusia as a part of their public policies, as it is made clear in the 2nd Plan for the integration of Immigrants in Andalusia (2006-2009): “Building associations is currently one of the main channels of social participation in Andalusia. But in the case of women, it does represent an added value, as a gendered strategy toward integration, through women's empowerment” (*Plan Integral para la Inmigración en Andalucía*, 2006: 331)⁵⁹. Moreover, in Catalonia and the Basque country, nationalist party politics is rooted in dense social networks that go beyond political parties and include associations or social movements (as in the case of ERC), thus providing civil society access to channels to influence policy making.

⁵⁸ As in education policies or migrant + gender antidiscrimination policies in Andalusia or tackling gender + ethnic inequalities in Catalonia

⁵⁹ www.famp.es/famp/programas/especificos/omepei/plan_integral.pdf

In the case of equality policies, these channels have been encouraged by regional institutions eager to confirm their legitimacy.

To conclude about these context-specific features in the way civil society organizations do – or do not – refer to multiple discrimination, it can be added that women’s machinery in trade unions⁶⁰ in general does not adequately address intersectionality, as their norm subject remains the middle class employed Spanish woman. Similarly, domestic workers’ rights organizations did not specifically deal with ethnicity or citizenship status questions until the most recent period (see the debate on contracting migrant workers in their countries of origin).

5. The implications of different versions of intersectionality for the meaning and practice of gender+ equality

This section aims at providing a brief assessment of the different versions of intersectionality in each issue-related debate. By doing this, we intend to explore the range of positions addressing more than one inequality/discrimination, given that most shall not be labelled as truly intersectional. Firstly, we examine the frequency of these references, thus mapping sub-issues and/or types of documents which have been so far the most likely to provide occurrences of intersectionality. We then explore the potential implications of these positions for the practice of gender+ equality. The following questions will guide the analysis: Are there salient variations among issues (are some issues more ‘intersectionalized’ than others)? How does intersectionality appear in both Diagnosis and in Prognosis, and are these respective occurrences consistent? In other words, are Diagnoses more ‘intersectionalized’ than Prognoses or vice-versa? Or is there consistency between them?

5.1 Occurrences of intersectionality in Spain’s coded policy documents

The tables below present the occurrences of intersectionality in the coded policy documents for each of the four QUING issues. Such occurrences refer to the number of times intersectionality has been coded “yes” in both diagnoses and prognoses, i.e. when some presence of intersectionality has been detected, be it ‘inarticulate’, ‘additive’ or any of the other ways in which it could appear in policy texts. The category ‘Texts’ refers to the ‘supertexts’ that were produced in the analysis.

⁶⁰We would though like to note some initiatives concerning intersectionality, such as the inclusion of intersectionality in the Master courses on Gender and Equality Policies taught by the foundation for training of the *Comisiones Obreras* (CCOO) trade union, called FOREM (course 2007/2008).

Table 4 Occurrences of intersectionality code in General Gender+ Equality Policies

GENERAL GENDER+ EQUALITY POLICIES							
	Texts	Diagnosis		Prognosis		TOTAL	
		Occurrences	Nº of docs	Occurrences	Nº of docs	Occurrences	Nº of docs
General gender+ equality legislation	6	4	2	3	1	7	3
General gender+ equality machinery	4	3	2	1	2	4	4
TOTAL	10	7	4	4	3	11	7

Table 5 Occurrences of intersectionality code in Non employment

NON-EMPLOYMENT							
	Texts	Diagnosis		Prognosis		TOTAL	
		Occurrences	Nº of docs	<i>Occurrences</i>	Nº of docs	Occurrences	Nº of docs
Tax-benefit policies	6	5	2	2	2	7	4
Care work	4	1	1	2	2	3	3
Reconciliation	3	3	2	2	2	5	4
Equal treatment	3	1	1	5	2	6	3
TOTAL	16	10	6	11	8	21	14

Table 6 Occurrences of intersectionality code in Intimate citizenship

INTIMATE CITIZENSHIP							
	Texts	Diagnosis		Prognosis		TOTAL	
		Occurrences	Nº of docs	<i>Occurrences</i>	Nº of docs	Occurrences	Nº of docs
Divorce, marriage and separation	10	4	3	5	4	9	7
Reproductive rights	8	2	2	2	2	4	4
Sexual rights	13	0	0	0	0	0	0
TOTAL	31	6	7	7	6	13	11

Table 7 Occurrences of intersectionality code in Gender based violence

GENDER BASED VIOLENCE							
	Texts	Diagnosis		Prognosis		TOTAL	
		Occurrences	Nº of docs	<i>Occurrences</i>	Nº of docs	Occurrences	Nº of docs
Domestic violence	7	10	3	7	2	17	5
Prostitution, trafficking & GM	4	7	4	3	3	10	7
Sexual assault	4	3	3	1	1	4	4
TOTAL	15	20	10	11	6	31	16

The data illustrates the interpretation of intersectionality suggested in the previous sections; the most numerous occurrences are to be found in the issues of Gender Based Violence and (Non) employment policies, the least in the issue of intimate citizenship, especially if compared to the number of coded texts.

The tables demonstrate that other inequality axes are differently addressed in diagnosis and prognosis, with variations among issues. While there is a balance between occurrences to be found in these two dimensions in intimate citizenship and non-employment issue-related texts, there is more attention paid to intersectional axes in diagnosis concerning GBV. In other words, this means that the salience of multiple discrimination is acknowledged when providing a general framing of the respective sub-issues (trafficking, domestic violence and sexual assault), but much less addressed when it comes to the policy outcome. These

discrepancies are also to be noted in the case of documents related to the general equality policies in Spain.

Yet the number of occurrences does not account for the range of inequality axes, or the consistency of these references⁶¹. For instance, a balance between the number of occurrences in diagnosis and prognosis does not imply consistency in the arguments exposed in these two dimensions of the public debate, since these arguments can be expounded by different voices.

As these figures are not desegregated by inequality axes, attention must be paid to the range of inequalities that are invoked in the documents. As an example, class has been the most present axis in the debate and policy making around non-employment, with more limited or incidental references to age, migrant status+ ethnicity or other grounds of increased vulnerability. The recent trend that gives a greater importance to ethnicity and migration is not fully reflected by the sample of documents. In contrast, gender-based violence, also due to the broad spectrum of sub-issues it covers, provides a wider range of inequality axes.

5.2 Intersections in non-employment

In the case of non-employment policies, the most visible intersections with gender seem to be class and migrant/citizenship status. Broadly defined references to intersectionality seem to be increasingly present in the public debate around the issue, but remain widely ignored in the *political* debates. As already emphasised, when gender equality is debated in relation to non employment, it largely draws on a normative conception of the 'working mother'. There has been a vague shift towards taking class into consideration under the Socialist government (2004-) while class inequalities were largely ignored by the previous Conservative government (1996–2004). Age appears as intersecting with gender in a feminist movement text referring to women who have spent their lives doing care work. Inequalities related to ethnicity and migrant/citizenship status appear in a specific text on integration, in a speech by a Leftist Party MP and in a feminist movement text. There are generally no explicit references to racism while tackling inequalities related to migration status and ethnicity. Interestingly, in the issue of non employment there is an overall absence of sexuality and sexual orientation, which can be linked to the unquestioned heterosexual norm.

Class divisions

References to class divisions have appeared in particular during debates surrounding domestic work employment, but in an inconsistent way, focusing on class division among working mothers/families, but often ignoring class divisions across employers and domestic workers. Moreover, these references are of course to be found through the topics of poverty/vulnerability/social circumstances, rather than an explicit social class cleavage. Until

⁶¹ Moreover, these issue tables solely refer to the documents which have been analysed through the QUING software tool. The updated documents which were considered in this report for the overall analysis of intersectionality in Spain have not been integrated with these quantitative data.

the most recent developments in this issue, the employment of domestic workers had remained a question of class and precisely class divisions rather than divisions of race/ethnicity or nation have been stated as crucial in the debates. Since Spain has had an explicit migration policy which encouraged the insertion of migrants into domestic work employment, this can be seen as confusing. But it must be related to the fact that paid domestic work is mainly analysed as a solution to women's double work-day which has an objective impact on Spanish women's employment rate. As emphasised by a socialist MP during a 2003 debate, this contribution to reconciliation is nonetheless accessible only to more privileged women: "not all women who find work have a salary that allows them to have someone else working at home." (MP Socialist Party, 2003).

This class perspective can also be found in the debate (2005) on a possible reform of the Special Regime of Domestic Workers in the social security system, which provides far less protection than the General Regime. MPs argued that improving the rights of domestic workers would promote 'gender equality' due to the fact that the great majority of these workers are (migrant) women. However domestic workers' rights appeared as subordinated to middle-class families' interests and 'quality of life'. Migrant domestic workers have been essential to solve the care problem and to improve the 'reconciliation of work and family life'. This situation is not exclusive to the Spanish case, since it can be seen in other European countries experiencing limited domestic human and financial resources dedicated to care facilities, such as Italy or Austria. However, unlike in these two cases, the assignment of domestic work to migrant workers hardly emerged as a significant issue in Spain. Additionally, the government had promised to reform the Special Regime of domestic workers, but provisionally renounced it due to interventions by market actors highlighting the interests of the dual breadwinner family.

Ethnicity/citizenship status

While the mutually constitutive dimension of gender, class and citizenship/ethnicity in the realm of domestic (care) work seldom appears in the political debate, it has nonetheless been addressed in the *Strategic Plan for citizenship and integration (2007-2010)*. This plan differentiates itself from the policy debate on reconciliation that frequently reproduces homogeneous category women, implicitly referring to autochthonous women. This plan represented a shift in that it highlighted reconciliation as a problem for immigrant women. It produced a homogenous category of 'immigrant women' based on general assumptions such as the affirmation that 'immigrant women' alone do *all* the care and domestic work by themselves (i.e. the problem is more salient than in Spanish families) and this results in the lack of integration of immigrant women. The insertion of immigrant women in certain kinds of precarious *feminized jobs* (called 'work niches' but without direct reference to care and domestic work) together with the 'fact' that immigrant women are often exclusively responsible for domestic work and for caring of children and other dependents, is represented as decisive for their possibilities of integration:

"If we add to their precarious work conditions, the fact that *they* (we underline) are still carrying out most of domestic and educational duties in their respective households, as well as most of the care work dedicated to their children and other dependent parents,

and given the absence of adequate mechanisms and facilities to improve the conciliation between their family, personal and professional lives, we find the perfect environment for producing the main difficulties that hinder the best development of their migration project and their social integration (Plan estratégico de ciudadanía y integración, 2007: 306) ”.

A better – and truly intersectional – accounting of this kind of intersection is present in the civil society document analysed for non employment policies that stresses

“The exploitation of other women, especially migrants, who work in domestic service, in home help, caring for elderly, children, etc. without contracts, without documents, without rights and for ridiculous salaries. Women who in order to care here have left other women in their home countries in charge of their home there, which gives rise to the so called "worldwide care chains"”.

Yet this analysis still focuses on the class relations attached to the triple status of woman, migrant and domestic worker (through the register of exploitation), and does not explore the further intersections with ethnicity. Similarly, there are limited references in the selected corpus to the highly differentiated situation of legal and illegal migrant domestic workers. In contrast, this issue was pointed out as one of the most relevant by the conclusions of a qualitative research carried out by the UGT trade union in 2001. Taking into account the age, the origins, the regional location and the length of their presence on the Spanish soil in order to depict the main difficulties they faced on the labour market, this study nevertheless left unquestioned their situation in the private sphere (UGT, 2001). Moreover, civil society texts are not exempt from adopting culturalist points of view that tend to associate migrants’ genuine culture with strong patriarchal structures – i.e. stronger than in the Spanish society.

Changing practices: from additive to multiple discrimination approaches?

Initially, similar trends were to be noticed in the regional actions plans adopted for improving the social inclusion of immigrants, such as the first action plan adopted in Andalusia (*I Plan Integral para la Inmigración en Andalucía*, 2003-2006). In particular, those mainly referred to situations of double discrimination, as the rather brief and general plan approved in Extremadura (which ranks among the regions with the smallest proportion of immigrants): “Subject to a double discrimination, immigrant and women, this supposes a double difficulty in their process of social inclusion”. Yet the plan lists a number of situations that justify targeted actions, such as “domestic violence, working conditions, limited financial resources, prostitution and trafficking in women” (*Plan para la integración social de los inmigrantes en Extremadura*, 2006: 16-17). However, among the most recent plans, some are showing an incipient will to tackle multiple discrimination more consistently. As an example, the most recently approved (October, 7th, 2008) plan by the Parliament of Aragon lists women migrants among its first targets, as those are suffering situations of greater vulnerability, explicitly related to gender, class, migrant status and ethnicity. In Andalusia, the existence of a Ministry (*Consejería*) for Equality and Well Being since 2004 is fostering a mainstreamed and, to some extent, multiple discrimination approach in its most recent policy documents, such as the *II Plan Integral para la Inmigración en Andalucía*, 2006-2009).

According to the sample of coded documents, non employment is one of the two issues for which there prevails a certain level of awareness toward multiple discrimination. Yet, this

level awareness seems to vary greatly, depending on the sub-issue and the dimension of diagnosis or prognosis. It seems to be particularly high when diagnosing a situation before targeting tax/benefit measures, or shaping policy instruments in order to promote equal treatment. In contrast, limited attention has been paid so far, in terms of public action, to the growing ethnicisation of care and domestic work in Spain. It can also be noted that the use of categories like age or marital status is rather static, and mainly related in both cases to motherhood⁶².

5.3 Intersections in Gender Based Violence

In Spain, documents on gender-based violence, mainly through the sub-issues of domestic violence and trafficking, are providing the most numerous occurrences of intersectionality. Another striking feature is that the appearance of intersectional axes of inequality is closely related to women, and not to gender, which means that women mostly appear as an intersectional category, but men do not. Whereas women are addressed as migrant, workers, girls or mothers, disabled, men appear as a much more homogeneous group whose main feature is being perpetrators or main actors in the gender violence issue. The Parliamentary Report on prostitution is the only text that shows some concern about younger men as clients of prostitution. Moreover, when different axes of inequality are mentioned, they appear in an additive way, and the interaction of different inequalities is not addressed. Moreover, the texts that are engaged with intersectionality mainly adopt a multiple approach in which gender is the dominant inequality axis- with some other inequalities being added but the consequences of their interaction with gender being left unquestioned.

Most common axes, by sub-issue

Domestic violence and trafficking in women are the issues in which the presence of intersectional axes of inequality is the most relevant. In terms of Intersectionality, *Sexual Harassment* is framed as an issue related to working women and thus gender and class are the axes mentioned. Concerning *Domestic Violence*, a wide range of axes appear- gender, age, disability, class (in relation to the labour realm and to free judicial assistance), and religion or belief. The increasing relevance of ethnicity is also notable. Both the National Plan (2006) and the analysed Report by Amnesty International (2007) deserve special mention. The former document offers a comprehensive understanding of its target group, mentioning gender, ethnicity, disability, race, citizenship status and age, under the label 'vulnerable groups'. The latter text articulates its diagnosis by focusing on vulnerable groups of women. On the one hand, mothers, drug-addicts and migrant women deserve special attention since the Report denounces that Spanish current legislation do not take them properly into account as victims of gender violence. On the other hand, Amnesty International emphasizes that

⁶² It might be argued that counting references to motherhood among occurrences of the inequality axis grounded on marital status is problematic. Yet, as it has been detailed in this report, documents show a strong relation between motherhood and the norm of heterosexual, autochthonous (young) working woman, to be targeted by tax/benefit and reconciliation measures.

women living in different regions receive different attention and protection and, therefore, there is a potential risk of regional cleavages that eventually leads to different levels of development. Also interesting is the concept of 'status of citizenship' that is present both in the National Plan and in the Socialist Parliamentary intervention. These documents argue that women victims of gender violence cannot fully enjoy their citizenship status. Therefore, 'citizenship status' as an inequality axis is not related in those texts to the migrant status, but to intimate citizenship and to full participation in public life.

Regarding *Trafficking in women* in the analysed documents, it appears that both trafficked women and prostitutes are framed as migrant women whose detrimental economic conditions in countries of origin impelled them to fall into the clutches of international mafias. Hence, gender, migrant status and class (related to the feminization of poverty) are the most present axes of inequality. This process of "othering" – which can be simply described as a way of defining and securing one's own positive identity through the stigmatization of an "other"- nonetheless contrasts with the recent data provided by the *Amaranta* Foundation (devoted to social re-integration of women prostitutes or at risk of social exclusion) showing that the number of Spanish women in brothels has actually been rising to reach 30% over the last few years. Something similar happened in the debates preceding the approval of the Law on Female Genital Mutilation. In this case, the lack of attention to the structural gendered component of any kind of gender based violence led to linking the problem exclusively to migrant communities, thus addressing migrant women as problem holders.

Ethnicity and domestic violence: toward a Crenshaw syndrome?

Almost twenty years ago, Kimberlé Crenshaw (1989, 1991) stressed the problematic nature of intersections between domestic violence and ethnicity, since those might result in reinforcing racist stereotypes and the double stigmatization of victims and perpetrators as members of segregated and/or dominated ethnic groups. She pointed to that the strategic option deliberately assumed by some actors not to address these intersections, in order not to interfere with the struggle against other discriminations than those based on gender. In Spain, however, there is no doubt that domestic violence was placed high on the political agenda as a *domestic* problem, and thus firstly tackled through its implications and consequences in the Spanish (national) population. The pervasiveness of the patriarchal structures inherited from the pre-democratic period, as well as the domestic patterns of the dramatic cases that have raised awareness among the media and the public, also contributed to the domestic/national framing of this issue. But in the past few years, as already been mentioned in this report, changes in the demographic structure of the population have had consequences both on the reality and the perception of domestic violence.

Increasingly, public attention is directed to the higher prevalence of domestic violence among the migrant population, and to the increasing importance of this socio-demographic background in the absolute figures of domestic violence⁶³. An intersectional approach is

⁶³ As illustrated in the last issue of the Report on the victims of Gender Based Violence (*Informe de las víctimas mortales por violencia de género*, October, 2008) produced by the Ministry of Equality: by late

much needed for the analysis of the phenomenon, in order to identify the intersections between gender, migrant status, class (through poverty and non – or precarious - employment) and ethnicity. Instead, this emerging debate is likely to draw once again on an additive approach, focusing on gender+ ethnicity. Some attention should be paid to such a risk, which is not only an analytical one, if we consider the judicial response to domestic violence in Spain, as shown in table 8, p. 44. This incipient trend, which mainly affects the diagnosis dimension⁶⁴, is also to be mentioned concerning the plans adopted at the regional level. To some extent, these tend to address *a priori* migrant women as more vulnerable to domestic violence, not always properly analysing the incidence of elements such as employment, the sequence of the migration project (who came in first?) and the regular/irregular status of the migrants, and of cultural aspects related to ethnicity.

For these reasons, civil society voices are much needed for addressing intersections in the issue of domestic violence, in the way illustrated by the analysed Amnesty International report, which is especially concerned about the situation of irregular migrant women and to regional differentiation.

Table 8. The judicial response to domestic violence, according to the national/migrant status of perpetrators

	demanded	judged	convicted	% convicted over judged
Men	73.785	33.579	23.874	71
Spanish	56.071	25.485	17.397	68
Foreigners	17.714	8.094	6.477	80

http://www.mtas.es/mujer/mujeres/cifras/violencia/ambito_judicial.htm 2006

Voices

However, the analysis of intersectionality within the coded documents does not show any major differences when comparing policy and civil society texts. In fact, the National Plan (2006), the Parliamentary Report on Prostitution (2007), and the Amnesty International report (2007) are the documents that devote most attention to intersectionality. More differences can be found when looking at the date and at the ‘political colour’ of the documents. On the one hand, the most recent documents are more likely to pay attention to different axes of inequality. On the other hand, texts produced by the socialist government and the Parliament are much more concerned about different axes of inequality than documents belonging to Conservative voices. Thus, Parliamentary interventions by Conservative voices focus on gender (sexual harassment) or on women victims (domestic violence). In that sense, one Conservative intervention on domestic violence is notable since the speaker’s de-gendered

October, over 41% of crimes had been perpetrated by foreign residents, while nearly 44% of victims were foreigners.

⁶⁴ Documents on *Domestic Violence* thus present discrepancies between very rich diagnoses (AI Report, Socialist Parliamentary intervention) and gendered prognoses (i.e. dominated by gender).

speech rather focuses on the elderly and homosexual men as additional target groups of domestic violence.

5.4 Intersections in Intimate Citizenship: missing, or emerging?

In other parts of this STRIQ report we have already presented the intersectionality of equality policies and laws and to what extent they showed once a limited, but now increasing understanding of multiple discrimination. First of all, it is important to say that intersectionality is rarely addressed in the policy texts we have analyzed and the perspective of double (additive) discrimination is dominant. We will now discuss each one of the three areas we tackled for intimate citizenship.

Firstly, in the area of reforming the *divorce* legislation, most conservative actors used a de-gendered wording, referring to “vulnerable spouse” after divorce and children, while other actors used references to women and gender. In contrast, centre-left parties have adopted a gendered perspective, being concerned by the use of shared custody, voluntary family mediation and alleviating the consequences of divorce as well as bringing equality. However, there were no remarks on the implications of divorce for migrant people and gender violence or divorce in same sex marriages, for instance. Vulnerability of spouses was vaguely described, but it referred to socioeconomic status and class.

Other actors such as the Catholic Church or the Conservative Party have adopted a de-gendered language, stressing the protection of minors’ and both spouses’ rights, considered as key for the institution of family. Gender and thus intersectionality are absent from these discourses. It is often the case that men are not even mentioned, made invisible through de-gendered language, although there is one actor that stressed the situation of men after divorce (the Separated/Divorced Fathers’ Association).

Secondly, again for the issue of *marriage*, gender seems to be relevant only for a few actors. The understanding of the debate on same sex marriages soon turned into “gay marriage”, through a masculinization of the representation of the problem. In fact, the use of the expression “gays and lesbians” proved to be rhetorical as the reform of the Civil Code that allows same sex marriage (Law 13/2005) revealed some discriminatory bias against lesbians⁶⁵. Married lesbians had to go through a process of mutual adoption of their children, whereas heterosexual marriages were not required to do the same. Law 3/2007 regulating the rectification of the register concerning the person’s sex came to resolve this discrimination, and now both married lesbians are recognized as parents of their children.

Once again, the sample of documents analysed in the LARG report suggests emphasis on the developments that are taking place at the regional level. Indeed, specific actions have been adopted within the interdepartmental plan to mainstream sexual rights in Catalonian public administrations (*Plan interdepartamental*⁶⁶ *de la Generalitat de Catalunya*, 2006) and

⁶⁵ Surprisingly enough, marriage legislation was presented as having neutral effects on lesbians and gay men. There is therefore a need to cast a critical eye over the potential differential economic and social impacts of same sex marriage on lesbians, especially in the Spanish context, where so much emphasis is put on the family as a source of reciprocal care and economic support that underpins not only the welfare system but the whole organisation of the State (Platero, 2007: 337).

⁶⁶ *Pla interdepartamental per a la no discriminació de les persones homosexuals i transsexuals*, September 2006.

in a programme for gay, lesbian and transgender collectives in the Catalan Government⁶⁷ (2005). The Interdepartmental Plan (2006) thus intended to carry out actions concerning gender, age, social exclusion, disability, victims of the dictatorship, inmates, employment, HIV, etc., with a clear emphasis on the “double discrimination” of women. As further evidence of the specific role of regional actors, during the debate on same sex marriage that took place in the Parliament on June 2005, the Catalan Republican Party (E.R.C.) presented the only proposal that included a gendered analysis. Their proposal discussed allowing two women (married or not) to register as a mother of the same child.

The third and last issue on the attempts to reform the *abortion* law (parliamentary debate that took place in September, 2004) presented a binary discussion between women’s rights and the rights of the foetus. The Socialist Party made concrete remarks on the lack of any preventive policies, not even with the most vulnerable collectives, such as adolescent, immigrant women and prostitutes. Sexual education has been included rhetorically, but not into the educational reality. Other voices from the Conservative Party were concerned with the need to tutor young women when facing the risk of abortion. No other remarks were made concerning the increasing number of immigrant women subjects of abortion, for instance. Some voices like the Leftist Party (IU) pointed out the role played by private clinics performing most of abortions in Spain, stressing that in some regions it has become impossible to have access to abortion in a public hospital, with a negative impact on women, particularly those with fewer financial resources.

However, the sample of documents previously analysed for QUING reports is not fully reflective of the changes that are taking place in the framing of these issues and which affect the level of attention paid to the situations of multiple discrimination in intimate citizenship.

The Reform of the Law on abortion: a mirage, or a momentum for intersectionality?

The relevance of the abortion debate in the Spanish political agenda has been increasing since 2007, as feminist and political voices have called for specific actions for young people, such as sexual education at school, and to generally implement prevention actions for all women. Different reports and voices have denounced the regional gaps in access to abortion, and the contrasted contribution of private vs. public institutions in performing legal abortions. Meanwhile, the debate on the conflict between women’s rights those of the foetus has been reactivated among right-wing political actors. These debates are taking place in a context where not only the global amount of voluntary interruptions of pregnancies (*interrupciones voluntarias del embarazo*) or abortions is increasing over time (see table 9), but also their prevalence among young (underage) and migrant women (see: ACAI 2006 report and *The access to abortion in Spain report 2008*).

The high prevalence of abortions among migrant and underage women is making even more salient the need for intersectional analysis, as currently advocated by voices from the women’s movement. Yet the controversial debate over abortion that is taking place nowadays is instead focusing on the need of a social consensus to change the current legislation, at the expense of targeted measures for those women in disenfranchised

⁶⁷ *Programa per al col·lectiu gai, lesbiana i transexual*. Departament de la Presidència. Generalitat de Catalunya.

situations (youth, migrant, *sans papiers*, poor, etc.). In this context, Conservative forces have taken advantage of the controversial practices investigated in a limited number of private clinics to argue in favour of the current *status quo* of the 1985 Law, while feminist voices have been calling for an *aggiornamento*, in the form of new legislation making abortion legal in principle (instead of in the limited number of exceptions listed in the Law).

In September, 2008, a parliamentary sub-committee (attached to the equality committee) has been created on the proposal of PSOE and its leftist allies, to consider possible changes to be introduced in the legislation. Although its objective seems to be more limited than the “vanguard reform” announced during the last socialist congress (July, 2008)⁶⁸, its creation has nonetheless been opposed by the Popular Party, arguing that social demand does not exist for supporting a revision of the Law.

Simultaneously, an expert committee has been nominated within the new Ministry of equality. Constituted of thirteen members, including 8 experts recruited among medical and juridical experts, it is considered to be favourable towards a liberalization of the legislation. However, although several of the appointed experts in gynaecology have previously engaged in the social context of abortion in their publications or medical practice, the absence of social scientists and representatives of civil society organizations might hinder the committee in adopting an intersectional approach.

Table 9. Abortions in Spain

Year	Total abortions
2006	101.592
2005	91.664
2004	84.985
2003	79.788
2002	77.125
2001	69.857
2000	63.756
1999	58.399
1998	53.847
1997	49.578
1996	51.002

Source: Ministry of Health

Intersecting inequalities in the analysis of marriage & divorces figures

Concerning the issue of divorce, Spain assumed the European leadership in terms of divorce rates in 2006. The divorce rate has been continuously increasing since the approval of the “divorce express” legislation: law 15/2005 that made divorce easier and faster. According to the National Statistics Institute (INE), in 2006 there were 145,919 divorces and separations, which implies a 6.5% annual rise. There has been little analysis on the impact of divorce on women or same sex marriages (2005-2007 INE data showed only 41 divorces

⁶⁸ *El Pais*, 07.08.2008.

since same sex marriage was approved, with higher rates among women than men), but press articles⁶⁹ are showing that some couples must continue cohabitating due to economic difficulties linked to not being able to sell their house or due to the impossibility of paying the mortgage with only one income. Again there is a need to pursue an intersectional analysis of gender, class, sexuality, among other axes of inequality to be able to explain the data on divorce and separation in Spain.

In regard to sexuality and same sex marriage, data show that same sex marriage comprises about 1-2% of all marriages in Spain, in which lesbian marriages are around one fourth of total same sex marriages (see table 10). But of all issues linked to LGBT demands and policy making, we find a growing interest not only in the regulation of same sex couples rights in all spheres, but also the emergence of transgender rights, which have moved to the centre of the LGBT discussions. There are disagreements on the requirement of 2 years of hormonal treatment in order to obtain the right to change your name in all documents. Meanwhile, other axes of inequality are receiving more attention in regard to LGBT rights such as gender, age, nationality, ethnicity, migrant status, refugee status, bullying at schools, etc (see literature review on sexuality and intersectionality, this report).

Table 10. Data on same sex marriages in Spain (2005-2007)

Period	Heterosexual	Among men	Among women	Total same sex
07-12.2005	119.459	914	355	1.269
2006	203.453	3.000	1.313	4.313
2007	200.447	2.180	1.070	3.250

Source: Platero, 2008

6. Building new institutions and policy styles in Spain: the future of intersectionality at stake

This section aims at identifying the most recent changes that have affected the making of equality policies in Spain, in order to put them in the broader perspective of a shift from the unitary approach which accompanied the building of these policies since the transition to democracy, to the political will for tackling multiple discriminations.

This shift, however, needs to be confirmed in the light of the functioning of the new mechanisms detailed in this section, and for this reason shall not be considered as a shift of paradigm (Hall, 1993). Its effects on the practice of equality policies remains quite incidental, depending on variables such as the policy level, political cleavages or the public issue considered. Nonetheless, laws and institutional machineries that came into force since the PSOE electoral victory in March, 2004, constitute new milestones in the policy framing of

⁶⁹ For instance: López Letón, Sandra (2008). “ Aguantar a mi 'ex' por la hipoteca. Crecen las parejas rotas que deciden seguir viviendo bajo el mismo techo hasta que el mercado inmobiliario se reactive”. *El País*, 09.26.2008

equality in Spain. They underline, for instance, the increasing influence of the EU equality policy framework. An influence which cannot be reduced to the sole logic of *Acquis* transposition, but includes social learning, processes of adaptation and possible resistances. These processes - all matching with a sociological-institutionalist definition of “Europeanization” – are taking place in the specific Spanish multi-level governance system, thus multiplying the levels of policy transfers. Therefore, the very first steps of Spanish gender equality policies in the direction of an intersectional approach need to be framed in these complex, somehow *sui generis* transformations.

Turning points in addressing multiple inequalities?

Coinciding with the ‘European Year of Equal Opportunity for Everybody’, the Spanish Equality Law was enacted. The national *Equality Law* was approved on March 22, 2007 and its first aim was, in José Luis Zapatero’s words, ‘doing women justice’, especially in the 75th Anniversary of women’s right to vote. This Act transposed two European Directives: *Directive 2002/73/CE that reforms 76/207 CEE*, on the implementation of the principle of equal treatment for men and women as regards to access to employment, vocational training and promotion, and working conditions; and *Directive 2004/113 CEE*, implementing the principle of equal treatment between men and women in the access to goods and services and to their supply. The Law recognizes in the Preamble that the principle of equality has not been sufficiently developed as gender violence, the wage gap, the higher rate of women’s unemployment, and the glass ceiling, among others, persist. Thus, the main objective of the Law is to make the principle of equality real and to prevent gender discrimination.

In addition, in 2006 the so- called ‘Dependency Act’ (Law 39/2006, of 14 December⁷⁰) had been approved. This Act proposes to lay the foundations of the *System of Autonomy and Attention to Dependent People* (SAAD), defined as the fourth pillar of our welfare state. The text planned two groups of measures: on the one hand, the promotion of public services of care (public centres and home assistance) and, on the other hand, the more controversial allowances for the family care-giver. Feminist organizations, such as *Feminist Assembly* (*Asamblea Feminista*), pointed out that there was an implicit risk of reproducing gender roles, since the main care-givers were still women. On the other hand, the funds offered by this Act have also been seen as insufficient.

In the same year a *Ministerial Decree on women’s access to Civil Guard* was approved (Ministerial Decree PRE/600/2006, of 3 March⁷¹). The norm recognizes that the selective process has lead to women’s discrimination because the size demanded to be part of this

⁷⁰ Law 39/2006, to promote personal autonomy and to assist dependent people [*Ley 39/2006, de 14 de diciembre, de promoción de la Autonomía Personal y Atención a las personas en situación de dependencia*].

⁷¹ Ministerial Decree to modify Ministerial Decree of April 9, 1996, by which the selective process to incorporate new members into the Civil Guard is approved [*Orden PRE/600/2006, de 3 de marzo, por la que se modifica la Orden del Ministerio de la Presidencia de 9 de abril de 1996, por la que se aprueban las bases y circunstancias aplicables a los procesos selectivos para ingreso en los centros docentes militares de formación para acceso a la Escala de Cabos y Guardias del Cuerpo de la Guardia Civil*].

Force was not differentiated in terms of sex. In other words, the male size was considered as the 'neutral' size and it led to women's rejection in this Force.

For different reasons, laws adopted in the realms of gender equality and anti-discrimination during José Luis Rodríguez Zapatero's first term constitute a new milestone in the making of gender equality policies in Spain. To a certain extent, the Law for effective equality and the "*Ley de dependencia*" share a common assessment of the pervasiveness of inequalities and of the structural dimension of gender inequality⁷². The law making process also revealed a greater attention for multiple grounds of discrimination, raised by voices from the civil society, as well as regionalist and/or leftist parties during parliamentary debates. The more comprehensive understanding of (in)equality issues which is attached to the most recent laws adopted in Spain might provide a more adequate legislative framework for tackling more than one discrimination at the same time, and for exploring interaction between different grounds of inequality. As emphasised in this report, the multi-level dimension of the Spanish polity is also relevant for understanding the changes in the framing and the practice of equality policies. On several occasions and in relation with several issues (such as same sex marriage, gender based violence and more recently, social inclusion policies), regional polities – i.e. public institutions and civil society actors – have shown the most consistent efforts in adopting a multiple discrimination (if not intersectional) approach. At the regional level, the shift toward the adoption of comprehensive equality acts, the generalisation of equality plans and the first measures adopted for mainstreaming gender in the implementation of the "*Ley de dependencia*" (Dependency Act) are actively contributing to this general transformation.

It is also true, however, that the case of the Dependency Act and of its controversial implementation (especially when sharp cuts are to be expected in the budget of social policies) illustrate that this transformation is not a one-way process, and might generate new disputes. Yet it can be argued that those criticisms are themselves contributing to more attention being directed at the diversity of the target groups – such as the persons in situations of dependency- as they are pointing to multiple grounds of discrimination, to be revealed by the implementation of the Law (Arnau, Gill, 2007 and see: below).

Before addressing the reality of these changes in the structure of the new Ministry of Equality and the conceptualization of the new equality law to be adopted in late 2009, another aspect of this shift must be stressed, that is the increasing influence of the EU legal and policy frameworks on the making of equality policy in Spain.

6.1 *The impact of Europeanization*

Transposing EU Equality directives and policy transfers

The Europeanization of equality policies has been thoroughly addressed in the case of gender equality (among others: Mazey, 2000, 2002; Caporaso and Jupille, 2001). It not only refers to the transposing of the EU legal order into domestic legislations, it also includes

⁷² However, in the Dependency Act, references to the gendered dimension of care work have been mainly restricted to the preamble, and were introduced on the insistence of feminist actors.

with similar relevance processes identified as “policy transfers”, that is, according to the broad definition suggested by Marsh & Dolowitz (1996: 344): “a process in which knowledge about policies, administrative arrangements, and institutions in one time and/or place is used in the development of policies, administrative arrangements, and institutions in another time and/or place” (1996: 344). In the even wider sociological-institutionalist perspective suggested by Claudio Radaelli (2003, 2004), “Europeanisation consists of processes of a) construction, b) diffusion and c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’ and shared beliefs and norms which are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and subnational) discourse, political structures and public policies”. Therefore, it not only covers the realm of legislative arrangements and institutional machineries, but also a more cognitive (learning) dimension, including the framing of public problems, the ways to advocate solutions and public policy styles in the sense of Richardson (1982).

Drawing on the empirical results of the MAGEEQ project, Lombardo (2004) concluded on the limited impact of Europeanization on the making of equality policies in Spain. Whereas Spanish legislation and equality machineries were often anticipated on the making of these policies at the EU-level, the democratization and decentralization contexts were revealed to be more relevant for their political framing than the reference to the EU policy framework. Here probably lies the origin of the Spanish unitary approach that has been privileged so far. Nonetheless, the increasing influence of the EU legal and policy frameworks on the making of equality in Spain can be pointed out in two major directions: firstly, it has become more salient regarding law making and institution building in relation to anti-discrimination policies, thus providing new grounds for the reflection on the interactions between different inequalities. Secondly, the political will to comply with EU requirements that are going far beyond the pure logic of legal transposition has provided new opportunities for political and social actors to articulate more consistent views about such interactions.

Although ‘enforcement and implementation have never been particularly strong or explicitly prescribed in the case of gender equality Directives’ (Lombardo & Verloo, 2009), two recent Directives (2002/73/EC and 2004/113/EC) require the Member States to have bodies for the promotion of equal treatment of all persons without discrimination on the grounds of gender. In this case, Spain complies well with European legislation, as the Women’s Institute was already created in 1983 and was even reinforced with the recent additional creation of both the General Secretary of Equality Policies (2004) and the Ministry of Equality (2008). Also, though the ‘Council Participation of Women’ was created through Law 3/2007 for the Effective Equality between Women and Men, more than a year after the law was passed it still has not been implemented (the Secretary General of Equality Policies claimed this will be a priority in 2009⁷³).

The situation is different regarding the other inequality grounds: Directive 2000/43/EC tackles the principle of equal treatment between persons irrespective of racial and ethnic origin, and Directive 2000/78/EC, establishing a general framework for equal treatment in

⁷³ Interview with Isabel Martínez Lozano, Secretary General of Equality Policies (31/07/2008), in Bustelo, 2009b, forthcoming.

employment and occupation, implements the principle of equal treatment irrespective of religion or belief, sexual orientation and age in employment and training and requires employers to consider the needs of disabled employees. Spain claims to have transposed both Directive 2000/43/EC and Directive 2000/78/CE mainly through Law 62/2003 on Fiscal, Administrative and Social Order Measures⁷⁴, which, for example, announces the creation of the Council of the Advancement of Equality of Treatment and Non-Discrimination of People on the Grounds of Racial and Ethnic Origin, later developed in Royal Decree 1262/2007. However, this Council had still not been formally implemented by late 2008.

Apart from sex, the inequality legislation that is developed beyond the European Directives is disability. Law 51/2003 on Equal Opportunities, Non Discrimination and Universal Access of People with Disabilities is the first law dealing with direct and indirect discrimination. There are other legislative norms and bodies which are also claimed to transpose Directives 2000/43/EC and 2000/78/EC. These are the Forum for the Social Integration of Immigrants (developed in Royal Decrees 367/2001 and 3/2006), and the Spanish Observatory on Racism and Xenophobia (presented in 2006) – both created through Law 4/2000⁷⁵ – the Advisory Commission on Religious Freedom, created by the Organic Law on Religious Freedom (Law 7/1980), the National Disability Council modified in Law 51/2003, and the Council of Roma People (Royal Decree 891/2005; Council created in 2006).

From transposition to contention: the other face of Europeanization

Critical voices have pointed to the limits of the policy outcomes of these efforts in implementing EU directives. For instance, according to Amnesty International (2008), there are many concerns regarding the Council for the Advancement of Equality of Treatment and Non-Discrimination of People on the Grounds of Racial and Ethnic Origin, such as:

1) Its primary inclusion within the General Directorate of Integration of Immigration, denoting too tight a link between racism and immigration, thus disregarding e.g. racism against Spanish Roma (though the Council was recently changed to the Directorate General against Discrimination in the Ministry of Equality – Royal Decree 1135/2008⁷⁶)

2) Its lack of independence, resources and budget

3) Its composition, which puts too much weight on public administration and lacks representation of the Ministries of Justice and the Interior, as well as prestigious and independent experts

4) Competences and functions inferior to the ones recommended by 'European Commission against Racism and Intolerance' (ECRI), especially with respect to investigation functions. Indeed, Amnesty International claims that civil society was not consulted on the creation of this Council, and that its composition – 15 representatives of the Administration

⁷⁴ Much more detailed information on laws prohibiting these diverse forms of discrimination can be found at: http://ec.europa.eu/employment_social/fundamental_rights/pdf/legnet/esrep07_en.pdf

⁷⁵ Law 4/2000, of January 11th, of Rights and Liberties of Foreigners in Spain and its Social Integration, modified by Law 8/2000, Law 11/2003 and Law 14/2003.

⁷⁶ The Secretary General claims that maybe it would make more sense to wait until the new 'Equality Treatment Law' is passed.

and 15 representatives of civil society (including the presidency), did not meet the criteria established by the ECRI (see also: 3.2).

Moreover, critics have also pointed out several problems with this legislation. For example, the Council of Roma People does not fulfil ECRI's recommendations regarding its independence, competences and composition. Other problems are related to the lack of adequate data on racism and discrimination on the grounds of racial or ethnic origin; according to the EU Agency on Fundamental Rights, neither the Spanish Observatory on Racism and Xenophobia nor the Ministries of Justice and Internal Affairs publish enough quality data. As a consequence, on June 27th 2007, the European Commission sent Spain, among 13 other Member States, a formal notice ('reasoned opinion') for not implementing the Directive correctly; this is the second step in infringement procedures⁷⁷. The main problem areas included:

1) The national legislation is limited in scope to the workplace (there are no measures to make the principle of equal treatment 'real and effective' outside the labour realm)

2) The definitions of discrimination diverge from the Directive (Law 62/2003 does not specify how indirect discrimination is to be justified)

3) There are inconsistencies in the provisions designed to help victims of discrimination (such as the protection against victimisation, the shift of the burden of proof and the rights of associations to assist individuals with their cases).

Europeanization processes are thus providing new impetus and political instruments for different types of domestic actors, to challenge legislation and equality machineries that have been created so far in order to comply with EU anti discrimination directives. Civil society voices and official criticisms from the EU level might coincide to denounce the lack of independence, funding or human/expert resources of the afore-mentioned policy instruments. This is already the case concerning the Council of Roma people or the Council for the Advancement of Equality of Treatment and Non-Discrimination of People on the Grounds of Racial and Ethnic Origin. Such "domestic uses of Europe" are not restricted to those legislations enacted in order to comply with EU legal and policy frameworks. As an example, the Dependency Act has been sharply criticised as discriminatory for neglecting diversity among dependent people and "those who care", referring to the EU antidiscrimination legislation (for an academic articulation of these criticisms, see: Arnau & Gill, 2007)⁷⁸.

Additionally, in the Spanish multi-level governance system, using the reference to the EU legal framework for challenging existing legislation might be adopted by a number of actors in the respective regional polities, as a means to influence further policy developments. Similarly, those actors are likely to take advantage of the opening of new channels to access (both regional and national) policy makers, in the form of consultative bodies or expert committees, to claim for a greater participation of social actors in the policy-

⁷⁷ According to Amnesty International (2008), by March 2008 the EU had not still decided whether to submit the Spanish case to the Luxemburg European Court of Justice.

⁷⁸ Soledad Arnau and Eva Gil mainly addressed the situation of disabled women in a truly intersectional analysis, taking into account gender, age, disabilities and class.

making process (for an illustration of these implications of Europeanization in the case of gender policy transfers, see: Forest, 2006). Since regional institutions are developing their own policy instruments for tackling discriminations, making direct and explicit references to the EU legal order⁷⁹, Spain perfectly fits with the “emerging picture of a polity with multiple, interlocked arenas for political contest” (Hooghe, 1995), thus illustrating that Europeanization does not only imply national governments, but also sub-national entities.

Generally speaking, taking into account the claims from the EC, it is easy to conclude that the political will to pass the future ‘Equality Treatment Law’ has a lot to do with this need to comply with European legislation. In any case, the new Ministry of Equality has since adapted to the new political directions, now taking into account other grounds of discrimination beyond gender. In fact, the Secretary General of Equality Policies points to the active participation of Spain in regards to the recent proposal of a new and more ample Council Directive on implementing the principle of Equal Treatment between persons irrespective of religion or belief, disability, age and sexual orientation {SEC 82008} 2180} and {SEC 82008} 2181} (Bustelo, 2009 forthcoming)⁸⁰.

6.2 Changes in general legislation and machineries⁸¹

Establishing a Ministry of Equality: a step towards institutionalising intersectionality?

However, the changes that occurred during Rodriguez Zapatero’s renewed government after the March 9th 2008 elections are the key to analysing what could be seen as the very first signs of the Spanish government’s institutionalising of intersectionality. In 2008, the government has established a Ministry of Equality, to which the General Secretary and the Women’s Institute were consecutively assigned. Although this Ministry was clearly identified with gender policies and ‘women’s machinery’, the first sign of the inclusion of other inequalities appeared when the Youth Institute was also moved into the Ministry. The dramatic effect of appointing Bibiana Aido as Minister – the youngest woman ever (31) to serve in Spanish government and someone not especially known as a gender equality policymaker or even a recognised member of the feminist movement – might help to question the idea that ‘equality policies’ refers exclusively to gender equality.

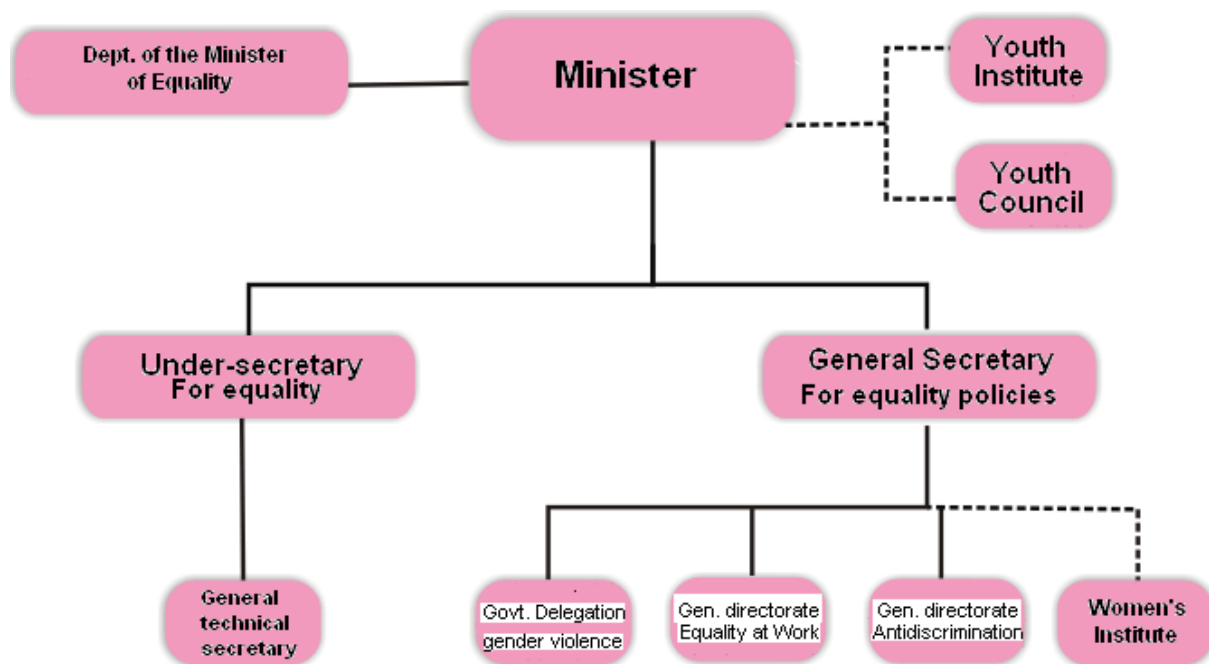
This Ministry of Equality has been divided into two sections (see: fig. 1): the Equality Policies General Secretary, which is subdivided into the *Delegación del Gobierno para la Violencia de Género* (Government Delegation for Gender Violence, which replaces the former Special Government Delegation against Women Violence), the Directorate General for Employment Equality, the Directorate General against Discrimination, the Women’s Institute, and the Women’s Participation Council; and the Equality Sub-secretary, home to the Youth Institute and the Youth Council.

⁷⁹ As in the case of the Basque equality law.

⁸⁰ Interview with Isabel Martínez 07.31.2008.

⁸¹ This section is based in part on Bustelo, M. (2009b, forthcoming) ‘Spain: A better performer in gender than in intersectionality’, *International Feminist Journal of Politics*, as part of a special issue on ‘Institutionalization of intersectionality’ edited by Johanna Kantola and Kévat Nousiainen.

Fig. 1 Structure of the Ministry for Equality (2008-2010)



In the first general decree for the general structure of the Ministries⁸² there was no sign of considering inequalities other than gender (except for the inclusion of the Youth Institute in the Ministry), and it was expressly written that the Directorate General against Discrimination was aimed at the development of policies that ‘fight *gender* discrimination’. However, almost three months later, in the decree in which the structure of the Ministry of Equality was expounded in detail (July 2008), the Directorate General against Discrimination was aimed at the:

(...) development of the transversal application of equal treatment and opportunities principle and to the elimination of all kinds of discrimination against people regarding *sex, racial or ethnic origin, religion or ideology, sexual orientation, age or any other condition* or personal or social circumstance⁸³

This Directorate General was more concretely aimed at research, coordinating with other governmental levels (both regional and local), designing coordinating and evaluating measures for promoting equal treatment and fighting discrimination, training personnel, awareness raising, and at promoting the creation of services for victims of discrimination. Among the ten functions assigned to this Directorate, there were two that were interesting to point out from our perspective: one aimed at the ‘preparation and proposal of normative measures and transposition and appliance of directives and other European and international legal instruments’, and another that specifically mentioned ‘religious freedom’ and ‘discrimination regarding racial, ethnic or national origin’. No other discrimination or inequality

⁸² Royal Decree 438/2008, April 14th, for the approval of the basic organic structure for the ministries’ departments. BOE n.92, April 16th 2008 (p. 20010-20017).

⁸³ Royal Decree 1135/2008, July 4th, for the development of the basic organic structure for the Ministry of Equality. BOE n.165, July 9th 2008 (p. 30002-30007).

axis was mentioned on its own, which denoted a specific political will for recognising immigration as an important public issue in Spain. The specific mention of European legislation compliance and directive transposition, on the other hand, is a clear sign of the EU influence in these anti-discrimination policies.

Nevertheless, apart from the Directorate General against Discrimination and the Youth Institute and Council, the Ministry structure was exclusively devoted to gender (in)equality. The Government Delegation for Gender Violence and the Directorate General for Employment Equality⁸⁴ were both designed and devoted to an idea of gender equality or equality between women and men. In fact, the way to resolve this tendency is the specific function that was given to the Ministry of Equality in the July Decree:

‘The Ministry of Equality is the department of the General National Administration to which it corresponds the proposal and execution of governmental policies in regards of equality, elimination of all kinds of discrimination against people regarding *sex, racial or ethnic origin, religion or ideology, sexual orientation, age or any other condition* or personal or social circumstance, eradication of gender violence, as well as youth. In particular, it is entitled to the elaboration and development of norms, activities and measures aimed to assure treatment and opportunities equality, *especially between women and men, and the promotion of social and political participation of women.*’ (emphasis added)⁸⁵.

The abolition of the Ministry in October, 2010, as part of a policy of austerity and budget cuts carried out by the 3rd Zapatero’s cabinet has left incipient antidiscrimination policies in Spain without an appropriate institutional framework. This unexpected development sheds light on the high degree of uncertainty that still prevails in the making of anti-discrimination policies in Spain, although it also affects the future of Gender equality as a political priority.

The Equal treatment Law

A new expert working group had been created under the Ministry of Equality to elaborate a proposal for the new ‘Equality Treatment Law’. According to the Secretary General of Equality Policies, they were thinking about a tight timeframe for this law proposal; their aim was to present a report to the Council of Ministries by the end of 2008. The proposal was to be presented to the Parliament by the end of the first semester of 2009, since they wanted to open it to social actors for consultation first. Yet, due to the dramatic changes introduced in the priorities of the government in the aftermath of the 2009 financial crisis that strongly affected Spain’s economy, this process has been delayed, and the bill will not be debated in Parliament and eventually approved until the end of 2010.

⁸⁴ This Directorate General is aimed at ‘the promotion, impulse and participation in the design of public policies entitled to improve *women’s* employability and permanence in employment, fostering their training level and their adaptability to labour market requirements’ (Royal Decree 1135/2008).

⁸⁵ Royal Decree 1135/2008, p. 30003.

This working group was created in May-June 2008 and integrates experts on Spanish Constitutional legislation, feminists and experts on the different grounds of discrimination contemplated (age, belief or religion, disability, racial or ethnic origin, and sexual orientation) who in some cases are also representatives of affected groups. In this initial phase, the working group will remain aware and cautious about the competition that might occur among the different groups representing the different inequality grounds. Although not yet discussed in depth, the idea is to create a common body through this new law that would deal with the protection and services for the five inequalities contemplated in the initial law proposal (as I will elaborate in the following section, inequality based on the grounds of gender is not in principle thought to be included, as 'this inequality already has its much more advanced own legislation and bodies'⁸⁶). For the Secretary General, gender inequality and the inclusion of the gender perspective must be present and cross all the other inequality grounds.

This law proposal and the working group within the Ministry of Equality are clearly related to the EU. They claim that in this first phase they are studying the European normative framework, and the EU and individual European countries (Sweden in particular) are very clearly a reference in their research. Interestingly enough, we did not find the same trend in the analysis of the Spanish gender equality policies during the period of 1996-2006, when references to Europe were scarce, especially in comparison to other European countries such as Greece or Eastern European countries (Bustelo & Lombardo, 2007; Verloo, 2007).

As for the background and the philosophy behind this law proposal, are they talking about anti-discrimination, equality policies or equality mainstreaming? On the one hand, the European influence is strong and the framework the EU is imposing has more to do with the concept of (anti)discrimination than with more complex political action dealing with equality promotion or mainstreaming. Indeed, the term that tends to be used more often is discrimination, and not (in)equality. The proposal in this preliminary stage also includes the idea of creating an independent body that performs services for discriminated people. However, the Secretary General claims that they want to be ambitious with the future Equal Treatment Law: 'we want to make a pro-active law in the promotion of rights and in the prevention of discriminatory crimes'⁸⁷.

Conclusions

Spain: a pioneer in equality policies, a late-comer in intersectionality

As suggested in this report, Spain has been slowly moving from a 'Unitary Approach', in which gender inequality has supremacy, to a 'Multiple Approach'. If gender has long been prioritised over other grounds of discrimination, this can be partly attributed to the path-dependent features of Spanish equality policies, such as the creation of the Women's Institute as early as 1983, the leading role assumed by women insiders in the left-wing parties or the rich but fragmented landscape of the Spanish feminist and LGBT movements,

⁸⁶ Interview with Isabel Martínez (07.31.2008).

⁸⁷ Interview with Isabel Martínez (07.31.2008).

as detailed in the different sections of this report. Some policy areas, such as non-employment, showed especially favourable to a very general definition of “women” as subjects of political intervention, which implicitly refers to working, heterosexual, non-migrant mothers, thus leaving no space for addressing women’s diversity. This is also the result of political contention, since such a general definition has been produced through parliamentary debates and governmental practices. In that sense, the rather surprising continuity of Spanish gender equality policies, beyond political changes at the governmental level, was made possible at the expense of thorough attention to intersecting inequalities.

This situation is also reflected in the dominant framings of each of the issues considered in this report, as explored in section 3. Adding the evidence of the range of meanings given to the very concept of equality and the pervasiveness of norms such as heterosexual couples or working mothers, these framings partly originate in a separate framing of different inequalities, thus contributing to their reproduction. Therefore, it is not surprising that intersectionality is seldom addressed in the sample of documents analysed in previous QUING reports, be it ‘inarticulate’, or ‘additive’ (double or multiple approach). Nevertheless, these documents do include a number of inequality axes, such as age, class or, more recently, ethnicity and migrant status. Appearing in different types of documents (policy documents, civil society texts, parliamentary debates), these occurrences call for a more careful analysis of policy developments that are currently taking place.

Such an analysis can draw upon the increasing, albeit still incipient, interest for multiple discrimination expressed in both academic and “grey” literature in Spain. A literature which is drawing attention to phenomena such as the institutionalization processes in antidiscrimination policies, and their possible consequences on the promotion of intersectional analysis in Spain. If still scarce, a growing literature is also paying attention to the contribution of civil society actors to the promotion of a multiple approach and a better accounting of the diversity of life experience or social circumstances. Simultaneously, it questions the attitude of women’s NGOs or other actors fighting against specific strands of discrimination, to suggest a move towards embracing the opportunity of an intersectional approach. As in Spain, a great part of the interest for intersectionality as a systematized concept is flourishing within EU research programmes or literature with a comparative dimension, this indirectly draws attention to the role of the EU in the promotion of intersectionality. The impact of the EU enlightens the most recent shifts that are taking place in Spain in the making of anti-discrimination policies, which can be mainly described as a result of the European discourse and EU legislation.

We also intended to pay attention to the multi-level dimension of the Spanish governance system. In fact, on many occasions and for several issues addressed in this report, the regional level was relevant for understanding the shift in the direction to a multiple discrimination approach, since it has been delegated extended competences in social and cohesion policies areas. The role of sub-national entities in the making of anti-discrimination policies including gender and other strands of inequalities must be addressed in at least two ways: as a level of policy making, through the approval of regional equality laws with their own logic, arguments, implementation instruments and references to the EU legal and policy frameworks; then as sub-national polities, with their own political and civil society actors. This

double dimension of the contribution of the regional level to the making of anti-discrimination policies is probably one of the main challenges faced by studies dedicated to intersectionality in the Spanish context. Another major challenge lies in the increasing importance given to ethnicity and the migrant/national cleavage in Spanish public debate, emerging at the end of a decade that witnessed spectacular changes in the demographic structure of Spanish population, thus providing unprecedented grounds for discrimination.

Until recently, other inequalities, such as disability, racial or ethnic origin and sexual orientation were tackled at a different pace and with a different scope, and separated into 'monofocused' or single-ground policies. This makes the recent changes introduced into the legal order and the structure of equality machineries even more salient. However, an 'Intersectional Approach' is still quite far away from the Spanish public policy reality. Furthermore, the steps taken towards a multiple approach detailed in the present report could be jeopardized by the abolition in October 2010 of the Ministry of Equality, established only two years before.

Discussing possible resistances to intersectionality in Spain

The European 'Multiple' approach, on the one hand, might eventually promote an intersectional debate, but at the same time, it creates resistances which generate a defensive and somehow blind attitude towards 'real' intersectionality; that is, analysing and integrating the interactions between different inequality grounds, instead of simply 'adding' double and triple discriminations. Mainly, there are two problems related to this 'European multiple approach' (Verloo, 2006) which we believe are unfortunately being reproduced in the Spanish case so far. First, it promotes a clear competition among inequality grounds. Second, the main approach seems to be a plain 'anti-discrimination' one, which tends to 'forget' both the developments gained through gender policies that analysed 'structural inequality' in need of being comprehensively tackled, as well as the developments of the mainstreaming strategy.

On the one hand, we have witnessed how Spanish Equality Policies are increasingly paying attention to diversity beyond gender. There is a genuine interest in the Ministry of Equality and around other regional equality bodies⁸⁸ not only in a multiple diversity approach, but also in the intersectionality approach. The debate, however, is in a very initial stage and it is not elaborated in depth.

But, on the other hand, this European multiple anti-discrimination approach to diversity is somehow also being used to water down some of the achievements of European gender equality policies from the 1990s and early 2000s (Stratigaki, 2008). Thus, we can expect some resistance, especially from the feminist movement, academia and policymakers. Along with the genuine interest in the concept of intersectionality and the recognition of the need to jointly tackle other inequalities, defensive arguments – such as

⁸⁸ Interviews with Marta Selva, Director of the Catalan Women's Institute (Barcelona, 06.18.2008) and Micaela Navarro, Andalusian Ministry of Equality and Social Affairs (Sevilla, 07.14.2008).

'We women are not a category or a group, all the others are' or 'We are the most numerous, structural and important inequality' – are not difficult to find.

The expert working group for the new equal treatment law proposal is a good indicator of this tension. While it had been proposed by the Ministry of Equality, which was mainly conceived as a women-gender-related entity, its approach can be described as one of: 'we already have very good legislation and structures for gender; now, other actors claim we should do the same for other inequality grounds'⁸⁹. Besides the genuine interest in other inequalities affecting or being affected by gender, and the fact that the first actors putting this diversity perspective on the agenda have mainly been feminists and femocrats, already gained territories will need to be defended. In the Spanish case, the way to 'mark differences' between gender and the other inequality grounds has been to leave out gender as the sixth inequality ground to be tackled by the law. This, along with the 'assumed mainstreaming' idea that gender – and not the others – should 'cross' the overall law proposal, helps to maintain the 'gender supremacy'.

At this point, it is hard to tell whether the abolition of the Ministry of Equality, after only two years of existence, will undermine the institutionalization of a multiple approach in Spain. While it is clear that this constitutes a strong setback in the institutionalization of Gender equality as a policy priority held at the highest governmental level, it remains that the adoption of the Equal treatment law, due to be passed by the end of 2010 brings new promises in terms of institutionalization, in the form of establishing a State authority to fight against discrimination grounded in one or several of the strands mentioned in Art. 13 of the Amsterdam Treaty. As a consequence of this new situation, what seems to be at stake is the likelihood of gender retaining its primacy over other inequality grounds in the making of future Spanish anti-discrimination policies.

References

- ACAI (Asociación de las clínicas acreditadas por a interrupción del embarazo), 2006. "Estudio sobre aborto, anticoncepción y otros aspectos de la salud reproductiva en mujeres inmigrantes". En *Boletín de salud sexual reproductiva*, Nº 0. Madrid, noviembre 2006.
- Adcock, R.; Collier, D., 2001. "Connecting ideas with facts: The validity of measurement", *American Political Science Review* 95(3), pp. 529-546.
- Arnau Ripollés, M^a. S.; Gil García, E. M^a., 2007. "Aportaciones a la Ley de la "Independencia" desde una perspectiva de género". Access: http://www.minusval2000.com/relaciones/vidaIndependiente/pdf/aportaciones_ley_independencia_soledad_arnau.pdf

⁸⁹ Interview with Isabel Martínez (07.31.2008).

- Balme, R. ; Chabanet, D. ; Wright, V. (eds.), 2002. *L'Action collective en Europe*, Paris, Presses de Science Po
- Bustelo, 2009. "Spain: A better performer in gender than in intersectionality?" *International Feminist Journal of Politics*, 11:4, special issue edited by Johanna Kantola and Këvat Nousiainen
- Bustelo, M. and Lombardo, E. 2007. *Las políticas de igualdad en España y en Europa*. Madrid: Cátedra.
- Bustelo, M. and Orbals, C. 2007. 'The Evolution of Spanish State Feminism. A Fragmented Landscape' in Outshoorn, J. and Kantola, J. (eds.). *Changing State Feminism*, pp. 201-223. Basingstoke, Palgrave/Macmillan.
- Caporaso, J. ; Jupille, J. , 2001. "The Europeanization of Gender Equality Policy and Domestic Structural Change" in Green Cowles, M. ; Caporaso, J. ; Risse, T. (eds) : *Transforming Europe: Europeanization and Domestic Change*, pp. 21-43.
- Carmona, Pedro, 2005. "Olvidos", in *Diagonal*, 38.
- Crenshaw, K., 1989. Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, *Feminist Theory and Antiracist Politics*, Chicago: University of Chicago Legal forum, pp. 139–167.
- Crenshaw, K., 1991. "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color," *Stanford Law Review* 43, 1241-1299.
- Dolowitz, D. ; Marsh, D. , 1996. "Who Learns What From Whom ? A Review of the Policy Transfer Literature", *Political Studies*, Vol. 14, n°2, pp. 343-357.
- Forest, 2006. "Emerging Gender Interest Groups in the EU new member States: the Case of the Czech Republic", *Perspectives on European Politics and Society*, 7 (2), pp. 170-185
- Gracia Ibañez, J. ; Gascón Sorribas, E., 2004. "La problemática específica de las mujeres inmigrantes en procesos de violencia familiar de género", *Unpublished working paper*, Universidad de Zaragoza
- Haas, P., 1992. "Introduction: Epistemic Communities and International Policy Co-ordination", *International Organisation*, Vol. 46, n°1, pp. 1-35.
- Hall, Peter A. : « Policy Paradigms, Social Learning, and the State: The Case of Economic Policy-Making in Britain », *Comparative Politics*, Vol. 25, n°3, 1993, p. 275-298.

- Hancock, A.-M. 2007. "When Multiplication Doesn't Equal Quick Addition: Examining Intersectionality as a Research Paradigm", *Perspectives on Politics* 5 (1), 63-79.
- Hooghe, L., (ed.), 1996. *Cohesion Policy and European Integration: Building Multilevel Governance*, Oxford, Oxford University Press.
- Kantola and Nousiainen 2009. Special issue of the *International Feminist Journal of Politics*, forthcoming.
- Lombardo, E., 2004. *La europeización de la política española de igualdad de género*. Valencia, Tirant Lo Blanch.
- López, S. et al. 2008. 'Series of LARG Country reports. Spain: General gender equality policies and Gender-based violence'. Quing project report. Vienna: IWM.
- Mazey, S. 2002. "L'Union européenne et les droits des femmes : de l'eupéanisation des agendas nationaux à la nationalisation d'un agenda européen ? ", in Balme, R. ; Chabanet, D. ; Wright, V. (eds.). *L'Action collective en Europe*, Paris, Presses de Science Po, pp. 405-432.
- Mazur, A., 2002. *Theorizing Feminist Policy*, New-York, Oxford University Press.
- Ortbals, C., 2008. "Subnacional Politics in Spain: New Avenues for Feminist Policymaking and Activism", *Politics and Gender*, 4, pp. 93-119
- Osborne, Raquel (2006): "Entre el rosa y el violeta. Lesbianismo, feminismo y movimiento gay: relato de unos amores difíciles", in *Labrys, études féministes/ estudios feministas*. Accessible online: http://www.unb.br/ih/his/gefem/labrys10/espanha/raquel.htm#_ftnref1.
- Pineda, Empar (2008). *Mi pequeña historia del lesbianismo organizado en el movimiento Feminista. En Lesbianas: discursos y representaciones*, Raquel Platero (coord.). Barcelona: Melusina.173-190.
- Platero, R. 2007a. "Intersecting gender and sexual orientation. An analysis of sexuality and citizenship in gender equality policies in Spain. 'Contesting Citizenship: Comparative Analyses", *Critical Review of International Social and Political Philosophy, CRISPP* 10 (4): 575–597.

- Platero, R. 2007b. "The limits of equality: the intersectionality of gender and sexuality in Spanish policy making", *Kvinder, Køn & Forskning* (1): 33-49.
- Platero, R. 2008. "Outstanding challenges in a post-equality era: The same-sex marriage and gender equality laws in Spain". In *International Journal of Iberian Studies*, 21 (1): 41-49.
- Platero, R. et al. 2008. "Series of LARG Country reports. Spain: Intimate Citizenship" Quing project report. Vienna, IWM.
- Platero, Raquel (2006). "¿Invisibiliza el matrimonio homosexual a las lesbianas?". In *Orientaciones: 10*. Madrid, Fundación Triángulo. 103-120.
- Platero, Raquel (coord) (2008). *Lesbianas. Discursos y representaciones*. Barcelona: Melusina.
- Radaelli, C. 2004. "Europeanisation: solution or problem?", *European Integration online Papers* (EIoP) Vol. 8, nº16, <http://eiop.or.at/eiop/texte/2004-016a.htm>
- Richardson, J. (1982), *Policy styles in Western Europe*, London: George Allen & Unwin
- Schmitter, P., 1998. "Contemporary Democratization: The Prospects for Women", in Jaquette, J. ; Wolchik, S. (eds.), *Women and Democracy, : Latin America and Central and Eastern Europe*, Baltimore, John Hopkins University Press
- Stratigaki, M. 2008. 'La politique du recul. De l'intégration de l'égalité'des sexes' à l'intégration de l'égalité 'pour tous', *Cahiers du Genre*, 44: 49-72.
- Unión General de Trabajadores, 2001. *Mujeres inmigrantes, Factores de Exclusión e Inserción en una sociedad multiétnica*, <http://www.ugt.es/inmigracion/mujerinmi.html>
- Valiente, C. 1995. "The Power of Persuasion. The *Instituto de la Mujer* in Spain". *Comparative State Feminism*, pp. 221-236. In D. McBride Stetson and A. Mazur. Thousand Oaks, Sage
- Valiente, C., 2007. "Las mujeres de la España actual: sociedad, economía y política", *Cuadernos de Información económica*, nº198, pp. 143-150.

- Verloo, M. 2006. "Multiple Inequalities, Intersectionality and the European Union", *European Journal of Women's Studies*, 13 (3), 211-28.
- Verloo, M. 2007. "Contested Gender Equality and Policy Variety in Europe: Introducing a Critical Frame Analysis Approach", in Verloo, M. (ed.), *Multiple Meanings of Gender Equality*, Budapest, Central European University Press, pp. 21-50.
- Vicéns, José et al. 2006. *El impacto de la inmigración femenina en la economía española*, Madrid, Universita Autónoma, Instituto de la mujer.
- Vidarte, Paco, 2005." 'Divorcio' y matrimonio gay". In *Diagonal*, 38.
- VVAA, 2008. "Acceso al aborto en el Estado Español. Un mapa de inequidades". Grupo de interés español en población, desarrollo y salud reproductiva. Asociación de clínicas acreditadas para la interrupción del embarazo.
- Woodward, A. 2004. "Building velvet triangles: Gender and Informal Governance". In Thomas Christiansen y Simona Piattoni (eds.). *Informal Governance in the European Unions*, Cheltenham, Edward Elgar.