

The Evolution of Policy Discourses and Policy Instruments within the Spanish State Feminism. A Unified or Fragmented Landscape?

María Bustelo

Associate Professor/Project Manager MAGEEQ project

Dept. of Political Science and Public Administration

Complutense University at Madrid

mbustelo@cps.ucm.es

Elin Peterson

Junior researcher of the MAGEEQ project (www.mageeq.net)

Complutense University at Madrid

elinmageeq@yahoo.com

Paper to be presented at the Workshop “State Feminism and Women's Movements: Assessing change of the last decade in Europe” (Joyce Outshoorn and Johanna Kantola, co-ordinators)
ECPR Workshops. Granada (Spain). April 2005

First draft. Please do not quote without permission

0. Introduction

State Feminism has been developed in Spain in a quick and steady manner since the end of 1983, when the Woman's Institute (*Instituto de la Mujer*, IM) was created at the national level. This Spanish State Feminism has developed not only at the national level but especially at the regional and the local level, following a decentralisation process parallel to the development of an original quasi-federal state model (Bustelo, 1998). During the 90's the seventeen Spanish Autonomous Regions (*Comunidades Autónomas*) have all followed the same intervention patron as the National IM, using gender equality plans –a set of initiatives to be followed horizontally by the different governmental departments and institutions-. However, they have developed different and specific policy frames, discourses, ways of intervention and dealing with women's movements. These differences are related to territory, to different developments of the regional political systems and institutions –especially regional women's machineries-, to different political parties in the regions, and so on. Although some similarities can be found, related mainly to the influence of the European Union and UN Beijing Conference Platform policy discourse, a variety of gender policies might be found in Spain at this moment and Spanish State Feminism is somehow fragmented.

Also, gender mainstreaming has strongly influenced policy discourses and there are signs that show that the strategy may be influencing and changing the intervention patron of using general gender equality plans as the main policy instrument of Spanish gender policies. These signs consist in approving equality laws, developing other specific plans different from the general ones –like plans against gender violence, or women's employment plans- and, even, changing the intervention model, as in *Andalucía* where a Gender equality Unit has been created in the Andalusian Woman's Institute instead of approving a new general equality plan. However, these changes have not been carefully assessed. Moreover, analysing how equality public policies have been evaluated in Spain, we can state that there has been a clear tendency for 1) evaluating the concrete actions of a plan and not the plans as a whole and, 2) for evaluating the plans implementation and results but not the adequacy and consistency of their designs (Bustelo, 2003).

The aim of this paper is twofold. First, it aims to analyse the different policy discourses that have evolved in the last ten years and can be found in Spain in different regions, taking as illustrative cases the regions of the Basque Country and Madrid. For that, we will use the MAGEEQ methodology for analysing policy frames and discourses and part of the empirical data that have been already gathered by the Spanish team regarding the issues of family policy, politics and domestic violence¹ in relation to gender inequality. Secondly, we will analyse the different policy instruments that are being used in Andalusia –Gender Equality Unit-, Basque Country –Positive Action Plans and a new Equality Law- and Madrid –a combination of general equality plans and specific plans, such as a plan against domestic violence-, and the rationales for using those different instruments. For that purpose, we have analysed official documents and policy-makers discourses as reflected in some personal interviews.

For that, we present first a general overview of the State Feminism in Spain at the national and regional level. Secondly, we discuss the differences of policy discourses

¹ We here use the concepts used in the MAGEEQ project, aware of the fact that the term domestic violence has been disputed in Spain to the point that gender violence has become a more accepted term. Also, within family policies we have focused on reconciliation policies.

among regions. Thirdly, we compare different policy instruments used in Spain at this moment, giving special attention to the equality laws, which are starting to be approved and, finally we make some conclusions about the evolution of policy discourses and policy instruments within the Spanish State Feminism.

1. An overview of Spanish State Feminism at the national and regional level

The creation of the national agency, *Instituto de la Mujer* (Woman's Institute), in 1983, is **the starting point for state feminism and for gender equality public policies in Spain** (Gil, 96), and **an important "tool" in women's policy-making** (Valiente, 95). From the moment of the Institute's creation, gender equality public policies -and the institutional frameworks around them- have developed very quickly in Spain. As Celia Valiente (Valiente, 95) has pointed out, the starting point for state feminism arrived approximately ten years later in Spain than in other Western countries. Nevertheless, the *Instituto de la Mujer* (IM) was comparable in 1994 -ten years after its creation- to similar institutions in other advanced industrial democracies in terms of goals, budget, and human resources.

The 17 Spanish Regional Governments (*Comunidades Autónomas*) followed the national model, and also developed equality plans of their own. These plans are developed by "women" specific agencies, though they are supposed to also involve other departments in the regional public administrations. Some of these regional agencies are now developing their own fourth plans (see table below). After twenty years, these plans are still the main instruments in the articulation of equality public policies in Spain, although other kinds of policy instruments are starting to appear also, as we will see later in this paper.

The gender equality plans consist in a set of aims, objectives and actions to be taken in a concrete period of time (from two to five years) by the different governmental Departments involved in each action. These plans coordinated by the equality organism or women's agency usually also involve, at least formally, other governmental levels and non-governmental organizations. These plans, although approved by the Cabinet, can be considered as "soft" legislation and depend in a great deal upon the femocrat's power of persuasion.

Regarding the institutional framework for gender equality policies, the development in Spain of specific equality agencies or "women's agencies" at the regional level started in the late 80's, that is, approximately five years after the national agency, *Instituto de la Mujer* (IM) was created in the end of 1983. As it has been pointed out before (Valiente, 96, Martínez, 97) the national agency (IM) represented a model in the regional institutionalisation of specific governmental agencies. This later arrival has to do mainly with the pace of the development of the State model -a quasi-federal one- in Spain (*Estado de las Autonomías*), which has been shaped in these last 25 years. The seventeen Autonomous Regions (*Comunidades Autónomas*), which are regions and nationalities with administrative and political autonomy, were created from 1979 (*País Vasco* and *Cataluña*) to 1983 (the last four were *Extremadura*, *Baleares*, *Madrid* and *Castilla-León*). In all the creation laws (*Estatutos*) general equality rights and powers related to "woman's promotion" were established. The Autonomous Regions institutionalised these powers through different organizational forms. All of them are Spanish femocracies, which have been the main actors for regional gender equality public policies in Spain.

We have already analysed women's agencies in respect to two important organizational factors, which show their institutional strength: their type of agency and the department or governmental area where they are inserted (Bustelo, 1998). In this analysis, the best type of agency is supposed to be the "autonomous organisms" like the *institutos*, which have their own budget and are created by law (as opposed to the *direcciones generales*, which depend directly upon a governmental department and decisions). Also, the best governmental area is supposed to be the "presidency" area because, first, its area of competence spans across the other governmental areas and, second, it is closer to power so it gives femocrats a better position for persuading others (as opposed to, for example, the "social affairs" area, which leads to represent the (in)equality problem as mainly a marginal women's issue). There have been changes across these years at the regional level, mainly creating more "autonomous organisms", and moving them towards the presidency area. However, there have been some late changes the opposite direction: some regional governments have changed "women's agencies" from the presidency area to a "family and social affairs" Department (for example, *Castilla y León* ruled by the Conservative Party and *Aragón* ruled by the Socialist party), or to a specific Department of "Equality and Social Affairs", like in *Andalucía*². At the national level, an "Equality Policies General Secretariat" has been created above the equality organism (*Instituto de la Mujer*) and directly depends on the Ministry of Employment and Social Affairs. These recent changes and their impact on the gender policies institutional framework remain to be assessed.

The political context is also an important factor to take into account in our analysis. According to Valiente, the main factor for the creation of the *Instituto de la Mujer* in 1983 was that at that moment the Socialist Party was in government and some feminist socialist women fought for it (Valiente, 1995). Thus, up to the mid 90's national gender policies in Spain were identified with the Socialist Party. However, in 1996 the Conservative Party took office and, surprisingly enough, equality organisms and gender policies were also supported then by the new Cabinet. One key factor for that was the IV World Conference in Pekin and the European support and resources for gender policies. After eight years of conservative government, in March 2004 there has been an important political change at the national level in Spain. The new government, led by *Rodríguez Zapatero*, is expected to have an important impact on gender policies because there have already been some positive signs in this realm: a parity government, the creation of the "Equality Policies General Secretariat", the approval of the gender violence integral law, and so on. Also these changes will need to be assessed during the next years.

² According to the director of the Andalusian Woman's Institute, this is a positive change because not only the issue of gender equality has gained a superior category (a new Equality and Social Affairs "Ministry" or Department- *Consejería*- was created), but also the new Andalusian Ministry ("*Consejera*") on that Department is Micaela Navarro, the former equality secretary in the Socialist Party and a recognised feminist women who has always work in gender policies. The reason for adding the equality competencies to those of social affairs was to find an already created administrative structure in the regional government, which was close and friendly for women and gender interests. Precisely, according to Maribel Montaña, equality secretary in the Socialist Party now, one of the difficulties the national "Equality Policies General Secretariat" is facing is the creation of an *ex-novo* administrative structure. In her view, the Secretary General, Soledad Murillo, needs to devote a great deal of the energy to this task, not allowing her to concentrate full time on public action.

Table 1: SPANISH NATIONAL AND REGIONAL EQUALITY ORGANISMS. 2005

Level/Region	Type of Organization and date of creation	Party in Government	Governmental area	Equality Plans
National	<i>Instituto de la Mujer (1983)</i>	Socialist Party (2004)	Employment and Social Affairs	I Plan 1988-90 II Plan 1993-1996 III Plan 1997-2000 IV Plan 2003-2006
Andalucía	<i>Instituto Andaluz de la Mujer(1988). Andalusia Woman's Agency</i>	Socialist Party	Presidency Equality and Social Affairs (2004)	I Plan 1990-92 II Plan 1995-97 Equality & Gender Unit (2000)
Aragón	<i>Instituto Aragonés de la Mujer (1993) Aragón Woman's Agency</i>	Socialist Party	Presidency Social Affairs and Family (2003)	I Plan 1994-96 II Plan 1997-2000 III Plan 2001-2004
Asturias	<i>Secretaría Regional de la Mujer (1989) Dirección General de la Mujer (1993) Instituto Asturiano de la Mujer(1999)</i>	Socialist Party	Presidency (since 1999)	I Plan 1989-91 II Plan 1993-95 III Plan 1996-2000 IV Plan 2001-2005
Baleares	<i>Comisión Interdepartamental (1990) Instituto Balear de la Mujer (1999)</i>	Conservative Party	Presidency	I Plan 1991-93 II Plan 1996-99 III Plan 2002-2005
Canarias	<i>Instituto Canario de la Mujer (1994)</i>	<i>Coalición Canaria</i> in coalition	Employment and Social Affairs	I Plan 1995-96 II Plan 1997-2000 III Plan 2003-2006
Cantabria	<i>Agencia de Promoción de la Mujer (1986)* Dirección General de la Mujer (1997) Woman's Directorate General (D.G.)</i>	Conservative Party	Institutional Relations and European Affairs	I Plan 1991-93 II Plan 1998-2001
Castilla-La Mancha	<i>Dirección General de la Mujer(1990)* Woman's Directorate General Instituto de la Mujer de Castilla-La Mancha (2002)</i>	Socialist Party	Institutional Relations (presidency)	I Plan 1990-94 II Plan 1995-99 III Plan 2000-03
Castilla-León	<i>Secretaría Regional de la Mujer(1994) Dirección General de la Mujer e Igualdad de Oportunidades (1999) Woman's Directorate General and Equal Opportunities</i>	Conservative Party	Family and Equal Opportunities	I Plan 1994-96 II Plan 1997-2000 III Plan 2001-2005
Cataluña	<i>Comisión Interdepartamental de Promoción de la Mujer (1987) Institut Català de la Dona (1989) Cataluña Woman's Agency</i>	Socialist Party in coalition with two nationalistic –regional- parties	Presidency	I Plan 1989-92 II Plan 1994-96 III Plan 1998-2000 IV Plan 2001-2003 V Plan 2005-2007
Comunidad Valenciana	<i>Dirección General de la Mujer (1997) Woman's Directorate General (D.G.)</i>	Conservative Party	Social Welfare	I Plan 1989-91 II Plan 1997-2000 III Plan 2001-2004
Extremadura	<i>Dirección General de la Mujer (1991) Instituto de la Mujer de Extremadura (2001)</i>	Socialist Party	Culture	I Plan 1991 II Plan 2000-2003
Galicia	<i>Servicio Galego de Promoción da Igualdade del Home y la Muller (1991) Agency for the Promotion of Equality between Woman and Man</i>	Conservative Party	Family and ?	I Plan 1992-94 II Plan 1995-1997 III Plan 1998-2000 IV Plan 2002 - 05
La Rioja	<i>Dirección General de Bienestar Social (1988)* Dirección General de Familia y Acción Social (2003) Dirección General de Servicios Sociales</i>	Conservative Party	Youth, Family and Social Services	I Plan 1991- 95 II Plan Integral 96-99 III Plan Integral 01-04
Madrid	<i>Dirección General de la Mujer (1989) Woman's Directorate General (D.G.)</i>	Conservative Party	Employment and Woman	I Plan 1989-91 II Plan 1993-1996 III Plan 1997-2000 IV Plan 2001-2005
Murcia	<i>Dirección General de la Mujer (1991) Dirección General de Política Social y Familia (1995) Dirección General de Juventud, Mujer y Familia (1997) Instituto Murciano de la Mujer (2002)</i>	Conservative Party	Presidency (2002)	I Plan 1993-95 II Plan 1997-2000 III Plan 2004-2005
Navarra	<i>Subdirección General de la Mujer (1991) Instituto Navarro de la Mujer (1995)</i>	Conservative Party	Social Welfare, Sports and Youth	No plans
País Vasco	<i>Instituto Vasco de la Mujer – Emakunde (1988) Basque Woman's Agency</i>	PNV (<i>Partido Nacionalista Vasco</i>)	Presidency	I Plan 1991-94 II Plan 1995-98 III Plan 1999-2004

2. Disparities in policy discourses on gender (in)equality: A comparison between Madrid and the Basque Country

The interpretations of the concept gender equality are multiple and sometimes even contradictory. In this sense, gender equality policies can be related to a multitude of premises concerning the meaning of both *gender* and *equality*. In Spain, policy discourses on gender inequality are diverse and depend on regional political contexts and strategies. Considering that gender inequality has been framed quite differently in Madrid and the Basque Country we here use the comparison between the two regions in order to illustrate the disparities present in Spanish policy discourses. For this purpose we have analysed equality plans that originate from these regions.

This analysis of policy discourses in Madrid and the Basque Country has been developed within the methodological framework of the MAGEEQ research project (www.mageeq.net). The overarching aim of the MAGEEQ project is to study divergences in policy frames around gender equality in Europe. The underlying idea is that the framing of policy issues, and especially divergences in the framing of policy issues, contribute to problems regarding the formulation and implementation of gender equality policies. The assumption is that gender mainstreaming policies are highly affected by such divergences in policy discourses, given the multiplication of types and levels of actors involved in the policy-making process. Therefore, the MAGEEQ project intended to analyze the various frames on gender (in)equality to be found in a couple of policy fields in Europe. We have analyzed the frames in the subsequent policy fields: gender inequality in politics, family policies and domestic violence. Here we aim to illustrate regional differences in policy discourse on gender inequality by analyzing the disparities and inconsistencies in these policy areas.

For the purpose of analyzing policy discourses on gender equality a critical frame analysis was developed within the MAGEEQ project. A frame was defined as 'an organizing principle that transforms fragmentary or incidental information into a structured and meaningful policy problem, in which a solution is implicitly or explicitly enclosed' (Verloo 2004:6). Basic dimensions of a frame were identified; the *diagnosis* of the policy problem, the *prognosis* suggested to solve it, the *attribution of roles in both diagnosis and prognosis*, analyzing who caused the problem, who are considered problem-holders and target groups, and who are responsible for solving the problem. Additional dimensions identified were *balance*, analyzing the extent of balance between diagnosis and prognosis in a given frame, and *voice*, looking at the speaker expressing a given frame.

A general finding that goes for both the broad MAGEEQ results (Bustelo et al. 2004) and this comparative analysis between Madrid and the Basque Country is the great variation in the interpretation of gender equality. Sometimes the way gender equality is represented is even contradicted within the same policy document or by the same actor. This indicates that there is no consensual idea neither of the problem of gender inequality nor of how to solve it. There is a tendency to interpret gender inequality as a women's problem, assigning women as target group, whereas men are often made invisible in policy discourse. At the same time the solutions vary from "encouraging women" and supporting voluntary action by private entities to legislation and changing

gender roles through awareness-raising. We have found that there is often an unbalance between the diagnosis of the problem and the prognosis suggested to solve it. Sometimes the solution proposed even seems to reproduce the problem due to its assumptions in relation to gender and equality.

Disparities in framing gender inequality in family policies

The diagnosis of the problem of gender inequality in family policies differs between the regions Madrid and the Basque Country insofar as where the emphasis lies. The focus in the Madrid equality plan lies on the reconciliation of work and family life. The plan emphasizes that due to women's overload of domestic responsibilities their incorporation in the labour market has implied problems in their professional development. The labour related problems mentioned involve women's unemployment and the segregation of work across the sexes. The plan identifies persisting gender roles as the cause of the problems that women encounter as they combine work and family responsibilities. In the Basque Country equality plan reconciliation and women's participation in the labour force are not represented as main problems, rather, gender inequality and the lack of co-responsibility are the problems in focus. The plan notes that the causes are profoundly rooted in society and that the gender based structural inequalities legitimize the lack of co-responsibility between women and men. The structural inequalities imply that there is the resistance against changing gender roles. It also points out that gender inequality is an obstacle to democracy. In this discourse not only work and family life is related to reconciliation, but also personal life is attributed significance. The lack of co-responsibility affects women's situations in both private and public spheres. In the Madrid policy discourse the focus lies on the effects on women in the public sphere, in the labour market.

In the issue of family policies there is a striking difference between the two regions on how they conceptualize gender. In the Madrid policy discourse the dimension of intersectionality, structural inequalities that cut across gender, is absent and gender refers mainly to the social categories women and men. Since gender is not said to intersect with other categories women's interests and needs seem conceptualized as essentially fixed. Indeed, the plan claims to represent the interests of women in Madrid without identifying what these interests are. Norms that ascribe to women the role of caretakers and to men the role of breadwinners are identified as important mechanisms that reproduce the problem. However, these social roles are not linked to power relations and the text claims that both women and men are disadvantaged; women in the public sphere and men in the private. The plan suggests that women and men should be compensated for their shortcomings in private and public spheres.

Like the Madrid equality plan, the Basque Country policy discourse defines both women and men as problem-holders, but rather than ignoring power relations the latter focuses on gender inequality as the main problem. In the Basque plan as well as the Madrid plan focus on the social categories of women and men, but it makes explicit references to other structural inequalities as it emphasizes that some groups of women such as immigrants and lesbians are more likely to suffer violations of human rights. Rather than depicting women as a homogenous group with fixed interests and needs,

this plan makes room for multiple constructed identities and dynamic interests. The discourse emphasizes that women's interests and needs should not be conceptualized as *family needs*; such "confusion" in concepts is recurrent in family policies. In focusing on inequality between couples who live together and not just men and women, the plan implicitly opens up for alternative family forms including civil unions and homosexual couples. The Basque plan uses the word worker in feminine form, not only masculine as other policy documents on family policies tend to do in Spain. There is a special mention of boys and girls as agents of change in altering gender roles, which indicates that the Basque plan focuses more on the structural causes than the Madrid plan.

In the prognosis the two plans vary clearly insofar as goals and solutions proposed. While the Madrid plan foments voluntary action from private entities rather than imposing measures, the Basque Country plan emphasizes the importance of legislative measures. Also, whereas Madrid focuses on the goal of facilitating women's reconciliation the Basque plan emphasizes co-responsibility and women's empowerment.

In Madrid an instrument to improve reconciliation is found in the cooperation with private projects, with a focus on assisting socially responsible companies with subsidies. The plan argues that legislation is not the most adequate means to facilitate reconciliation and the main mechanism identified in the text as part of the solution is a change of mentality. A change of mentality will be achieved through sensitizing the public on reconciliation and egalitarian share of domestic work. This will automatically make paternity leaves more common. Yet, the plan takes no notice of the fact that men do not have individual rights to parental leave in Spain. According to the Basque plan co-responsibility is a primary goal, which will in turn improve the reconciliation of personal, professional and family life. The actions deemed as crucial stretches from legislation, inserting a gender perspective in policy making, awareness-raising, improving social services and flexibility of work, to tax reforms, economic support for care work and fighting the masculine norms within companies.

The Basque Country equality plan attributes a crucial role to men as target group and emphasizes the sharing of both domestic chores and care work. Men's involvement in care work is an issue that the Madrid plan avoids as it mainly refers to domestic work. The Basque plan also emphasizes that flexible work time is crucial so that both men and women can make work compatible to their personal lives. In the Madrid plan women constitute the main target group. In spite of the recognition that social change would have to directly implicate men, few actions are designed to involve men and only awareness raising actions.

Madrid's equality plan advocates a gender mainstreaming strategy. Nevertheless, in the Madrid policy discourse on the issue of family policies gender perspectives are absent. Rather than introducing a gender perspective in the mainstream of policy making, the discourse emphasizes that reconciliation should be a priority in policy making. In the Basque country the aim to introduce a gender perspective in policy making seem to go beyond the rhetoric level of gender mainstreaming since it does contemplate the situations of both women and men in relation to family policies and it pays attention to power relations between the sexes. Indeed, the plan does not one-sidedly focus on women, which is the tendency of the Madrid policy discourse. Also, the Basque

Country goes further than Madrid in describing the content of the strategy as it points out that supposedly neutral policies should be examined and positive action shall remain a complementary strategy.

Disparities in framing gender equality in politics

On a first view the problem of gender inequality in politics seems conceptualized in a quite similar way in Madrid and the Basque Country. Madrid defines the problem as women's under-representation in political decision-making. The Basque plan represents women's low participation and representation in decision-making as the problem. Women are still under-represented in the political area, in political parties, trade unions, and private enterprises. In both plans the diagnostic of the problem is poorly developed while only Madrid considers that the problem to a great extent has been overcome.

The diagnosis as outlined in the Madrid policy discourse lacks any conceptualization of causality and mechanism behind the under-representation of women in decision-making, and power relations are not questioned. Although the diagnosis is scarcely developed, the Basque plan ascribes the cause to structural gender inequalities. Interestingly the Basque plan points out that part of the problem is that men dominate in power positions. The Madrid plan only pays attention to women whereas men's domination and power is not mentioned.

In this issue the policy discourses lack the dimensions of intersectionality and women are represented as a homogeneous social category. The plans represent women as essentially 'different'. In a study on women's participation referred to in the Madrid plan women have been asked about their activities without distinction between leisure and cultural and political activities. This way the study concludes that women's participation is increasing. Although men's participation is never defined there seems to be disparities in the interpretation of women's and men's participation. While women's participation involves altruistic, cultural and leisure activities it does not seem likely that men's participation would be defined in the same way. The Basque plan views women's difference as an enriching component and an important point of departure for change. This is set in the context of a discourse on women and men as complementary, though men's 'difference' is not described. Women's difference is characterized by generally defined human features, which are supposed to be different from men's, and this bestows them a more human leadership style. So, women need to become aware of their situation, be empowered and reclaim power. The plan emphasizes that gender relations are power relations. Yet, there is no place for other structural inequalities such as class, ethnicity or sexuality in the essentialist definition of women present in both Madrid and the Basque Country.

Neither the Basque country nor Madrid makes men a target group in this issue. In Madrid the means to achieve greater participation is to encourage women to participate as candidates and politicians. In this perspective women are the problem holders and the target group, while the norm group, implicitly men, is not discussed. This solution does not suggest a re-organization of society. The plan does not take action directed towards a balanced representation but rather an increase of women's participation in existing male dominated structures.

The great importance attributed by the Basque plan to the strengthening the women's movement indicates that the femocrats want to connect with feminist groups and represent feminist demands. A slightly paternalistic tendency may be identified in both the Basque Country and Madrid in the good intentions to 'train' women's organizations in order to improve their level of efficiency in management and coordination. The Basque reference to women's empowerment among the policy goals reveals a shift towards equality defined as women's autonomy instead of the adaptation to the male norm or the protection of women's "special needs". Nevertheless, the target groups are primarily women, although de-gendered policy-makers, private actors and society are also pointed out.

In none of the plans we found that the measures to encourage women to participate were clearly complemented by changes from a top-down perspective such as changes in legislation. What is more, the Madrid policy discourse emphasizes that there are limits to legitimate state action in this issue. Some activities are said to be more appropriate for NGOs to work with and so the plan seems to consider some areas too "private" for state intervention. This argument seems contradictory in the sense that the matter of women's political participation is linked to citizenship.

When looking at the balance between diagnosis and prognosis both plans seem to contain inconsistencies. In the Madrid plan there is practically no diagnosis. In the prognosis suggested to solve the not-so-important problem the plan aims at introducing a gender perspective in policy-making and yet the plan itself lacks a gender lens. In the Basque plan the empowerment perspective is emphasized in both diagnosis and prognosis but in the end it seems to attribute the responsibility of transformation to women only. References to *men's roles* in this transformation are absent in spite of the fact that the diagnosis does pay attention to masculine domination and power. There also lies a friction in the emphasis on "feminine traits" as a tool for changing society, and the recognition of gender relations as power relations. Indeed, there are no requests for governmental actors or men to adopt the positive "feminine traits".

Disparities in framing gender inequality in domestic violence

On the issue of domestic violence Madrid has formulated a *Program of Action against domestic violence* as an annex to the equality plan. The Basque Country deals with domestic violence in both its equality plan and in a *Safety plan for women victims of domestic violence*.

Domestic violence is seen as a violation of human rights and both Madrid and the Basque Country refer to gender inequality as part of the problem, yet in a vague manner. Domestic violence is perceived as both caused by gender inequality and as causing gender inequality. Nevertheless, rather than further exploring the causes both regions promote more research on this matter.

In Madrid's program of action domestic violence is central but at the same time there is a reference to a wider definition of violence against women, including violence and abuse against women, sexual harassment and sexual exploitation. While the Basque equality plan situates domestic violence in a context of gender inequality, the Basque

Safety plan for women victims of domestic violence focuses, as the name indicates, on the problems that victims of violence encounter. The Safety plan draws attention to shortcomings in State responsibility as it notes that there is a double victimization when women are not sufficiently supported and protected by the legal system and public administrations.

The prognosis suggested to solve the problem of violence against women is quite similar in the two regions; nevertheless, the Basque plans are more concrete in describing goals and measures. Also, the Basque plans pay more attention to State responsibilities. In general, the solution is found in the social, legal and economic assistance to women victims of violence. Among the means to assist the victims appear shelters for battered women, fast trials, and training for victims and professionals. Madrid mentions supervising family meetings while the Basque plan focuses on social networks, protection of children and the struggle against impunity. Both regions propose measures to prevent domestic violence focusing mainly on fighting stereotypes, egalitarian education and awareness-raising campaigns.

The main target groups are women and the de-gendered society. Men's roles and constructions of masculinity are not implicitly questioned. In the Madrid discourse women are seen as the problem holders and the main target groups are women victims of violence, school children, society in general and professionals that deal with gender violence. Men are mostly mentioned as professionals of the media who should reject violence. In Madrid men are not specifically targeted more than for awareness-raising campaigns. In a similar way the Basque plan focuses on women victims of violence, society, and professionals and volunteers working with victims. As opposed to the Madrid program of action though, the Basque equality plan does include perpetrators as a target group since there are measures to complement legal punishment with psychological rehabilitation. Perpetrators however, are not explicitly said to be men.

In the issue of domestic violence structural inequalities that cut across gender are generally absent in the Madrid policy discourse. Indeed, immigrants are not mentioned in relation to men's violence against women, but they are addressed in relation to special measures to prevent genital mutilation. The Basque policy discourse identifies particularity vulnerable groups that should get special attention; women who are in the process of separation, disabled, immigrants, drug-addicts and alcoholics.

In general, the diagnosis of the problem is weakly developed in the plans and programs, as the focus falls mainly upon the prognosis and dealing with the consequences of violence. Insofar as the balance between diagnosis and prognosis, the wider definition of gender violence noted in the diagnosis of the Madrid plan is marginal since it does not have a correspondent part in the prognosis. Sexual harassment is not addressed at all and the measure to help victims of sexual exploitation is vaguely described. The Basque Safety plan is linked to the Equality Plan and its actions, and while aspects such as gender inequality and men's roles are addressed in the Equality Plan they are absent in the safety plan. The Basque equality plan is the only document that addresses perpetrators as a target group but it avoids explicitly referring to male perpetrators.

Reflecting on the disparities in policy discourses

After looking at the way gender inequality is represented in the issues of family policies, politics and domestic violence we can conclude that Madrid and the Basque Country differ in various aspects.

In general there is a remarkable difference between the two regions on how they conceptualize gender and inequality. While both regions represent gender dimensions with a focus on the social categories of women and men, but power relations are absent in the Madrid policy discourse while the Basque country does pay attention to power. In family policies this means that in the Basque discourse women are seen as discriminated against in both the labour market and in the family while, according to the Madrid discourse, men are disadvantaged rather than privileged in the private sphere. Gender inequality in politics is represented by the Basque plan as a problem of male domination in politics while the Madrid discourse attributes the problem to women emphasizing that women should be encouraged to participate the way men do, hence adapting the male norm.

In the Madrid policy discourse structural inequalities that cut across gender are almost entirely absent. This contributes to the impression that women's interests and needs are conceptualized as essentially fixed disregarding class, race, ethnicity, sexuality etc. In the Basque Country policy discourse there are explicit references to other structural inequalities that intersect with gender in two of the three issues; family policies and domestic violence. In family policies some attention is paid to the construction of gender roles as the plan mentions boys and girls as subject of change. The Basque plan refers explicitly to women workers since the word worker is used in feminine form, not only masculine.

The way gender is represented is not only linked to regional differences in framing gender equality but it also depends on the issue. The differences in conceptualizing gender and structural inequalities are most prominent when it comes to issues that are conceived as private, such as the sharing of care tasks within the family. In the illustrative examples presented here we have seen that Madrid focused mainly on women's reconciliation, and especially on women's participation in the labour market, avoiding the "private" issue of sharing in the family, while the Basque Country took co-responsibility between women and men as its focal point. It seems that the more inclusive perception of gender in family policies in the Basque country is replaced by an essentialist idea of women in the issue of politics. The emphasis here, in both Madrid and the Basque country, is on women's difference, meaning almost innate feminine characteristics. In domestic violence the problem is represented in a similar way in the two regions, with a focus on gender relations as power relations. Domestic violence has become a dominant issue within the gender equality discourse, which may explain why we can see a clear gender perspective in both Madrid and the Basque country. Gender inequality in politics is much less articulated which can be related to the fact that the debate has received low interest, and what is more, in the Madrid policy discourse the problem is regarded as almost overcome. The focus on women as problem holders and target groups is a general feature in the policy discourses. This occurs sometimes in spite of a previous emphasis on structural inequalities in the diagnosis. Men become an

equal target group only in the issue of family policies in the Basque Country equality plan.

It can be noted in the policy discourses that Madrid and the Basque Country differ in the way State responsibilities are conceptualized. In the Madrid policy discourse voluntary actions and private initiatives are emphasized rather than State responsibilities. The Basque Country policy discourse, on the contrary, stresses State responsibilities. Indeed, today the regions differ also in their instrument as we will see later on; the Basque Country has developed a gender equality law to guarantee equality whereas Madrid still has no such initiative.

It is not within the scope of this paper to explain the divergences in policy discourses but we would expect ideological differences to have an important influence as well as feminist positions. Since differences in formulating gender equality policies can be expected to have an impact on the way policies are implemented and thus on the results, further research is needed on this issue.

3. New Policy Instruments in the Spanish Scenario

As we have seen before, equality plans have been the main tool for articulating gender equality policies in Spain. They are a set of aims, objectives and actions, approved by the Cabinet (both at the national and regional level) to be carried out in a concrete period of time by the different governmental Departments involved in each action. The contents of equality plans are apparently quite homogeneous in regard to the “big areas”, which organize the different actions. They have been influenced by the national plans in the beginning (first regional plans) and by international and European programmes later on. The plans are not so similar regarding the number of actions included, the concretion of those actions and the relative importance for each set of actions. Nor are they that similar regarding the policy discourses, as we have already seen in the two illustrative cases of the Basque Country and Madrid.

Generally speaking, the “big areas” of equality plans have been: **legislation** in the first generation of plans (adaptation, dissemination and publicity), **education** (co-education programs, teachers training, stimulation and vigilance of non-discriminatory text-books, etc.), **health** (cancer prevention programs, menopause program, humanization of pregnancy and labour care, etc.), **social services** (programs for women in social exclusion situations, single-mothers, prostitution, etc.), **employment and work** (job market studies, job training, women enterprise’s promotion and support, collaboration with unions, etc.), **participation** (women’s movement promotion, support and consulting, etc.) and **cooperation** (some plans refer to national cooperation among national, regional and local governments, some to international cooperation and some to both). There are other areas dealing with **investigation** (university women studies groups’ promotion, grants for women studies, etc.), **culture** (women artist’s promotion, cultural activities for women, etc.) and **women’s public image** (promoting a women’s image adjusted to reality, controlling discriminatory publicity and commercials, etc.) that appear normally in Plans within another area or as an area of its own. Some other areas appeared in the latest plans: women and **environmental protection**, women and **urbanism**, **rural women** and, especially **violence** against women. This last area – gender or domestic violence- has been such a hot issue in Spain since the last 90’s, and

still is, , that it has led to specific plans at the national level and also in some regions. We will discuss this phenomenon later on in this paper.

As we have already stated (Bustelo, 1998) some intrinsic characteristics of the equality plans can be considered as strengths (they potentially may lead to consciousness, comprehensiveness, strategic vision, public commitment, co-ordination, participation and evaluation). Two other factors are also external strengths. On one hand, they are supported by international legislation and programs (UN Platform for Action and IV European Program for Action). On the other, they represent a reference framework to be emulated by other governments (especially the local governments).

The gender equality plans also have some weaknesses. The most important one is that equality plans rest on persuasion. Plan promoters -that is women's agencies-, impulse, rather than execute themselves, equality policies. Thus, femocrats have to convince or persuade other departments to assume their objectives. Furthermore, they do not have any power for sanctioning or punishing the non-fulfilment of those objectives or actions. In other words, we can consider them as “soft” public measures.

The other important weakness is related to a relative lack of the women’s movement participation, but this is a general characteristic of the Spanish State Feminism (Stetson and Mazur, 1995) and not only of plans as a concrete policy instrument. Even though in the plan elaboration processes, some women’s agencies have tried to involve other groups (in order to give legitimacy to those plans), gender equality plans are more oriented towards public powers. In other words, although the theoretical model may be based on shared participation, the practical model is not. Because it is so important for the persuasion strategy to establish alliances among public powers, Spanish femocrats seem to have been especially concentrated on obtaining participation and collaboration from their governmental colleagues and not from other women’s groups.

However, as we have already mentioned, other policy instruments have recently been introduced into the Spanish gender policies arena. Mainly, those instruments consist in “gender units”, which have substituted plans, as it is in the case of *Andalucía*, and equality laws. We will here analyse these two new instruments. We will also discuss the fact that in some regions, and also at the national level, some specific plans on gender violence have moved away from the general equality plans in the late 90,s.

Equality laws: special reference to the case of the Basque Country

Five regional equality laws have already been approved since 2002: *Navarra, Castilla y León, Valencia, Galicia and País Vasco*³. A draft of a national equality law is also under development at this moment. The most recent and complete is the Basque “Law for the Equality of Women and Men”. That is the reason why we have selected it as the illustrative case to discuss in this paper. As a matter of fact, differences between the five

³ The first law to be approved –in 2002- was the one from Navarra on the promotion of equal opportunities between women and men (*Ley Foral 33/2002, de 28 de noviembre, de fomento de la igualdad de oportunidades entre mujeres y hombres, del Parlamento de Navarra*). Two more laws were approved in 2003, the one in *Castilla y León* on equal opportunities between women and men (*Ley 1/2003, de 3 de marzo, de Igualdad de oportunidades entre mujeres y hombres en Castilla y León*), and the other in *Valencia*, for the Equality between women and men (*Ley 9/2003, de 2 de abril, para la igualdad entre mujeres y hombres, de la Comunidad Autónoma Valenciana*). In 2004, it was approved the Galician law for the Equality of women and men (*Ley 7/2004, de 16 de julio, gallega para la igualdad de mujeres y hombres*). Finally, the Basque law for the Equality of Women and men, has just been approved las February (*Ley 4/2005, de 18 de febrero, para la Igualdad de Mujeres y Hombres*).

regional equality laws already approved are quite striking; from the only two, very general, articles of the *Navarra* law to the well-defined principles, and well-organised five general titles, eighty-three articles and sixteen final dispositions of the Basque law. Indeed, we have found a very different use of the same policy instrument.

The Basque Law covers different areas and issues and it frames gender equality within the principle of equality between women and men and the expressed prohibition of any kind of sex discrimination. In the law's introduction the key role of the feminist movement in the progress towards equality is explicitly recognised, and the fact that sex discrimination intersects with other kinds of discriminations due to ethnicity, language, age, disability, wealth, sexual orientation, etc. Also, different from other mainstream gender policy texts, there is in this introduction an explicit appeal to men's co-responsibility in the domestic realm. The *preliminary Title* is devoted to eight **general principles**, which have to guide public actions: equal treatment, equal opportunities, respect for diversity and differences, a general integration of gender perspectives in all areas, positive action, sex roles and stereotypes, balanced representation, and coordination/collaboration. All principles are extensively defined, especially the first one, defining the terms direct and indirect discrimination as a part of this equal treatment principle. *Title I* is devoted to define the different **functions and competencies** of each administrative level –regional and local-, as well as to establish a basic **institutional organization**, the co-ordination mechanisms among institutions and the criteria for financing gender public policies in the Basque Country. This includes a description of equality organisms at the different administrative levels, and the creation of “Equality Units” in the different departments of the Basque government. In *Title II*, a set of **measures for integrating a gender perspective in Basque public administrations** is described. These are 1) Elaborating Gender Equality Plans in the regional and local levels, 2) Adequacy of studies and statistics, 3) Gender training for Basque civil servants, and 4) Measures for promoting equality in administrative norms and actions, including gender impact assessment, and positive discrimination in civil servant selection and promotion (in levels and areas with less than 40% of women representation), and a balanced representation in selection committees). *Title III* includes **measures for promoting equality in the following areas**: 1) socio-political participation (2 articles and 5 sub-articles), 2) culture and mass media (3 articles and 9 sub-articles), 3) education (6 articles and 10 sub-articles), 4) work (with a section in domestic work –2 articles- and another one in employment –7 articles and 13 sub-articles), 5) other basic social rights, with one article in health (4 sub-articles), one in social inclusion (4 sub-articles) and one in environment and housing (2 sub-articles), 6) Reconciliation of personal life, family and labour (3 articles and 10 sub-articles), 7) violence against women, with one section on research, prevention and training and a second one in assistance and protection to victims of sexual aggressions (13 articles and 22 sub-articles). The **creation of an independent organism for the defence of equality** (*Defensoría para la Igualdad de Mujeres y Hombres*) is considered in *Title IV*. This organism is carefully established –type, functions, organization and budget, working and reporting procedures- through a total of 13 articles and 33 sub-articles). Finally, *Title V* establishes the infringements and sanctions regime in case the law is broken.

Due to the fact that these laws have been recently approved, we have not analysed their policy discourses in the MAGEEQ project yet, but through this first content analysis done for this paper, we can already point out that there are big differences among the five laws, and especially between the Basque one and the other four. Curiously enough, in the four cases of *Navarra*, *Valencia*, *Castilla y León* and *Galicia* there are

governments ruled by the conservative party (*Partido Popular*). In the Basque country although the party in government (PNV, *Partido Nacionalista Vasco*) is considered in the Spanish political spectrum as a nationalistic conservative party, we can say that the “degree of conservatism” is not comparable from one to the other, especially regarding social public policies. Actually, we should state here that Basque regional gender policies in Spain can be considered as the most advanced and developed in the Spanish scenario, and this fact has to do with the leadership *Emkunde* (Basque Woman’s Institute) has played in Spanish gender policies, among other factors, because of the intelligent and steady direction of Txaro Arteaga since its creation in 1988.

Another important factor to take into account in the analysis of the equality laws is how long their period of preparation and elaboration lasted. A long period might be a sign of a greater participation of the different actors and stakeholders involved. This is obviously the case of the Basque law. Its elaboration and preparation period lasted for more than three years, including some periods for public consultation with civil society and the Basque Public Administration. The processes of elaboration of the other laws were shorter, in some cases just complying with the minimum for a process of a law approval.

At this point, it is interesting to discuss the rationale behind using a new and different policy instrument, such as the equality laws. From our point of view, using laws as a policy instrument allows a far more comprehensive public action regarding gender issues. One of the limitations of equality plans is that, through this policy instrument, gender policies tend to remain almost exclusively in the executive power. Laws permit gender public action to fully enter in the legislative and the judicial power (this last one through the sanctions that have to be imposed if the law is broken). We think this is a big step further in the case of Spanish gender policies.

Another clear limitation that has characterized Spanish state feminism until now is relying mainly on a persuasion strategy (Valiente, 1995). With the introduction of laws, it seems that a new window opportunity appears, at least formally, for turning that “power of persuasion” into a “power of sanction”. And this seems to be quite an important feature as well. As the PSOE equality secretary has said: “It is important to send a clear message to society. Until now we have been sending a message consisting in the idea that discrimination against women is bad and ugly, and we should fight against it. But now, with equality laws the message changes to the idea that discrimination against women is prohibited”⁴. In other words, we are dealing with a change from “soft” to “hard” measures and legislation.

However, the overall potential impact of introducing laws as a new policy instrument in promoting a more equal society depends on many other factors. The very first one is the ability of femocrats for negotiating those laws, and of course, the very content of the laws. In this sense, as we have already pointed out, there are big differences among the five Spanish laws, and we are quite sure their impact will be necessarily different. Moreover, as we will see later on, the approval of an equality law might be a good excuse for interrupting equality plans, as it has been in the case of *Galicia*. As in this concrete case, the law is written in quite general terms, renouncing to a more concrete plan, the change might not be interpreted as a step forward in gender policies, especially if we take into account that laws have a long run spectrum and plans a short one (they have a concrete time for fulfilling the aims they are supposed to accomplish).

⁴ Interview with Maribel Montaña (28/03/2005)

Equality laws are presented by some femocrats as a new step forward in gender public policies. As Txaro Arteaga, director of *Emakunde* (Basque Woman's Institute) and leader in approval process of the Basque equality law, has said "in the long way towards equality and in what we can consider as the evolutive process of gender policies, equality laws are necessarily the next step"⁵. She sees it as a process and, in her view, and especially for the feminists who decided to "enter" the State –that is, who decided to pursue feminist aims from the state becoming in that way femocrats-, this next step means a new conquer as it was the recognition and legitimation of the term "positive action"⁶. Her view of the evolution of gender policies as a process leads her to point out that probably in some years we would need other policy instruments, and that maybe equality laws are not going to be a definite solution for gender discrimination. In Matilde Fernández's words, a well-known feminist, socialist deputy and former minister of Social Affairs during the late 80's, laws have less probability of a backward movement⁷. In our view, socialist femocrats are nowadays far more conscious than before (they were in government from 1982-1996), and after eight years of conservative government at the national level (1996-2004), of the need for stronger and harder policy instruments. In this case, Matilde Fernández knows well this fact, as she is a deputy in the regional parliament of Madrid, a region ruled at this moment by the more conservative branch of *Partido Popular*, the conservative party.

The last factor to discuss regarding equality laws as a new policy instrument for gender policies and state feminism is their (in)compatibility with the former equality plans. Interestingly enough, the Basque law not only is supposed to be compatible with keeping on using plans, but the very law oblige regional and local powers to have equality plans on their own. Following Txaro Arteaga's discourse, plans are still necessary because they are the way for organizing and systematizing gender public actions, as well as assigning them a concrete timing. As a matter of fact, a law is always written with a long time perspective, and plans can be a good tool for giving a specific calendar to gender policies.

However not all the already approved Spanish equality laws are the same. *Navarra*,s law is a very short and general one and it is the only Spanish region that never had plans (they were about to do it in the late 90's, they had a completed draft of a first plan, by it was never approved by the regional cabinet). *Valencia*'s law has no mention either to equality plans, even though they have already had three plans (the last one from 2001 to 2004). *Castilla y León*'s, however, does mention equality plans and similarly as the Basque case, establishes –although not in obligation terms as the Basque Law does– equality plans for the regional and local levels (as well as for other public institutions). The Galician case is an interesting one: the law does not mention any plans except for the action regarding family policy, where the chapter or Title V is called "The Integral Plan for Family Support". When the director of the Galician equality organism was asked about the budget devoted to the law's implementation, she said that because they could "interrupt" the IV Plan when they approved the equality law, they were able to

⁵ Interview with Txaro Arteaga (21/03/2005)

⁶ Txaro Arteaga told as that in *Emakunde*, they had considered very important to legitimise the strategy and the term "positive action". Besides keeping the term in the very title of the Equality Plans (in the Basque Country are called "positive action plans") they decided to strategically prepare an important Conference in 1991, held by *Emakunde*, for that purpose.

⁷ Speech of Matilde Fernández at a Conference about Beijing + 10. Madrid, March 4-8th, 2005.

use the budget assigned to that plan⁸. As the Galician law is quite general and “soft”⁹, compared to the Basque one, we think laws might also remain in a symbolic realm, and if they are substituted for plans, they might even be an excuse to relax regarding concrete and specific actions.

The Equality and Gender Unit in Andalusia

In Andalusia the last general equality plan approved was the second one (1995-1997). Another two specific plans on gender violence were approved (1998-1999 and 2001-2004) and an Integral Network for the assistance of battered women was created. Also, the Andalusian Woman’s Institute (*Instituto Andaluz de la Mujer*) has other programs on employment (training, technical assistance for women’s enterprises, etc.), education (programs at schools, material development, etc.), health (information brochures, etc.), and a social program, which includes feminist training for women’s associations, a centre for socio-cultural activities of those associations in Seville and different information centres all over the region, and a summer leisure program for mono-parental women’s with children under 12 years old. But unlike the other Spanish Regions, they never approved a third general plan.

However, the Andalusian Woman’s Institute –IAM-, in co-operation with the Department of Finances in the Andalusian government –Directorate General of European Funds- created the Equality and Gender Unit in 2000. This unit is created to provide the Administration with a stable support structure to implement and consolidate Gender Mainstreaming in the region. The Equality and Gender Unit was set up to facilitate the integration of a gender perspective in systems of analysis, follow-up and evaluation of the plans and programmes developed by the Andalusian regional government (*Junta de Andalucía*) during the programming period 2000-2006. The Unit intends to maintain a continuous action during the programming period and each year it is supposed to set objectives and actions on the basis of the results achieved and the progress made. The Unit’s objectives are: 1) To identify the **needs and potentials** of the management centres (different administrative units in the Andalusian government) which manage measures under the 2000-2006 Operative programme in what concerns the integration of the Gender Perspective. 2) To facilitate **training** for management teams on the Integrated Gender Approach as a framework for common actions. 3) To supply specialised and permanent **consulting services** for management centres on subjects related to the Integration of the Gender Perspective in their management. The Unit has a web page¹⁰ where specialised consulting is provided through a private section, which can be accessed after taking the training given by the Equality and Gender Unit on the subject or accrediting required knowledge. The private section includes: materials and documentation, advertisements, questions, a forum, a chat, and a help sub-section. The Unit has some lines of action: awareness-raising and training, dissemination, preparation of tools, configuration of productive groups, research, and co-ordination. The Gender and Equality Unit targets staff responsible for planning public policies and civil servants at all levels of the Andalusian public administration.

⁸ Answer of Marta González, director of the Galician Equality Agency, to a participant’s question in the Conference on Beijing + 10. Madrid, March 4-8th, 2005.

⁹ A deeper comparative analysis is still needed. However, even in a first reading, not only it can be told that the general content is different, but also in the Galician law terms as “to promote”, “to stimulate” an so on.

¹⁰ See <http://www.unidadgenero.com/>. Its contents are translated in english and french.

Its primary targets are all staff involved in planning and managing the measures which comprise the Operative Programme 2000-2006, and its secondary targets are all those who are interested in applying or enhancing the Integrated Gender Approach in their professional practice.

The rationale for creating the Equality and Gender Unit, instead of approving another equality plan is the need for integrating a gender perspective through mainstreaming as the main strategy for that¹¹. In Andalusia, the plans were more specific and the IAM played an excessive leading role, proposing the actions to be done and executing directly in many cases the actions programmed in those plans. So they decided to invert or reverse the process: the idea is to work in and form the different administrative units in the regional government, with the technical assistance of the IAM. So the Unit was conceived as a technical assistant for the different governmental departments where specific gender units are being created. Actually, the equality plans in Andalusia used to be more specific and with a main role played by the equality organism than in other regions, that is, the IAM played an executer role rather than a promoter and coordinator one.

We asked the IAM's director about the fact that the Equality and Gender Unit is exclusively directed towards public administrations, and if this cannot lead to a move away from the women's movement. She answered that they have other important public actions directed towards women's associations. However, we still see that this clear separation between these two very different types of actions might be a weakness, because the linkage between them remains unclear.

The idea of creating "gender units" in the different governmental departments and institutions is a strategy followed also in another regions –for example, as we have already seen, such units are created in the Basque law. Here it is interesting to discuss the Andalusian experience, considering that the "gender units" are supposed to substitute equality plans because these plans are seen as too "specific" and opposed to a mainstreaming strategy, whereas in other regions, as in the Basque Country, equality plans are regarded as "containing" that strategy, guided by the integration of gender perspective principle.

In any case, the IAM's director told us that two laws are being elaborated in Andalusia: a law regarding violence against women and an equality law, so shortly there will be an Andalusian equality law, which is supposed to regulate, among other aspects, the creation of the *Consejo Andaluz de la Mujer*. This *Consejo* will be the main and formal organism for the participation of the Andalusian women's movement in gender policies.

A combination of general equality plans and specific plans against gender violence: the case of Madrid and other regions

At the national level, two national specific plans against Violence against Women were approved, the first one from 1998-2000 and the second one 2001-2004. Until then, the area of gender or domestic violence was covered in the general equality plans. The reason for elaborating a specific plan on violence was the social alarm generated with the domestic violence issue at the end of 1997. In December 1997 a women named Ana Orantes was killed in Granada by her husband. Mass media covered extensively the murder because Ana Orantes had been in a TV show telling she was a victim of

¹¹ Interview with Soledad Ruíz, director of the Andalusian Woman's Institute (28/03/2005)

domestic violence and she was afraid her husband would kill her. Since then, violence against women has been the hottest issue regarding gender policies in Spain.

Social alarm was so widely spread that public powers had to quickly respond to it. Not only at the national, but also at the regional level, special resources were assigned for dealing with this issue and some plans against domestic violence were rapidly approved. In this moment almost all the regions (12 out of 17)¹² have specific plans against gender Violence. And all of them have some kind of specific actions and resources devoted to that issue.

Regarding laws related to gender equality, we can find a similar landscape. In 2004, one of the first measures taken by the new government led by Rodríguez Zapatero, was to approve an Integral Law against Gender Violence. In Castilla- La Mancha a law against domestic violence was also approved in and in Andalucía two different laws (a general equality law and one on violence against women) are being elaborated at this moment. According to Maribel Montaña, the equality secretary of the socialist party, in rational terms, this fact of separating gender violence from the gender equality frame is not the most rational way of doing things, although she recognises that approving an integral law against gender violence before a general equality law- was due to a political opportunity and it was a concrete electoral commitment of Rodríguez Zapatero. In Andalusia, the answer to our question about why two laws instead of only one, was “social alarm”. Txaro Arteaga from de Basque Country advocates a general equality law –as the Basque one- containing the issue of gender violence among all the others.

Doing a general overview of what we can call the “gender violence” phenomenon in Spain, we can discuss two things. First of all, it is evident that the gender violence issue has helped to raise general gender issues into the political agenda, and it has attracted specific resources for it. But, on the other hand, it might be having perverse effects regarding gender policies. We may be sending a message to society that gender violence has not necessarily the same root as gender inequality. Also, if we see how the gender violence issue has been dealt with –and that’s something we can conclude after analysing policy discourses on that- we are contributing to victimizing women, giving the impression that, overall, women must be protected. Moreover, gender violence has been such a hot issue in Spain in the last years that there is a tendency of identifying equality issues with violence against women.

We think that discussing this issue is important for understanding the evolution of Spanish State Feminism in the last decade.

Conclusions

We have made a general overview of Spanish state feminism evolution, and we have found two tendencies: 1) Spanish state feminism –taking into account not only the national but also the regional and local levels- have evolved through a far more fragmented landscape than before in the last decade. From the mid 80’s to the mid 90’s Spanish state feminism was more unified in its beginnings: regions established their own state feminisms looking at the national model, and the types of organisms, policy instruments and gender policies were, more or less, quite similar among themselves. In the last decade there has been an increasing tendency to differentiation and

¹² All regions have specific plans on violence, except for *Cantabria, Baleares, Cataluña, Navarra* and *País Vasco*.

fragmentation. 2) This differentiation can be clearly assessed with the recent introduction of new policy instruments in some regions, but also with the use of different policy discourses, as we have already seen in this paper.

Regarding policy instruments, the two new instruments –laws and the creation of gender units within the different government departments and institutions- are both presented as a new step forward in the evolution of gender equality policies. Thus, perhaps we may reasonably expect to find a more general and extended use of these two new instruments in the next decade, so the landscape will be less fragmented than nowadays, at least regarding the use of policy instruments. In this sense, we can hypothesize that as Spanish gender policies decade of the 90's and first 2000's was characterise by the extended use of equality plans, the next decade will be by the generalised used of national and regional equality laws as the main policy instrument for articulating gender policies.

However, fragmentation and differentiation is deeper regarding policy discourses. As a matter of fact, the policy instruments used for developing gender equality policies can be seen as the point of departure, or even the necessary condition, but the instruments in themselves are not enough for fulfilling the aims. An adequate content, negotiated with the different stakeholders involved –especially women's movement and other public institutions- seems to be as important as having a good instrument at hand. The disparities in policy discourses are also important to assess since we assume that inconsistencies and contradictions in the formulation of the policies will effect the implementation and outcomes.

Ideological differences may explain the divergences found in the policy discourses more than the use of different policy instruments. One aspect to analyse in depth is the actual differences in policy discourses on the meanings of gender inequality between the conservatives and the socialists. Some times the influence of the cleavage “left-right” on gender policy discourses is not evident, as in the case of the nationalist and conservative Basque Country government, but we assume that ideological differences are shaping gender policy discourses. With the Basque Country in mind, we should probably also assess if the key factors in shaping gender policy discourses are related to the cleavage “feminist vs. non-feminist” rather than “left-right”. In this sense, Spain could be a good “laboratory”, not only because of its recent political changes, but also because of the feature of developing gender equality policies in a variety of regional governments and different types of equality organisms.

In this overview of the evolution of Spanish state feminism we leave many questions open for discussion. The hypothesis that state feminism in Spain is developing towards a more fragmented landscape will need a more comprehensive study in the future. We also believe that a further examination of the fragmentation of state feminism should consider differences in both policy instruments and policy discourses. To increase our understanding for such divergences we need to scrutinize the ideological contexts in which gender equality policies are developed at the national and regional levels.

References

- Bustelo, María, Emanuela Lombardo, Raquel Platero and Elin Peterson, 2004. *Country Study Spain*. Vienna: Institut für die Wissenschaften des Menschen.
- Bustelo, María (1998) "Regional Public Policies For Gender Equality In Spain: Analysis And Evaluation" Paper presented in the workshop "Gender And Innovations In Public Policy: Generalizability, Impact And Effectiveness" ECPR 26th Joint Sessions of Workshops in Warwick, 23rd-28th March 1998.
- Bustelo, María. 2003. "Gender Mainstreaming Evaluation: Ideas From a Meta-Evaluation Study of Eleven Evaluation Processes of Gender Equality Policies in Spain" *Evaluation*, 19 (4). Pp 383-403.
- Gil Ruiz, J. M. (1996). *Las políticas de igualdad en España: Avances y retrocesos*. Granada, Universidad de Granada.
- Martínez Hernández, E. (1997). "Políticas Públicas para la igualdad entre los sexos: reflexiones sobre el caso español (1975-1997)". En E. U. y. A. Elizondo, (Ed.). *Mujeres en política. Análisis y práctica*. Barcelona, Ariel. 211-232.
- Valiente, C. (1995). The Power of Persuasion. The *Instituto de la Mujer* in Spain. Comparative State Feminism. D. M. Stetson and A. Mazur. Thousand Oaks, Sage: 221-236.
- Verloo, Mieke, 2004. "Policy frames and implementation problems – the case of gender mainstreaming. A fine-tune framework and methodology". <http://www.mageeq.net>

Primary sources

- III Positive Action Plan for Women in the Autonomous Community of the Basque Country 1999-
- Basque Safety Plan for Women Victims of Domestic Violence 2002-2004
- IV Equal Opportunities Plan of Women and Men of the Autonomous Community of Madrid (2002-2005)
- Program of Actions against domestic violence, region of Madrid, 2001-2004

Interviews

- Txaro Arteaga, director of *Emakunde* Basque Woman's Institute (21/03/2005)
- Soledad Ruíz, director of the Andalusian Woman's Institute (28/03/2005)
- Maribel Montaña, Secretary General of Equality in the Socialist Party –PSOE- (28/03/2005)