

Institutionalising intersectionality in Italy: gatekeepers and political dynamics

Elena del Giorgio and Emanuela Lombardo

European University Institute elena.del.giorgio@eui.eu
Universidad Complutense de Madrid elombardo@cps.ucm.es

First draft

comments welcome, please ask the authors before quoting it

Introduction

Italian gender equality policies have developed in the nineties due to a favourable juncture of European Union (EU) influence and national political factors. One decade later, through Article 13 of the Treaty of Amsterdam and two implementing Directives, the EU has launched a multiple anti-discrimination approach to cover other inequalities than gender (race or ethnicity, disability, sexual orientation, age, religion or belief) and has required the creation of specific equality bodies. How has the Italian political system reacted to the EU institutional shift towards the treatment of multiple inequalities? To what extent is Italy developing an intersectional political approach towards equality? Who are the gatekeepers in this process of institutionalisation?

The literature on institutionalising intersectionality has predominantly looked at the nature of existing political arrangements. Yet, it has paid less attention to dynamic analyses of interactions amongst the relevant actors involved in the institutionalisation process: government, agencies, political parties, and civil society. In this paper we would like to fill this gap by analysing not only the extent to which intersectionality has been institutionalized in Italian legislation and machinery, but also what are the main institutional and civil society dynamics - of resistance, in/exclusion, cooperation - underlying this process. These dynamics are context-related, thus making the study of intersectionality an 'empirical question' (Hancock 2007).

Our context of analysis is Italy, a country marked by strong ideological divides along the political spectrum and by an embedded associative tradition, both of which offer opportunities and constraints in the political articulation of intersectionality. We argue that while the EU has opened opportunities for the development of policies and machinery that were not previously available in Italy, the constellation of national gatekeepers, their interactions, and the colour of the party in government affect the specific type of institutionalisation that takes place. New inequalities have entered in the Italian political agenda in this decade. Yet, the way in which they have been addressed and regulated bears little evidence of an effective implementation of anti-discrimination measures and of the development of a 'culture of intersectionality'. Rather, governmental action to transpose the EU anti-discrimination directives has sometimes highlighted lack of political will to promote equality when not even resistance to a discourse of anti-discrimination. The ideological divide between left and right can partially help to understand the reasons for the difficult development of Italian legislation and machinery on inequalities. The other part of the story is the difficulty also within the leftist and in general more progressive political spectrum to articulate consistent equality policies in different areas. A widespread culture of familism in some cases, the strong interference of the catholic ecclesiastic hierarchy in Italian political affairs, and the lack of a widespread anti-racist or anti-homophobic culture, in spite of the existence of a significant associational network, are relevant factors to understand the difficult implementation of anti-discrimination policies.

After discussing our theoretical and methodological framework in the next section, we mention the beginning of equality policies in the area of gender (section 2), but we focus in particular on developments in race/ethnicity (section 3), and sexual orientation (section 4), which are the areas where the European Union has been especially influential in Italy and around which most recent political activity and debates have emerged. Conclusions will discuss relevant explanatory factors and dynamics of Italian policy practice around intersectionality which can have theoretical impacts.

1. The institutionalization of intersectionality: the gap between theory and practice and the need of an empirical and dynamic perspective

Policy practice on multiple inequalities in Europe seem to be developing in opposite direction to feminist political theory. Feminist literature has raised awareness about the mutually constitutive character of inequalities and has highlighted how strategies and policies developed to tackle one particular inequality can at the same time marginalise people at the point of intersection between different inequalities (Crenshaw 1991; Collins 1998; Walby 2007). While policies that, for instance, promote race equality can marginalise women, measures that promote gender equality can marginalise and stigmatise ethnic minority women and men. This has led scholars to criticise separate approaches to inequalities and to suggest the practice of an intersectional approach as a means to deal with the dilemmas of inequalities that ‘operate and interact with each other at the same time in such a way that they are inseparable’ (Skjeie and Langvasbråten 2008: 2-3).

Policy practice in Europe, however, shows little traces of intersectionality. The treatment of different inequalities, for many of the member states, has been stimulated by the obligation to transpose the EU anti-discrimination directives 2000/43/EC and 2000/78/EC. The anti-discrimination approach to inequalities promoted by the EU, however, is multiple and separate: it treats more than one inequality but mainly in a separate or at best additive way. In this, the EU follows existing judicial practice which seems more at ease with addressing each ground of discrimination as separate rather than intersecting, so that in cases that involve several inequalities simultaneously either only the most protected inequality ground is chosen, or the allegations (for instance for gender and race jointly) are considered separately, rather than as interrelated forms of discrimination (Skjeie and Langvasbråten 2008).

The literature on *institutionalising political intersectionality* in Europe is increasingly developing to catch up with a political context that, due to the EU pressure, is rapidly changing (see Kantola and Nouisainen forthcoming). Bell (2008) analyses how national institutional practices on equality have changed to transpose the EU anti-discrimination directives not only in member states that had little or no anti-discrimination legislation, but also in those countries that traditionally had their anti-discrimination legislation in place. While the EU law may open a window of opportunities for legislating on the issue, the domestic context greatly influences the laws and institutions created and the use that civil society will make of the provisions (Bell 2008). The UK has been a forerunner in evolving from specific to single equality bodies for addressing multiple inequalities, with the creation of the Equality and Human Rights Commission. Squires (2008; forthcoming) analyses the pros and cons of the UK institution, in the context of market-driven considerations that tend to tilt the balance towards economic utility rather than social justice. Also North European countries such as Norway, that had traditionally developed strong gender equality policies, have recently created new institutions and legislation on multiple inequalities that challenge existing judicial practice towards intersectionality (Skjeie and Langvasbråten forthcoming). By contrast, South European countries like Spain show that a good performance in gender equality policies does not necessarily lead to an equally good attention to the intersection of several inequalities (Bustelo forthcoming).

The literature on institutionalising intersectionality is helpful to grasp the legal and policy developments that have occurred to institutionalise a multiple approach to inequalities, and some of the civil society and institutional dynamics that the new approach is triggering (Rolandsen Agustín

2008; Lombardo and Verloo forthcoming). However, the search for some kind of evidence of intersectionality might also run the risk of naming ‘intersectionality’ political practices that are not actually intersecting anything, but which in most cases are at best simply developing separate institutionalisation of inequality axes to comply with EU directives, or at worst show biases against some particular inequality, for instance against homosexuality. On the one hand, then, existing intersectionality theory could risk being excessively sophisticated for some of the existing political realities, such as the Italian one. On the other hand, though, intersectionality theory can link with Europeanisation studies to promote research of the empirical reality regarding the treatment of different inequalities in specific national contexts in relation to the implementation of EU anti-discrimination directives.

To better reflect the political developments of each national context, studies on the institutionalisation of intersectionality could benefit from a more dynamic analysis of political processes and actors involved in them. *Policy process analysis* can help us to trace when and how a particular equality issue appeared on the political agenda, who has contributed to the debate, who has promoted or blocked developments towards intersectionality, and what documents were produced (Sutton 1999). Developments in *social movement theory* challenging the “structural bias” of analytical models predominantly built around the concept of *political opportunity* and the centrality of the state as sole “power holder” can offer us more complex insights for analysing the role different policy actors play in processes of institutional change (Goodwin and Jasper, 2004). The consideration of intertwining material and symbolic factors within contexts of “dispersed power” suggested by this literature, can help us highlight the reasons for and impact of civil society in the adoption of a new equality body or law (Armstrong and Bernstein, 2008).

The European Union had a crucial role as promoter of a multiple approach to inequalities and exercised an exogenous pressure, for countries such as Italy, to develop the national equality machinery and legislation. Thus, issues of *Europeanisation* must be considered in our analysis of the institutionalisation of intersectionality in Italy, both to understand the reasons for the creation of new equality bodies and legislation to comply with the EU law (Liebert 2003), and for grasping what ‘political usage’ (Jacquot and Woll 2003) do Italian policy actors in Italy make of the EU.

Our theoretical framework draws on literature on institutionalising intersectionality, policy process analysis, social movement theory, and Europeanisation. In the paper we suggest and rely on a conceptualization of the institutionalisation of intersectionality process as driven by *complex, multi-level* (European, national, local) and *multi-faceted* (structural, political, cultural, social) *dynamics and factors*. As Hancock (2007) points out, the relationship among inequalities must be considered as an ‘open empirical question’, because intersectional dilemmas emerge in specific locations and in particular configurations of individual circumstances and institutional contexts. Precisely because of its *context-related, empirical dimension*, intersectionality will be treated in this paper as a *methodological tool* that enables us to explore the extent to which intersectional equality practices have taken place in Italy.

2. The birth of gender equality policy machinery and legislation in the Italian political context

The origins of Italian equality legislation lie in the Italian Constitution of 1947 which in its Article 3 establishes the principle of equality irrespective of sex, race, language, religion, political opinion, and personal and social conditions. To implement this principle in Italian legislation, the input of the European Union has been crucial, particularly as concerns legislation on gender equality in the labour market. Compared to the other two areas that we consider in this paper, which are race and sexual orientation, gender equality was the field that received prior attention in Italian equality legislation. Law 903/1977 on equal pay and equal treatment for men and women, which transposed EU directives 76/207/EEC and 75/117/EEC, was the first important equality law in Italy. Legislation on sexual harassment at work was included in 2005 (Decree 145/2005), to comply with the EU directive 2002/73/EC. Positive actions were introduced in the 1990s, through law 125/1991,

then modified by Decree 196/2000. In the area of reconciliation of work and family an important measure approved was Law 53/2000, a transposition of the EU parental leave Directive 96/34/EC, which protects working mothers and grants parental leaves with the aim of balancing work, care, social and personal times between mother and father. The Europeanisation of Italian gender equality policies was particularly important in a political, social and cultural context, like the Italian one, that was neither particularly women-friendly nor favourable to state feminism (Guadagnini and Donà 2007; Donà 2006).

The equality policy machinery that was developed from the 1980s onwards in Italy has been greatly affected by the Italian specific political culture characterized by a unique ideological cleavage between a strong catholic culture and an equally strong socialist one. On the one hand, the presence of the Vatican at the very heart of Rome and the leading role played by its 'institutional ally' – the Christian-Democratic party (DC) – all over the so-called "First Republic" (1948-1994) has traditionally granted a strong influence of the catholic hierarchies in Italian politics and society (Ginsborg 2006). On the other hand, the liberation from fascism and Nazi occupation and the over 40 years presence in the political system of one of the strongest Communist Parties (PCI) in Western Europe has also affected Italian socio-political developments (see Del Giorgio 2009).

This ideological divide has influenced the establishment and functioning of Italian equality policy machinery in different ways. Firstly, left and right wing sectors have made of familism (the ideological attribution of a central role to the traditional family and the reliance on the family as provider of social protection) one of the strongholds on which they could reach a political consensus (Saraceno 2003; 1994). This consensual emphasis on familism has not always been accompanied by an equally strong interest in the promotion of gender equality. Measures to promote families - in a context marked by the presence of what former left-wing Minister for Equal Opportunities Barbara Pollastrini defines "political elites suffering from familism"¹ - tend to perpetuate traditional gender roles of male breadwinners and female caregivers (Lombardo and Sangiuliano forthcoming). Secondly, the ideological cleavage is reflected in how the colour of the party in government affected the development of Italian gender and other equality policy agencies, with greater progress coming from centre-left than from centre-right governments (Guadagnini and Donà 2007).

In the current political context, the two broad political coalitions of centre-right and centre-left that emerged from the dissolution of the parties from the 'First Republic' in 1994 are turning into proper parties – the centre-left *Partito Democratico* (PD) and the centre-right *Popolo della Libertà* – thereby, at least apparently, consolidating the Italian so-called "majoritarian shift" (Giuliani, 2008). The centre-right coalition included *Forza Italia*, the party led by the controversial entrepreneur Silvio Berlusconi (Berlusconi governments: 1994-1996; 2001-2006; 2008-), the extreme right party *Alleanza Nazionale*, and the federalist and xenophobic party *Lega Nord* (Diamanti 1996). The centre-left coalition showed more variations but it was dominated by the party of Left Democrats (*Democratici di Sinistra* DS) which made alliances with both more centrist and more leftist parties (centre-left governments: 1995-1996; 1996-1998; 1998-2001; 2006-2008) (Diamanti, 2003; Vassallo 2005). We mention these political actors due to the role they have played as gatekeepers of gender and other equality policies in Italy, by promoting or hindering such policies.

Gender Equality policy agencies were the first equality institutions to be developed in Italy in the 1980s and especially in the 1990s due to the EU and UN pressure and the favourable context created by centre-leftist governments (Guadagnini and Donà 2007). The late development and the difficult consolidation of the machinery were also due to a strong resistance to the institutionalization of gender that has traditionally characterized Italian 'difference' feminist movement (Donà 2006; Calabrò and Grasso, 2004). Although a variety of different gender agencies were established in Italy, we will refer here only to the Ministry for Rights and Equal Opportunities

¹ Interview with MP Barbara Pollastrini (PD), Rome, 25/02/2009.

(EO), due to its role in the promotion of other equalities too (for discussion of the other gender machinery see Guadagnini and Donà 2007).

The Ministry for Rights and Equal Opportunities was created in 1996 under the centre-leftist Prodi government to follow both UN (Beijing Platform for Action) and EU guidelines to implement gender mainstreaming (Donà 2006). Its work was supported by the Department for Rights and Equal Opportunities that was established in 1997. Its broad mandate is to represent the Italian position on gender issues at the EU level, prepare governmental gender equality policy, and implement the EU equality directives and gender mainstreaming. The weakness of the Ministry is reflected in the lack of financial autonomy and resources (it is a Ministry without portfolio, in 2004, according to Guadagnini and Donà 2007, it was allocated 15,798,569 euros, and has 8-14 staff), the dependence of the Minister of equal opportunities from power relations with the other members of government and the sexist culture that pervades Italian political institutions (Longo 2008).

The persistence of a strong male domination of political life in Italy is reflected in the low percentage (11%) of women's representation in Parliament over the last decade, and in a political culture where the idea that women's main role is in the private sphere of the family rather than in the public, political and professional areas, is rather well widespread (Guadagnini & Donà, 2007). Nonetheless, the centre-left governments have shown greater attention for gender issues, and the compliance with the EU gender equality directives, than the right-wing governments. It is during the centre-leftist governments that the gender equality machinery was established and consolidated and some of the most important gender equality laws were approved. Moreover, Ministers of equal opportunities from center-leftist government such as Finocchiaro, Balbo, and Belillo, who had experience both in the leftist parties and in the feminist movement, maintained relations with the feminist movement and opened up opportunities for feminist activists to enter the institutional scene (Lombardo and Sangiuliano forthcoming). By contrast, the Minister for Equal Opportunitites of the II Berlusconi centre-right government, Prestigiacomo, created a distance between the national equality machinery and feminist activists who criticised her weakening of the National Commission for Equality and Equal Opportunities that was not an autonomous body any longer (see Shadow report 2004), and often found herself isolated within her own government allies when she tried to promote gender equality policies (Guadagnini and Donà 2007). The Minister for Equal Opportunities appointed in the 2008 Berlusconi government, Carfagna, was a former television show girl with personal ties to Berlusconi and no experience in gender equality policies.

Finally, Italy is characterized by an embedded associational tradition, especially at the local level, which has been favoured by the weakness of the welfare state and the reliance on family and personal ties for the resolution of individual socio-economic problems. Civil society actors then have an important role in framing and introducing equality issues in the public debate (Del Giorgio 2009).

3. The difficult institutionalisation of race inequality in Italy between EU impulse and domestic political constraints

Traditionally a country of emigrants, Italy has faced from the nineties regular immigration flows. This has introduced the need of new regulations on several issues. Discrimination on the grounds of race and religion, for instance, has been made illegal in 1998, with law 40/1998 on migration. However, in other cases the way in which emerging issues related with migration have been discussed shows a tension between the EU obligation towards anti-racism and the presence in government of restrictive, when not directly xenophobic, political positions towards migrants. This can help to explain gaps in the transposition of the EU anti-racist directive and difficulties in the operationalisation of the new race equality body when it comes to implementing policy measures.

Until 2003, the task of preventing and tackling discriminations on several grounds, among which race and ethnic origins, was assigned to the weak and budgetless Department for Rights and Equal Opportunities within the homonym Ministry (Donà 2007). In 2003 the Italian National Office

against Racial Discrimination UNAR was established within the Department for Equal Opportunities through Legislative Decree 215 of 9 July 2003 to transpose (only 10 days before the deadline set by the EU) the EU Directive 43/2000/EC that obliged member states to designate a body for promoting equal treatment irrespective of race and ethnicity.

According to the Decree UNAR operates at three levels: *prevention, removal of race discriminations* and *promotion of positive actions*. The main tasks of the agency are to assist people who feel discriminated, to promote the adoption of positive actions by public and private actors, and to conduct research oriented at making policy recommendations. The body must present an annual report in Parliament on the implementation of equal treatment and the effectiveness of protection mechanisms, and the Prime Minister must also report on UNAR's yearly activities. Even if it was not promoted by antiracist NGOs and it is clearly a governmental initiative based on EU directive 43/2000/EC, UNAR has been welcomed by civil society organizations that work against racism². As the following subsections show, the equality body's functioning reveals a poor implementation of European legislation and the difficulty of tackling what civil society actors have called 'institutional racism'³.

How does UNAR work? Institutional and structural constraints

UNAR, the Italian anti-racist agency, is organised around two services: a *study and research service* to inform about racial discriminations and a *service for the promotion of equal treatment*⁴. Both Services rely on the collaboration of a pool of judges, lawyers and experts appointed by the Director. The equal treatment service mainly works through a *contact centre* created in 2004 in collaboration with ACLI (Italian Associations of Christian Workers). Pertinent or doubt cases selected by ACLI's operators are passed to the ACLI experts who are in charge of opening the proceedings, gathering information, contacting the actors involved in the case and formulating a 'protection proposal' which is then considered and possibly applied by UNAR.

This "second level" of intervention is treated directly by the UNAR's personnel with the task of achieving equal treatment irrespective of race and ethnicity (Art 2 215/2003 Decree). However, the agency has relatively few instruments at its disposal to fulfil its functions. Its financial (2,035,357 euros per year) and human resources (10-12 permanent staff and six experts) limit the possibility to provide effective legal assistance to victims of discrimination (Guadagnini and Donà 2007). Moreover, UNAR can carry out an investigation and ask actors to provide documentation regarding the case, but it cannot oblige them to do so. The agency can also "promote informal conciliatory meetings and propose solutions for the removal of discriminatory situations" (Art 2 215/2003 Decree). As underlined in the 2007 UNAR Report presented in Parliament in 2008, UNAR's interventions "can be classified among those that are usually considered as *soft law*, whose effectiveness depends on the capacity of provoking voluntary adhesive behaviours". The instruments used more often in the second level of intervention are thus those of "*moral suasion* or *social mediation*".⁵

Thus not only resource but also investigative and procedural constraints limit UNAR's capacity for solving situations of race discrimination. The 2007 UNAR annual report (p. 17) highlights that *soft law*'s capacity of granting a positive outcome in controversies between two individual private actors is very low. Individuals are less motivated to be transparent and collaborative especially in situations of long-lasting conflicts. Yet, a non-collaborative attitude by one of the actor involved in the inquiry can prevent UNAR from mediating and from removing the cause of discrimination.

² Enar Italia (European Network Against Racism) leaflet: <http://digilander.libero.it/enarit/>

³ Interview with Grazia Naletto, Immigration expert, Associazione Lunaria, Rome, 23/02/2009.

⁴ <http://www.pariopportunita.gov.it/DefaultDesktop.aspx?page=203>

⁵ Interview with Marianna Borroni, ACLI Expert and UNAR Junior Expert, Rome, 26/02/2009.

The lack of jurisprudence on race and ethnicity: a result of incorrect transposition of the EU 2000/43 Directive on the burden of proof?

The lack of jurisprudence on the issue is an important obstacle to assess the implementation of UNAR's activities and the overall judicial protection against race discrimination in Italy - as UNAR should do (UNAR Report 2007: 68). Since very few legal proceedings leading to actual sentences have been activated in the four years of UNAR's functioning, anti-discrimination norms on race and ethnicity have de facto barely entered Italian legal culture. One of the main reasons for this lack of jurisprudence lies in the fact that, in civil procedures, the initiative to start the legal action is mainly left to the victim of discrimination. Whilst current Italian penal legislation allows judicial authorities to take on cases of discriminations even if the victims themselves do not ask for intervention, civil law excludes this option. UNAR, on its part, is not entitled to sue as a juridical subject. All the Agency can do is "to 'accompany' the victims in the trial path in the case they voluntarily opt for this solution" by offering support, advice and official documentation to the judge (UNAR Report 2007: 16).

To facilitate victims' recourse to legal means, however, Decree 215/2003 permits specific third-parties to start legal action "in the name, on behalf, and in support of" the discriminated person. More specifically, standing to sue is recognized also to associations the included in the UNAR National Register of NGOs approved in 2005 by Decree of the Minister for Equal Opportunities Prestigiaco and the Minister for Labour and Social Policies Maroni.⁶ Nevertheless, NGOs have been reluctant to use this tool both because they often lack specific legal competences and because they cannot bear the legal costs (UNAR 2007). The result is that in most cases the initiative and costs of a possible legal action are left to the discriminated person alone.

Furthermore, until 2008 the possibility for victims of obtaining a positive legal outcome has been dramatically lowered by the incorrect Italian transposition of the burden of the proof within EU Directive 43/2000. Whilst Art. 8 of the Directive explicitly assigned to the respondent the task of demonstrating the absence of discrimination, the Italian legislator did not invert the burden of the proof thus leaving - despite the insertion of mitigating measures (UNAR Report 2007: 71) - the victim in charge of collecting proof and documentation about the existence of a situation of discrimination. As an UNAR expert and ACLI operator explained, placing the burden of the proof on the demandant hinders the possibility to collect proof against a potential discriminating employer, as 'which colleague would testify against her or his employer?'.⁷

The breach of the EU Directive has led the European Commission and the European Court of Justice to initiate in 2005 an infringement procedure against Italy.⁸ This has finally moved the Italian government to recently adapt domestic legislation to the European one through a revised Article 8 of Law Decree 59/2008 which now includes the reversal of the burden of the proof in cases of race discrimination. While the EU's intervention has been crucial to open opportunities for a more effective implementation of the anti-discrimination norm in Italy, it is still too early to be able to assess the actual consequences of this change, imposed by a supra-national authority, on the Italian socio-political context.

(Failed) attempts towards intersectionality: from formal gender intersections to 'institutional racism'

Intersectionality of race with gender, religion, and culture is explicitly mentioned in Article 1 of the 215/2003 Decree which aims at achieving equal treatment among persons irrespective of race and ethnic origin by taking into account "both the differential impact that similar forms of discrimination can have on *women and men* and the existence of forms of *racism with a cultural*

⁶ Ministerial Decree 16 December 2005. Currently the Register includes 320 NGOs.

⁷ Interview with Marianna Borroni, ACLI Expert and UNAR Junior Expert, Rome, 26/02/2009

⁸ European Commission, 2005, Infringement Procedure n.2358. See Bencini and Cerretelli, 2008.

and religious character". Yet, in the 2007 UNAR Report that evaluates the body's activities, experts refer to multiple discriminations where *race and ethnicity* intersect with *religion and personal beliefs* whereas *gender* never appears along the Report as an important factor whose intersection with race and ethnicity was or should be taken into account in UNAR's activities. UNAR experts, in particular, denounce the lack of coordination between institutional actors dealing with racial discriminations and those dealing with discriminations on the ground of religion/personal beliefs, but no mention is made to specific gender equality legislation or machinery (UNAR 2007: 108). Whilst, thus the reference to the intersection of gender and race/ethnicity, and race/ethnicity and religion, makes the decree a first explicit case of legislated intersectionality, both the competencies assigned to the UNAR and its functioning speak for the concrete creation of a body dealing with one ground of discrimination and no gender intersections.

The trend towards de-gendering the discourse when other inequalities enter the agenda has emerged in the frame analysis of relevant Italian policy documents on gender equality and other inequalities conducted in the European QUING research Project (www.quing.eu). Among the selected documents on Italian equality policy machinery, the 2006 report by Minister for Equal Opportunities Barbara Pollastrini concerning the first year of UNAR's activities is the only document that we coded as 'degendered'⁹. This exception appears relevant because it seems to suggest that gender is not mainstreamed into other inequalities, but rather tends to disappear when another inequality enters the policy agenda. The lack of institutional coordination of work on different inequalities can explain why gender has not been mainstreamed into UNAR's activities against race discrimination. Currently there are no explicit procedures of institutional coordination concerning multiple discriminations, so that the consideration of intersectional inequalities in specific antidiscrimination cases depends on the personal assessment of each expert¹⁰.

To promote a more 'transversal' institutional approach to the treatment of inequalities, UNAR experts and MPs have made proposals of institutional reform. UNAR experts, following EU guidelines and the example of other European countries, have suggested the creation of a single equality body with transversal competencies and an even level of protection for all inequalities (including race, religion, sexual orientation, disability and age) (UNAR Report 2007). In November 2008, a group of Senators of the centre-left Democratic Party at the opposition - including the former Head of the Department for Equal Opportunities Silvia Della Monica - drafted a law proposal for the creation of a Commission for the promotion and protection of Human Rights. As Senator Della Monica said, the proposed body should work impartially to protect Human Rights in general and should incorporate UNAR¹¹. The space of manoeuvre for such a reform, however, appears in the current political context quite limited due to the 'paralysis' of UNAR's activities under the 2008- right-wing government.

Proposals of institutional reform of UNAR have also been made to avoid the risks of 'closeness to politics'. ENAR (Shadow Report 2007) has suggested action to ensure UNAR's independence, such as appointing an independent director and removing the body from under the Department for Rights and Equal Opportunities within the Presidency of the Council of Ministers. Currently, the agency is dependent on the government's political preferences, its Director is nominated by the Prime Minister and its work is greatly affected by changes in government: the anti-racist body is thus not in the condition to work autonomously and to operate independently, as European Directive 43/2000/EC prescribes. In 2008, for instance, after the fall of the centre-left Prodi Government, the April general elections led to the victory of the right-wing coalition leadered by Berlusconi. Senator Della Monica seriously warned about UNAR's total lack of independence under the Berlusconi government and denounced the current inactivity of the antidiscrimination

⁹ Ministry for equal opportunities, 'One year of activities against racial discrimination. Report 2006 to the Prime Minister on the activities undertaken by UNAR'.

http://www.pariopportunita.gov.it/Pari_Opportunita/UserFiles/II_Dipartimento/UNAR/Banner/annual_report_2006.pdf

¹⁰ Interview with Marianna Borroni, ACLI Expert and UNAR Junior Expert, Rome, 26/02/2009.

¹¹ Interview with Senator Silvia Della Monica (PD), Rome, 25/02/2009.

agency. The newly elected government has not appointed a Director of UNAR, five of the six legal experts have been dismissed and new experts have not been nominated yet. ‘Thus, UNAR has no possibility of action.. it is in the hands of administrative staff...’¹², who cannot even initiate anti-discrimination procedures because there is nobody in charge of signing official documents and coordinating institutional actions¹³.

This lack of independence and operational inactivity of the Italian anti-racist agency is particularly critical in a moment in which ‘institutional racism’ is present in the everyday right-wing government’s policies – argues migration NGO expert Grazia Naletto¹⁴. Current Berlusconi government has adopted controversial policies in terms of discrimination, such as norms on security and on health policy (a provision that obliges doctors to denounce the police migrant undocumented people who recur to the National Health Service and other norms gathered in the so-called “*security package*”, Decree n.11 of 23 February 2009) that discriminate migrant people. Berlusconi is moreover instrumentalising the issue of violence against women by linking it to migration and arguing that rape and sexual assaults are predominantly performed by migrant, muslim, men, against Italian women. A strong campaign, facilitated by the Prime Minister’s role as owner of most of the Italian media, has taken place in 2008 and 2009 to spread the fear of the violent migrant man. Gender and race are used by the government for discriminatory purposes to articulate a racist and ethnocentric discourse that opposes supposedly sexist muslim culture to an Italian culture where women are presented as emancipated. In this context, the lack of independence of UNAR hinders the possibility to impartially monitor and denounce existing governmental racism¹⁵. Moreover, as Della Monica explained, ‘UNAR is currently receiving guidelines from the government which go against the basic rules of UNAR of tackling unequal treatment especially against racial discriminations’¹⁶.

In conclusion, EU impulse through Directive 43/2000 was crucial to formally introduce anti-racist discrimination on the Italian agenda. However, domestic political dynamics and in particular the active resistance of the right-wing Berlusconi government to correctly transpose and effectively implement the EU anti-racist policy have severely limited the development and consolidation of Italian legislation and machinery against race and ethnicity discrimination. References to intersectionality of race with gender, religion, and culture occasionally appear, while gender is not mainstreamed in anti-racist activities. Finally, calls for institutional reform have been made to give UNAR an independent and autonomous status. This would be especially relevant for giving the body means to denouncing governmental racism.

4. Anti-discrimination or the latest Berlusconi’s joke? Sexual orientation in Italy between cultural and political dynamics

The Commission on sexual orientation: a formally established but operationally ‘frozen’ institution

Italian legislation, since the foundation of the National State, has never included norms explicitly banning homosexual behaviours or identities. What Sergio Lo Giudice, president of the Arcigay NGO, defines as a “repressive tolerance” has always prevailed over the open recognition of the very existence of ‘Italian homosexuals’.¹⁷ This refusal of even ‘naming’ the issue has had consequences both on legislative regulations and on the symbolic and social attitude towards homosexuality in the country. Terms such as sexual orientation, gender identity, homosexual or lesbian explicitly entered

¹² Interview with Senator Silvia Della Monica (PD), Rome, 25/02/2009.

¹³ Interview with Marianna Borroni, ACLI Expert and UNAR Junior Expert, Rome, 26/02/2009.

¹⁴ Interview with Grazia Naletto, Immigration expert, Lunaria Association, 23/02/2009.

¹⁵ Interview with Grazia Naletto, Immigration expert, Lunaria Association, 23/02/2009.

¹⁶ Interview with Senator Silvia Della Monica (PD), Rome, 25/02/2009.

¹⁷ Interview with Sergio Lo Giudice, Arcigay Honorary President, President of the Commission for the Rights and Equal Opportunities of Lesbians, Gay, Bisexuals and Transgender, Bologna, 27/02/2009.

the institutional realm only in 1999 under the centre-left D'Alema government. The demands of LGTB associations from the 1980s met the 'political availability' of the at that time Minister for Equal Opportunities Laura Balbo – a sociologist with linkages with the feminist movements. Thanks to the competence that, for the first time, is assigned to the Ministry of implementing policies for overcoming discriminations against homosexuals, Minister Balbo set up in October 1999 the *Commission for studying and consulting on equal rights and opportunities for homosexual persons*. The Commission, chaired by Franco Grillini – a well known gay activist and future Left Democrat MP- starts consulting LGTB NGOs and researching to make proposals on civil unions and homosexual partnerships

The left-wing Equal Opportunities Minister was working at two bills – one against discriminations on the ground of sexual orientation and the other on “partnership agreements” between same sex persons – and, in 2000, published the Italian version of the “Report on the homosexual situation in the world” drafted by ILGA. In April 2000 a governmental crisis led to the fall of the D'Alema government and to the formation of a new government within the same legislature. The Minister for Equal Opportunities of this Government was the communist Katia Belillo who not only supported the work of the Commission but also created a Subcommission called *Gender identity rights* aimed at addressing, for the first time, the specific condition of transsexual and transgender persons. Between 1999 and 2001, the Minister for Equal Opportunities was a crucial interface between civil society and institutions and promoted political action and a new cultural understanding of homosexual and transsexual people's rights in Italy. This political engagement, however, did not bring legislative changes. The political instability of the centre-left majority in the Parliament which led to the formation of three different governments in five years and the persisting cultural and institutional 'resistance' to legislate on sexual orientation blocked any reform.¹⁸

The situation changed in 2001 when the right-wing Berlusconi coalition won the general elections with a strong majority. The new Minister for Equal Opportunities was Stefania Prestigiacomo a young entrepreneur with no contacts with the feminist or gay movement. Whilst the old Commission stopped existing when the government changed, Minister Prestigiacomo created a new Group of Study called *Sexuality, discrimination and social integration*. The very name of the body – in which the term homosexual disappears - as well as its composition and specific tasks reveals a profound change in the institutional attitude towards sexual orientation. The Group of Study had the tasks of analyzing the institutional and normative aspects which can result discriminatory with regard to “sexual tendencies” and focused on research and interventions concerning AIDS. Chair of the Group was a doctor specialised in infective diseases, Ferdinando Aiuti, famous for his research on the HIV virus, and members of the group were also scholars who publicly released homophobic declarations. For these reasons, Arcigay, the biggest Italian gay association, declined the Minister's offer of entering the Commission but indicated to the Minister three advisors – a psychiatrist, a psychologist and a lawyer – close to Arcigay. The Commission's experience, however, ended in 2003 due to a 'diplomatic crisis' between the experts and the government. The three advisors resigned in July 2003 when the Berlusconi government adopted Legislative Decree 216/2003 through which Italy transposed the European Directive 78/2000/EC on the establishment of a general framework for equal treatment in employment and occupation in the labour market that prohibits discrimination on grounds of sexual orientation (and belief, disability, and age), which the experts considered incompliant with the EU directive and discriminatory towards homosexuals.

The EU input to legislate in Italy on equal treatment on grounds of sexual orientation at work through Directive 2000/78/EC was on the one hand positive as discrimination on grounds of sexual orientation had not been legislated before 2003, so it made the issue visible on the agenda. Legislative decree 216/2003 (similarly to the anti-racist decree 215/2003) includes one reference to

¹⁸ With the exception of a change in the legislation that enabled homosexuals to become blood donors, while they were previously considered a risk category.

gender/sexual orientation intersectionality as the law explicitly mentions intersections with gender with reference to the differential impact that the aforementioned discriminations can have on women and men. However, paradoxically, the first time that the issue of sexual orientation is made visible on the Italian political agenda, the right-wing government incorrectly transposes the directive by *discriminating* homosexual workers where previously the lack of legislation on the issue was de facto enabling access for homosexuals¹⁹. According to LGTB associations, experts, and, later on, to the EU itself – the 216/2003 Decree only partially implements the Directive and, in some of its articles, it twists the contents of the directive to the disadvantage of homosexual workers. The main critiques that experts and LGTB associations raise to the decree concern three aspects: the attribution of the burden of the proof upon the discriminated person, and not, as stated in the Directive, upon the employer (DL 216/2003, art.4.4); the extension also to sexual orientation of the qualification criteria to consider in order to select personnel for the army, police, fire brigades, prison officers, and emergency services, which enables to discriminate homosexuals for this type of work (the directive only refers to age and disability as qualification criteria to consider that could allow reasonable discrimination in the selection of personnel for the mentioned positions), while previous Italian legislation did not preclude access for homosexuals (DL 216/2003, art.3, 2-3); and the restriction of the possibility of acting with regard to discriminations only to trade-unions whereas the Directive included also the possibility for civil society associations to intervene²⁰.

Transposing the EU anti-discrimination directive to discriminate homosexuals seemed like the latest bad-taste Berlusconi's joke. This caused a 'divorce' between institutions and gay movement until the end of the right-wing government legislature. As Lo Giudice explained: 'we attacked the Ministry [of Equal Opportunities] on this point, withdrew our delegation and asked our three advisors to abandon the Commission and stop any cooperation with this government. This was the end of the experience of the Commission and of any kind of government intervention on these issues'²¹. The dialogue was re-opened in 2006 when the left-wing Prodi coalition won the general elections with a weak majority and appointed Barbara Pollastrini as the new Minister of Equal Opportunities. Minister Pollastrini had no particular ties neither with the feminist movement nor with gay associations. Yet, she proved to be open to civil society demands and soon after having been appointed started working on the re-introduction of a Commission dealing with homosexual rights. Arcigay's President Lo Giudice explained that, given a constant pressure by civil society actors, institutional response greatly varied according to the colour of the government: 'nobody [from institutional actors] has ever started the issue without a great effort on the part of civil society, arcigay in particular, but this time we made it.'²²

The political will of creating a Commission, though, faced time constraints due to bureaucratic arrangements. Representatives of Arcigay met the Minister in June 2006 to talk about the nature of the Commission which, however, was formally instituted only the 3rd of May 2007 through a Ministerial Decree. The Commission for the Rights and Equal Opportunities of Lesbians, Gay, Bisexuals and Transgender was created within the Ministry for Equal Opportunities the 24 January 2008 – that is four days before the fall of the Prodi Government. The Commission would work on "sexual orientation" and "gender identity" (which are supposed to be treated separately), would be composed by seven members nominated by the Minister herself among established experts in the field and would have mainly consultative tasks besides granting technical and scientific support to the Minister in elaborating and implementing antidiscrimination policies. The Decree was designed

¹⁹ Interview with Sergio Lo Giudice, Arcigay Honorary President, President of the Commission for the Rights and Equal Opportunities of LGBT, Bologna, 27/02/2009.

²⁰ Interview with Sergio Lo Giudice, Arcigay President, Bologna, 27/02/2009 See Gottardi D. (2003), *La trasposizione nel nostro ordinamento di due direttive in materia di discriminazioni*
http://www.donatagottardi.net/archivio/scritti_main.htm

²¹ Interview with Sergio Lo Giudice, Bologna, 27/02/2009

²² Interview with Sergio Lo Giudice, Bologna, 27/02/2009

to favour the dialogue with civil society actors: it stated that when the Commission gathers “four representatives of transgender associations participate in quality of experts”, and it created the “Conference of Italian LGTB associations” (art. 8) as a “body for the participation and the encounter and dialogue between social and institutional actors” chaired by the Minister herself that should gather twice a year. The first President of the Commission was Sergio Lo Giudice.

The Commission was never operational, though. Under the pressure of civil society actors, Minister Pollastrini prepared a Decree for the formal assignment of an headquarter and specific budget. The Decree, however, was not implemented as it was drafted while the centre-left government had already resigned. Following the victory of the right-wing Berlusconi coalition in the April 2008 general elections the New Minister for Equal Opportunities, Mara Carfagna, proved to be not only irresponsive to civil society pressure for making the Commission operational but more generally resistant to treat the issue of sexual orientation and to support anti-discrimination initiatives. One of the first measures introduced by Minister Carfagna, indeed, was to withdraw the financial and symbolic support from the Ministry to the Gay Pride, because in her opinion homosexuals no longer need a parade since gay rights in Italy are no longer a problem. The Minister blocked the funding – 180.000€- assigned to the ISTAT (National Institute of Statistics) during the previous legislature for a research on discriminations on the ground of sexual orientation, thus eliminating the few resources to make a diagnosis of the situation.²³

To conclude, even if at present Italian machinery, formally includes an anti-discrimination body on sexual orientation and gender identity, the Commission is de facto ‘frozen’: it has no budget, it never met, and was never operational. As its President explains, whilst clearly avoiding any intervention on sexual orientation, the right-wing EO Minister so far did not ‘dare’ to formally close the Commission, a decision which would probably cause open protests and raise a debate, rather ‘she decided to leave it there as an empty shell’.²⁴

Cultural and political constraints to legislate on same sex partnership in Italy

Whilst, at least formally, a body explicitly dealing with discriminations on the ground of sexual orientation and gender identity was created within the Department for Equal Opportunity, Italian legislation on the issue is conspicuously absent. Seeking to exploit the window of opportunity for discussing anti-discrimination against homosexuals opened by the EU directive, leftist MPs proposed a number of bills for legislating against homophobia and for the recognition and non discrimination of diverse sexual orientations and gender identities. The parliamentary debate that attracted most public opinion’s attention concerned a bill to recognise civil unions and same sex partnerships’ rights known as “Dico”, proposed in 2007 during the centre-left Prodi government²⁵. Cultural and political factors, however, worked against the approval of the bill.

The catholic ecclesiastic hierarchy strongly influenced the political debate in defence of the traditional heterosexual married family. Parties influenced by the catholic church often referred in parliamentary debates to articles that Pope Joseph Ratzinger published in the newspaper “Osservatore Romano” in 1992 and in 2003 to argue against bills to recognize homosexual partnership. Within the same parliamentary majority – composed by a fragile coalition among very different parties ranging from the centre party *La Margherita* to the Communist Party *Rifondazione Comunista* – the law proposal created profound tensions that eventually led to the prevalence of positions that favoured a traditional family culture. As MP Emilia De Biasi – who worked with EO Minister Pollastrini – argued: ‘why did the ‘Dico’ bill disappear from the agenda? We were ready but it was impossible with such a wide coalition...each time you took a decision somebody disagreed with it, either from the right or from the left...and the Italian church struggled against

²³ Sergio Lo Giudice, open letter to the Minister of EO, June 2008.

²⁴ Interview with Sergio Lo Giudice, Bologna, 27-02-2009.

²⁵ ‘DiCo’ Bill on “Rights and duties of people living together on stable basis”, 19/02/2007.

‘Dico’’.²⁶ The ecclesiastic mobilisation, the fragile governing coalition, and a general culture in favour of safeguarding the ‘traditional family’ blocked the approval of the so called ‘Dico’ law.

Structural political factors that also contributed to the failure of the ‘Dico’ bill relate to changes of the Italian political system following the “majoritarian shift” in the electoral law and the parties’ spectrum from the beginning of the so-called Second Republic (Giuliani, 2008). Both the 13th (1996-2001) and 14th (2001-2006) legislature completed their five years mandate while very heterogeneous parties started to create fragile governmental coalitions always on the verge of political crisis due to internal disagreements on specific bills. Both this institutional development and the particularly aggressive political attitude expressed by the Berlusconi governments have created a general “confrontational mood” between majority and opposition. This has promoted the need to develop cohesive behaviours internally to the parliamentary coalitions in order for the government not to fall. Such an arrangement has particularly affected culturally ‘sensitive laws’ such as those concerning homosexuality. During the centre-left Prodi government that proposed the ‘Dico’ bill, the need of seeking consensus within the coalition holding a weak majority has generally lowered the capacity of the Ministers of proposing ‘courageous policies’. This was particularly difficult for policies that challenged the traditional family, the defence of which has often been critical to reach political consensus in an ideologically divided context. Thus, a complex mix of political and cultural elements have prevented the approval of proposals on civil unions and homosexual partnerships in Italy.

Conclusions: why cannot we talk of an institutionalization of intersectionality in Italy?

The dynamics guiding the ‘non-institutionalization’ of intersectionality in Italy are complex and involve different institutional, political, and cultural factors. A first group of factors for understanding why intersectionality has not become institutionally embedded in the Italian political context, in spite of the EU influence, has to do with the institutional and political structure.

Shirin Rai (2008) argues that, although comparing equality machineries across countries is not always useful because each of them is embedded in a specific socio-economic and political context, there are five elements (included in ECOSOC 1999) which have been identified as relevant for such bodies (it refers to gender bodies but could be applied to other equality agencies): first, location at a high level within the decision-making hierarchy and authority to influence government policy; second, clarity of mandate and functional responsibility; third, links with civil society groups that support the advancement of women’s rights; fourth, human and financial resources; and fifth, the accountability of the national machinery to the women’s movement (see also Squires 2007). What is the specific configuration of the Italian equality machinery?

The Italian Ministry for Rights and Equal Opportunities, which deals with equality policies on gender, race/ethnicity, and sexual orientation, is highly located as it depends directly from Presidency. However, the not autonomous status of the body does not favour authority of influence. The Italian Ministry of EO has a broad executive mandate. However, the lack of financial autonomy (the Ministry is without portfolio) and the little financial and human resources are severe limitations to the possibility of implementing the mandate. In order to coordinate initiatives the Ministry of EO must rely on the availability of other Ministries, which varies with the government situation. As concerns clarity of functional responsibility, this is also limited by the fact that the EO Ministry’s activities highly depend on the type of governmental responsibilities which are assigned to the Minister by the different Cabinet Presidents. Such a weak structure makes the Ministry of EO particularly vulnerable to government changes, a factor that has greatly affected continuity and consistency of equality policy, considered the highly unstable Italian political system. Also interaction with civil society and accountability of machinery in Italy has proved to be highly dependant on government change. Since there are no institutionalised channels for consultation, the

²⁶ Interview with MP Emilia De Biasi (PD), Rome, 26/02/2009.

relationship varies according to the political will of the Minister of EO and of the government, with centre-left governments being more inclusive than centre-right ones. With regard to gender equality, the characteristics of Italian feminist movement, more ‘difference’ oriented and sceptical about engaging in relations with state agencies, have limited the impact of the movement on the agencies. LGBT and, to a lesser extent, anti-racist associations have also been affected by governmental changes, with greater cooperation coming in times of centre-left governments, and distance arising in reaction to centre-right discriminatory policies.

The European Union had a tremendous impact on placing equality issues on the Italian political agenda, for gender, race and sexual orientation, as the legislation transposing EU directives shows. It was influential in the establishment of the Ministry for Rights and Equal Opportunities in 1996 to deal with gender equality, and was again behind the creation in 2003 of the anti-racist UNAR body, which was established (last minute) under a centre-right government. It was less influential in the formal creation of a body on sexual orientation, which was mainly moved by domestic dynamics of civil society pressure and left-wing government’s political will. Binding instruments like EU directives have been effective in obliging unwilling Italian institutional actors to transpose antidiscrimination legislation. Berlusconi’s government had finally to introduce the reversal of the burden of the proof in its anti-racist Decree in 2007 after the Commission initiated an infringement procedure against it. Yet, the fact that there is no EU monitoring of implementation of directives makes it possible, in political contexts like the Italian, to formally maintain agencies such as UNAR but de facto ‘emptying’ them by not operationalising them (and neutralising the possibility to monitor institutional racism). Also the scarce jurisprudence on anti-discrimination, further limited by an incorrect transposition that left the burden of the proof on the discriminated person and by the fact that the language of discrimination does not belong to Italian legal culture, shows a poor implementation of EU anti-discrimination legislation.

Despite the strong EU impact on the development of equality policies in Italy, domestic political actors have been key gatekeepers in the process, sometimes determining outcomes opposite to those expected from the EU anti-discrimination directives which paradoxically reinforced discrimination. We found two different cases of Jacquot and Woll (2003)’s ‘usage’ of the EU in Italian political interactions over sexual orientation, one in which the EU was used to introduce discriminatory policies, and the other to legitimise the introduction of anti-discriminatory measures. In the first case, Arcigay’s President Lo Giudice argued that ‘invisibility’ through absence of Italian legislation on sexual orientation was better than the domestic ‘political usage’, or rather instrumentalisation, of EU anti-discrimination directives by the right-wing government to introduce active biases against homosexuals in the transposition of the 2000/78/EC directive (by justifying discrimination for sexual orientation in jobs within the police, the fire brigade, or the emergency services). An example of the second case of EU political usage is that which has enabled left-wing governments equal opportunities Ministers (Balbo, Belillo, Pollastrini) to be more persuasive by employing the EU discourse to support progressive measures such as the creation of a Commission on sexual orientation discrimination.

If political factors such as the ideological divide between left and right are behind the difficult institutionalisation of Italian equality policy, cultural factors interact with the Italian political system hindering the articulation of consistent equality policies also in the left-oriented parties. A widespread culture of familism, often used to reach political consensus, the strong interference of the catholic ecclesiastic hierarchy in Italian political affairs (also favoured by the location of the Vatican in Rome), and the lack of widespread anti-racist or anti-homophobic cultures, in spite of the existence of a significant associational network, have affected the development of equality policies in Italy. The difficulty to reach consensus within wide party coalitions including left and right positions, in the context of a political system shifting towards majority, has blocked the adoption of progressive policy proposals especially on more sensitive issues, such as homosexual and partnership rights, which challenge the traditional family.

Italy has passed from a unitary gender-centred approach to a multiple one under the EU pressure and occasional governmental window of opportunities. Yet, gender has not been mainstreamed in other inequality policies, there are no procedures to coordinate action on multiple discriminations, and intersectionality of gender with other inequalities is only formally present in the Decrees transposing EU anti-discriminatory directives on race and sexual orientation, but it is de facto absent in policy practice. What we find is rather discriminatory biases in the form of institutional racism and homophobia. Considering the aforementioned political, institutional and cultural reasons, we conclude that intersectionality theory is excessively sophisticated and perhaps slightly unrealistic for Italian policy practice. Looking at inequality policymaking through intersectional lenses helps us scholars to focus on previously neglected aspects, which opens interesting research and political horizons. But if we want to talk of applied intersectionality, in Italy this is not only embryonic but also volatile and dependant on governmental changes. If the EU promotes anti-discrimination measures, and domestic actors such as the current Berlusconi government, are capable of twisting them into discriminatory ones, intersectionality theory has little to say on this. Therefore, we suggest to ground intersectionality theory more deeply within existing political and cultural contexts. In particular, institutional and political pre-conditions similar to those identified for women's policy agencies are necessary to be able not only to institutionalise intersectionality, but also to be able to name it as such.

Acknowledgments: We would like to thank for their helpful and kind collaboration: ACLI Expert and UNAR Junior Expert Marianna Borroni, MP Lucia Codurelli, MP Anna Paola Concia, MP Emilia De Biasi, Former Head of the Department for Equal Opportunities (2006-2008) and currently Senator Silvia Della Monica, Arcigay Honorary President, President of the Commission for the Rights and Equal Opportunities of LGBT Sergio Lo Giudice, Immigration Expert of the Association Lunaria Grazia Naletto, Amnesty International-Italy Communication Responsible Riccardo Noury and Former Minister for Equal Opportunities (2006-2008) and currently MP Barbara Pollastrini. We wish to thank Mieke Verloo and the team members of the QUING Project (Quality in Gender Equality Policies; www.quing.eu) and the European Commission (FP6) for funding the project. Emanuela Lombardo thanks the Spanish Ministry of Education and Science and the European Social Fund for funding her research through the 2006 *Ramón y Cajal* Program.

Bibliography

- Armstrong, E. and Bernstein, M. 2008. Culture, Power and Institutions: A Multi-Institutional Politics Approach to Social Movements. *Sociological Theory* 26: 74-99.
- Bell, M. 2008. 'The implementation of European anti-discrimination Directives: converging towards a common model?', *The Political Quarterly* 79: 36-44.
- Bencini, Camilla and Cerretelli, Sara (2007) ENAR (European Network Against Racism) Shadow Report 2007: Racism in Italy.
- Bustelo, M. Forthcoming. 'The case of Spain: Good in gender policies, poor in intersectionality', *International Feminist Journal of Politics*.
- Calabrò, A. and Grasso, R. 2004. *Dal movimento femminista al femminismo diffuso. Storie e percorsi a Milano dagli anni '60 agli anni '80*, Milano: Franco Angeli.
- Crenshaw, K. W. 1989. 'Demarginalising the Intersection of Race and Sex: a Black Feminist Critique of Antidiscrimination Doctrine'. *Feminist Theory and Antiracist Politics*, University of Chicago Legal Forum, 139: 139-167.
- Del Giorgio, E. 2009. QUING LARG Comparative Country Studies: Italy. Vienna: IWM.
- Diamanti, I. 1996. *Il male del Nord. Lega, localismo, secessione*, Roma: Donzelli.
- Diamanti, I. 2003. *Bianco, rosso, verde... e azzurro. Mappe e colori dell'Italia politica*, Bologna, Il Mulino

- Donà, Alessia. 2007. *Genere e Politiche Pubbliche. Introduzione alle Pari Opportunità*, Milano, Bruno Mondadori.
- 2006. *Le pari opportunità. Condizione femminile in Italia e integrazione europea*. Bari: Laterza.
- Ginsborg, P. 2006. *Storia d'Italia dal Dopoguerra ad Oggi*, Torino: Einaudi.
- Giuliani, M. 2008. *Patterns of Consensual Law-making in the Italian Parliament*. South European Society & Politics: Vol.13, No.1, March 2008, pp.61-85.
- Guadagnini, M. and Donà, A. 2007. Women's Policy Machinery in Italy between European Pressure and Domestic Constrains. In J. Outshoorn & J. Kantola (Eds.). *Changing State Feminism* (pp. 164-181). Houndmills: Palgrave.
- Goodwin, J. and Jasper, J. 2004. *Rethinking Social Movements*. Rowman and Littlefield.
- Hancock, A. 2007. 'When multiplication doesn't equal quick addition: Examining intersectionality as a research paradigm', *Perspectives on Politics* 5: 63-79.
- Hill Collins, P. (1998) 'It's all in the family: Intersections of gender, race, and nation', *Hypatia*, 13, 3, 62-82.
- Jacquot, S. and Woll, C. 2003 'Usage of European integration: Europeanisation from a sociological perspective', *European integration online papers*, 7(12).
- Kantola, J. and Nousiainen, K. Forthcoming. 'Institutionalising Intersectionality in Europe: Legal and Political Analyses', *International Feminist Journal of Politics*.
- Liebert, U. ed. 2003 *Gendering Europeanisation* Brussels: Peter Lang.
- Lombardo E. and Sangiuliano, M. Forthcoming. 'Gender and employment in the Italian policy debates 1995-2007: the construction of 'non employed' gendered subjects' *Women's Studies International Forum*.
- Lombardo, E. and Verloo, M. Forthcoming. 'Institutionalising intersectionality in the European Union? Policy developments and contestations', *International Feminist Journal of Politics*.
- Rai, S. 2008. 'Mainstreaming gender, democratising the state?' in *The gender politics of development*, London: Zed.
- Rolandsen Agustín, L. 2008. 'Civil Society Participation in EU Gender Policy-Making: Framing Strategies and Institutional Constraints', *Parliamentary Affairs* 61(3): 505-517.
- Saraceno, Chiara (2003). *Mutamenti delle famiglie e politiche sociali in Italia (Family changes and social policies in Italy)*. Bologna: Il Mulino.
- Saraceno, C. (1994). The Ambivalent Familism of the Italian Welfare State. *Social Politics*, 1(Spring): 60-82.
- Simoni, Alessandro (2007) Report on Measures to Combat Discriminations: Directives 2000/43/EC and 2000/78/EC. Country Report. Italy. Drafted for the *European Network of Legal Experts in the non-discrimination field*.
- Skjeie, H. and Langvasbråten, T. Forthcoming. 'Intersectionality in practice? Anti-discrimination reforms in Norway', *International Feminist Journal of Politics*.
- Squires, J. Forthcoming. 'Intersecting Inequalities: Britain's Equality Review', *International Feminist Journal of Politics*.
- 2008. 'Intersecting Inequalities: Reflecting on the Subjects and Objects of Equality', *The Political Quarterly*, 79(1): 53-61.
- 2007 *The New Politics of Gender Equality*. Houndmills: Palgrave.
- Sutton, R. (1999). *The Policy Process: An Overview*. Overseas Development Institute, <http://www.odi.org.uk/publications/wp118.pdf>
- Walby, S. 2007. 'A Review of Theory and Methodology for the Analysis of the Implications of Intersectionality for Gender Equality Policies in the EU. Report D13 and D14'. Vienna: IWM.
- UNAR (Ufficio Nazionale Antidiscriminazioni Razziali) (2008) L'efficacia degli strumenti di tutela nel contrasto alle discriminazioni razziali. Relazione 2007. Roma: Presidenza del Consiglio dei Ministri – Dipartimento per le Pari Opportunità.

