

Gender mainstreaming and policy responses to the economic crisis: the ‘unintended consequences’ of EU and national policymaking on Spanish gender equality policies

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Abstract

The economic crisis in Europe represents a challenge for gender equality policies, especially in Southern member states, such as Spain, that experience great economic difficulties and high levels of public debt. This paper argues that European Union (EU) and national policymaking in times of economic crisis, by not mainstreaming gender in their policymaking, have had ‘unintended consequences’ on Spanish gender equality policies. The paper explores the policy reforms that the Spanish government enacted from 2010 onwards, in response to the EU anti-crisis guidelines, and their consequences on gender equality policies. It analyses changes in the Spanish equality machinery, employment and care, and gender violence policies, taking into account the national political context, welfare and gender regimes, and institutionalization of gender equality prior to the crisis.

Keywords: gender mainstreaming; economic crisis; gender equality policies; European Union; Spain

Introduction

The economic crisis in Europe represents a challenge for gender equality policies, especially in Southern member states (MSs), such as Spain, that experience great economic difficulties and high levels of public debt. This paper argues that the austerity measures that the European Union (EU) and the Spanish government have adopted in response to the economic crisis, by not mainstreaming gender in their policymaking, have had ‘unintended’ negative consequences for Spanish gender equality policies. Consequences are deemed unintended because both the EU and Spain’s legislation endorse the principle of gender equality and the strategy of gender mainstreaming. The paper explores policy reforms that the Spanish government has enacted from 2010 onwards in response to the EU anti-crisis guidelines, and their consequences on gender equality policies. It analyses changes in the Spanish equality machinery, employment and care, and gender violence policies, taking into account the national political context, welfare and gender regimes, and institutionalization of gender equality prior to the crisis.

The paper first theorizes about the EU’s gender mainstreaming commitments and limited implementation. It then contextualizes the state of gender equality policies in Spain prior to the crisis in relation to the welfare and gender regimes, the development and consolidation of Spanish equality machinery, and the last socialist government’s progress in gender violence and care policies. Thirdly, it analyses from a gender perspective the content of policy documents that the EU has adopted in response

to the crisis to guide member states' policymaking, such as National Reform and Stability Programmes. Fourthly, it explores the main policy reforms that Spain has enacted in response to the mentioned EU guidelines, as regards equality machinery, gender-related employment and care policies, and gender violence policies. Finally, before the conclusions, the paper considers shifts in the framing of the EU and of gender equality policies in the Spanish crisis context, the role of political ideology, and civil society's contestation of austerity measures.

1. Mainstreaming gender in the EU policymaking in times of crisis

Exploring the 'unintended consequences' of EU and national policy responses to the crisis on gender equality policies in Spain requires us to consider the extent to which gender mainstreaming has been effectively implemented in the EU policymaking. The argument made is that, despite the official endorsement of gender mainstreaming in the EU legislation and the calls on the part of gender experts to mainstream gender in the EU economic policy decisions, there has been a lack of implementation of gender mainstreaming in the EU policy decisions taken in response to the economic crisis. The governmental privileging of a neoliberal rather than a social democratic alternative to respond to the crisis does not contribute to promote an effective mainstreaming of gender in policymaking.

In the last decade, analyses on gender and antidiscrimination have proliferated in the EU policy studies through comprehensive works on EU gender and antidiscrimination policies (Kantola 2010; Van der Vleuten 2007), on gender and diversity mainstreaming in the EU (Beveridge and Velluti 2008; Shaw 2005), studies of the Europeanization of gender equality policies (Lombardo and Forest 2012; Liebert 2003), and analyses that introduce a gender perspective in EU studies (Abels and Mushaben 2012). Yet, while gender is more mainstreamed in EU studies, gender mainstreaming faces difficulties in being applied to the EU's policymaking, and its implementation appears ever more problematic in the European economic crisis. The EU's ineffective implementation of gender mainstreaming has had 'unintended consequences' for gender equality in areas of the Union policymaking that go from pension policy to development or external relations (Allwood, Guerrina, and MacRae 2013).

Gender mainstreaming requires all public policies that are not specifically on gender to counter gender bias in policymaking and produce gender-equal policies, by reorganizing policy structures, processes, and mechanisms from a gender perspective (Walby 2005; Verloo 2001; Shaw 2000; Council of Europe 1998; Rees 1998). The European Union has officially committed to mainstream gender into all its policies since the 1990s. The principle has been introduced in the Amsterdam Treaty (Article 3(2) TEC; now Article 8 TFEU), through the obligation that 'In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women'. The 1996 European Commission Communication on 'Incorporating equal opportunities for women and men into all Community policies and activities' (COM(1996) 67 final) has committed EU institutions to 'mobilizing all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account at the planning stage their possible effects on the respective situations of men and women (gender perspective)' (European Commission 1996: 2). European Commission Action Programs for promoting gender equality have endorsed gender mainstreaming from the Third Action Program (1997) to the current Strategy for Equality between Women and Men (2010-2015) (Woodward 2012). Finally,

institutional structures have been established in the European Commission for promoting institutional coordination in view of the integration of a gender perspective into all Community policies (Kantola 2010; Hoskyns 2008).

Despite the EU's official commitments to mainstream gender into policymaking, the implementation of gender mainstreaming has been problematic or ineffective (Verloo 2005; Walby 2005). Scholars have documented gaps in the mainstreaming of gender into the EU's public policies (Bruno, Jacquot, and Mandin 2006; Mazey 2002; Rees 1998; Verloo 2001). The implementation of gender mainstreaming within the European Commission has been described as uneven in the different Directorates General (DGs) (Pollack and Hafner-Burton 2000) and not leading to the intended incorporation of a gender perspective into all EU policies (Cavaghan 2013; Braithwaite 2000).

The gap between the gender mainstreaming principle endorsed in the EU and its effective implementation in EU policymaking is evident in the macroeconomic and trade policies of the European Union. Hoskyns (2008) argues that gender mainstreaming is not prioritized in the EU macroeconomic policy due to the marginalization of issues of social reproduction and care in this policy area. For instance, the European Employment Strategy, while it promotes increased women's labour market participation, pays little attention to the quality of jobs available to women (Rubery 2005), and lacks a more holistic conceptualization of the economy that includes both productive and reproductive work (Perrons 2005). Hoskyns (2004: 16) suggests that, in order to address 'the power imbalances between women and men', 'social reproduction' needs to become an 'integral aspect of macroeconomic planning' in the EU. This might promote the 'tam[ing of] neoliberalism in the way that liberalism was at least partially tamed in the past'. Yet, studies show that, for example, in EU trade policies, gender mainstreaming has been marginalized from the core trade negotiations, and, when mentioned, it has often been 'framed as a neoliberal economic strategy for maximizing human capital and removing barriers to economic participation and trade' rather than as a strategy to redress gender injustices (True 2009: 134).

Also the EU policy response to the financial and economic crisis appears more in line with a neoliberal rather than a social democratic project that would be more supportive of gender mainstreaming. According to Walby (2013a) there are different approaches that theorize the relationship between finance and the economy, the state, and society, and each of them will support a particular policy response to the economic crisis. Walby argues that finance needs to be conceptualized as a social relationship that has effects on society and social inequalities (see Marx in Walby 2013a), that the state can regulate in the interest of a civil society (see Keynes and Minsky in Walby 2013a) that can act to protect workers, environment, and money from capitalism by promoting social welfare (see Polanyi in Walby 2013a). She also shows that there are two different possible policy responses that EU and member states governments can provide to address the economic crisis (Walby 2013ab). One alternative is the governmental adoption of the neoliberal project supported by finance institutions, economic lobbies connected with finance companies, and some political parties both from the right and the centre-left, that promotes market deregulation, further reduction of state intervention into the economy, and attacks to the European welfare states through cuts in state funding for social benefits and public services. Another alternative, that workers, trade unions, feminists, environmental and other civil society organisations, and some left wing political parties support is the social democratic project of state regulation of finance, the active intervention of the state to reduce inequalities through legislation and government spending particularly on the people that are worst affected by the crisis

(Walby 2013ab). EU and governmental policymaking in response to the crisis appears to have privileged a neoliberal rather than social democratic alternative, thus moving further away from gender mainstreaming.

The adoption of a social democratic project on the part of European policymakers could allow making a diagnosis of the problem that would place the interests of both women and men at the centre of politics (Walby 2013b), and generate policy responses to the economic crisis in Europe that could counteract gender and other inequalities worsened by the economic crisis (Bettio et al 2012). Feminist economists argue that the financial and economic crisis in Europe has differentiated gender impacts (Gálvez and Torres 2010; Bettio et al 2012). Due to their weaker position in the labour market than men, caused by the gender division between paid employment and unpaid care and domestic work, and discriminations in the labour market, women are especially suffering from job losses, precarious working conditions, and cuts in welfare state and public employment (Walby 2013b). Consequently, gender experts recommend the performing of gender budgeting of EU and member states' economic and financial decisions, gender impact assessments of policy initiatives taken in response to the crisis, and the monitoring of fiscal consolidation measures to observe the threat they pose for welfare provisions and public services (Walby 2009; Bettio et al 2012). They also advocate an effective implementation of gender mainstreaming in all EU policy areas, not only in justice, youth, and poverty, where gender is more mainstreamed, but also in the areas of economic growth and financial policy where gender is currently less mainstreamed (Walby 2012). Before exploring how EU and Spain's policymakers responded to the crisis, we need to frame the Spanish pre-crisis context in relation to its welfare state and institutionalization of gender equality.

2. Spain's pre-crisis welfare regime and gender policies: a 'hybrid' context of consolidation and weakness

Welfare and gender regimes

Spanish welfare model -according to Guillén and León (2011)- shows both conservative-familist traits that have hindered care and family policies and social assistance, and at the same time a rapid development in health care and education after the end of Franco's dictatorship and in particular from the 1980s to mid 1990s. The Spanish social security system has been progressively developed, education and health have become universal rights, and -since 2006- care for dependents has also become a right. Nevertheless, as Guillén and León (2011: 5) make clear, access to social benefits is de facto limited because it 'remains means-tested and underdeveloped for the needs of the population, which is also the case with family protection and care policies'. Moreover, a labour market characterized by high unemployment rates and precarious jobs and a 'traditionally high dependency on unstable and seasonal activities (building, intensive agriculture, hotels and catering)' has further hindered 'the consolidation and the effectiveness of welfare' (Guillén and León 2011: 306).

Due to these mixed features, Moreno (2001) calls the Spanish welfare state a 'via media', a 'mix of Bismarckian (social security), social-democratic (health, education) and liberal (minimum income) features' (Guillén and León 2011: 306). Spanish welfare state is described as a 'hybrid' system of 'high cyclical unemployment and a dual labour market', 'efforts towards a progressive expansion and universalization of social protection and welfare', 'persistence of high relative poverty and growing social inequalities across occupations, age, gender, and, increasingly, national origin'

(Guillén and León 2011: 305-306). High rates of unemployment and job precariousness are related to ‘a model of economic growth that was highly successful in job creation (and praised by the European Commission) but at the cost of increasing inequalities in the labour market’ (Guillén and León 2011: 310-311).

The main weakness of the Spanish model is the high level of inequality that the system produces. Gender inequalities are maintained in a system characterized by familism, reliance on women’s unpaid work, and greater social protection for those in paid work that does not challenge the norm of the ‘male breadwinner model’ (Peterson 2011). Spanish welfare state is based on a traditional division of gender roles, as the unequal system of parental leave regulations shows (Ciccia and Verloo 2012). While maternity leave regulations grant mothers six mandatory and not transferable weeks (ten can be transferred to the father, but there are no incentives for it, so that traditional gender norms tend to prevent fathers from taking the leave), fathers only enjoy two weeks of paternity leave. This type of ‘female caregiver model’ and ‘male breadwinner model’ of social policies, together with Spanish inadequate provision welfare services, have made it difficult for women to be freed from the work of care and engage in paid work in the labour market (Ciccia and Verloo 2012). Moreover, in a welfare state that favours rights based on paid work, married women who are not in the formal labour market often have to depend on their husbands for their social benefits (Peterson 2011).

With respect to the type of gender regime or the system of gender relation and institutions, according to Walby (2009) Spain can be located in the middle of a continuum between a domestic and a public gender regime, though closer to a public regime¹. Although familism and a traditional gender division of work have maintained a heavy burden of unpaid care work for Spanish women, women’s employment rates have continuously increased from the 1980s, reaching a peak of 54.7% in 2007, right before the crisis (Eurostat 2012). However, women’s rates have always been lower than those of men (76.2% in 2007), and of women in other EU member states (Peterson 2011; Eurostat 2012). Moreover, the quality of women’s jobs has also tended to be limited to fixed-term employment contracts for short periods, while a high proportion of women’s work is performed in the informal economy and thus not counted in official statistics (Peterson 2011).

The shift towards a public gender regime in Spain shows in the stabilization of women’s political representation in national parliaments from 2004 elections around 36%, with lower rates in the Senate (IPU 2012). Zapatero’s socialist cabinets introduced parity governments for the first time, both in 2004 and 2008, which had some influence also on the 2011 conservative government with more women (4 out of 13 ministers) than former right-wing cabinets (Bustelo forthcoming).

Institutionalization of gender equality machinery and policies in Spain

Gender equality has been institutionalised in Spain since 1983, when the autonomous Woman’s Institute (WI) was created by law under a socialist government and under international pressures before entering the European Community in 1986 (Valiente 2006; Bustelo and Orbals 2007). Women’s policy agencies developed in all Autonomous Communities throughout the 1980s (Bustelo 2004). Spanish gender machinery was reinforced and consolidated during the socialist government of Zapatero,

¹ In Walby’s (2009) account, the domestic regimes tend to exclude women from access to employment and political representation (fewer women in wage labour, a heavy burden of unpaid care work for women, and a lower percentage of women’s political representation), and the public tend to segregate women into less influential and powerful positions while still allowing women to be present in society.

with the creation, within the Ministry of Employment and Social Affairs, of a higher rank (than the WI) Equality Policies General Secretariat in 2004, which was directed by Soledad Murillo, a feminist sociologist well known in the women's movement, and the establishment of a higher rank Ministry of Equality in 2008 (Bustelo and Lombardo 2012). The Ministry of Equality not only dealt with gender inequalities, by including the Equality Policies Secretariat, the Women's Institute and a Special delegation for gender violence, but also addressed other inequalities, by incorporating the Youth Institute and the Council for the promotion of equal treatment and non-discrimination of people on grounds of racial and ethnic origin (Bustelo 2009; Lombardo 2009).

Gender mainstreaming was already introduced to some extent in Spanish gender equality policy plans adopted at the national and regional levels, which require different governmental departments to adopt gender policy measures included in the plans. It was institutionally endorsed through the Equality Law 3/2007, which requires public administrations to mainstream gender in the adoption, implementation, and budgeting of all policies, as well as in several regional equality laws (Alonso 2013).

The colour of the party in government has been particularly relevant at the Spanish national level, as the development of gender equality policies during the socialist government of Zapatero shows, with the adoption of important laws against gender violence (Law 1/2004), to allow same-sex marriage (Law 13/2005), to promote public care for dependent people (Law 39/2006), and gender equality in employment and other areas (Law 3/2007).

The level of institutionalization of Spanish gender policies depends on the policy issue considered. Spain has greatly progressed in its policies against domestic violence (Krizsan et al. 2007), and less in care policies (Meier et al. 2007). Public policies against gender violence within partnerships have developed due to mobilizations of the feminist movements and alliances between civil society and state feminists, which have not similarly occurred in other areas of Spanish gender equality policies (Bustelo and Ortals 2007). A milestone in Spanish policymaking to address gender violence was the adoption in 2004, under the Socialist Zapatero Cabinet, of Law 1/2004, which the women's movements demanded, and which was approved with the support of all political parties (Bustelo et al 2007).

Although care policies in Spain have had more uneven developments than gender violence policies, they have also progressed during the first Zapatero government 2004-2008 (Peterson 2011). Steps towards a more equal sharing of gender roles in care were taken through the Equality Law 3/2007 that introduced an individual right to two weeks of paternity leave. An extension to four weeks in the right to paternity leave had been planned through the Law 9/2009 that was due to be enforced in January 2011. Care issues were introduced in the agenda with the approval of the 39/2006 'Dependency Law'. The law was considered a needed fourth pillar of the Spanish welfare state as it assigned some state responsibility in the provision of care for elderly, disabled, and dependent people. However, the law does not change the reality that the family, and women in particular (83% of non professional care-givers are women, Ministry of Equality 2009), retain the traditional role of main agent responsible for care, while the state merely holds a subsidiary role in care (Peterson 2011).

3. EU policymaking in response to the crisis and gender mainstreaming

Such was, *grosso modo*, the context of Spanish welfare and gender policies in the areas considered, when the economic and financial crisis hit Europe in 2008. The EU has

attempted to respond to the crisis by coordinating policymaking within the Union especially through the European Commission 2020 Strategy and policy recommendations to each member state. ‘Europe 2020’ is the European Commission Strategy to promote in the member states employment, productivity, and social cohesion with five objectives on employment, innovation, education, climate/energy, and social inclusion, which member states need to achieve by 2020².

The National Reform and Stability Programmes are, since 2011, country-specific yearly recommendations of the European Commission on reforms that the state should make to comply with the EC 2020 Strategy. Changes required to the member states touch upon issues such as public finances, employment, education, or pension reforms. National leaders in the European Council adopt the final country recommendations. Due to the different economic context of each MS, the objectives of the Europe 2020 strategy are then translated into differentiated country objectives through the National Reform Programme, where each MS sets the policies that intends to implement to achieve the 2020 targets, which goes together with the Stability Programme, where each MS plans the country’s budget for the coming three or four years. The European Council, after the European Commission has revised National Reform and Stability Programmes of each MS to monitor what countries have done and plan to do for complying with the targets, issues an individual Recommendation to the MS to guide further reform. What does the EU recommend to Spain, once reviewed the country’s National Reform and Stability Programmes 2011 and 2012?

The 2011 Council Recommendation 2011/C 212/01³ acknowledges that ‘The Spanish economy was severely hit by the crisis and went through a sharp adjustment in 2008-2009’, provoking 20,1% unemployment in 2010, the highest in the EU, hitting young (41,6%) and less educated workers (26,4%) especially. The diagnosis is that in Spain ‘sovereign debt yields increased in the context of adverse public debt developments in the euro area and the banking system, in particular savings banks, came under pressure with the burst of the housing bubble and the sharp contraction of the construction sector.’ (p 2). The document highlights the ‘high level of early school leaving in Spain (31,2 % in 2009)’ as ‘worrying’ as it could negatively affect ‘growth’ (p 3). No gender-disaggregated data are provided in this diagnosis.

Fiscal consolidation and a strict control of public expenditure growth at all levels of government are the main Council’s recommendations to the Spanish government. The Council also pushes Spain to ‘adopt the proposed pension reform to extend the statutory retirement age and increase the number of working years for the calculation of pensions’, to keep restructuring the financial sector, to make the tax system more ‘efficient’, to ‘reform the collective bargaining process and the wage indexation system to ensure that wage growth better reflects productivity developments’ and ‘to grant firms enough flexibility to internally adapt working conditions to changes in the economic environment’. One recommendations in the Council’s document mentions the need ‘if necessary’ of ‘further reforms to reduce labour market segmentation, and to improve employment opportunities for young people’, as well as ‘to reduce early school leaving’. The EU text ends with the final recommendation ‘to eliminate current restrictions to competition, efficiency and innovation’, ‘to implement measures aimed at improving the business environment and enhancing competition in the product and service markets, at all levels of government’, and ‘to reduce the administrative burden for enterprises.’ (p 4). No word is spent in the document on the need to assess the

² See http://ec.europa.eu/europe2020/index_en.htm

³ Council Recommendation of 12 July 2011 on the National Reform Programme 2011 of Spain and delivering a Council opinion on the updated Stability Programme of Spain, 2011-2014 (2011/C 212/01).

impact of measures of fiscal consolidation from a gender perspective and to ensure gender equity when planning the reforms to respond to the crisis.

In the 2012 Council Recommendation on the National Reform Programme of Spain⁴, the EU continues to insist on fiscal consolidation and financial stability measures. The document argues that to comply with ‘the excessive deficit procedure (EDP), the objective of the budgetary strategy outlined in the Stability Programme is to bring the general government deficit below 3 % of the GDP reference value by 2013’ and the main instruments to achieve this are ‘expenditure restraint, but also on some revenue-increasing measures’ (p 6). Due to the decentralization of Spanish public finances, the EU document recommends ‘Strict enforcement of the Budget Stability Law and the adoption of strong fiscal measures at regional level’, through a strong monitoring of regional public expenditure (p 7). The EU also pushes Spain to reform the tax system -in the name of ‘efficiency’- through measures such as ‘increasing the share of more growth-friendly indirect taxes’ (p 8). Yet, a gender-sensitive analysis of EU recommendations on how Spain should reform its tax system –which was not performed- would put efficiency in relation to equity and could assess who would benefit or suffer more from the consequences of the recommended reforms (Budlender et al 2002; Barnett and Grown 2004).

The 2012 EU Recommendation also suggests Spain ‘a more substantial revision of the active labour market policies to improve employability and job matching’ (p 9), and the implementation of a ‘youth action plan’ against unemployment. The high rates of early school leaving are highlighted but no recommendation is made on how to best address the problem. Reduction of poverty is one of the objectives of Europe 2020. The EU document reports data about an increase in poverty in Spain ‘with 1 million more people at risk in 2010 and child poverty (...) at an alarmingly high level of 26,2 %’ and ‘the in-work poverty rate for temporary workers is more than twice as high as the one for permanent workers’ (p 9). Poverty data are not gender disaggregated. On this point the EU text includes the only measure in the document that shows some consideration for the well-being of people especially hit by economic, social and political crisis in Spain, when it recommends to ‘Improve the employability of vulnerable groups, combined with effective child and family support services in order to improve the situation of people at risk of poverty and/or social exclusion, and consequently to achieve the well-being of children.’ (p 14) The Spanish government National Reform Program of 2013 follows these recommendations proposing an agenda of further austerity and liberalization measures, such as cuts in welfare policies, tax increase, liberalizations and privatizations of public services.

Where is gender mainstreaming in these recommendations? In compliance with gender mainstreaming commitments, officially taken by the EU (Article 8 TFEU, 1996 EC Communication and Action Programmes), national reforms should take gender into account in the design and implementation of policies to respond to the crisis. However, the above analysis of the 2011 and 2012 Council Recommendations to Spain, and the comprehensive analyses of 2011 National Reform Programmes conducted by Bettio et al (2012: 164; 97-98) and Villa and Smith (2011) show that in the EU-27, gender has not been mainstreamed in neither policy design or implementation of ‘crisis measures’ in the 2011 National Reform Programmes. Only in 9.8% of the cases of national policies implemented in response to the crisis there was some assessment of the measures from a gender perspective. Even the ‘European Economic Recovery Plan makes no mention of ‘gender’, ‘women’, or ‘equality’, a fact that was criticized by the

⁴ Council Recommendation on the National Reform Programme 2012 of Spain and delivering a Council opinion on the Stability Programme for Spain, 2012-2015, of 6 July 2012 (11273/12).

Commission's Advisory Committee on Equal Opportunities for Women and Men (Bettio et al 2012: 97-98). As the gender experts denounce, "the 'urgency' of a response to the crisis seems to have pushed gender mainstreaming further down the priority list", including the basic presentation of gender-disaggregated statistical data.

This lack of gender mainstreaming in the EU policy recommendations to member states on how to meet the targets of Europe 2020 through National Reforms and Stability Programmes has 'unintended consequences' that, in interaction with domestic governments' priorities, are negatively affecting gender equality policies in Spain.

4. EU and Spain's policy responses to the crisis and their 'unintended consequences' on gender equality policies

Downgrading and eliminating equality institutions

Bettio et al (2012: 113) in their report on the impact of the crisis on gender equality in the EU warn that 'the budget cuts induced by fiscal consolidation measures entail the concrete risk of downgrading the status of equality policies or reducing the budgets allocated to them'. In particular they state that: 'The Spanish case rings alarm bells as to the repercussions of this crisis on gender equality machinery' in terms of 'downsizing and downgrading' (Bettio et al 2012: 113,117).

The changes of government that took place in Spain in 2011 had immediate consequences on the institutionalization of gender equality. After the socialist Zapatero government resigned, the new conservative Rajoy government elected in November 2011 restructured ministries in the name of 'rationalization' and 'simplification' in response to the economic crisis and relegated the historic Woman's Institute to be part of the new Ministry of Health, Social Services, and Equality⁵. In the new ministerial structure the former State Secretariat for Equality is eliminated and a new State Secretariat for Social Services and Equality is created, with competence to prevent and eliminate discrimination in the six grounds that EU directives prescribe (sex, ethnicity, religion or belief, sexual orientation, age, and disability). The new Secretariat has broad competencies, ranging from social inclusion to family, children, dependent and disable people, and equality. The Woman's Institute now depends on a Directorate General for Equal Opportunities (located within the Secretariat for Social Services and Equality), thus it was downgraded to being dependent from a DG while it was formerly dependent on a higher rank State Secretariat. These institutional changes represent a counter-trend in the Spanish path to consolidation of women's policy institutions.

Already in 2010, under Zapatero, after a first socialist legislature of tremendous progress in gender equality policies, there had been a drawback in the institutionalization of equality, since the Ministry of Equality established in 2008 was suppressed in October 2010 as part of the anti-crisis budgetary cuts, and transformed into a State Secretariat for Equality within the Ministry of Health, Social Policy, and Equality. In both cases of restructuring of Spanish equality institutions, as EGGSI experts claim: 'The reason put forward for this change was savings in administrative costs within the context of the fiscal austerity demanded by the current economic crisis.' (Bettio et al 2012: 114). At the regional level, the downgrading or elimination of equality institutions has taken place in Galicia, Murcia, and Madrid (Alonso 2012). Although according to Bustelo (forthcoming) the Spanish equality machinery is still

⁵ See RD 200/2012 of 23 January 2012, RD 1823/2011 of 21 December 2011, and RD 1887/2011 of 30 December 2011.

relatively strong, these changes reveal a deterioration of equality institutions, that could affect their capacity to promote gender equality policies.

Dismantling care and (gender) employment policies

Two illustrious victims of the Spanish policy response to the crisis have been the policy proposals on equal treatment for multiple inequalities and that on the extension of paternity leave. Due to EU pressures to legislate on antidiscrimination (EC/78 and EC/43 directives), the Zapatero government had approved in January 2011 a proposal for an equal treatment law on multiple inequalities (Bustelo 2009). The proposal to date has not been discussed in parliament, since the agenda of the economic crisis has pushed it to a second order issue (Bustelo forthcoming). The Zapatero government had planned, with its Law 9/2009, to extend the paternity leave from two to four weeks in 2011. In the name of austerity policies justified with the economic crisis argument, also this equality measure has been postponed (Peterson 2011).

Budgetary cuts in social and equality policies have also been implemented. In Spain the 2012 Budget Law has cut funding for the 2006 Dependency Law, reducing 15% the financial state support to people that care for a dependent relative, and eliminating social protection for non professional carers⁶. Protests by disabled and carers in the whole Spanish territory have not dissuaded the Spanish government from its budgetary cuts. Benefits for people that the state considered to be ‘moderately dependent’ have been eliminated in 2012, affecting hundreds of thousands of people in disadvantaged situations⁷. Cuts in the Dependency Law are part of the reduction in social policy expenditure of 15.7% of the state budget as compared to 2011.

Gender equality policies –which the right-wing government has placed under the Ministry of Health and Social Services- have also been cut at least 18% from 2011, leaving them to 24.9 million euros⁸. In particular, the budget for the Woman’s Institute has been reduced 9.3%, passing from 20.65 to 18.74 million euros⁹. Cuts in gender equality policies, according to the right-wing government’s Secretary of State for Social Services and Equality, are justified with the argument of the economic crisis and the supposedly bad administration of the former government¹⁰.

Employment policy reforms in response to the crisis have deepened the inequalities already existing in the Spanish labour market, promoting job precariousness and employers’ possibilities to fire their employees. The economic crisis in Europe has greatly affected Spanish labour market and workers’ conditions. In Spain the unemployment rate has increased tremendously as compared to other EU members (the total EU-28 unemployment rate being 11% in June 2013), reaching in 2013 a total of 26.3% (women 27.2%, men 25.5%, Eurostat June 2013). In the first years of the crisis, in 2008-2010, most of the destroyed jobs were male jobs related to the construction sector (González 2011). However, from 2010 onwards, adjustments in the public sector, job destruction for temporary employees who are mostly women, and the fact that in Spain the social security employment benefits mainly advantage men, have increased

⁶ *Público*, 19/08/2012.

⁷ *El País* 30/12/2011.

⁸ *El País* 24/11/2012.

⁹ *Público*, 03/04/2012.

¹⁰ *El País* 24/11/2012.

women's unemployment and worsened women's conditions of labour (Gonzalez 2011). Thus, it is not just a matter of fall in female employment in terms of quantity but also of quality of employment –argue Bettio et al (2012). According to the gender experts, the 'major losers from the overhaul of the long-term care system' in Spain are likely to be 'family carers (a highly feminized group) as well as the elderly as a whole (again quite feminized)' Bettio et al (2012: 117). Not to mention youth unemployment, which in Spain has reached 56.1% (Eurostat June 2013).

Rather than solving the problem of women's employment, the Labour Reform (RD 3/2012) approved by the Spanish government in February 2012 has been criticized by gender experts for its negative impact on women¹¹. The Labour Reform increases unilateral opportunities for employers to introduce more flexible employment conditions, without having to respect collective agreements, thus making it easier for employers to fire employees, especially those who take most of the burden of care, i.e. women. It creates a temporal contract with no right for workers to receive indemnification, for companies with less than 50 workers, where women are predominantly represented. It further increases precariousness of part-time contracts, which mostly affect women. The Labour Reform affects women not only indirectly, but also directly. This is because it limits workers' right to ask for a 'shorter working day' to care for children or dependent relatives, it limits breastfeeding rights, and eliminates financial incentives that companies formerly received by the state when women reincorporated in their former employment after having been on childcare leave. Moreover, the facility to fire employees with permanent contracts is extended also to Public Administrations, provided they show economic difficulties for three consecutive trimesters. For these reasons, Spanish feminist trade unionists have heavily criticized the Labour Reform for the discrimination of women it promotes and for the elimination of existing positive actions to promote gender equality in the workplace¹².

Touching the stronghold of Spanish gender violence policies?

Spanish government's austerity policies have also reached policies against gender violence. Despite the warnings of the Director of the Observatory against Gender Violence about the risks, for victims, of reducing public funding of gender violence policies, the right-wing government has cut 21.6% of the funding dedicated to the prevention of gender violence in the 2012 Budget law. Advertising campaigns to raise awareness on the problem of gender violence have been cut 70% in 2012¹³.

However, in Castilla-La Mancha, where the right-wing regional government had announced 41% cuts in centres and shelters for battered women, the pressure of massive women's mobilizations and petitions has prevented the closing down of the women's centres and has forced the government to withdraw its plan¹⁴. This can be read as a case of policy issue specificity, or the fact that issues have their own specific history within a country that might have prioritised or marginalised them in the political agenda (Kantola 2006). Gender violence policies in Spain can be considered a case of issue specificity because they have catalysed alliances between feminist movement and

¹¹ *El País* 07/03/2012; *Público* 23/02/2012; *El Plural* 08/03/2012.

¹² See Carmen Bravo, from Trade Union CCOO, at <http://www.ccoo.es/cscceo/menu.do?Areas:Mujeres:Actualidad:321080>

¹³ *El País* 24/11/2012 and 06/09/2012.

¹⁴ See petition at <http://www.change.org/es/peticiones/salvemos-los-centros-de-la-mujer-de-castilla-la-mancha>

femocrats from the end of the nineties, and because they are an issue around which it is easier to find consensus among ideologically different parties, as shows the fact that the law against gender violence that was approved by the socialist government in 2004 was passed with the consensus of all parties. They have thus more chances to stay on the agenda in times of economic crisis than less consolidated policy issues.

5. Framing, political ideology and contestation

The EU has generally been framed in Spanish policy debates on gender equality as a supporter of gender equality policies in the country. The EU has been seen in the nineties as an actor providing a legal framework on gender equality that legitimised Spanish women's demands to their national decision-makers, promoting learning and capacity-building among women's NGOs through transnational exchanges, and ensuring the continuity of equality policies in Spain even during times of conservative governments (Lombardo 2004). From the beginning of the economic crisis, however, and particularly since 2010, the perception of the EU as promoter of democracy and equality has changed¹⁵, as the EU has increasingly been associated with norms and discourses that support the neoliberal project of cuts to Spanish public budget targeted at social policies.

Shifts in frames on gender equality policies are also taking place. Spanish gender policy frames have progressed tremendously in the 2000s, during the Zapatero 2004-2011 cabinets, consolidating a discourse of gender inequality being the result of unequal social structures that public authorities need to address through the active promotion of gender equality (Bustelo and Lombardo 2012). The framing of care policies has been less transformative than that of gender violence, as the main framing has been one of women's –not men's- reconciliation of work and family life (Peterson 2011; Meier et al 2007), but discourses of equal sharing of care have also appeared. Therefore, Bustelo (forthcoming) argues that, although implementation of the gender policy advances of the 2004-2011 socialist governments are now jeopardized by the economic crisis and a conservative government with other priorities, most of these advances have been framed and incorporated in Spanish society in such a way that 'it would be difficult to forget or make these elaborated discourses and values to completely disappear' (Bustelo forthcoming: 25). In her view, more progressive gender equality policy frames might disappear as dominant discourses in 'official' voices, 'but they will remain in the voices of important actors who will keep an important role in gender policies; not only feminist movement and gender experts' voices, but also of professionals in charge of gender policies (such as civil servants in the equality institutions or equality agents in charge of implementing gender policies)'.

Nevertheless, political ideology matters. Cuts in welfare policies and public services and processes of privatizations of key areas such as health and education that are taking place in Spain are part of the neoliberal agenda of the Popular Party in government since 2011. The change to a right-wing political ideology also shows in the shift in the framing of the issue of violence against women from 'gender violence' – employed by the feminist movement and adopted by socialist actors in Zapatero's 2004 government- to 'domestic violence' –adopted by the conservative party. This shift in the naming reflects a change in the framing of the problem of violence against women from one where the structural causes of violence, rooted in a system of male domination over

¹⁵ Even the European Parliament, usually the best valued of the EU institutions, has passed from receiving 62% of trust from Spanish people in 2008, to receiving 25% of trust in 2012 (Eurobarometer 2008 and 2012).

women, are highlighted – ‘gender violence’- to one where the emphasis is put on the place where the violence occurs but not on the structural causes or the actors performing such violence - ‘domestic violence’ (Bustelo et al 2007; Krizsan et al 2007).

Another evidence of the influence of political ideology in the framing of gender equality policies is the Spanish right-wing government’s announced plan to restrict the right to abortion through the reform of the more progressive 2/2010 law on sexual and reproductive health that was approved by the socialist government. On the same ideological line, six Autonomous Communities governed by the Popular Party have approved laws for the protection of pregnant women, whose framing protects women as mothers providing financial means for pregnant women in difficult economic situations to continue their pregnancy, but not to interrupt it, and whose aim is to guarantee the right to life from the conception (Alonso 2013). These laws show a pro-life approach that limits women’s right to self-determination. The laws also indicate that of the few economic resources that will be dedicated to gender equality policies most of them will go to women as mothers, whereas women who are in difficult economic situations but are not mothers cannot benefit from the funds. This political discourse shows ideological connotations aimed at reinforcing traditional gender roles and limiting women’s autonomy, revealing that the crisis in Spain is used by conservative actors to develop their own political agenda on gender (Lois 2013).

Civil society is also mobilizing to contest the official government discourse on austerity measures, budgetary cuts, and privatization of social services. Massive demonstrations and strikes of ‘citizens’ waves’, such as the ‘white wave’ to defend public health, the ‘green wave’ to defend public education, or the feminist ‘purple wave’ that mainstreams gender in the anti-austerity struggles, show that a growing part of Spanish society is actively defending its welfare and equality rights. The *Indignados* movement, appearing on 15th May 2011, in the same year that similar social movements were emerging in different other countries, in Europe and beyond (see US with the Occupy Wall Street), has started protesting against the economic crisis and the low quality of Spanish democracy (Cruells and Ruiz 2012). Being a heterogeneous social movement, that includes economic, environmental, feminist and many other struggles, it is however united by discourses that contest existing political representatives and their policy response to the economic crisis that is degrading the quality of Spanish democracy, equality, and social rights.

Conclusions

European policymaking, while trying to cope with the economic crisis and promote an agenda of growth by 2020, is paradoxically putting Europe against the principle of gender equality endorsed in its own legislation. The EU is launching contradictory messages for member states when it recommends both to promote gender equality through its own legislation, and to reduce gender policy initiatives, through cuts in welfare and gender policies that are imposed by recommendations of fiscal consolidation and privatization.

The lack of gender mainstreaming in the EU policy responses to the crisis, in interaction with domestic governments’ priorities that support a neoliberal project of market deregulation and cuts to the welfare state, has had ‘unintended consequences’ that are negatively affecting gender equality policies in Spain. From 2010 onwards, Spanish equality institutions have been downgraded or eliminated, care and (gender) employment policies dismantled, and even the stronghold of gender violence policies has been touched, though less than the other two areas considered. The socialist

government introduced some austerity reforms contrary to its political programme, though most austerity measures were adopted by the 2011- conservative government. Thus, despite the fact that EU-framed austerity policies have blurred differences between Spanish socialist and conservative governments with regard to economic policies, political ideology still matters for gender equality, as the conservatives' greater alignment with the neoliberal agenda proposed by the EU and promotion of a traditional framing of gender equality shows. Austerity measures are contested by a Spanish civil society that seems to become increasingly more active in the defense of the welfare state and labour rights, and aware of the importance of issues of equality, social justice, and democracy.

The pre-crisis context can provide elements to understand the magnitude and nature of the consequences of EU and domestic policymaking in response to the crisis on Spanish gender equality policies. Spanish welfare regime has been described as a hybrid of strengths -universal social rights to education and health- and weaknesses -labour market inequalities and job precariousness, particularly for women. While austerity measures have worsened an inequality that was already there, the cuts of public health and education, whose universal access Spanish citizens have enjoyed so far, have especially triggered indignation and social protest. The drawback in gender equality policies is particularly evident if one considers that the Spanish gender regime before the crisis was getting closer to a public regime, thanks to the consolidation of equality machinery and gender equality policymaking during the Zapatero cabinets. The 'issue specificity' or greater consolidation of the policy issue of gender violence can help to understand why consequences of austerity measures on this issue have been so far less dramatic than in the care issue.

Finally, the economic crisis has brought to the surface longstanding problems in the implementation of gender mainstreaming in European policymaking, by showing that EU policy responses to the crisis have subordinated gender equality to 'more pressing' economic priorities in line with the neoliberal project. Gender experts suggest that an effective mainstreaming of gender into all policies is necessary for saving from deregulation the EU social and gender model that has been constructed through years of European integration. In the context of economic crisis, reducing existing inequalities is a policy decision that requires –as Sylvia Walby argued at the Third European Conference on Politics and Gender in March 2013- an alternative, social democratic, and feminist, vision of EU finance and economic policy.

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