

**Employment and Women's Studies: The
Impact of Women's Studies Training on
Women's Employment in Europe**

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BACKGROUND DATA REPORT

SPAIN

Isabel Carrera Suárez and Laura Viñuela Suárez

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Introduction

Since the recent history of Spain has been marked by specific historical features which differ from those of other European nations, we must go back to a few years before 1945 to fully understand the development of women's opportunities in the country. Therefore we will briefly summarize the situation of women during the Second Republic and the Civil War in order to convey the regression that Franco's dictatorship meant in the struggle for women's rights and the considerable development that has been achieved since the beginning of democracy.

The Second Republic (1931–39) was a positive period for women, especially during the first two years of leftwing government (*Bienio progresista*). For the first time, women were considered as independent individuals and equality between men and women was recognized (art. 43 of the Constitution). A debate about women's employment took place at the time and the different parties expressed varied and, sometimes, opposed positions. While rightwing parties denied women the right to work in paid employment, arguing that their duty was to protect domestic values, anarchist parties recognized the right of men and women to be economically independent and to equal rights and duties. Women's access to education also became significant. This helped to increase the number of women that were working in qualified employment. However, women's employment did not change substantially, as traditional values did not disappear and after World War I there were pressures to bring women back into the home.

During the Second Republic there were positive changes in the issue of women's voting rights. Although they could not vote in the first elections held after Primo de Rivera's dictatorship, they could be elected. This resulted in two women becoming members of the Constituent Assembly in July 7 1931: Victoria Kent (*Partido Radical Socialista*) and Clara Campoamor (*Partido Radical*), who played an important role in obtaining women's right to vote.

A few women's organizations were set up during this period, some of them conservative (*Asociación Femenina de Acción Nacional* –Feminine Association for National Action-, *Asociación Femenina de Renovación Española* –Feminine

Association for Spanish Renovation-, *Asociación Femenina Tradicionalista* – Feminine Traditionalist Association-, *Sección Femenina de la Falange Española* – Feminine Section of the Spanish Falangist Movement, which would have a great influence during Franco’s dictatorship and some liberal (*Agrupación Femenina Socialista* –Female Socialist Group-, *Mujeres contra la Guerra y el Fascismo* – Women Against War and Fascism-, *L’Unió de Dones de Catalunya* –Union of Catalanian Women-, *Mujeres Libres* –Free Women-). There were also organizations that were already established before the Republic with the aim of developing women’s access to culture and education and the recognition of women’s political rights (*Lyceum Club*, *Federación Internacional de Mujeres Españolas* –International Federation of Spanish Women-, *Asociación Universitaria Femenina* –Female University Association).

During the military conflict of the Civil War (1936–39) two models for women coexisted: on the side of the republicans the “nueva mujer” (new woman) who contributed as much as men to the war, either by fighting in the rearguard or by working in civil society; on Franco’s side (the “nacionales”) women were to be submissive, self-denying and self-sacrificing, doing as the State, the Catholic Church and the *Sección Femenina* said.

Because of the shortage of men during the war, women were obliged to start working outside the home, which they did by creating voluntary workshops and proposing new ways of organizing work and production, especially in the textile industry. But there was still discrimination in salary and wages and they worked in positions of less responsibility. As will be explained in the next section of the report, after Franco’s victory Republican laws were overridden and new legislation was enacted. This had negative consequences for women since it signified the end of positive measures related to birth control, divorce, civil marriage and women’s access to education and paid employment.

HISTORY OF GOVERNMENT EQUAL OPPORTUNITIES LEGISLATION FROM 1938

Franco's personal dictatorship was established on 30 March 1938 through the enactment of a law that awarded him the Presidency of the State, giving him supreme authority to dictate generally applicable laws. In the same month the *Fuero del Trabajo* (Employment Code) was passed, which entailed the substitution of the trade unions, now outlawed, by a corporative and paternalist state. But Franco's Regime was forced to move progressively towards more open policies (even if this didn't mean a de facto more open social and political situation) because of the political and economic evolution of other European countries. Therefore, during the 1940s two measures were introduced, designed to give political representation to Spaniards: the creation of the *Cortes Españolas* (Spanish Parliament) and the approval of the *Fuero de los Españoles* (Spaniards' Code). However, these institutions had no effective political power.

With the arrival of Franco's dictatorship the positive measures for women that had been established during the Republic such as the legalization of divorce, abortion, birth control or civil marriage, were overridden, which meant a regression in the struggle for women's rights. The new laws approved by the government contributed to keeping women at home and, in some cases, punished women working in paid employment (Family Welfare Act of July 1938 and Family Allowance Act of March 1946). Therefore, many women who had experienced personal freedom during the years of the Republic were forced into marriage as the only possibility of earning a living. At the same time, legislation prevented women's access to most jobs and protected motherhood and women's physical integrity.

The increase of clandestine action against the Regime and of protests from the university, as well as the economic crisis of 1957, led to a change in economic policies. In 1959 the *Plan de Estabilización* (Stabilization Plan) that preceded the *Planes de Desarrollo* (Development Plans) of the 1970s, was approved. These were 4-year plans, setting compulsory objectives for the public sector and recommendations for the private sector. From 1960 onwards the economic policies of the Regime were included in the text of the Plans of Development. But the Plans did not have much practical effectiveness and the growth of the economy between 1960 and 1970 was not a consequence of these but of the growth of European economy, and of the internal logic of national economy after the post-war period. During this

decade the philosophy of development and welfare turned into the key argument to legitimize Franco's regime in foreign countries. With the liberalization of the economy all human resources were needed. Because of this, women's right to practice all kinds of political and professional activities was recognized (Act of 22 July 1961), with the exception of the Army, the Merchant Navy, jobs that implied the use of weapons and "hard, dangerous or unhealthy" jobs. Yet, women still needed the permission of their husband to exercise their labour rights or to manage their legal or economic activities. But the 1970s were not such a positive period for the economy and, although Spain signed an agreement with the European Community in 1972 with the aim of progressively removing obstacles to commercial exchange, the failure of the IIIrd Development Plan and political instability brought another period of economic crisis.

Franco's death on 20 November 1975 heralded the beginning of a new period of greater freedom and equality. After the dictatorship many legislative changes were made to adapt Spain to its new, democratic status. During the first years the most important efforts in relation to equal opportunities were also directed towards legislation. On 6 December 1978 the text of the new Constitution was approved in a national referendum. The Spanish Constitution was, and still is, the main reference point for measures related to equal opportunities. In this respect the most important article is number 14, which establishes the principle of non-discrimination: "Spaniards are equal before the law and may not in any way be discriminated against on account of birth, race, sex, religion, opinion or any other condition or personal or social circumstance." This principle is reinforced by article 9.2: "It is incumbent upon the public authorities to promote conditions which ensure that the freedom and equality of individuals and of the groups to which they belong are real and effective, to remove obstacles which prevent or hinder their full enjoyment, and to facilitate participation by all citizens in political, economic, cultural and social life." In the Constitution there is also article 35.1 which makes explicit reference to the principle of non-discrimination in relation to employment: "All Spaniards have the duty to work and the right to employment, to free choice of profession or trade, to advancement through their work, and to sufficient pay for the satisfaction of their needs and those of their families: moreover, under no circumstances may they be discriminated against on account of their sex."

Some measures for the legislative development of the principle of non-discrimination were taken during the 1980s. To coordinate the actions to be taken in this direction the “Instituto de la Mujer” (Institute for Women’s Issues) was established in 1983 (Act 16/1983). The fundamental goal of this independent body was to promote and foster conditions which make possible the equality of both sexes in society and the participation of women in political, cultural, economic and social life.

The Institute proposed and promoted most legislation for equal opportunities. Of special relevance during its early stages was Royal Decree 1224/85, 1 August that regulated labour relations for domestic services. Until the enactment of this Royal Decree, this sector, in which practically all workers were women, had no regulations regarding timetables, salary, leave, etc. The Institute also played an important role in Spain’s ratification of the Convention for the Elimination of all Forms of Discrimination Against Women in 1984.

The next key date for the development of equal opportunities in Spain was 1986, when the country became part of the European Union. Article 96.1 of the Constitution, which states that validly concluded treaties, once officially published in Spain, shall become part of the internal order, together with the primacy of Community Law, established the new basis for another period of changes in Spanish legislation.

The first step towards the changes that had to be made in relation to equal opportunities was the elaboration, by the Institute for Women’s Issues, of the *I Plan para la Igualdad de Oportunidades para las Mujeres –I PIOM-* (Ist Plan for Equal Opportunities for Women). This Plan, approved by the *Consejo de Ministros* (Cabinet) on 25 September 1987, was carried out between 1988 and 1990 and was incorporated into the IInd Programme of Action developed by the Unity for Equal Opportunities of the European Commission (1986-1990). The coordination of this PIOM was carried out by the Institute for Women’s Issues in cooperation with the Ministries and the national, regional and local administrations.

Several laws related to the development of the principle of non-discrimination in employment were passed following the objectives of this Ist PIOM. Amongst them, a few should be mentioned:

- Act 8/88, of 7 April, which introduced the notion of a “very serious infringement of the law” when employers take actions that fail to respect the privacy and dignity of employees, or that discriminate on the basis of sex in relation to salaries, working days, training, promotion and other working conditions. Also considered as a very serious infringement was the failure to comply with the laws on the protection of periods of pregnancy and nursing. Employers were to guard against discrimination based on sexual difference in advertisements, job offers, and other measures in employment creation and occupational training.
- Act 3/1989, of 3 March, extended maternity leave to 16 weeks and established measures to promote the equality of women at work. This Act responded to the objective of the Ist PIOM to make working in paid employment compatible with maternity/paternity. The right to retain the same position during the first year of absence for child care and measures against sexual harassment at work were also established.
- Act 7/89, of 12 April, on Labour Procedure Basis, provided for the reversal of the burden of proof in proceedings where reasonable indications of discrimination on the basis of sex are found. This means that it is the duty of the defendant, that is the employer, to justify the appropriate nature of the measures taken. The text of the Labour Procedure Act, approved by Royal Legislative Decree 521/90 on 27 of April, established that in such proceedings the body having jurisdiction may request an opinion from competent public institutions. Such a request for an expert opinion may be required whenever the judge or court considers it appropriate. As a consequence of this provision, the Institute for Women’s Issues has been asked for reports by judges and courts.
- Act 22/1992, of 30 July, established a government programme to promote hiring on permanent contracts, with a subsidy of 500.000 pesetas (3.005 €) provided for the promotion of the recruitment of women in professions in which they are under-represented.

- As a means of developing specific training for women to encourage and facilitate their access to employment, the regulation of the *Plan Nacional de Formación e Inserción Profesional* (National Vocational Training and Employment Plan) –Royal Decree 1618/90, of 14 December sets programmes for the professional training of women who wish to re-enter the labour market. The programmes aim to train women in the activities where they are under-represented and to facilitate access to employment for women with family responsibilities and special difficulties in entering the labour market. Initiatives of this kind (women’s training programmes and government subsidies for the recruitment of women) have continued to be developed regularly.

In terms of court practice, Ruling 128/1987 of 16 July of the *Tribunal Constitucional* (High Court) established that affirmative action is compatible with the formal principle of equality laid down in article 14 of the Constitution, and can be required in order to maintain the principle of essential equality established in article 9.2 of the Constitution. The High Court also based its ruling both on community standards and the CEDAW. In conformity with the Convention, the Court repeatedly ruled that “protection against discrimination is not only compatible with but sometimes requires compensating for inequality of opportunity between the sexes through affirmative action” (Rulings 128/1987 of 16 July, 19/1989 of 31 January, 216/1991 of 14 November, 28/1992 of 9 March, and 16/1995 of 24 January of the High Court).

The High Court issued a number of rulings stressing the significance of the article. Especially important was Ruling 128/1987 of 16 July on specific forms of assistance for day-care centres, in which the legality of affirmative action in favour of mothers was explained as follows: “women with young children face undeniable and major difficulties in finding or keeping a job; while these difficulties are due to a variety of reasons, they put this social category in a clearly disadvantaged de facto situation as compared with men in the same situation. So long as this situation persists, measures that tend to encourage the access to employment of a disadvantaged group, and that seek to ensure –by facilitating the use of day-care centres- that a discriminatory social practice does not become a means of keeping women with young children out of the workplace, cannot be regarded as discriminatory.”

The IInd PIOM (1993-1995) was incorporated to the IIIrd European Programme of Action (1991-1996) and, as the Ist PIOM did, continued promoting the development of legislation towards equality. Some of the affirmative action measures taken were:

- The Order of 29 July 1994 announcing scholarships for women for internships in businesses belonging to the public INI/TENEO Group, aimed at encouraging affirmative action in business through various initiatives, including the design and implementation of a pilot scheme affirmative action programme in public companies which would serve as an incentive and a model for other initiatives of this type.
- The Order of 25 January 1996 creating the “Cooperative Entity for the Promotion of Equality of Opportunities between Men and Women”. Under this legal figure, the National Institute for Women’s Issues and the Basque Institute for Women’s Issues agreed to established jointly the OPTIMA Equal Opportunities Programme which, as part of the Community’s Employment-NOW initiative, is intended to encourage and support organizations and companies in the development of affirmative action measures that aim to facilitate the recruitment, long-term employment and advancement of women. The OPTIMA Programme is also designed to encourage the dissemination of the practical experience of companies carrying out equal opportunity policies.
- With respect to social legislation we must take into account the following measures:
- The Order of 18 July 1991 of the Ministry of Labour and Social Security, which established that employees who work a shorter day with a proportional decrease in salary in order to take care of a child under six years of age, or of a person under their legal custody who is physically or mentally handicapped, may enter into a special agreement with the Social Security in order to ensure that the basis on which their contributions are calculated remains the same as the basis on which they contributed before the reduction in the length of their workday.
- Act 42/1994 of 30 December, on fiscal, administrative and social measures, introduced a new Chapter IV into Section II of the revised text of the General

Social Security Act adopted by Royal Legislative Decree 1/1994 of 20 June. It made maternity leave a specific leave of absence, in accordance with the IInd PIOM. The Act also raised the maternity allowance to 100 % of the corresponding regulatory base.

- About maternity protection:
- Act 3/1995 of 8 November, on prevention of labour risks. This regulated a new type of leave, “for the time required for technical and prenatal examinations in preparation for childbirth which need to be carried out during the workday”. It also contained an article headed “Maternity Protection” which provided that risk evaluation of any potentially dangerous activity should include both determination of the nature, degree and duration of the exposure of pregnant workers or those who have recently given birth or who are nursing, and an assessment of working procedures and conditions which could have a negative influence on the health of the worker or the foetus. In such a case, the employer must take the necessary steps to avoid such risks and, where appropriate, assign the worker to a position compatible with her condition. This Act finally superseded the Decree of 26 July 1957 identifying types of work prohibited for women and children, while maintaining the provisions on child labour.
- The Organic Law 10/95 of 23 November developed the new Penal Code, which came into force on 25 May 1996. It characterized as an offence, punishable with six months to two years of imprisonment or a fine, serious discrimination in employment on the grounds of opinion, religion, ethnicity, beliefs, race or nationality, gender, sexual orientation, family situation, ill health, disability, avowed legal or trade union representation of workers, being related to other staff members, or use of any of the official languages of the Spanish State (art. 314).

After the elections of 1996, the *Partido Popular* (Popular Party) became the ruling party through coalitions with nationalist (conservative) parties. Despite the conservative and patriarchal ideology of these political groups, the changes that had been made in the status of women could not be ignored and they were compelled to continue the development of equal opportunities policies. But, in comparison with the many steps taken during the preceding years, the actual number of measures adopted

decreased, especially in relation to employment, and most come through European initiatives and regional and local plans for equal opportunities. After 2000 the Popular Party won the elections by absolute majority, which gave them more autonomy to carry out conservative policies. But the impossibility of reversing women's movement towards equality makes evident that the previous efforts were worth making and that they did set a solid basis for Spanish women to work from. We will give examples of recent measures that are related to women's opportunities.

On 15 April 1998 the Spanish Government adopted the Action Plan for Employment in accordance with the commitments undertaken at the Luxembourg Summit Meeting held on 20-21 November 1997. The Plan includes key component IV, which is exclusively designed to strengthen policies for ensuring equal opportunities, and there is a proposal to incorporate the principle of mainstreaming into all the other key components, which contain various proposals relating to employment. As an example of the step back that the latest government actions related to employment seem to be in comparison to previous achievements we can point to the recent labour reform, approved by Royal Decree Act 5/2001, of 2 March, which includes regulations that are disadvantageous to women's employment. The age limit of 21 years for signing up to a training contract, intended to contribute to the hiring of social groups with difficulties in accessing employment, has been removed. This type of temporary contract is of low cost to the employer, since the salary does not have to be above the guaranteed minimum wage. In consequence, extending the age range for this training contract could mean, in practice, an increase in temporary and low paid work for an important number of young people (and amongst them many women) who would have lower social protection afterwards.

This new labour regulation has also removed the limit of 77% of the conventional (legally established) full-time working day for part-time contracts, which are now defined only by comparison with the full-time working day. As a result, the annual working day of a part-time worker –most of them women- could be very similar to that of a full-time worker but with less favourable rules and rights, for example, in schedules. In addition, flexibility in schedules and overtime can be used by the employer to his/her own benefit, and to the detriment of the employee, because the limit for overtime working hours has been increased from 30% to 60%. Moreover, the

new law eliminates the requirement of writing down the number and specific distribution of the working hours daily, weekly and monthly. Lastly, dismissal is now cheaper for the employer, since redundancy pay has been lowered from 12 working days per year of service to 8. In relation to the special measures taken for the promotion of women's recruitment for permanent jobs, even though the range of women who may be included in these measures has been extended, their redundancy pay has also been lowered from 45 working days per year to 33.

On the other hand, as a way to encourage the recruitment of women, a bonus of 100% is established for the Social Security costs of employees that need to be substituted during maternity, adoption or fostering leave. Likewise, there is a bonus of 100% for Social Security costs for the recruitment of women who have been registered as unemployed for 12 to 24 months after giving birth. This bonus is effective only for the first year of contract.

The High Court, which had developed a clear attitude against discrimination at the beginning of the 1990s, now seems to be retracting its steps. As an example, it has recently accepted the difference in salary in a job in which men are paid more because they can lift bigger and heavier loads than women. This means a step back in the old struggle to end discrimination on the basis of physical strength, which continues to be a common argument in some professional sectors in which women are under-represented.

We can conclude, then, that formal equality has been achieved in Spain by means, first of all, of the Constitution of 1978, especially through article 14, and, deriving from this legal text, by means of Community Law in relation to equal opportunities. But, as Pereira Porto (1999) observes, material equality is still a goal for women. As an example she draws attention to the language used in the very article 14 of the Constitution that applies to "los españoles" and not to "los españoles y las españolas", using the masculine plural as generic. Even though this might not be the most important issue to focus on, it illustrates the idea that the struggle towards equality still continues. The changes in the law do not necessarily mean changes in attitudes towards women.

THE INSTITUTIONALIZATION OF EQUAL OPPORTUNITIES

Although we cannot speak of “equal opportunities” during Franco’s dictatorship, a few women’s organizations deserve mention. The Catholic Church, on which Franco’s Régime was based ideologically, was of great importance. This led to the exaltation of the family as the “natural” unit prior to civil society in which the father’s authority came directly from God. Public and private spaces were strictly separated. For “moral reasons” boys and girls were separated from primary school onwards and received different types of educational training. In this respect, some women’s organizations, such as *congregaciones marianas*, *Hijas de María* (women’s organization for the worshipping of Virgin Mary) or *Sección Femenina* (Feminine Section), related both to the Catholic Church and to the State, contributed to the dissemination of traditional values during the girls’ school years, leading them to envision marriage and motherhood as the only desirable options for women.

The “Sección Femenina” was created in 1934 as part of the Falangist Movement and continued existing without major changes until Franco’s death in 1975, playing a significant role in the promotion of family and Catholic values amongst Spanish women due to the support they received from the State. An example is the rearranging by government decree 31/5/1940 of the social community service for women that had been established during the war. After six months of social service, women were allowed to work in paid employment, to sit an examination for Public Administration, to obtain an academic degree, to obtain a passport or a driving license, but this had a double agenda since the community service, which included three months of theoretical training, was an effective indoctrinatory weapon used by the *Sección Femenina*.

The women’s movement suffered repression during Franco’s period. Many women that had fought for women’s rights during the Republic were imprisoned and tortured. But, in spite of this, women took part in the resistance against the dictatorship, for example, passing information among prisoners and helping them communicate with the outside world or organizing strikes in factories as a form of protest. The leftwing parties and some independent women encouraged the creation of the *Movimiento Democrático de las Mujeres* (Women’s Democratic Movement), constituted in 1965 during the 1st General Assembly in Barcelona, which marked the beginning of a period

of consciousness-raising among militant women against the dictatorship. Since this organization was not legal, from 1969 they worked through the legal *Asociación de Amas de Casa* (Housewives' Association) to disseminate feminist ideas.

Nowadays, there is a huge number of women's organizations in Spain at national, regional and local level. They are of different kinds (public, NGOs, non-feminist women's associations,...) and have different goals, but their common aim is the achievement of equality for women and the struggle against discrimination on the basis of sex. Since it would be impossible to describe them all, we will focus on the most influential public institution: the Institute for Women's Issues (*Instituto de la Mujer*).

The Institute for Women's Issues was created as an autonomous body in 1983 (Act 16/83, 24 October) as a result of the pressure of politically active women on the ruling socialist party (PSOE). The accomplishment and development of the policies for the promotion of conditions that would lead to a situation of equality between the sexes and the participation of women in political, cultural, economic and social life were fundamental goals of the Institute. Two courses of action were established: one for encouraging the creation and development of information and training programmes and services for women, and another for encouraging actions directed towards the promotion and coordination of specific policies for women.

The Institute was part of the Ministry of Culture until 1988, when it became part of the Ministry of Social Affairs. In 1996 this Ministry became the Ministry of Employment and Social Affairs. Its present regulation was developed by Royal Decree 774/97, on 30 March. The creation of the Institute meant the beginning of State Feminism and, even though this happened almost ten years later than in other countries, it soon became comparable in budget, personnel and objectives to the institutions of equality in other countries.

The Institute's activities are developed in the framework of the Plans for Equal Opportunities for Women (PIOM). So far three PIOMs have been developed. The first one (1988-1990) directed most of its efforts to the employment area and to the changes in legislation that needed to be made to adapt Spanish law to that of the

European Community. The starting point of this first Plan was the elaboration of a “Report on the social situation of women”. On the basis of this report 120 specific measures were established, related to six basic areas of action: law, family and social protection, education and culture, employment, health and international cooperation, and associative movement. With respect to employment, the goals were equality in access to paid employment and in working conditions, the reduction of women’s unemployment, and of labour segregation on the basis of sex. Related to these two objectives was also the sharing of public and domestic responsibilities between men and women.

A Consultive Commission, made up of members of women’s organizations, was established to follow the development of the Ist PIOM. Members of the Governing Board of the Institute and of the two major Spanish trade unions (CC.OO. – Communist Trade Union- and U.G.T. –Socialist Union Confederation) also took part in the Commission. The aim was to gather the opinions of a wide range of people involved in equal opportunities. Other commissions were established to coordinate and follow up the development of the PIOM in the Ministries. The Ist PIOM was carried out through modifications of existing laws as well as through the enactment of new laws. At the same time, studies and analyses were being developed to serve as a basis for further actions. The evaluation of the Ist PIOM was positive. The actions carried out had contributed to the establishment of a legal base for the implementation of policies towards equality. In a very short time a huge change was made from a heavily discriminative legislation to one of the most advanced legislations in Europe as regards equal opportunities, complemented by the institutional agreement to put into practice positive action policies. The Ist PIOM was successful in encouraging the creation of agreements between different ministry departments to accomplish effectively the objectives of the Plan.

After the experience of the Ist PIOM it was evident that formal equality was not enough to guarantee the actual equality between men and women. Therefore, the objectives of the IInd PIOM (1993-1995) centred on the need to develop a new balance between public and private spaces, in order to change attitudes and structures. The IInd PIOM had 10 objectives (legislation, education, employment, image, domestic responsibilities, associative movement, access to high-level posts, health, marginality

and international cooperation) divided into 172 specific actions. The Ministry for Social Affairs established three priorities: the protection of women's employment, the change in images of women (specially in the media), and the promotion of women towards high-level posts. The strategies to carry out this plan were a continuation of those of the first, that is, the development of integral policies to act on the specific problems of women from many fronts. This was achieved through the promotion and coordination by the Institute for Women's Issues of the agreements between the Ministries and other institutions and organizations.

If the Ist PIOM was directed towards quantitative changes, the second centred on qualitative ones. An important aim of the IInd PIOM was to ensure the observance of the measures taken under the first plan, as well as their dissemination between the sectors responsible for their implementation. In relation to employment, the plan developed a network to encourage self-employment amongst women, promoted positive action in companies and coordinated some European initiatives in Spain (NOW, SOFIA, IRIS). In order to change the stereotyping attitudes towards women, two publicity campaigns were conducted in the media to ensure a social impact and raise public awareness on the matter.

The last PIOM (1997-2000) sought to boost equal opportunities policies for the social advancement of women on the basis of the commitments made at the Fourth World Conference on Women, held in Beijing, as well as the guidelines set by the fourth Community Action Programme of the European Union. The directions for action set forth by both texts are the introduction of equality into all policies and women's participation in all spheres of social life. On this basis, the IIIrd PIOM identified 10 areas (education, health, economic affairs and employment, power and decision-making, image and media, environment, violence against women, social exclusion, rural women and cooperation) structured around 25 objectives with 192 specific actions.

There are other major women's organizations at national level. The two largest trade unions (CC.OO. and U.G.T.) have *Secretarías de la Mujer* (Women's Secretariats) similar to those of the Institute for Women's Issues, and they actually have a close working relationship since members of the *Secretarías* take part in the Governing

Board of the Institute. These institutions study and analyze the social situation of women in Spain, especially in relation to employment, and they promote actions towards equal opportunities and the improvement of women's position in this area (struggle against discrimination in salaries and access to employment, report on sexual harassment at work...). They also cooperate with other women's groups that have similar goals and disseminate their activities and actions through campaigns, seminars, publications, etc.

At a regional level, at present, all Autonomous Communities have created their own institutions and plans for equal opportunities, which was one of the goals promoted by the PIOMs. The following list shows the progressive creation of the regional institutions as well as the development of the plans for equal opportunities. In most Autonomous Communities the first plan was elaborated immediately after the creation of the institution, with the exceptions of Asturias, where one plan had already been developed before the establishment of the institution and Navarra, which spent seven years without a plan for equal opportunities after the creation of its institution.

Table 1. Creation of regional institutions and plans for equal opportunities

Autonomous Community	Date of creation	Plan(s) for equal opportunities
Cantabria	1986	1991-1993, 1998-2000
Basque Country	1988	1991-1994, 1996-2000
Valencian Autonomous Community	1988	1989-1991, 1997-2000
La Rioja	1988	1991-1995, 1996-2000
Andalucía	1988	1990-1992, 1993-1995, 1997-2000
Madrid	1989	1989-1991, 1993-1995, 1997-2000
Catalonia	1989	1989-1992, 1994-1996, 1998-2000
Baleares	1990	1991-1993, 1996-1999
Castilla-La Mancha	1990	1990-1994, 1995-1999
Galicia	1991	1992-1994, 1995-1997
Castilla y León	1991	1994-1996, 1997-2000
Navarra	1991	1998-2000
Canary Islands	1991	1995-1996, 1997-2000

Murcia	1991	1993-1995, 1997-2000
Extremadura	1991	1991-?
Principality of Asturias	1993	1989-1991, 1993-1995, 1998-2000, 2001-2005
Aragon	1993	1994-1996, 1997-2000

María Bustelo Ruesta has analyzed the regional plans for equal opportunities and has concluded that they tend to become more realistic and specific. The first to be developed were more influenced by the national plans, but later they took as their model the European and international programmes and legislation. Today, only Andalusia, Aragon and La Rioja mention the national plan, while all of them mention the IV World Conference held at Beijing as well as the IV European Programme of Action. A curious feature of the plans is that none moves beyond “the psychological barrier of year 2000” (Bustelo Ruesta, 1999: 374).

The Institute for Women’s Issues and the PIOMs represented a model for the regional institutionalization and development of equal opportunities. But the institutional framework of these regional organizations was heterogeneous. Those created as autonomous bodies were more effective because they were legal entities with their own budget and had more managerial and administrative independence while, at the same time, they were less influenced by political changes.

The regional government on which they depend is another important factor. Seven regional institutions are appointed by the President’s department and they are therefore in a better position to persuade other departments to accomplish the Plans for Equal Opportunities. The rest of the institutions depend on other areas such as Social Welfare (7), Culture (2) or “Family, Women and Youth” (1, the latter responds to the long period of conservative government in Galicia). The Autonomous Communities with a more favorable framework for the development of equality policies are Andalusia, Aragon, Catalonia and the Basque Country.

The PIOMs have certainly achieved some positive changes for women, but they were obviously not enough since discrimination still persists in Spanish society. Celia Valiente indicates some of the causes that could explain this inefficiency. First of all she focuses on the character of the Institute for Women’s Issues and other institutions for equality, pointing out that they do not have the power to sanction when other

departments do not achieve the goals of the plan. This limits the role of these institutions because all they can do is try to *persuade* the ministries and organizations to include equality policies in their actions. Another obstacle is that the evaluation of the plans is not sufficiently organized, which works as a negative factor for the development of further policies. Celia Valiente concludes that the institutions for equal opportunities, especially the Institute for Women's Issues, have been successful in defining the problems that women have to face and in incorporating them into the political agenda, but not very effective in formulating and accomplishing those policies, and less in controlling their execution (in Bustelo Ruesta, 1999).

As a conclusion: the Institute for Women's Issues is the key institution for equal opportunities. Even though there are many other smaller women's organizations, the way to carry out effectively the policies for equal opportunities in Spain is through the Institute which has a close relationship with government institutions. But if material equality is to be achieved, all efforts and resources must be used. Therefore, the Institute tries to liaise as many women's organizations as possible through co-operation and the establishment of agreements with them. Since the Institute does not have executive or sanctioning power, it is forced to put pressure on government institutions and persuade them to develop and accomplish equal opportunities policies. The independent budget it receives from the Government allows the Institute to support an important range of diverse activities that help this institution in its objectives. The actions taken by the Institute are coordinated through the Plans for Equal Opportunities. Under these, all Autonomous Communities and most local administrations have created their own institution for equal opportunities and, in this framework, have developed their own plans, which can focus on the specific problems that women face in their territories. Most of these government organizations cooperate with NGOs and other women's groups on the achievement of common goals, even though they might not agree in their way of understanding feminist politics or feminist struggle. This network of organizations is profitable to all because it keeps government institutions in contact with many different points of view and, at the same time, allows NGOs to receive funding for the development of their activities as well as to take part in the institutionalized decision-making process for equal opportunities. It is also advantageous for the general improvement of women's lives since it helps to

put pressure on public authorities by bringing together many people and organizations.

THE DEVELOPMENT AND INSTITUTIONALIZATION OF WOMEN'S STUDIES

The Institute for Women's Issues has promoted two studies on this theme that have subsequently been published as *Libro Blanco. Los Estudios de las Mujeres en las Universidades Españolas. 1975-1991* (*White Book. Women's Studies in Spanish Universities. 1975-1991*) and *Universidad y Feminismo en España* (*University and Feminism in Spain*), both of them written by teams of women. The second is presented in two volumes, one being a compilation of bibliography on women's issues and the other, an updating of the *Libro Blanco*, a study of the situation of Women's Studies in Spain. The information provided below has been taken from these books.

The process of criticism and renovation of conventional knowledge began in Spain in the late 1970s as a result of the individual efforts of some lecturers and researchers. 1975 is the reference year for many changes in Spain and it also marks the public appearance of Women's Studies. The work done in this field since 1975 is specially significant given that the educational structure after the dictatorship was not appropriate and, therefore, there were more difficulties to face than in other democratic countries with more open and modern universities which were more willing to adopt innovative points of view. Women's Studies in Spain did not originate inside the academic community but in the social movement on which it is based: feminism, which, in this country, ran parallel to the protest against Franco and to the struggle to gain democratic rights.

As in other places, the first task undertaken by feminists was to make women visible, to incorporate them into knowledge, at the same time proposing a revision of the disciplines. All this effort was disseminated through conferences and seminars with titles such as "Women and Art", "Women and Health", "Women and...". In Spain, feminist movements began in the 1960s, but had a limited development because of the political regime. In spite of this, some sociology and history seminars on feminism were held in Spanish universities at the beginning of the 1970s. Finally, in 1975,

issues related to women gained a leading (and public) role. In 1979, during the Ist Conference on Patriarchy held at the Autonomous University of Barcelona, the first Seminar on Women's Studies was created (*Seminari d'Estudis de la Dona*). That same year, a course on Contemporary Humanities at the Autonomous University of Madrid was the origin of a Seminar on Women's Studies in that University. During the following years two other seminars appeared: one at the University of the Basque Country in 1980 and another one at the University of Barcelona in 1982. These four centres opened up the path for the institutionalisation of Women's Studies in Spain.

The creation of these centres was carried out in different ways. The *Seminari d'Estudis de la Dona* was promoted by a group of lecturers of the Sociology Department. On the other hand, at the Autonomous University of Madrid, the seminar was created as a result the efforts of just one lecturer and later (1993) became the first Research Institute on Women's Studies of Spain. In the University of the Basque Country the seminar was created by a group of students who worked on a research project in anthropology. Finally, the centre of the University of Barcelona was developed differently, as an autonomous section of the *Centre d'Estudis Històrics Internacionals* (Centre for International Historical Research), and was named, therefore, *Centre d'Investigació Històrica de la Dona* (Centre for Historical Research about Women).

During the 1980s the institutionalisation of Women's Studies developed quickly and, between 1984 and 1990, eight new research centres were created. The creation of the Institute for Women's Issues and the "Ley de Reforma Universitaria" (Act for University Reform) were favourable for this development, especially through the Plans for Equal Opportunities for Women, that had special objectives related to Women's Studies. For example, the IInd PIOM proposed as a general objective the necessity of "improving and completing the knowledge of the social situation of Spanish women and the impact that social and economic policies have on that situation, through the improvement of statistics, the realization of enquiries and research work, the analysis of the variable of sex in any study carried out and the creation of appropriate indicators". As a second objective, the IInd PIOM stated the need for "promoting the equal participation of women in the processes of elaboration and transmission of knowledge, insisting on the incorporation of a critical analysis on

the androcentric character of science, on the very structure of disciplines and of the forms of legitimisation, transmission and dissemination of knowledge”. The creation of regional institutions for equal opportunities, which started at the end of the decade, was another helpful measure. At the same time, Spain’s entrance into the European Union in 1986 allowed Spanish researchers and university seminars on Women’s Studies to take part in European networks and projects.

At the beginning of the 1990s, Women’s Studies in Spanish universities had an important presence, especially if we take into account the short period of time in which this development took place. The degree of institutionalisation was significant in comparison with other countries. There was a notable amount of research and publications, and the interest of students in Women’s Studies was increasing. This was made easier by a more updated and democratic University, which now had a closer relationship with its social context, as expected by the “Ley de Reforma Universitaria” of 1983.

Thirteen new universities were created between 1990 and 1993 and, in consequence, there was an increase in the number of students and lecturers. Although the number of women lecturers is relatively high, they have difficulties in accessing the high-level posts in which they could have more power, through decision-making, to enforce changes towards equality (in 1997 only 555 -9’6%- women were professors, most of them in the field of Humanities, while there were 5785 male professors). Most of these posts are occupied by men because promotion for them is easier and faster than for women who must overcome the “glass roofs” that subtly stop their careers. The existence of discriminatory features in the University becomes more evident when we consider that the number of women students has increased in a higher proportion than the number of women lecturers. Nevertheless, the situation of Women’s Studies has improved. Today, the acceptance of pluralism in knowledge has led to the development of multidisciplinary work and groups and, in consequence, has created a more favourable environment for Women’s Studies in universities.

In 1995 there were 31 groups of Women’s Studies, coordinated by AUDEM (Women’s Studies University Association, created in 1991) and AEIHM (Spanish Association of Historical Research of Women, created in 1991). These national

networks represented a significant advantage for the establishment of connections with other international networks and organizations such as WISE, ENWS or FICIHM. There was also an increase of scientific and professional exchange thanks to European programmes such as ERASMUS, ALFA, MED-CAMPUS, SIGMA or NESA.

During the 1990s the development of Women's Studies continued through the conversion of some seminars into research institutes (Autonomous University of Madrid, University of Granada and University of Valencia). The dissemination of the knowledge acquired through Women's Studies was the main activity carried out by Spanish universities in this decade. In comparison with the previous decade, the kind of activities that have had a greater development in the 1990s are those related to dissemination (42% between 1992-1995 while between 1975-1991 they represented only 21%, as shown in Table 2). These data indicate that the new knowledge created through the research work carried out during the late 1970s and the 1980s is now in demand. The relationship between the university and society has been developed by Women's Studies with the creation of new meeting spaces.

Table 2. Women's Studies activities in Spain

	1975-1991	1992-1995
Teaching	12,24 %	8,64 %
Research	22,52 %	11,87 %
Publication	44,47 %	37,42 %
Oral dissemination	20,77 %	42,08 %

Source: ORTIZ et al.,1999: 39

The increase in dissemination activities has been supported by the national, regional and local institutions for equal opportunities that have provided the necessary funding. The development of Women's Studies has depended, therefore, on public funding. Women's Studies funding was already mentioned in the first Plan for Equal Opportunities for Women. Nowadays all plans for equal opportunities take into account Women's Studies and reserve a percentage of the budget for dissemination and research activities. The progressive consolidation of these studies has provided a second channel of funding: European funds. As mentioned, the development of Spanish Women's Studies networks and organizations helped to establish

relationships with other international groups, as well as the incorporation of Spanish researchers into transnational projects.

From 1996 a new and important means of financing Women's Studies was created. An agreement between the Institute for Women's Issues and the National Commission of Technology and Science included the Sector Programme for Gender and Women's Studies in the National R+D Plan, for the implementation of the IInd PIOM. This was crucial not only for the development of further activities but also as a way of normalizing the scientific status of Women's Studies.

But in spite of all this institutionalisation, funding and networking, Women's Studies are still on the margins of academic curricula; they depend on the personal interest of individual lecturers and students, and are not taken into account by traditional disciplines. Even though some courses related to Women's Studies have been included in the curricula, especially in human and social sciences, most disciplines do not show any influence of the new information and critical theories developed by feminist researchers. Moreover, Women's Studies courses are not compulsory but optional, so they will be attended by students who already have some interest or knowledge in the issue. They respond to the existence of important seminars or institutes of Women's Studies in the universities that offer them, and not to university policy. The goal now is to introduce some compulsory courses in order to reach a wider, and probably not so sympathetic, range of students.

Almost all universities organized some action related to Women's Studies during the 1990s. Those with a technical profile show the lowest number of contributions. Also, some recently created universities have few activities, but this may be due to their short existence, while others have done more in the field of Women's Studies than older universities. The public or private character of the university does not seem to be a determining feature.

If we consider universities in relation to the Autonomous Communities, the conclusion is that the size or the number of universities is not particularly relevant. As an example, Asturias, with only one university, the University of Oviedo, has the highest number of contributions per lecturer in the field of Women's Studies,

followed by Andalusia and Catalonia. These are the only Autonomous Communities that are above the national average.

The Universities with the highest levels of contribution to Women's Studies during the 1990s were Granada, Complutense of Madrid, Barcelona, Autonomous of Barcelona, Valencia, Málaga, Autonomous of Madrid, Oviedo, Seville, Santiago, the Basque Country, Cadiz and Zaragoza. In general, the number of contributions has increased but, taken individually, there have been different tendencies. While Granada, Autonomous of Barcelona, Oviedo or Cadiz have had a significant development, Barcelona and Zaragoza have had no changes and Complutense of Madrid and Seville have had an important decrease.

The subjects in which the development of Women's Studies has been more significant since 1975 are the Humanities (history, philology, sociology, education, anthropology, psychology) though, in the past years, new areas have been incorporated (economy, natural sciences, law, medicine, philosophy or political science). There has also been an increase in interdisciplinary work. Almost all subjects have experimented with some development in Women's Studies. While in the period between 1975 and 1991 almost 75% of all contributions were concentrated in the areas of history, philology, psychology and sociology, nowadays there is a wider range. Even though the general tendency has been towards an increase in contributions, the most significant development took place between 1975 and 1991.

Most of these activities have been carried out by women but for the first time, there has been, in the 1990s, a parallel decrease in the number of activities by men. We can conclude that women are more committed to the political implications of Women's Studies because, while the highest percentage of men is situated in the research sector, women represent the highest percentage in dissemination activities (86%) and, secondly, in publications.

In spite of all changes, as Segura Graiño states (1999: 139), Spanish universities, considered globally, do not value Women's Studies and do not promote its dissemination among students. The biggest development of Women's Studies is still happening in the peripheral areas such as conferences and extracurricular courses and

in publications, where they reach an already interested public and they do not threaten the traditional organization of the academy. Inside the university, doctorae programmes are where Women's Studies have had the biggest development, again with a major presence in Humanities (history, literature, education, sociology and psychology). At the moment there are several doctorae programmes in Women's Studies (Granada, Oviedo, Cádiz, Valencia or Málaga). In 2001 there were two proposals to create a degree programme in Women's Studies, one in Madrid and another in Oviedo, where there are important Women's Studies groups.

EMPLOYMENT OPPORTUNITIES FOR WOMEN AND THE DEVELOPMENT OF WOMEN'S EMPLOYMENT

As was true for other issues considered in this report, the key date in relation to women's employment in Spain was 1975. During Franco's years, as has been explained, the law prevented women from -and sometimes even punished them for- working in paid employment. The ideology that related women to the figures of mother and wife, especially strong in the early years of the dictatorship, kept most women at home, having children and raising them, as there was a need to increase the population after the losses of the war. This was fostered by subsidies established by law to aid women who took care of their family. But this does not mean that women did not work. Most of them did all the domestic work and took care of children and other dependent people without pay. Since there was no appropriate infrastructure nor any household appliances, domestic work involved much time and effort. Nevertheless, an informal type of economy developed around this kind of work, allowing women to earn some money "unofficially" by specialising in domestic activities (such as doing the laundry, making clothes, cutting people's hair...) and getting paid for these. This was also a way of carrying out domestic work in a more rational way. Of course, the salary earned by these women was very low and their activities had no legal regulation. Most of women's paid work was included in the black economy sector and does not appear in the data of the period.

Even though we don't have reliable data for the dictatorship period, we can use the data from the *Encuesta de Población Activa* (Labour Market Survey). These data show that the rate of employed women progressively increased from 1950 onwards

(15,8% in 1950 to 28,5 % in 1975). If we structure these data by activity sector, we can see that Industry and Services are the sectors where women tend to work, while the agricultural sector has had a fluctuating development:

Table 3. Percentage of working women by activity sector

Years				
	Agriculture	Industry	Services	Total
1950	7,9	15,7	30,1	15,8
1960	12,3	16,8	27,3	18,2
1964	19,1	18,8	32,3	23
1966	20,4	17,4	34,7	23,7
1970	22	17,5	33,7	24,4
1975	21	53	53	28,5

Source: WEILER, Martine (1977), *Mujeres activas. Sociología de la mujer trabajadora en España*, in Garrido, E., 1997

The Labour Market Survey of 1969 shows that most women (73%) working in the agricultural sector were doing so as “Family Aid” and, as a consequence, they did not receive a salary for their work. They did the less qualified and more repetitive activities, such as grape harvesting, that is, the manual work, because mechanized activities were mostly done by men. From the 1950s, the percentage of women working in industry grew but, again, they undertook low qualified (and, in consequence, low paid) jobs. The highest percentage of women was in the service sector because the activities of this sector are similar to those traditionally carried out by women, and, therefore, they did not have to face so many difficulties in gaining access, especially in administration jobs. During the 1960s the number of women working in Public Administration increased progressively. In 1969, women represented only 20% of the workers in public employment, but they had a high level of qualification. The legal changes that developed during the late 1960s and 1970s opened up the labour market for women slightly, even though they still earned low salaries and worked in less skilled jobs; inequality between the sexes was very obvious.

From 1975 onwards there were more employment opportunities for women (at least in theory) and more objective data, so we can provide more accurate information. In general terms the participation of women improved but discrimination and inequality still persisted.

The activity rate of women has progressively increased, and in a bigger proportion than that of men (see Table 4). This shows that more women are willing to work, especially young women, which may be due to the social impact of feminist ideology as well as to the development of equal opportunity policies. European Union policies don't have the same effects in Spain as in other countries since, in 2000, the Spanish activity rate is lower than the European rate for both sexes, but especially for women (EU: men 65,8%; women 46,9%).

Table 4: Activity rates of women and men in Spain

	Women %	Men %
1965	23,85	82,51
1975	27,58	76,35
1985	27,84	68,71
1996	37,22	63,40
2000	39,80	63,80

Source: The Institute of Women's Issues

Crossing the activity rate data with other variables, such as age, shows that traditional attitudes towards women persist in society and also in women's minds. For example, in relation to age, both men's and women's activity rate grows to its highest point in the age-group 25-29 but, while men's stays high approximately to age-group 50-54, women's rate starts going down from age 30 onwards, that is, from the period when some of them have children and therefore quit their job. This means that motherhood is still considered to be women's responsibility. Women's employment rate then keeps falling because an important number of these women do not go back into paid employment. It must also be taken into account, however, that women over 50 in Spain are part of the generation who did not generally gain access to employment, so that rates may be on the increase for older age groups in the future.

Attending to marital status (Table 5), the activity rate is quite similar between separated or divorced men and women, where it is also higher than in other marital status groups. For single persons it is also fairly close, but in the married group the activity rate for men is much higher than for women, which again makes evident that traditional family values still operate.

Table 5. Activity rates by marital status

	Single		Not single					
	W %	M %	W %			M %		
1986	49,10	63,20	20,9			71,10		
	Single		Married		Widowed		Separated/Divorced	
	W %	M %	W %	M %	W %	M %	W %	M %
1996	51,4	61,17	35,3	66,7	7,7	14,7	71,21	74,76
2001	55,48	65,78	37,91	64,88	7,37	11,10	70,21	74,5

Source: Institute of Women's Issues

Other data that reveal how motherhood is believed to be women's responsibility include the fact that maternity/paternity leaves are taken in almost 99% of cases by women. This has negative consequences for women's employment because, on one hand, a number of these women do not return to work after having a child and, on the other hand, employers tend not to employ women of childbearing age. This becomes a circle in which employers don't employ women and women tend not to have children because they can't find a job and raise them.

The employment rate is lower for women, of course, but it has been progressively increasing since the dictatorship period (see Table 6). Besides, in relation to the employment rate of men, women's rate has increased in a bigger proportion.

Table 6. Employment rates in Spain by sex

	Women %	Men %
1977	26,30	71,74
1987	22,53	56,27
1996	26,04	52,02
2001	32,36	58,11

Source: Institute of Women's Issues

The huge increase in the activity rate of women has not meant an increase in the employment rate of women. As Izquierdo (1998) points out, in the last 20 years the increase in the activity rate of women has been 58.5 % while the unemployment rate has increased by more than 900 %. Even though the media tend to focus on the activity rate to support the argument that many women have entered the labour market, this rate does not represent the women who work in paid employment but the women who wish to do so. In comparison with the employment rate in the EU, the Spanish rate is, again, very low for both sexes, and the difference between men's and

women's employment rate is also much more marked (EU, 2000: women 42,3 %, men 61 %).

Some important differences within the employment rate of women are accounted for by the fact that the employment rates concentrate on the extremes, that is, on highly qualified jobs or on jobs that require no qualification at all. There isn't an intermediate level of women workers. The age variable is also relevant: younger women present higher employment rates because they have had more opportunities to study and become qualified and, therefore, to access paid employment.

As to type of contract, approximately 80 % of women work part-time. This is, in theory, one of the ways to solve the problem of bringing into line family life with professional life, and it would probably be so if it were a freely chosen option. But most women are working part-time because they cannot find a full-time job or because they consider their work to be complementary to that of men (Izquierdo, 1998). Women's part-time work is thus conditioned by cultural factors, since domestic and care tasks (non-paid) are still considered to be women's duty. Many women decide to work in paid employment only when they do not have any other option to earn a living and, since they still have to do additional domestic work, they take part-time contracts as the only option. Part-time work is not, then, the better way to solve the problem of harmonizing family and professional lives because this is still considered to affect only women. Rather, there is a need to promote change in gender roles; otherwise the negative implications of part-time working will continue to affect only women. A significant percentage of these part-time contracts are also temporary, adding a further negative factor to women's employment.

If we consider women's employment in terms of activity sectors (Table 7), the highest percentage of women still work in the services sector, and still for the same reasons that we enumerated for the dictatorship period.

Table 7. Employment rates by activity sector

	Agriculture		Industry		Construction		Services	
	W %	M %	W %	M %	W %	M %	W %	M %
1986	13,6	16,9	16,4	27,7	0,6	10,6	69,4	44,8
1996	25,38	74,62	22	78	4,5	95,5	44,92	55,08
2001	26,5	73,5	24,23	75,77	4,83	95,17	48,86	

Source: Institute for Women's Issues

This fact is therefore not only a matter of political ideology since the situation persists today and exists in other countries with very different political trajectories. Since all women in this sector do not do the same kind of job and have the same working conditions, we must conclude that conventional employment categories might be useful for the description of men's situation in employment, but not for women's, since fitting women's employment into these categories puts most of them in the same group without taking into account the differences existing within the group.

This can also be applied to the activity rate, in which the number of women is higher, as we said before, in the inactive sector. Again, this does not mean that inactive women do not actually work but that they do not get paid for their work. As Martín and Zarapuz (2000) have pointed out, there are some types of work demanded by society, such as daily domestic tasks or taking care of others, that are done by women without pay. The commercialization of this kind of caring jobs would be a way of raising the employment rate of women.

The unemployment rate of women is, and has always been, higher than that of men. This has also been accentuated by the increase of the percentage of active women that have registered as unemployed in the last few years. The conclusion derived from this is that more women want to work in paid employment but, obviously, have greater difficulties in accessing employment. This has been partly solved by the increase of women working in part-time jobs, allowing more women to work. But this is countermanded by other disadvantageous factors such as lower salaries, more temporary contracts... In comparison with the EU, the rates are again higher in Spain for both women and men, but especially for women, with a very important difference

between the sexes (EU, 2000: women 9,9 %, men 7,2 %). Long-term unemployment (one year or more) affects more women than men, especially middle-aged women.

Table 8. Unemployment rates in Spain by sex

	Women %	Men %
1986	26	19
1996	29,60	17,60
2001	20,50	9,70

Source: Institute of Women's Issues

Martin and Zarapnz (2000) consider the decrease of the unemployment rate in the past few years, to be due to the “natural” development of the demographic and economic cycle and not to the effectiveness of the employment policies. They mention as relevant factors the positive development of the economy in the past years and the decrease in the entrance of newly active population into the labour market (because of the lower birth rate and the longer training and educational periods). In the case of the unemployment rate, the differences between the activity sectors must be taken into account. While in the service sector the rate is very similar between men and women, in the agricultural sector the difference is greater, which suggests that traditional attitudes towards women are more marked in rural environments. In the IIIrd PIOM there was a specific objective related to rural women, to develop training programmes to promote their use of machinery and also managerial courses to encourage them to develop their own businesses.

The discrimination of women is also present in the salary they earn. Women's salary is individual or considered to be complementary to that of men. This means that most women working in paid employment do so to be economically independent or to earn some extra-money if their partner's (usually a man's) salary is not enough to support the family. The number of women that work because they want to or because theirs is the main salary is very low. That can be seen in Table 9.

Table 9. Reasons for working in paid employment

Reasons for working in paid employment	Women %	Men %
My duty is to support my family	4,5	25,1
To improve the family income	23,4	10
To be economically independent	22,3	12
I like my job	17	19,9
Because I need to	13,8	23,3

Source: IZQUIERDO (1998) “Los hombres, las mujeres, sus valores y sus salarios”

From this table Izquierdo concludes that a significant number of women do not consider themselves as responsible adults on which others depend economically. This has consequences for the way women do, and look for, their work. There is a correlation between the low expectations that women have towards their job and the lack of recognition they receive as responsible for supporting other people. This attitude is reinforced by the employment opportunities for women. For many women, the option to enter the labour market is in a temporary, low paid and non-qualified job and, therefore, being a housewife doesn't seem such a bad perspective.

The existence of sex discrimination in relation to income has to do with the different distribution of the sexes in activity sectors (most women work in the sectors where salaries are lower because they do the less qualified jobs), but also, even if it is forbidden by law, when women and men do the same kind of work and have the same qualifications, men get paid more than women simply because they are men.

The legislation related to salary has undergone some changes over time. During Franco's dictatorship the principle of equal pay for work of equal value was already established, through the Act of 22 July 1961, article 4.2. This changed in the Labour Relations Act of 8 April 1976 that meant a step back because the principle of no discrimination was applied to equal work. This continued to be the case until the Reform of the Workers' Statute of 1994, article 28, that returned to the principle of equal remuneration for work of equal value. Data collected by some institutions for equal opportunities show that this is not reflected in practice because women earn less money than men for work of equal value.

These features of women's work - lower activity rate, higher unemployment rate, more part-time working, interruptions in their professional careers (to have children)

or working in paid employment during a shorter period of years, lower pay and more presence in the informal sector of the economy – have, as Villota and Ferrari (2000) have shown, consequences that indirectly discriminate against women in the access to unemployment benefit or retirement benefits.

Between 1990 and 1995 retirement benefits increased more than the widow's pension on which a significant number of women depend for their living. The retirement pension received by women is lower than that of men, in many cases because it is related to the salary received when working. Lower monthly average pension are rewarded to certain sectors such as agrarian, self-employed or domestic service, which have a high percentage of women employees. For the same reason, the widow's pension is higher for women because it also depends on the salary or pension received by the dead partner. Similarly, the average disability allowance is higher for men than for women and decreases with age, which affects old women negatively. In this kind of state pension, many diseases specific to women are not even included. While 87% of men have a retirement or disability pension, only 40% of women are in this situation. The remaining women depend on widow's pensions or other state pensions that represent a lower income.

Welfare services such as health services or educational policies do not have a strong gender bias, but fiscal policies and social services have a discriminatory impact on women, directly in the first case (different incomes for men and women) and indirectly in the second (poor social services that make it difficult for women to take part in the labour market).

A discriminatory feature of the fiscal system is the acceptance of joint tax returns that take into account the family as the contributive unit instead of the individual person. Until 1989 this was the only kind of tax return allowed in Spain, but a sentence of the High Court declared this discriminatory because it punished households where two people worked in paid employment. This form of tax return indirectly discriminated against women because of the existence of derived social rights and fiscal benefits. At present, there is a choice between joint or individual tax returns.

The existence of derived social rights makes more people, especially women, dependent on others. Direct social rights are acquired through working in paid employment and the amount of money received depends on the salary. This is discriminatory for women because they work less than men in paid employment and, therefore, they do not benefit from these rights. The existence of derived rights can also stop women's entrance into the labour market or encourage their presence in the informal sector. If working part-time, and therefore earning a low salary, is compensated by a subsidy or a reduction in taxes, this can prevent women from working full-time for fear of losing these "privileges". Most of women's work is considered to be complementary to that of men and is done if the man's salary is too low. In such cases, a family will probably benefit from subsidies or some kind of economic help from the government. If the woman's salary raises the family budget above a certain level, they lose these benefits. In consequence, a woman will work part-time, so she doesn't receive "too high" a salary, or she'll work in the informal or black economy sector, earning money unofficially. The consequences are obvious: she will either earn less or nothing at all when it comes to derived rights such as unemployment, disability or retirement benefits, and she will be economically dependent on someone else, usually a man.

Villota and Ferrari consider that the individualization of fiscal rights will lead to more personal autonomy for women, which represents an important issue in the context of new family structures where the number of single-parent families is increasing. But the economic policy is not helping much since it progressively establishes a closer relationship between salary and pensions. They also conclude that, until 1989, the Spanish fiscal system was not too discouraging for women's entrance into the labour market, but from 1992 onwards, the loss of direct benefits when a woman reaches a certain level of income makes her lose interest in access to paid employment.

The Institute for Women's Issues has taken steps to promote women's access to the labour market by offering training courses, in cooperation with the regional and local institutions for equal opportunities. These courses try to develop employment possibilities for women through training in innovative occupations or in business management. Some aim to give advice to women who have special difficulties in entering or re-entering the labour market, and some employment initiatives have been

developed in collaboration with European programmes such as NOW. As an example, in 1998 the Centre for Women Working at Home was created with the purpose of discovering how many women work from their homes and whether this form of employment promotes women's entry into the labour market and makes it easier for them to reconcile professional and family life or whether, on the contrary, such women are in fact overburdened. Another initiative is the OPTIMA programme which is being implemented in cooperation with the trade union *Comisiones Obreras* and some regional organizations for equal opportunities. This programme aims to encourage the application of affirmative action in companies.

Among the activities undertaken by the Institute for Women's Issues in order to promote women's entrepreneurial activities, a few are worth noting the programme "De emprendedora a empresaria" (From enterprising woman to entrepreneur), in cooperation with the High Council of Chambers of Commerce, Industry and Shipping, is part of NOW. Through this programme technical assistance, counselling, training and applied management methods are provided to women entrepreneurs and to enterprising women willing to open up their own business. Grants "Emprender en femenino" (Enterprising in the feminine), amounting to as much as 1 million pesetas (6.010 €), are given to self-employed women that develop an activity within the framework of the New Sources of Employment programme.

The IIIrd PIOM also refers to the situation of women in employment and, in its introduction, states that "the promotion of equality does not require only the adoption of positive measures for women. It also requires measures to adapt the organization of society towards a fairer distribution of roles." But, as Bustelo Ruesta (1999) argues, this is only recognized at a discourse level and is not reflected in the practice of public policies for the equality of women. She states that, in this respect, the IIIrd PIOM is less advanced than the second because the IInd PIOM had a specific area entitled "Promotion of a more equal distribution of domestic responsibilities" while in the IIIrd PIOM there was only one objective on this theme, in the area "Economy and employment", which dealt with the "harmonization of family and labour lives of women and men". Bustelo Ruesta points out that this objective was formulated in a productive area and that it is less precise and ambitious than in the IInd PIOM.

The Plans for Equal Opportunities do not seem to have been as effective as might be desired nor do they seem to have developed a continuing strategy. They rather tended to move from one key theme of women's situation to another. The first PIOM focused on the development of changes in legislation, and its main goals were achieved. The second was directed towards employment and towards making the new legislation have a real impact on women's lives. This was obviously not fully achieved but the third plan, instead of continuing this line of work, moved towards issues related to violence against women and rural women. These are of course fundamental issues, but more measures related to employment should have been proposed to give continuity to previous strategies.

Additionally, the effectiveness of the plans will be limited as long as the Institute for Women's Issues continues to be only a "persuasive" body. It should have the power to guarantee the enforcement of actions towards equality because, as long as equality policies depend on government actions, they will be dependent also on government changes. Since the Spanish government is now conservative, we can expect actions towards equality to develop more slowly and to depend more on European and regional or local initiatives rather than on a coordinated general strategy.

Izquierdo (1998) states the need to change structure and attitudes to develop effective and practical policies for equal opportunities. She makes a distinction between discrimination and inequality. The first one responds to a conscious, deliberate action and the struggle against it must therefore appeal to conscious actions through denouncing and punishing or pressuring people in a positive way to make them respect the principle of non-discrimination. But sex inequality has to do with the structure of patriarchal society (based on the difference between the sexes, women being the less privileged group) and can't be eliminated easily because it has been internalised by both men and women and requires a deep ideological change, not only "political correctness".

Izquierdo also points out the differences that exist amongst women. For most women the right to work in paid employment means being in a subordinate position with a precarious contract. But for women working in highly qualified jobs, the important problem is discrimination in the workplace. Therefore, the struggle against

discrimination in employment, as with all kinds of feminist struggle, should cover a wide range of fronts.

Discrimination against women must be fought from the very foundations of the economic and social structures because these structures are defined on the basis of male needs and activities. Definitions of employment sectors, as was said before, are useful only for men's work, and other sociologists have drawn attention to this applying to other issues too. Lewis (in Guillén, 1999: 314) who points out that the "welfare state" is also defined on the basis of men's needs and, therefore presumes that a large amount of the work, especially care work, will continue to be done by women without pay. In consequence, the economic and social indicators to measure the grade of "welfare" achieved relate to men's situation and do not even consider women's.

APPENDIX

Historical periods

1931–1939 Second Republic

1936–1939 Civil War

1939–1975 Franco's Dictatorship

1975 Franco's death and beginning of democracy

History of government legislation covering equal opportunities

Dictatorship:

· 1939-1960

- Positive measures for women overridden.
- Law prevented women from working in paid employment.

· 1960–1970

- Liberalization of the economy.
- Recognition of some employment rights for women (Act of 22 July of 1961).

· 1970-1975

- Political and economic instability.

Democracy:

- 1978 Constitution.

- 1983 creation of the Institute for Women's Issues.

- 1984 Spain ratifies the Convention for the Elimination of all Forms of Discrimination Against Women.

- 1986 Spain becomes part of the European Community.

- 1988–1990 Ist Plan for Equal Opportunities for Women (focused on legislation).

- 1993–1995 IInd Plan for Equal Opportunities for Women (focused on employment).

- 1996 political change. New ruling party of conservative ideology (Partido Popular).

- 1997–2000 IIIrd Plan for Equal Opportunities between Women and Men (focused on violence against women and rural women).

Institutionalisation of equal opportunities

Dictatorship:

- Two kinds of women's organizations:
 - sympathetic to the regime (Sección Femenina): dissemination of the ideology of submission, marriage and motherhood for women.
 - unsympathetic to the regime (Movimiento Democrático de las Mujeres): feminist movement very close to the struggle against the regime.

Democracy:

- Institute for Women's Issues as a pioneering institution and the beginning of "state feminism"
 - Objectives: coordination and development of equality policies through information programmes for women and through encouraging actions towards equal opportunities.
 - Dependent on the Ministry of Culture (1983–1988), on the Ministry of Social Affairs (1988–1996) and on the Ministry of Employment and Social Affairs (1996).
 - Activities of the Institute developed in the framework of the Plans for Equal Opportunities.
 - Does not have power to guarantee the enforcement of equal opportunities policies; the Institute can only "persuade" the appropriate institutions to take into account its proposals.
 - Promotes and gives funding to the development of research on the situation of women.
- Women's Secretariats of the trade unions
 - Have a close relationship with the Institute for Women's Issues and also develop their own research on women.
- Regional and local institutions for equal opportunities
 - Created in the framework of the national Plans for Equal Opportunities.
 - Develop their own Plans for Equal Opportunities focusing on their specific problems.

- Like the Institute for Women's Issues, they can only put pressure on other institutions and try to persuade them to accomplish equality policies.

Development and Institutionalisation of Women's Studies

Dictatorship:

There was no place for Women's Studies in educational institutions but in relation to the development of the feminist movement, some sociology and history seminars on feminism were held in universities in the 1970s.

Democracy:

- 1975 women's issues gain public fora.
- 1979 1st Conference on Patriarchy and first Women's Studies Seminars (Autonomous University of Barcelona and Autonomous University of Madrid).
- 1980 Seminar on Women's Studies (University of the Basque Country).
- 1982 Seminar on Women's Studies (University of Barcelona).
- 1980s development of a huge body of research on women.
- 1986, entrance into the European Community allowed Spanish women's networks and institutions to join other European networks and projects.
- 1990s creation of new universities and increase in the number of students. The university turns into a more open institution, more willing to accept new kinds of knowledge (though only in extracurricular activities: doctorate, specific courses and seminars, publication).
- 1991 creation of AUDEM (National University Association on Women's Studies) and AHEIM (Spanish Association of Historical Research of Women).
- Conversion of some Women's Studies seminars into research institutes and development of Women's Studies doctorate programmes.
- Dissemination of the knowledge accumulated during the previous decade.
- In spite of all this, Women's Studies do not permeate traditional disciplines which continue to develop without taking into account the new knowledge provided by feminist researchers.
- The Humanities are the subjects in which Women's Studies have had the highest development.

Employment opportunities for women and the development of women's employment

Dictatorship:

- Women's paid employment not socially sanctioned.
- Most women working without pay, doing the activities considered to be their duty (domestic work and care jobs).
- Women's paid employment in the informal or black economy sector.
- Women's paid employment considered as complementary to that of men.
- Most women working in the services sector.

Democracy:

- Activity and employment rate for women increase but are still lower than men's rate.
- Unemployment rate is higher for women than for men.
- Most women work part-time (as a consequence they earn less money) and have temporary contracts.
- Part-time working is supposed to help people to harmonize their family and professional life, but, since the number of women with this type of contract is higher than the number of men, it reveals that family and domestic responsibilities are believed to be women's issues.
- The highest percentage of women working in paid employment is still in the services sector.
- Women's salaries are lower than men's salaries.
- The disadvantaged situation of women in relation to paid employment has negative consequences when it comes to benefiting from derived rights (retirement, disability or unemployment allowances).
- In comparison with the EU rates, the situation of Spanish women is worse.
- Data reveal the persistence of traditional values: motherhood is considered to be women's responsibility, married women have a lower activity rate, women's salary is considered as complementary to men's salary.
- Plans for Equal Opportunities and equality policies are, obviously, not effective enough.

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