

The Politics of Prostitution: The Women's Movement, State Feminism and Parliamentary Debates in Post-Authoritarian Spain

Celia Valiente

Centre for Advancement of Women in Politics
School of Politics, Queens University Belfast

Occasional paper # 4

February 2003

© Celia Valiente and Centre for Advancement of Women in Politics, School of Politics, Queens University, Belfast

Other papers in the series include

Ross, Karen (2003) *Women Politicians and Malestream Media: a Game of Two Sides*, #1

Donaghy, Tahnya Barnett (2003) *Mainstreaming : Northern Ireland's Participative-Democratic Approach*, #2

Kimberly Cowell-Meyers (2003) *Women Legislators in Northern Ireland: Gender and Politics in the New Legislative Assembly*, #3

Introduction

Since the mid-1960s, policy relating to prostitution in Spain was broadly abolitionist.¹ Prostitution was not defined as a crime, but behaviours related to prostitution, such as promoting the prostitution of others or benefiting from it *were* considered crimes. However, since 1995, the central state has decriminalised most behaviours related to prostitution and prostitution policy has increasingly focused on the fight against trafficking women with the purpose of sexually exploiting them. This paper documents the modest role played by the women's movement and gender-equality institutions in the parliamentary debates that preceded the making of the main pieces of legislation on prostitution in post-authoritarian Spain. Two reasons seem to explain this weak intervention of the movement and gender equality institutions: the low priority given to prostitution by both actors; and the poor permeability of Parliament to influences by external agents.

In Spain, state intervention in the policy area of prostitution has been varied. In 1935, during the first democratic regime in Spanish history, the so-called Second Republic (1931-1936), prostitution was prohibited (Decree 28 June). Since the mid-1930s to 1975, Spain was governed by a right-wing authoritarian regime headed by Franco which actively opposed women's rights. In 1941, the prohibitionist law of the Second Republic was suppressed (Decree 27 March). On 18 June 1962, Spain ratified the 1949 United Nations (UN) Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Decree 168 of 24 January 1963 modified the Penal Code according to the 1949 UN Convention.

Broadly speaking, since 1963, Spanish legislation on prostitution was abolitionist. In general, abolitionism proposes that prostitutes are not legally defined as criminals and the state and society make serious efforts to help prostitutes give up their profession. Abolitionists consider prostitution as an affront to people's dignity and it is then irrelevant whether prostitutes voluntarily consent to perform prostitution or not. So in Spain since the mid-1960s, prostitutes were not criminalised. In contrast, people who promoted the prostitution of others or benefited from it were punished with prison sentences up to six years (Carracedo Bullido, 2001:151-54). However, Spanish efforts of that time were imperfect, because even if prostitutes were not legally characterised as criminals, Act 16/1970 of 4 August on social menace and rehabilitation (*Ley de peligrosidad y rehabilitación social*) considered prostitutes (and other categories of people) as individuals dangerous for society. Prostitutes could then be confined to special centres. Alternatively, prostitutes could be sent into interior exile since judges could forbid them to live in a given place.

The (imperfect) abolitionist legislation did not change with the transition to democracy. In contrast, in 1995, Spain moved away from abolitionism, since most behaviours around prostitution, such as pimping, were decriminalised by the new Penal Code (except in the case of the prostitution of minors and those considered as 'legally incapacitated' such as individuals with mental health problems. However, the 1995 Penal Code abolished the 1970 Social Menace and Rehabilitation Act. Two subsequent legal changes focused central-state prostitution policy on the fight against the traffic of women. The 1999 reform of the (1995) Penal Code defined a new crime: that of trafficking people with the aim of sexually exploiting them. The Immigration Act approved in January 2000, offers permanent residence and work permits to illegal immigrants trafficked into Spain and forced into prostitution if they denounce their traffickers or cooperate with public authorities in the prosecution of these traffickers. This paper documents the modest role played by the women's movement and the main

¹ In general, abolitionism proposes that prostitutes are not legally defined as criminals: people who promote the prostitution of others or benefit from it are considered criminals and are punished accordingly, and the state and society make serious efforts to help prostitutes to stop performing prostitution. Abolitionists consider prostitution as an affront to people's dignity and it is then irrelevant whether prostitutes voluntarily consent to perform prostitution or not.

gender equality institution of the central state, the Women's Institute (*Instituto de la Mujer*, IM),² in central-state policy on prostitution in post-authoritarian Spain.

Research context

The literature on policy-making argues that in order to establish a public policy, it is necessary for political elites to conceptualise a situation as a 'problem' requiring governmental intervention. In addition, the way problems are defined in the political sphere partially determines how they are solved (Cobb and Elder, 1972:30; Dery, 1984:16-17; Kingdom, 1984:207; Nelson, 1984:13, 23).

Political decisions are usually preceded by policy debates and women's movements and women's policy agencies may participate in these discussions. If this is the case, women's movements and gender equality bureaucracies exercise influence in the policy-making process. It should be noted that women's policy machinery in advanced industrial societies has neither the responsibility nor the budget to formulate and implement most gender equality policies; rather, these have the explicit function of convincing other state units to adopt these policies. Women's bureaucracies fulfil this function, among other means, by taking part in policy deliberations.

I argue that women's movements and women's policy offices exert a significant influence on the policy-making process when they 'gender' policy debates, although the term 'gender' has many different meanings (Hood-Williams, 1996; Scott, 1986). For the purpose of this paper, 'gender' refers to differences between women and men related to their economic, social and political position. When women's movements and women's agencies manage to gender discussions, they introduce notions of gender into the public deliberation. Subsequently, other participants in the debate also use gender concepts so that, for example, the policy discussion then includes ideas about how problems differently affect women and men, or what solutions favour more the former or the latter. Other things being equal, if a policy deliberation is gendered, policy will be more responsive to women's needs (however defined) than if the deliberation is not gendered.

This notion of 'gendering' policy debates is similar to the concept of 'substantive' representation coined by Hanna Fenichel Pitkin (1972 [1967]). According to her, descriptive representation refers to the presence of individuals who share characteristics of a represented group. Regarding women, descriptive representation occurs when women belong to the political elite. On the other hand, substantive representation refers to inserting preferences and concerns of groups into the policy making process. I propose here that substantive representation takes place when policy debates are gendered.

The idea of gendering policy debates is also linked to that of 'frames' or 'framing' used by theorists of social movements (Gamson, 1988; Snow and Benford, 1988). In order to mobilise citizens for collective action, it is important for leaders to frame the demands of groups in terms that people can understand and which are linked to the problems that concern them. In the political arena, discussions develop in the context of a particular frame or relevant discourse and one of the objectives of some social movements is to modify or challenge this dominant frame. This is also the case for women's movements and gender equality institutions, if they can link the topic of gender equality with issues routinely present in discussions.

But one caveat is necessary here. All types of political debates can contain notions of gender. Similarly, all sorts of political discussions can be framed without making references to gender. From the common-sense point of view, one might think that some debates are more easily gendered than others, but one needs to be aware that this rule does not always obtain. Let me illustrate this point with

² Since the 1970s, institutions with the explicit purpose of promoting gender equality have been set, developed (and sometimes even dismantled) in most industrial countries. Such institutions have been called in social science literature 'state feminist' (or 'gender equality') institutions or bureaucracies or 'women's policy' machinery or agencies. The people who work there are named 'state feminists' (Stetson and Mazur, 1995).

the example of abortion. It may be seen as an issue around which gendered debates naturally arise, but this assumption is sometimes erroneous since discussions on abortion sometimes say nothing about women's rights and status but a lot about doctors, the foetus and the state.³

Selection of debates and sources

In Spain, the main central-state piece of legislation on prostitution is the Penal Code which defines some behaviours related to prostitution (but not prostitution itself) as crimes. Recently, the phenomenon of high numbers of women being trafficked into Spain and forced into prostitution makes the Immigration Act the second most important legislative instrument regarding prostitution, but considerably less central than the Penal Code. Both the Penal Code and the Immigration Act are made and reformed in parliament. Thus an institution dominates the policy area of prostitution at the central state level, that is, parliament.

It is worth remembering that the legal structure in Spain is a codified system. In common-law systems (for instance, those of the United Kingdom) judges build case law, and great importance is placed on precedent. In contrast, in constitutional systems, judges should apply the principles of the code and laws in each particular case. The basis of judgments is therefore not precedent but what is written in the constitution and other pieces of legislation. This is why it is important in a paper on prostitution reform in Spain, to study the main changes in the codes and other laws.

In this paper I examine the parliamentary debates prior to the three most important legislative changes regarding prostitution in post-authoritarian Spain: the enactment of the 1995 Penal Code, the 1999 reform of the Penal Code, and the approval of the January 2000 Immigration Act. Although parliamentary discussions are only one ingredient of public deliberation, I am studying parliamentary debates only due to constraints of space and limitations of research resources, but I do pay special attention to the intervention (if any) of the women's movement and the Women's Institute in these debates.

After emerging in the 1960s and early 1970s, and growing from 1975 to the early 1980s, the Spanish women's movement moved into a stage of consolidation. The Spanish feminist movement, while not negligible, has been historically weak, its activities involving only a minority of women. In comparison with other Western countries, the movement in Spain has not achieved high visibility in the mass media or initiated many public debates. The movement has occasionally shown some signs of strength, however. For example, it organised national feminist conferences which were regularly attended by between 3,000 and 5,000 women.⁴

The Women's Institute (WI) was officially created in 1983 (Act 16 of 24 October). The WI has been the main central state women's policy agency since its establishment. The scope of the WI is very broad, because the WI has five comprehensive goals: to promote policy initiatives for women through formal enactment of policy statements; to study all aspects of women's situation in Spain; to oversee the implementation of women's policy; to receive and handle women's discrimination complaints; and to increase women's knowledge of their rights. In comparative terms, the WI has acquired an important staff and budget. In 1995 (the year of the first prostitution reform examined here), 139 people worked in the Institute and it administered a budget of 2,659,000 pesetas (around 16,000,000 Euros) (Instituto de la Mujer, 1996a:107-08, 114).⁵

The sources for this paper include the aforementioned three parliamentary discussions, the various pieces of legislation, published and unpublished documents from the women's movement and

³ I am indebted to Joyce Outshoorn for this insight.

⁴ For accounts of the Spanish feminist movement, see: Durán and Gallego (1986); Escario, Alberdi, and López-Accotto (1996); Folguera (1988); Kaplan (1992); Scanlon (1976; 1990); Threlfall (1985; 1996).

⁵ On the Women's Institute, see: Threlfall (1996; 1998), Valiente (1995; 1997; 2001a; 2001b).

the WI, semi-structured in-depth interviews with members of the movement active in the area of prostitution and with the General Secretary of the WI (listed at the end of the paper), and press articles. Below, I examine the three parliamentary debates. For each, I describe the general frame of the debate, the degree of coincidence between the content of the legal reform and the goals of the women's movement and the WI, and the degree (if any) to which the movement and the WI managed to include notions of gender into parliamentary deliberation.

Debate 1-The Elaboration of the 1995 Penal Code, 1994-1995

General frame of the debate

In 1994, the Socialist Party (*Partido Socialista Obrero Español*, 'PSOE'), in power since 1982, presented a new Penal Code as a legislative project. The existing Code was a substantially modified version of the one enacted in 1848 and this PSOE project contained reforms regarding prostitution. First, except in the case of prostitution of minors and 'legally incapacitated' people, the 1994 project no longer defined as criminal behaviour promoting the prostitution of others or benefiting from it. Second, the PSOE project punished people who force others to be prostitutes, thereby implicitly distinguishing between voluntary and forced prostitution (Carracedo Bullido, 2001:155-57). The project also tacitly stated that the role of the penal law was to fight the latter (but not the former) and to combat any type of prostitution performed by minors or 'incapacitated' people. Finally, the project abolished the 1970 Social Menace and Rehabilitation Act which considered prostitutes and other categories of people as individuals dangerous for society.

The Parliamentary debate that led to the new Penal Code hardly contained any reference to prostitution⁶ and articles on prostitution are included in the Penal Code under Title VIII of Book II on 'Crimes against Sexual Freedom'. When in the mid-1990s parliamentarians discussed this part of the Penal Code, they deliberated about other issues such as rape and very few amendments were presented to the articles on prostitution. The amendments which were made were of minor importance and did not attempt to change the regulation of prostitution made by the project of the new Penal Code. The conservative party (*Partido Popular*, PP), which was at that time the major party in opposition, emphasised that it was especially concerned about the protection of minors.⁷ References to prostitutes were made in the debates on other articles of the Penal Code regarding other issues such as rape. The PSOE praised the Spanish legislation that defined rape as a crime regardless of the profession of the victim. As such, the rape of a prostitute is defined as rape in the penal law and could be prosecuted. The PSOE accused the PP of not supporting the legal possibility that a prostitute could be raped. The PP denied that accusation.⁸

The new Penal Code was approved by Organic Act 10/1995 of 23 November by the votes of Members of Parliament from all parties except those of the PP, who abstained from voting for reasons that were unrelated to prostitution.⁹ Articles on prostitution from the 1994 project were included in the 1995 Penal Code with hardly any change.

The content of the reform and the goals of the women's movement and state feminism

Generally speaking and with some exceptions, prostitution has been an issue of low priority for the Spanish women's movement as a whole during the post-authoritarian period. Contrary to other

⁶ The whole parliamentary debate can be consulted in: Delgado-Iribarren (1996).

⁷ Intervention of PP Senator Ms Vindel López on 10 October 1995 (Delgado-Iribarren, 1996:2135).

⁸ Interventions of PSOE Senator Mr García Marqués and PP Senator Ms Vindel López on 25 October 1995 (Delgado-Iribarren, 1996:2401, 2403).

⁹ An organic Act regulates, among other matters, fundamental rights and public liberties. An absolute majority of the Low Chamber (Congress of Deputies), in a final vote of the whole project, is necessary for the approval, modification, or derogation of an organic Act. For an ordinary (not organic) Act, only a simple majority is required.

countries such as The Netherlands (Outshoorn, 2001) and Sweden (Kulick, 2002), in Spain the majority (but not the totality) of feminists rarely discussed prostitution either before the late 1980s or since.

Up to the late 1980s, most members of the Spanish feminist movement conceived prostitution as an extreme form of women's exploitation that undermined the status of all women in society, whether prostitutes or not. The long-term goal to be achieved was therefore the eradication of prostitution (Garaizábal, 1991). This position usually coincided with the abolitionist legal approach.¹⁰ In the international arena, abolitionism has been defended by people from very different (even opposite) political positions, including some feminists. One of these feminist authors, Kathleen Barry (1985; 1996) has defined prostitution as a form of (sexual) slavery.

In Spain, abolitionism is now supported by some feminist groups, the most visible of which is probably the Commission for the Investigation of Violence against Women (*Comisión para la Investigación de Malos Tratos a Mujeres*). Some women's associations whose main aim is to deliver services to prostitutes are also abolitionist. The best known of these organizations is perhaps the Association for the Prevention, Reinsertion and Attention of Female Prostitutes (*Asociación para la Prevención, Reinserción y Atención a la Mujer Prostituta*, APRAMP). Members of APRAMP do not define their group as a feminist association (Rocío Mora Nieto and María Morales Moreno, APRAMP, personal interview, Madrid 4 April 2002). APRAMP can be conceptualized as a part of the (not explicitly feminist) branch of the women's movement. Other associations characterised by its members as feminists and which provide services to prostitutes also support abolitionism, such as the Institute for the Promotion of Specialized Social Services (*Instituto para la Promoción de Servicios Sociales Especializados*, IPSSE) (Helena Barea, IPSSE, personal interview, Madrid 8 April 2002).

Prostitutes have traditionally received support and services from female religious associations and charities that are not usually considered part of the organised women's movement, including Little Theresa Association (*Asociación Villa Teresita*), which is also abolitionist (Mercedes Gascue Uranga, Little Theresa Association, personal interview, Madrid 15 April 2002).

Since approximately the late 1980s, some Spanish feminists have stated that there are two types of prostitutes: those who perform this task voluntarily and those who are forced into prostitution by others. The state should actively fight forced prostitution but not 'free' prostitution. These feminists conceptualise free prostitutes as sex workers and have demanded that the state treats prostitutes the same as other workers, for example allowing them to contribute to the social security system (Forum de Política Feminista, 2001; Garaizábal, 1991; Pineda, 1995:108-09). This position coincides with a legal approach aimed at regulation. The most vocal representative of this perspective today is the Collective in Defense of Prostitutes' Rights Hetaira.¹¹ (*Colectivo en Defensa de los Derechos de las Prostitutas Hetaira*). The regulation position has also been defended by some prostitutes (Concepción García Altares, Collective in Defense of Prostitutes' Rights Hetaira, personal interview, Madrid, 30 April 2002; Olga-Prostituta de Madrid, 1986).

Regulation outside Spain has been defended by people situated across the whole political spectrum, as has abolitionism. Some feminists also support regulation using different arguments such as prostitution may be an option freely chosen by some women. This choice has to be respected since these women are exercising the right of freely using their own bodies, a historical feminist demand. Thus, the state should not ban sexual activities in which consenting adults take part. Selling manual or intellectual work in the labour market is similar to offering sex services in exchange for money if it is assumed that sexuality is not a dimension of human existence essentially different to any other. As

¹⁰ These views are present, among other sources, in: Miura, 1991; Montero, 1986; Oliván, 1986; Partit Feminista de Catalunya 1986.

¹¹ This collective decided to adopt the name 'Hetaira' because in ancient Greece the hetaira were prostitutes who receive a select education. Some hetaira enjoyed high social prestige.

with other workers, prostitutes could benefit from workers' rights, for example, the right to work in a healthy and safe environment, or to advance their demands through collective bargaining (Alexander, 1998; Bell, 1994; Chapkis, Posener, and Sprinkle, 1995; Jenness, 1990; Pethersen, 1996; Zatz, 1997).

It is important to note that not all groups in Spanish civil society who are active on the issue of prostitution are either abolitionist or supporters of regulation. Some associations have not publicly taken any position on the matter and their members hold different (or even contrasting) views. This is the case of some female religious organisations that provide services to prostitutes, such as the Hope Project (*Proyecto Esperanza*) administered by the Order of Worshipping Nuns (*Congregación de Religiosas Adoratrices*) which helps trafficked women (Aurelia Agredano Pérez, Hope Project, personal interview, Madrid 11 May 2002). The same is true for *Cáritas*, which is the main charity of the Catholic church formed by religious and lay women and men (Francisco Cristóbal Rincón, *Cáritas*, personal interview, Madrid, 26 April 2002).

The policy content of the 1995 Penal Code coincided with the goals of those in the women's movement in favour of regulation but only to a certain extent (Garaizábal, 1991:10). The position of these members in the movement (but not that of the members of abolitionist groups) supported the 1995 decriminalisation of behaviours regarding this matter, such as promoting the prostitution of others or benefiting from it. People in favour of regulation would also approve the differentiation implicitly made by the 1995 Penal Code between free and forced prostitution. In contrast, abolitionist activists believe that prostitution is hardly ever (or never) free so the state has to fight any type of prostitution instead of investing its main efforts in the battle against the forced variety. Both activists advocating abolition and regulation agreed with the suppression of the 1970 Social Menace and Rehabilitation Act which considered prostitutes as individuals dangerous to society.

Representatives of the women's movement did not participate directly in the (modest) parliamentary debate which took place prior to the treatment of prostitution by the 1995 Penal Code, although some women's groups unsuccessfully attempted to introduce their ideas and discourses in the debate. For instance, in 1995 the abolitionist feminist group Commission for the Investigation of Violence Against Women presented in the Congress of Deputies a report against the anti-abolitionist measures included in the proposal of the Penal Code (*Mujeres* Number 18, second quarter of 1995, 17). Members of this Commission and other abolitionist feminists held several meetings with socialist parliamentarians and unsuccessfully attempted to persuade them to change the articles of the project that decriminalised behaviours around prostitution, such as promoting it or pimping. Members of this Commission and other abolitionist activists also tried to selectively lobby female socialist parliamentarians in this direction (Rosario Carracedo Bullido, Commission for the Investigation of Violence Against Women, personal interview, Madrid, 26 March 2002). In 1994 and 1995 this Commission organised public conferences on prostitution around the country to raise awareness among the public about the problems surrounding prostitution. To run these conferences, this Commission received financial aid from the WI (Instituto de la Mujer, 1996b:226-27).

In sum, with its articles on prostitution, the 1995 Penal Code partly coincided with some of (but not most of) the goals of the regulation sector of the women's movement and went against the abolitionist sector. Representatives of both sectors did not directly participate in the parliamentary debate previous to this reform.

Regarding state feminism, generally speaking up to 1995, prostitution was an issue of low priority for the WI.¹² The WI position and goals on prostitution tended to coincide with those of the abolitionist sector of the women's movement. This coincidence is reflected in the First Gender

¹² The low priority of prostitution for the WI is reflected in the very modest (but not negligible) coverage of the topic by two types of sources: the WI periodical publication titled *Mujeres* (Women), and the annual reports of WI activities (Instituto de la Mujer, 1986; 1988a; 1989; 1990a; 1991; 1992; 1993a; 1994; 1995; 1996a).

Equality Plan (1988-1990).¹³ This Plan often spoke about prostitution, and contained numerous references to abolitionist ideas. For concrete policy, this Plan formulated two goals: ‘the reform of the Penal Code to emphasise the criminal nature of exploitative behaviour in prostitution of persons under eighteen years of age’; and ‘the express annulment of the section of the 1970 Social Menace and Rehabilitation Act regarding prostitution’. The Second Equality Plan (1993-1995) contained very few references to prostitution and did not propose any legislative reform in this policy domain (Instituto de la Mujer, 1993b).

The two legislative goals proposed in the First Equality Plan (the emphasis in the fight against the prostitution of minors, and the suppression of the 1970 Social Menace and Rehabilitation Act) were achieved with the 1995 Penal Code. However, it was approved very late (in 1995, that is, 5 years after the theoretical completion of the First Equality Plan, 1990). This delay, and the fact that the Second Gender Equality Plan was already in its third and last year of application, and that it did not contain the two aforementioned legislative goals, suggest that the WI did not have a significant impact in the 1995 Penal Code regarding these two goals.

As shown, the new Penal Code contained anti-abolitionist reforms: the decriminalisation of behaviours surrounding prostitution, such as promoting the prostitution of others or benefiting from it; and the implicit distinction between forced and free prostitution. According to public WI documents, the WI position was abolitionist. Then, the anti-abolitionist aspects of the 1995 reform could not have come from the WI. I conclude that the WI was unable to insert its preferences and definitions of the issue of prostitution into the new Penal Code in a relevant way.

Gender notions in the debate

In 1995 and before, most discourses elaborated by the women's movement and the WI on prostitution were gendered. For instance, the feminine pronoun was used when naming people who perform prostitution, such as ‘female prostitutes’ (*las prostitutas* or *las mujeres prostitutas*). Masculine expressions were employed while referring to people who buy sexual services or organise and benefit from the prostitution business, among others, ‘male clients’ (*los clientes*), ‘male procurers’ or ‘male pimps’ (*los proxenetas* or *los chulos*). At times, prostitution was linked with broader gender issues, including the difference between male sexuality, which at times includes paying for sexual pleasure with money, and female sexuality, which rarely incorporates this dimension.

In contrast, the (scant) parliamentary debate prior to the enactment of the 1995 Penal Code was not gendered at all. Participants did not mention women or men explicitly. In this deliberation, references to prostitution were made in very general and abstract terms, and coined in gender neutral legal language. The same was true concerning remarks about the people who worked as prostitutes or who participated in the business of prostitution. Thus, gender notions used in the women's movement and the WI did not permeate the parliamentary arena.

Debate 2 - The 1999 Reform of the Penal Code, 1997-1999

General frame of the debate

On 17 October 1997, the conservative party (the PP, in power since 1996) presented in Parliament a bill on the reform of the section of the 1995 Penal Code on crimes against sexual freedom. This reform referred to many issues (such as sexual harassment) and not only to prostitution. Regarding prostitution, the proposal increased the penalties in four cases: the crime of promotion of prostitution of

¹³ A Gender Equality Plan is a policy instrument. It contains gender equality measures to be applied during a given period by some Ministries. Gender Equality Plans are prepared by the WI in collaboration with the Ministries that are going to put in practice the measures included in the Plans (Instituto de la Mujer, 1988b; 1993b; 1997). When the period of implementation of the plans ends, the application of them is evaluated by the WI (Instituto de la Mujer, 1990b; 1996b).

minors and 'legally incapacitated' people; the crime of forced prostitution when perpetrated by public authorities or civil servants taking advantage of their positions within the state; prostitution crimes when committed with the purpose of profit; and the circumstance when the person who has parental authority, guardianship or foster care responsibilities over a prostitute younger than 18 years or 'legally incapacitated', does not actively attempt to stop him/her acting as a prostitute. The bill also defined a new crime: that of trafficking people with the purpose of sexually exploiting them. The proposal explicitly referred to the frequency with which crimes related to prostitution were linked with the execution of sexual attacks and abuses against victims. The reform extended the prescription periods for prostitution crimes when victims were minors. The bill also included a definition of prostitution: acts of sex performed with a person or more people in exchange for an economic reward of any type. Finally, the proposal classified as a crime a behaviour that had been illegal up to 1995, but was legal since then: the promotion of adult prostitution.

As was the case with debate 1, the debate on the reform of the Penal Code only marginally dealt with the issue of prostitution, but mainly with other topics, especially around the new crime of corruption of minors that the PP wanted to define. The (very scant) deliberation on prostitution included arguments against the definition of prostitution contained in the bill. The PSOE denounced the definition of the proposal as being so broad that it would include clients' behaviour. Penalising (male) clients seemed to be abhorred by socialist representatives. The PSOE argued that any definition of prostitution has to specify not only that sex is exchanged by money, but also a temporal element of 'persistence, permanence or frequency'.¹⁴ The regionalist coalition of parties Canary Islands Coalition (*Coalición Canaria*, CC), the Mixed Group,¹⁵ and the PSOE held that the definition of the bill was imprecise and did not contain the requirement of full sexual intercourse. Apparently (and surprisingly), the three of them implied that full sexual intercourse was necessary in the case of prostitution.¹⁶ The regionalist Basque Nationalist Party (*Partido Nacionalista Vasco*, PNV) argued that prostitution was a clear concept for any person and therefore perfectly phrased: the exchange of sex with money.¹⁷ For this and other reasons, the four aforementioned political organisations demanded the withdrawal from the bill of the definition of prostitution.

These four political organisations also opposed the proposal to define the promotion of adult prostitution as a crime and several arguments were used. If the exercise of prostitution by adults was not a crime, the promotion of adult prostitution should not be a crime either. The law had to distinguish between forced prostitution (which had to be prosecuted) and free prostitution and behaviours around it (such as the promotion of this type of prostitution) that should not be criminalised because these belong to the realm of the private behaviour of consenting adults. The criminalisation of the promotion of adult prostitution would imply the criminalisation of behaviours such as running a newspaper that published advertisements on prostitution services. These behaviours should not be criminalised because these are widely accepted in the Spanish society.¹⁸

¹⁴ Intervention of PSOE deputy Ms Fernández de la Vega (*Diario de Sesiones del Congreso de los Diputados*, plenary session, sixth parliamentary term, 12 February 1998, 7044).

¹⁵ Parliamentary groups are formed by deputies or senators from a party or coalition. If a party or coalition does not have the necessary number of members of Parliament to form a parliamentary group, its representatives are included in the Mixed Group (*Grupo Mixto*) (Newton and Donaghy, 1997:52).

¹⁶ Amendment number 30 by the CC, and amendment number 31 by Ms Almeida Castro from the Mixed Group (*Boletín Oficial de las Cortes Generales - Congreso de los Diputados* sixth parliamentary term, 16 February 1998, Series A (Bills), Number 89-8, 45).

¹⁷ Amendment number 23 presented by the PNV (*Boletín Oficial de las Cortes Generales - Congreso de los Diputados* Sixth parliamentary term, 16 February 1998, Series A (Bills), number 89-9, 25).

¹⁸ Intervention of PSOE deputy Ms Fernández de la Vega and CC deputy Mr Mardones Sevilla (*Diario de Sesiones del Congreso de los Diputados*, Plenary session, sixth parliamentary term, 12 February 1998, 7044, 7049); Amendment number 17 presented by the PNV (*Boletín Oficial de las Cortes Generales - Congreso de los Diputados* sixth parliamentary term, 16 February 1998, Series A (Bills), number 89-8,23); Amendment number 31 presented by deputy Ms Almeida Castro from the

In parliament, a new version of the original bill was prepared and became the Organic Act 11/1999 of 30 April. It was very similar to the original bill except in four areas. First, Organic Act 11/1999 does not define the promotion of adult prostitution as a crime. Second, Organic Act 11/1999 does not include a definition of prostitution. Third, Organic Act 11/1999 increases the penalty when crimes related to prostitution were committed by criminal organisations or associations. Lastly, Organic Act 11/1999 does not increase punishments when crimes related to prostitution are executed with the purpose of profit.

The content of the reform and the goals of the women's movement and state feminism

Given the short temporal lapse between the approval of the Penal Code (1995) and the reform of Title VIII of Book II (1999), the position of the members of the women's movement and the Women's Institute on prostitution had not changed. The content of the 1999 reform partly coincided with some (but not the majority) of the aims of the feminist movement. Most feminists were not against the definition of a new crime made by the 1999 reform: that of trafficking people with the aim of sexually exploiting them. The majority of feminists did not oppose the intensification of the fight against the prostitution of minors and the special zeal with which the state would prosecute and punish prostitution crimes committed by criminal organisations. Nearly all feminists either thought that these measures were in the right direction or were useless (but not detrimental).

However, the coincidence between the content of the 1999 reform and some of the goals of the feminist movement should not be overstated. The majority of the aims of the movement were not satisfied by the 1999 legislative change. The abolitionist branch wanted parliamentarians to restore abolitionist legislation. The 1999 reform did not reintroduce in Spain such law. The regulation branch wanted the state to conceptualise free (voluntary) prostitutes as sex workers and to recognise their workers' obligations (such as contributing to the social security system) and workers' rights (for example entitlement to retirement pensions). The 1999 Act did not make any significant step in the direction of regulating prostitution as sex work.

As was the case of the elaboration of the 1995 Penal Code, representatives of the women's movement did not directly take part in the debate that preceded the 1999 reform of the Penal Code. However, female deputies with connections to the feminist movement and/or who had defined themselves in public as feminists, participated in the parliamentary debate prior to the 1999 reform. This was the case for the PSOE deputy María Teresa Fernández de la Vega and deputy Cristina Almeida Castro--representative of the United Left (*Izquierda Unida*, IU), which is a coalition of parties to the left of the PSOE.

In sum, the 1999 reform included in the Penal Code some (but not most) of the goals of the women's movement. Female deputies with links to the feminist movement took part in the parliamentary deliberation on prostitution prior to the enactment of Organic Act 11/1999 of 30 April, although representatives of the feminist movement did not directly participated in this debate.

Regarding the Women's Institute, the Third Gender Equality Plan (1997-2000) paid very modest attention to the issue of legal reform in the area of prostitution (less than the First Plan but more than the Second Plan). Under the heading of violence, the Third Plan explicitly talked about the grave problem of women and girls who are trafficked and forced into prostitution. In this and other situations, women are unable to enjoy the same rights as men. The Plan stated that trafficked women are in an extremely vulnerable position that makes them potential victims of physical violence. As a goal in this policy area, the Plan recommended in very general terms, the adoption of measures to eliminate the traffic of women with the aim of sexually exploiting them (Instituto de la Mujer, 1997:73-74, 78).

The definition of the crime of trafficking women with the purpose of forcing them into prostitution made in the 1999 reform of the Penal Code coincided with the general purposes on prostitution of the Third Gender Equality Plan, although this was not the case with the remaining measures on prostitution included in the 1999 legal change. Therefore, according to the information provided by public WI documents, the WI was not the only or the main actor which set the agenda of this legislative reform or set its content and tone.

Gender notions in the debate

As was the case in the debate 1, the discourse elaborated by the women's movement and the WI usually contained notions of gender. For instance, the Third Equality Plan dealt with prostitution in the section on violence against women relating both phenomena. On the contrary, there were no special references to gender or women's issues in the parliamentary deliberation that led to the 1999 reform of the Penal Code. Instead, a highly gender neutral frame was taken throughout the discussions which produced this legal change. Then, the gendered way of debating issues in the movement and the gender equality institution did not affect the manner in which Members of Parliament debated the topic under research here.

Debate 3 - The 2000 Immigration Act, 1998-2000

General frame of the debate

In February and March 1998, the IU, the CiU and the Mixed Group presented in Parliament three bills on a new Immigration Act. The Immigration Act then in place was enacted in 1985 and according to many policy and social actors, it was outdated and not in line with the social reality of increasing numbers of immigrants coming to Spain. The three bills did not contain any reference to prostitution. On 18 November 1998, the PP in government presented an amendment to the three bills. According to this amendment, illegal immigrants who had been trafficked into Spain and forced into prostitution would not be expelled from Spain under two circumstances: if they denounced their traffickers and if they cooperated with public authorities in the prosecution of these traffickers by providing relevant information or testifying against them. These illegal immigrants would be allowed to choose between returning to their country of origin or remaining in Spain with residence and work permits.

The parliamentary debate that preceded the new Immigration Act (enacted in January 2000) did not refer to prostitution but to many other immigration issues. The public debate prior to the January 2000 Immigration Act outside parliament, only rarely mentioned the prostitution article in the bill. To my knowledge, no political and social actor opposed the amendment on prostitution proposed by the PP. This consensus (or rather lack of conflict) can be interpreted in two ways. It may be that political and social actors were not aware of the phenomenon of the traffic of people for their forced prostitution or of the PP's amendment. Alternatively, the lack of political battle may have been a sign of agreement among the main political and social actors on the following points: that many female immigrants were illegally being brought into Spain with the purpose of being sexually exploited and that these women would not denounce their traffickers or cooperate with traffickers' prosecution unless given very strong incentives to do so, because these trafficked women were strictly controlled and terrified by their traffickers.

On 4 November 1999, the three bills were unified into a single new one which contained the amendment on trafficked people forced into prostitution presented by the PP. The new bill became Organic Act 4/2000 of 11 January on immigration. Article 55 of the Act contains the prostitution amendment presented by the PP.¹⁹

¹⁹ This Act was modified by Organic Act 8/2000 of 22 December. Article 55 of the January 2000 Act was identical to article 59 of the December 2000 Act.

The content of the reform and the goals of the women's movement and state feminism

Most women's groups active around the prostitution issue were not against the citizenship rights given by article 55 of the January 2000 Immigration Act to trafficked people forced into prostitution who denounce their traffickers or cooperate with authorities on their trafficker's prosecution. However, members of the women's movement did not directly participate in the parliamentary debate that led to article 55 of the 2000 January immigration Act.

As for the Women's Institute, the Third Gender Equality Plan (1997-2000) contained proposal number 7.3.2 regarding women who have been trafficked into Spain and forced into prostitution: 'to study the viability of the establishment of a temporary residence permit for victims of traffic forced into prostitution who have shown willingness to testify in legal processes [against their traffickers]' (Instituto de la Mujer, 1997:79). With article 55 of the January 2000 immigration Act, legislators not only fulfilled this 7.3.2 WI proposal but went further. Law-makers not only considered the feasibility of providing some forced prostitutes who have been trafficked with residence permits, but offered some of these trafficked victims work and residence permits. The WI successfully pressurised law makers to insert its demand into state legislation (Dolores Pérez-Herrera Ortíz de Solórzano, WI, personal interview, Madrid 19 April 2002).

Gender notions in the debate

Arguments on prostitution made by members of the women's movements usually contain notions of gender. This is also the case for supporters of abolition, regulation or neither of the two options. For example, in the interviews conducted for this paper, some abolitionists considered prostitution as an extreme manifestation of women's exploitation. Some supporters of regulation understand prostitution as a valid professional option for some women, given their poor possibilities in the labour market, among other reasons, because sex discrimination in employment is rampant.

In the same sense, documents of the Women's Institute usually make explicit references to gender while dealing with prostitution. For instance, these sources refer to trafficked 'women' instead of 'people'. These sources relate this traffic to broader phenomena of violence against women and the commercialisation of their bodies and sexuality (Dávila, 2001, 22-23).

Conversely, the references to prostitution within the public debate prior to the January 2000 Immigration Act were generally framed in gender neutral terms. Participants in this public deliberation spoke about trafficked 'foreigners' or 'immigrants' instead of trafficked women. The same was the case in reference to the 2000 Immigration Act on trafficked prostitutes. Thus the women's movement and the Women's Institute did not 'gender' the public debate prior to the enactment of the 2000 Immigration Act.

Conclusion

This paper has shown that in post-authoritarian Spain, the women's movement has had a very modest impact on the parliamentary debates on prostitution that preceded the major legal changes in this policy area at the central state level. It is true that the content of the 1995, 1999 and 2000 reforms studied coincided with some of (but not all) the goals of the women's movement. However, this coincidence has to be interpreted with extreme caution. Prostitution is an issue of low priority for most groups in the women's movement. The part of the movement concerned with prostitution is profoundly divided on the issue. Different groups have supported different (even opposite) goals in this policy domain (abolitionism, regulation, or neither of the two). Therefore, with the possible exception of prohibition, any measure undertaken by policy makers will necessarily coincide with at least one group's goal within the women's movement. The movement, or people close to it, have to a very limited extent participated directly in the parliamentary debates on prostitution, although only in the second

discussion. The empirical evidence examined in this paper suggests that two reasons may account for this limited participation: the small amount of debate within and mobilisation of the movement as a whole, around prostitution, and the closed nature of the policy environment (parliament) in which decisions are made that convert the legislative chamber into an arena almost impermeable to outside influence.

The impact of the Women's Institute on the debates prior to the 1995, 1999 and 2000 reforms on prostitution has also been very moderate. In the three cases, WI goals coincided with some of the objectives of the women's movement. Since the women's movement has demanded almost everything regarding prostitution (except prohibition), any WI objective will reflect at least one demand advanced by a group. The WI has only been able to insert its position into one parliamentary discussion on prostitution, which was the deliberation that preceded the January 2000 immigration Act. Nonetheless, the 2000 legal reform is the least important of the three legislative changes studied in this paper and the measure was preceded by hardly any public discussion on prostitution and by no parliamentary deliberation on the topic. Also in this case, the empirical findings of this paper suggests that the low priority given by the WI to the issue of prostitution, and the closeness of the parliamentary setting to outsiders' influence, possibly explain the relatively minor role of the WI in the parliamentary debates on prostitution reform.

The small impact of both the women's movement and the WI in the policy-informing deliberations made prior to the development of policies on prostitution has to be understood in the context of the marked scarcity of public discussion on the topic at the central state level. In post-authoritarian Spain, prostitution has rarely been an issue often and/or deeply debated by major political and social actors. The main prostitution reforms were not undertaken alone but were included in much wider legislative moves: the elaboration of a new Penal Code (1995); the modification of an important part of this Penal Code (1999) and the enactment of a new immigration Act (2000). As shown in this paper, only little reference was made to prostitution in the law-making deliberations prior to the 1995 and 1999 reforms and none before the 2000 measure.

The (limited) debate on prostitution in post-authoritarian Spain has mainly taken place at the local level. Every now and then the mass media report the mobilisation against prostitution of some residents of city neighbourhoods where street prostitution is exercised. In the short term, local authorities tend to react to this type of citizens' collective action with some statements to the mass media, and/or some changes in the traffic regulation of the neighbourhood affected (if clients look for and negotiate prostitutes' services mainly from their cars), and/or the intensification of police surveillance to the area. The statements of these residents, local authorities, (at times) members of the women's movement, and (hardly ever) street prostitutes, make up the main public discussion on prostitution in Spain. The reflection in the media of this deliberation usually deals with concrete aspects of the matter such as urban degradation in a given neighbourhood or the presumed increase of the crime rate in street prostitution areas, but not with broader and deeper questions, for instance, why prostitution exists, or what is the best prostitution policy (if any).

The explanation for the lack of public debate on prostitution at the central state level in post-authoritarian Spain goes beyond the scope of this paper. Tentatively, I would suggest a potential causal factor to be examined in future research which is the legacy of the dictatorship. The Franco regime so intensely repressed people's sexuality that many citizens and policy makers are reluctant to openly support state intervention in this field which could be perceived as restrictive or even to talk about these issues which are considered strictly private. The same reason accounts for the almost complete absence of public discussion on another topic related to sexuality, namely pornography.

Since the late 1990s, the focus of central-state policies on prostitution has shifted markedly towards the fight against the traffic of people for the purpose of sexual exploitation. Whether this new attention on one aspect of the matter (trafficking) instead of another (prostitution itself), would foster public deliberation or contribute to devitalise it, is an open question. The answer will to some extent

depend on whether in contrast with the past, the women's movement and the Women's Institute take up the fight against the traffic of women as one of their own significant priorities.

Acknowledgements

This paper originated as one of my contributions to an international study of women's movements and gender equality institutions in advanced industrialized societies, directed by Dorothy McBride Stetson and Amy G. Mazur. It attempts to explain the impact of both actors on policy debates on issues of importance for women such as political representation, abortion, job training and prostitution. The research design can be consulted at: www.fau.edu/divdept/schmidt/rngs. Manuel Jiménez made very useful comments to an earlier version of this paper, which will be published in Joyce Outshoorn (ed.) *The Politics of Prostitution: Women's Movements, Democratic States and the Globalization of Sex Work*.

Personal Interviews

Agredano Pérez, Aurelia. Hope Project. Madrid, 11 May 2002.
Barea, Helena. Institute for the Promotion of Specialized Social Services. Madrid, 8 April 2002.
Carracedo Bullido, Rosario. Commission for the Investigation of Violence Against Women. Madrid, 26 March 2002.
Cristóbal Rincón, Francisco. Cáritas. Madrid, 26 April 2002.
García Altares, Concepción. Collective in Defense of Prostitutes' Rights Hetaira, personal interview. Madrid, 30 April 2002.
Gascue Uranga, Mercedes. Little Theresa Association. Madrid, 15 April 2002.
Mora Nieto, Rocío, and María Morales Moreno. Association for the Prevention, Reinsertion and Attention of Female Prostitutes. Madrid, 4 April 2002.
Pérez-Herrera Ortíz de Solórzano, Dolores. Women's Institute. Madrid, 19 April 2002.

References

- Alexander, Priscilla (1998). Sex Work and Health: A Question of Safety in the Workplace. *Journal of the American Medical Women's Association*, 53(2):77-82.
- Barry, Kathleen (1985). *Female Sexual Slavery*. New York: New York University Press.
- Barry, Kathleen (1996). *The Prostitution of Sexuality: Global Exploitation of Women*. New York: New York University Press.
- Bell, Shannon (1994). *Reading, Writing, and Rewriting the Prostitute Body*. Bloomington/Indianapolis: Indiana University Press.
- Boletín Oficial de las Cortes Generales - Congreso de los Diputados* (Official Bulletin of Parliament - Congress of Deputies), sixth parliamentary term, 16 February 1998, Series A (Bills), Numbers 89-8, 89-9.
- Carracedo Bullido, Rosario (2001). Legislación penal española (Spanish penal law). In Dirección General de la Mujer de la Comunidad de Madrid (ed.) *Simposio internacional sobre prostitución y tráfico de mujeres con fines de explotación sexual* (International Conference on Prostitution and Traffic of Women with the Purpose of Their Sexual Exploitation). Madrid: Dirección General de la Mujer de la Comunidad de Madrid: pp.149-59.
- Chapkis, Wendy, Jill Posener, and Annie Sprinkle (1995). *Live Sex Acts: Women Performing Erotic Labor*. New York: Routledge.
- Cobb, Roger W., y Charles Elder (1972). *Participation in American Politics: The Dynamics of Agenda-Building*. Boston: Allyn and Bacon.

- Dávila, Pilar (2001). Apertura del simposio (Inaugural Message of the Conference). In Dirección General de la Mujer de la Comunidad de Madrid (ed.) *Simposio internacional sobre prostitución y tráfico de mujeres con fines de explotación sexual* (International Conference on Prostitution and Traffic of Women with the Purpose of Their Sexual Exploitation).. Madrid: Dirección General de la Mujer de la Comunidad de Madrid: pp.21-26.
- Delgado-Iribarren, Manuel (ed.) (1996). *Ley Orgánica del Código Penal: Trabajos parlamentarios* (Organic Act of the Penal Code: Parliamentary Works). Madrid: Cortes Generales.
- Dery, David (1984). *Problem Definition in Policy Analysis*. Lawrence (Kansas): University Press of Kansas.
- Diario de Sesiones del Congreso de los Diputados* (Session Records of the Congress of Deputies), plenary session, sixth parliamentary term, 12 February 1998.
- Durán, María Ángeles, and Gallego, María Teresa (1986). The Women's Movement in Spain and the New Spanish Democracy. In Drude Dahlerup (ed.) *The New Women's Movement: Feminism and Political Power in Europe and the USA*. London: Sage: pp.200-16.
- Escario, Pilar, Inés Alberdi, and Ana I. López-Accotto (1996). *Lo personal es político: El movimiento feminista en la transición* (The Personal is Political: The Feminist Movement in the Transition to Democracy). Madrid: Instituto de la Mujer.
- Folguera, Pilar (ed.) (1988). *El feminismo en España: Dos siglos de historia* (Feminism in Spain: Two Centuries of History). Madrid: Fundación Pablo Iglesias.
- Forum de Política Feminista (ed.) (2001). *La prostitución desde el punto de vista feminista* (Prostitution from a Feminist Point of View). Madrid: Forum de Política Feminista.
- Gamson, William A. (1988). Political Discourse and Collective Action. In Bert Klendermans, Hanspeter Kriesi and Sidney Tarrow (eds.) *International Social Movement Research*. Greenwich (Connecticut): JAI Press.
- Garaizábal, Cristina (1991). La prostitución: Un debate abierto (Prostitution: An Open Debate). In Forum de Política Feminista (ed.) *Prostitución: Debate y propuestas del movimiento feminista* (Prostitution: Debate and Proposals of the Feminist Movement). Madrid: Forum de Política Feminista: pp.6-10.
- Hood-williams, John (1996). Goodbye to Sex and Gender. *The Sociological Review*, 44:1-16.
- Instituto de la Mujer (1986; 1988a; 1989; 1990a; 1991; 1992; 1993a; 1994; 1995; 1996a). Annual Reports of the Women's Institute Activities. Madrid: Instituto de la Mujer.
- Instituto de la Mujer (1988b; 1993b; 1997). Gender Equality Plans. Madrid: Instituto de la Mujer.
- Instituto de la Mujer (1990b; 1996b). Gender Equality Plans: Evaluations. Madrid: Instituto de la Mujer.
- Jeness, Valerie (1990). From Sex as Sin to Sex as Work: COYOTE and the Reorganization of Prostitution as a Social Problem. *Social Problems*, 37(3):403-20.
- Kaplan, Gisela (1992). *Contemporary Western European Feminism*. London: UCL Press and Allen & Unwin.
- Kingdom, John W. (1984). *Agendas, Alternatives, and Public Policies*. Glenview (Illinois) and London: Scott, Forest and Company.
- Kulick, Don (2002). The Criminalization of Clients and Sweden's Relationship to the EU. Paper presented to the 13th International Conference of Europeanists, Chicago, 14-16 March.
- Miura, Asunción (1991). Abolicionismo, integración y propuestas sobre la prostitución (Abolitionism, Integration and Proposals on Prostitution). In Forum de Política Feminista (ed.) *Prostitución: Debate y propuestas del movimiento feminista* (Prostitution: Debate and Proposals of the Feminist Movement). Madrid: Forum de Política Feminista: pp.11-15.
- Montero, Justa (1986). Defendamos a las prostitutas, condenemos la prostitución (Let us Defend Prostitutes While Condemning Prostitution). Paper presented to the *Encuentros en Carabanchel: Violencia contra las mujeres* (Meeting in the Neighborhood of Carabanchel: Violence Against Women), Madrid, 22-24 January.
- Mujeres* (Women) (1983-1986, 1990-1996).
- Nelson, Barbara (1984). *Making an Issue of Child Abuse: Political Agenda Setting for Social Problems*. Chicago and London: The University of Chicago Press.
- Newton, Michael T., and Peter J. Donaghy (1997). *Institutions of Modern Spain: A Political and Economic Guide*. Cambridge: Cambridge University Press.
- Olga-Prostituta de Madrid (1986). Sobre mis experiencias y vivencias en la prostitución (About My Personal Experience in Prostitution). In Institut Valencià de la Dona (ed.) *Debates sobre la prostitución: Valencia, 16, 17 y 18 enero de 1986* (Debates on Prostitution: Valencia, 16, 17 and 18 January 1986). Valencia: Institut Valencià de la Dona:pp.75-76.

- Oliván, Montserrat (1986). Sobre la prostitución: ¿Trabajadoras del sexo? (About Prostitution: Sex Workers?). Paper presented to the *Encuentros en Carabanchel: Violencia contra las mujeres* (Meeting in the Neighborhood of Carabanchel: Violence Against Women), Madrid, 22-24 January.
- Outshoorn, Joyce (2001). Debating Prostitution in Parliament: A Feminist Analysis. *The European Journal of Women's Studies* 8(4):472-90.
- Partit Feminista de Catalunya (1986). Prostitución (Prostitution). Paper presented to the *Encuentros en Carabanchel: Violencia contra las mujeres* (Meeting in the Neighborhood of Carabanchel: Violence Against Women), Madrid, 22-24 January.
- Pethersen, Gail (1996). *The Prostitution Prism*. Amsterdam: Amsterdam University Press.
- Pineda, Empar (1995). Algunas reflexiones sobre el estado actual del feminismo en España (Some reflections on the Current State of Feminism in Spain). *Género y Sociedad*, 3:95-116.
- Pitkin, Hanna Fenichel (1972 [1967]). *The Concept of Representation*. Berkeley and Los Angeles (California): University of California Press.
- Scanlon, Geraldine M. (1976). *La Polémica feminista en la España contemporánea (1868-1974)* (The Feminist Polemic in Modern Spain, 1868-1974). Madrid: Siglo XXI.
- Scanlon, Geraldine M. (1990). El movimiento feminista en España, 1900-1985: Logros y dificultades (The Feminist Movement in Spain: Achievements and Difficulties). In Judith Astelarra (ed.) *Participación política de las mujeres* (Women's Political Participation). Madrid: Centro de Investigaciones Sociológicas and Siglo XXI: pp.83-100.
- Scott, Joan (1986). Gender: A Useful Category of Historical Analysis. *American Historical Review* 91:1053-75.
- Snow, David A., and Robert Benford (1988). Ideology, Frame Resonance, and Participant Mobilization. In Bert Klandermans, Hanspeter Kriesi and Sidney Tarrow (eds.) *International Social Movement Research*. Greenwich (Connecticut): JAI Press, pp.197-217.
- Stetson, Dorothy McBride, and Amy G. Mazur (eds.) (1995). *Comparative State Feminism*. Thousand Oaks (California): Sage.
- Threlfall, Monica (1985). The Women's Movement in Spain. *New Left Review*, 151:44-73.
- Threlfall, Monica (1996). Feminist Politics and Social Change in Spain. In Monica Threlfall (ed.) *Feminist Politics and Social Transformation in the North*. London and New York: Verso: pp.115-51.
- Threlfall, Monica (1998). State Feminism or Party Feminism?: Feminist Politics and the Spanish Institute of Women. *The European Journal of Women's Studies*, 5(1):69-93.
- Valiente, Celia (1995). The Power of Persuasion: The *Instituto de la Mujer* in Spain. In Dorothy McBride Stetson and A. Mazur (eds.) *Comparative State Feminism*. Thousand Oaks (CA): Sage: pp.221-36.
- Valiente, Celia (1997). State Feminism and Gender Equality Policies: the Case of Spain (1983-95). In Frances Gardiner (ed.) *Sex Equality Policy in Western Europe*. London: Routledge: pp.127-41.
- Valiente, Celia (2001a). Gendering Abortion Debates: State Feminism in Spain. In Dorothy McBride Stetson (ed.) *Abortion Politics, Women's Movements, and the Democratic State*. New York: Oxford University Press: pp.229-45.
- Valiente, Celia (2001b). Job Training Debates in Spain: A Closed Gender-Neutral Policy System and Distant Feminist Demands Block Women-Friendly Outcomes. In Amy G. Mazur (ed.) *Making Democracies Work for Women: State Feminism, Women's Movements, and Job Training Policy*. New York: Routledge: pp.111-30.
- Zatz, Noah D. (1997). Sex Work/Sex Act: Law, Labor, and Desire in Constructions of Prostitution. *Signs: Journal of Women in Culture and Society*, 22(2):276-308.

Celia Valiente PhD, is a lecturer at the Department of Political Science and Sociology of the Universidad Carlos III de Madrid, Spain. Her main research interests are in public policies and social movements in Spain, with a particular focus on gender. Her publications include: *Políticas Públicas De Género En Perspectiva Comparada: La Mujer Trabajadora En Italia Y España, 1900-1996* (Public Policies in Comparative Perspective: Working Women in Italy and Spain, 1900-1996). Madrid: Universidad Autónoma de Madrid.

