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Abstract

Gender inequality represents a substantial and persistent public problem. Public policies may have a major impact on gender equality and attaining equal access to opportunities, resources, and rights for women, men, and other gender identities. This chapter provides key insights, directions, good practices, and methodologies from existing literature on gender implications of public policies. It also briefly reviews key gender-sensitive policy initiatives and frameworks, gender mainstreaming and tools such as gender impact assessment, gender sensitive budgeting or policy evaluation. This chapter further considers key gender sensitive policies including family and work-life balance policies, equality policies in the labour and political sphere, diversity, anti-discrimination and anti-violence policies, and education and science policies for gender equality.

12.1 Introduction

Public policy is often defined as a course of government action (or inaction) in response to specific public (societal) problems.¹ Public policy as a result of a political process may take the form of a law, regulation, government decision, strategy, programme, or other policy documents that aim to achieve specific societal goals or resolve public problems.² Today, gender inequality is perceived as a substantial and persistent public problem, especially evident in economic, educational and political representation, health gaps, as well as discrimination against women or LGBTQIA+ population. However, the identification of gender inequality as a major societal problem is a relatively recent phenomenon. Despite some advances, the placement of gender equality on the top of policymakers agendas did not materialize until the second half of the twentieth century. It was from this point onwards that countries, albeit to varying degrees, began to systemically devise policy interventions to address gender inequality. This eventually led to gender sensitive policy making. In each stage of policy process policymakers take into account gender equality issues and objectives: problem definition and agenda setting; policy measures formulation and adoption; policy implementation, and policy evaluation that may lead to termination or modification.

Research has shown that greater gender equality, particularly in education and employment, positively influences long-term economic growth and development.³ This is particularly relevant for the less developed and developing countries, where

¹Kraft and Furlong (2018).

²Knill and Tosun (2012).

³Kabeer and Natali (2013) and Klasen (2002).

women still face substantial barriers to the formal labour market, do not have equal opportunities to get higher education, and are less likely to occupy managerial or administrative positions. Hence, countries with more room to reduce gender inequality have much to gain, as gender inequality hinders economic development.⁴ However, there is no solid empirical support for the opposite effect. Namely, economic growth and changes associated with economic development are not sufficient to eradicate gender inequality. Formal and informal institutions will often prevent gender equality even in the face of economic advancement.⁵ By constraining women's empowerment and participation in the labour force and/or access to resources, gender inequality is cemented and will not easily be changed in the course of development.⁶ Hence, the decrease of gender inequality is neither inevitable nor precipitous and public policies are needed to promote gender equality.

Example

Despite socio-economic developments, women in the EU still face pay inequality and persistent gender discrimination.⁷ In 2019 the gender employment gap (the difference between the employment rates of men and women aged 20 to 64) was 11.5%. Similarly, the gender pay gap for 2019 in the EU stands at 14.1%, only narrowing slightly over the last decade. The pay gap is the result of various factors: the presence of women in relatively low-paying sectors; difference in work-balance choices; the existence of the 'glass ceiling', and discrimination in professions and organizations. ◀

The impact of public policies on gender equality across policy areas has been well documented in literature.⁸ Various public policies such as labour market measures, childcare and maternity leave policies reduced employment and pay gaps. However, public policy process and decisions are affected by various socio-economic conditions, cultural norms and values, political context and ideology.⁹ The resulting gender related policy measures are the consequence of complex interactions between these factors.

The need to incorporate public policies and respective policy measures that promote gender equality raises several questions. First, how to integrate gender perspectives in public policymaking? Gender perspective represents a framework that enables questioning of existing relationships and concepts, facilitating the identification and examination of existing gender related biases. This requires a systematic approach that takes into account the gender related experience,

⁴Galor and Weil (1996).

⁵Marchand and Parpart (1995) and Parpart (1993).

⁶Morrisson and Jütting (2008).

⁷Rubery et al. (2005), Azmat and Petrongolo (2014), Ahmed et al. (2013) and Miller (2009).

⁸Profeta (2020).

⁹Inglehart and Norris (2003) and Ignjatović and Bošković (2013).

perceptions, and concerns throughout the public policy cycle. Second, how to make those involved in the process know how to make policy? This requires gender equality training and skills to use methodological approaches that enable the integration of gender perspective into policy making. These approaches are based on various tools that will be presented in Sect. 12.2. The next section reviews key policy initiatives and frameworks, gender mainstreaming as a leading approach to integrate gender issues into public policy making, and several tools including gender impact assessment, measurements of gender inequality, gender equality plans, gender budgeting and evaluation of policies. Section 12.3 discusses specific gender sensitive public policies: family and work-life balance policies, equality policies in the labour and political sphere, diversity, anti-discrimination and anti-violence policies, and education and science policies for gender equality. Section 12.4 draws a conclusion. This chapter will also provide several case studies.

Learning Goals

The learning objectives of this chapter are as follows:

- To learn about the responses that public authorities are implementing to combat gender inequality and the main instruments to measure such inequalities.
- To learn what equality policies and plans are, what they consist of, as well as what gender impact assessment is and how it is carried out.
- To study specific gender-sensitive policies such as gender-sensitive social policies, policies to reconcile work and family life, policies promoting equality in the labour and political sphere, policies in favour of diversity and against discrimination and violence, and educational and scientific policies for gender equality.
- To understand the importance of teaching and learning about gender competent public policies

12.2 Gender Equality in Public Policies

12.2.1 Gender-Equality Policy Initiatives

Equality between women and men without distinction as to race, colour, language, religion, political opinion, national or social origin, property, birth or other status is a universal legal principle recognised in Articles 1 and 2 of the 1948 Universal Declaration of Human Rights. This equality was reaffirmed twenty years later with the 1968 Teheran Proclamation, which assessed the progress achieved since the adoption of the Universal Declaration of Human Rights and set out an agenda for the future. Other developments at the international level have included: the 1952 Convention on the Political Rights of Women; the 1967 Declaration on the

Elimination of Discrimination against Women; the 1979 Convention on the Elimination of All Forms of Discrimination against Women; the Fourth World Conference on Women, and the adoption of the 1995 Beijing Declaration and Platform for Action. More recently, other actions in favour of equal opportunities for women and men have been developed: (1) the Beijing+5 Conference in 2000, “Women 2000: Gender Equality, Development and Peace for the 21st Century”; (2) the Beijing+10 Conference in 2005, following the Fourth World Conference on Women and implementing the Beijing Declaration and Platform for Action 2005; (3) the World Summit in 2005, which strengthened the United Nations system for the protection of human rights; (4) the World Summit on Women in 2005, which strengthened the United Nations (UN) system for the protection of human rights; (5) the creation of UN Women 2010 as the UN entity for gender equality and women’s empowerment, and (6) Beijing+15 in 2010, the follow-up to the Fourth World Conference on Women and the implementation of the Beijing Declaration and Platform for Action.

Example

The United Nations has repeatedly invited governments and other social agents to integrate a gender perspective in their legislation, policies, plans, programmes and projects. For example, in all of the recently-developed Sustainable Development Goals (SDGs), women have a critical role to play, with many specific objectives being dedicated to the women’s equality and empowerment. ◀

At the level of the European Union, equality has also been exalted as a supreme value by promoting equality between women and men (Article 2 and Article 3(3) of the Treaty on European Union (TEU) and Article 21 of the Charter of Fundamental Rights of the European Union). The Union has been given the task of eliminating inequalities and promoting equality between women and men by “mainstreaming the gender dimension” in its actions (Article 8 TFEU). For example, the Union and the Member States have undertaken to combat domestic violence in all its forms, to prevent and punish such criminal acts and to provide support and protection for victims (Declaration N° 19 annexed to the Final Act of the Intergovernmental Conference, which adopted the Treaty of Lisbon). Contemporaneously, the TFEU addresses the principle of equal pay for equal work for men and women and authorises positive action to empower women (Article 157). The Union is empowered to act in the broader field of equal opportunities and equal treatment in employment and occupation (Article 153). This provides for the possibility of adopting legislative measures to combat all forms of discrimination, including on the grounds of sex (Article 19) and states the need to combat violence against women (Article 168).

Example

In the European Union various directives and regulations are worth mentioning, such as: (1) Directive 2002/73/EC, reforming Directive 76/207/EEC, on the

implementation of the principle of equal treatment for women and men as regards access to employment, training, career advancement and working conditions; (2) Directive 2004/113/EC, on implementing equal treatment as regards the principle of equal treatment between women and men in the access to, and supply of, goods and services, and (3) Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation. This last Directive defines direct discrimination, indirect discrimination, harassment and sexual harassment and calls on employers to take preventive measures to combat sexual harassment. It toughens sanctions when discriminations occur and establishes bodies responsible for promoting equal treatment between women and men in the Member States. Regulation 1922/2006 establishes the European Institute for Gender Equality, which works to implement equality measures throughout Europe. Finally, without wishing to be exhaustive, the following should be noted: (1) Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security; (2) Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding; (3) Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services; (4) Council Directive 2010/18/EU, and (5) Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave. ◀

12.2.2 Gender Mainstreaming

The most widely used approach to realize gender equality and deal with gender implications of public policies is gender mainstreaming. Gender mainstreaming represents an approach that should ensure policy development assesses and integrates gender-related issues.¹⁰ The concept has been promoted by international organizations including the United Nations, Council of Europe, European Union, Organization for Economic Cooperation and Development,¹¹ and is embraced as a central component to policymaking process internationally. Gender mainstreaming also refers to the inclusion of gender expertise into the policy process.

¹⁰The concept of mainstreaming has been translated as gender mainstreaming, but it was initially unrelated to the concept of gender. The concept dates back to the 1980s when environmental policymakers in the UK realised the need to raise awareness of environmental issues at institutional and societal levels. Thus, they initiated the incorporation of “environmental sensitivity” into all interventions, which led to mainstreaming as a strategy.

¹¹Daly (2005).

The OECD provides the most useful definition; “Gender mainstreaming refers to the integration of a gender perspective throughout the policy cycle, including the preparation, design, implementation, monitoring, and evaluation of public policies, with an aim to promote equality and combat gender discrimination”.¹² Similarly, the Council of Europe defines gender mainstreaming as the “reorganisation, improvement, development and evaluation of policy processes”;¹³ and proposes that a gender equality perspective should be incorporated into all policies, at all levels and stages, by the actors usually involved in adopting policy measures. In this respect, gender mainstreaming is generally based on the idea that there is no gender-neutral policy. This means that the implemented actions have a positive or negative impact on people’s lives, that is, women, men and the LGBTQIA+ community.

The origin of gender mainstreaming lies in the conviction that inequalities are present in all areas of life, rooted in social structures and dynamics. These inequalities derive from social and cultural structures, modelled on standards that are presumed to be neutral but are, in reality, masculine. For this reason, this strategy aims to deconstruct the dominant patriarchal model, integrating the gender perspective and the effective equality of women and men in a transversal manner in all political initiatives.¹⁴ This same strategy understands that in order to achieve gender equality, it is not enough to implement gender equality policies and measure their effectiveness.

Example

The gender impact assessment that will be reviewed in the next subsection represents a recent approach to promote effective equality between women and men. This approach is based on the idea that inequalities are recurrent and, therefore, it is necessary to consider the principle of equality as an objective that, in an integrated manner, permeates decision-making, design, management, implementation, monitoring and evaluation of all public policies and not just equality policies.¹⁵ Based on the above, gender impact assessment proposes to rely on three types of strategies to achieve effective equality between women and men from the perspective of gender mainstreaming. These strategies are reparation, adaptation and transformation¹⁶ and can be applied in a complementary manner to formulate and reformulate policies, plans and programmes. The reparation strategy aims at formal equality between men and women. An example of a reparation strategy is equal treatment legislation and mechanisms to ensure compliance with such laws. The adaptation strategy of actions and measures

¹²OECD (2018).

¹³Council of Europe (1998), p. 12.

¹⁴Souto Galván (2012).

¹⁵Rees (1998).

¹⁶Lombardo (2003).

understands that equal treatment does not automatically lead to equal outcomes. On this basis, it establishes the need to create specific measures and services for women and men. An example of an adaptation strategy would be positive action programmes in favour of women. The transformation strategy considers the necessary transformation of institutions and their policies to overcome the androcentric perspective. Gender mainstreaming represents an example of the transformation strategy. It consists of assessing the different implications of any policy action on different genders to break the dominant model.¹⁷ ◀

12.2.3 Gender-Sensitive Public Policies and Gender (Equality) Impact Assessment

Gender equality assessment should start as early as possible, preferably from the initial stage of the policy planning process. Several EU Member States are forerunners in gender-based public policy analysis. For example, in the Netherlands, a framework for gender (emancipation) impact assessment was introduced in 1992.¹⁸ In the EU, to ensure gender equality in policy impact assessment, various methods were developed, including gender indicators, gender analysis, gender impact assessment, gender budgeting, and policy monitoring and evaluation.

Example

The European Institute for Gender Equality (EIGE) created a gender mainstreaming toolkit.¹⁹ The toolkit focuses on three assessment stages: gender relevance assessment; gender impact assessment, and gender equality assessment. In the first stage, once the public policy and its purpose have been defined, it is necessary to determine its gender relevance. The scope of public policies that have a substantial gender component is rather broad. They are most often, but not exclusively, related to social policies. Hence, all policies which influence our daily life need to be assessed from the gender perspective. Whether a concrete policy is gender-relevant depends on whether it affects women and men and other gender identities regarding their access to and control of resources.²⁰ Once it is determined that public policy is gender-sensitive, the next step is to assess the gender impact. The impact on socio-economic or another status for women, men, and other gender identities may be direct or indirect. Some policy measures may have a direct and immediate effect. In contrast, others have an indirect effect (for example, affecting target companies in which women are employees). Finally, in

¹⁷ Barrère Unzueta (2010).

¹⁸ Verloo and Roggeband (1996) and Roggeband and Verloo (2006).

¹⁹ EIGE (2017).

²⁰ EIGE (2017).

the third stage it is necessary to examine whether the proposed policy measure will contribute to gender equality. ◀

Gender impact assessment in public policies offers the opportunity to systematically examine the repercussions of policies and programmes on women and men, making it a powerful tool for influencing public authorities and private organisations' main social and economic decisions.²¹ For instance, the European Commission defines gender impact assessment as follows: "Gender impact assessment is the process of comparing and assessing, according to gender-relevant criteria, the current situation and trend with the expected development resulting from the introduction of the proposed policy".²² Alternatively, we may define Gender (equality) impact assessment (GIA) as a systematic and orderly process whereby key effects on gender inequality are assessed. Gender inequalities may have different forms: inequality in the household or individual income; access to public services; behavioural inequalities (such as labour force participation), and unpaid work as examples. Besides gender inequalities, other inequalities matter for policy assessment (disability, immigration status, race). These inequalities intersect; policy impacts on gender may be experienced differently depending on whether they are affected by other imbalances.²³ Hence, gender-sensitive public policies should be subject to intersectional analysis whenever feasible. Neglecting intersectional issues may lead to wrong policy prescriptions and missed opportunities.

Assessment should determine and, if possible, quantify inequalities and causal relationships between inequalities and policy options. Additionally, it should assess how this situation would evolve without policy intervention. Finally, there are several options (policy measures) that may achieve the same general policy goal, but that might have a different impact on gender inequalities. If the same goal can be achieved by policies that reduce rather than increase those inequalities, then such policies should be preferred. For example, if a specific policy option is preferable, but it leads to increased gender inequalities, then additional measures should be adopted to mitigate and reduce these impacts.²⁴ Gender policy impact assessment should be distinguished from a narrower concept of gender analysis. A gender analysis examines how the allocation of resources, authority, representation, and decision-making vary among diverse genders. Hence it provides contextual analysis and identifies existing gender inequalities and considers drivers that led to the current conditions and possibilities to affect the proclaimed goals regarding gender equality.²⁵

²¹ Goizueta Vértiz (2020).

²² European Commission (1999), p. 8.

²³ Himmelweit (2018).

²⁴ Gensana Riera (2015).

²⁵ Stufflebem (2001).

In general, any public policy analysis must generate information on three types of issues:²⁶ (1) values, whose achievement is the main test of whether a social problem has been solved; (2) facts, whose presence may limit or enhance the achievement of values; and (3) actions, whose adoption may result in the achievement of values and the resolution of problems. With regard to the analysis and evaluation of gender equality policies, it is possible to distinguish three perspectives. The first is the empirical perspective which describes the causes and effects of a given public policy. This perspective focuses on facts and the type of information generated is denominational or designative: “An example of this perspective would be describing, explaining or predicting the public spending on public policies against social exclusion or gender violence”.²⁷ The second is the evaluative perspective, which determines the value of a public policy: “An example of this perspective would be evaluating the different ways of distributing public spending based on the public policies implemented”.²⁸ The third and final perspective is the normative perspective, which recommends future actions to solve public problems. This perspective focuses on action, and the type of information generated is that of recommendation or advice (*advocative*): “Thus, for example, a guaranteed minimum income policy can be recommended to alleviate social inequality problems”.²⁹ From this perspective, the impact assessment of gender equality policies can contemporaneously include the empirical, evaluative, and normative perspective in all phases of the process.

12.2.4 Measuring Gender Inequality

Policies, as well as academic literature on cross-national and individual country gender inequalities, usually draw on data from several international organizations.³⁰ These indicators measure inequalities and discrimination regarding access to education, health care, political representation, earnings or income. The aggregate indices that have received particular attention recently are the Gender Development Index (GDI) and Gender Empowerment Measure (GEM): “The GDI is the unweighted average of three indices that measure gender differences in life expectancy at birth, gross enrolment, literacy rates, and earned income. The GEM is also an unweighted average of three variables reflecting the importance of women in society. They include the percentage of women in parliament, the male/female ratio among administrators and managers and professional and technical workers, and the

²⁶Dunn (1981), p. 36.

²⁷González Orta (2020).

²⁸Gensana Riera (2015).

²⁹Cruz-Rubio (2017).

³⁰The UNDP Human Development Report, the UN World’s Women surveys, the OECD Gender, Institutions and Development Data Base (GID-DB), the World Bank’s gender statistics database—GenderStats.

female/male GDP per capita ratio calculated from female and male shares of earned income”.³¹ The validity of these aggregate indices has been often criticized.³² More recently, other data sets are becoming popular. For example, the OECD Gender Data Portal includes selected indicators shedding light on gender inequalities in education, employment, entrepreneurship, governance, health, and development.³³

Example

The Gender-Equality Index (GEI) developed by the European Institute for Gender Equality (EIGE) measures the progress of gender equality in the EU.³⁴ GEI shows the areas that need improvement and aims to support policymakers to design more effective gender equality measures. GEI examines how disability, age, education, country of origin, and family type intersect with gender to result in different outcomes. In the EU, GEI has increased rather slowly from 63.8 in 2010 to 67.9 in 2020. ◀

12.2.5 Gender Budgeting³⁵

Conducting “ex-ante” gender impact assessments represents an opportunity to analyse potential impacts of adopted gender sensitive policies, from the perspective of elimination of gender inequalities based on: indicators on the current situation; results foreseen, and their impact. Next step towards full institutional integration of gender mainstreaming would be to integrate the gender perspective in all phases of the budget cycle.³⁶ Gender budgeting integrates a gender perspective into the budgetary process, aiming to achieve gender equality. Introduction of gender sensitive budgeting informs allocation decisions and ensures that women and men have equal access to resources, are able to decide on them equally, and receive equal benefits from the use of those resources. Hence, gender budgeting aims to improve resource allocations by achieving more gender equal outcomes.³⁷

The implementation of gender budgeting requires the assessment, restructuring, monitoring and evaluation of achievements from a gender perspective. Hence, gender budgeting relies on the use of various analytical tools within the budget process. The approach is not yet widely implemented; in 2017, only a half of OECD

³¹ Kardam (2005), p. 2.

³² Dijkstra (2006) and Dijkstra and Hanmer (2000).

³³ Jütting et al. (2008).

³⁴ EIGE (2020).

³⁵ For a detailed review, see Chapter on Gender equitable taxation of this Textbook.

³⁶ OECD (2018).

³⁷ O’Hagan (2018).

members stated that they have incorporated or plan to incorporate gender budgeting into budget process.

12.2.6 Equality Plans

Various institutional frameworks and methods for gender-related analysis and evaluation have been developed. Governments often adopt a medium- to- long term vision statement that conveys a country's objectives for a gender-equal society.³⁸ These visions set expectations and are used as a benchmark for measuring reduction in gender inequality. To be successfully implemented, they should reflect the needs of stakeholders (governmental institutions, social partners, and civil society), have clearly defined roles, responsibilities, and accountability, and strong commitment from policymakers. These goals, often termed equality plans, are the primary tool that articulates gender equality policies. Thus, implemented actions by public authorities gender equality are normally contemplated in equality plans. Equality plans are a set of objectives and measures, taken and approved by a government. Generally, they must be carried out at different administrative and governmental levels and within a specific period, ranging from two to five years. The objective of equality plans usually includes all aspects or areas that affect women: education, work, culture, health, legislation, politics, leisure, environment, and rural environment. Therefore, equality plans are designed to be a common umbrella under which all public actions concerning gender equality of a given government are explicit. The plans often involve, at least formally, other administrative or governmental levels and non-governmental organisations. This renders equality plans the primary tool that articulates gender equality policies.

12.2.7 Impact Evaluation in Gender Policies: Functions and Purpose

Evaluation in the framework of public policies and gender equality policies has undoubtedly been the least studied phase.³⁹ In this sense, the policy cycle theory proposes the possibility of studying a specific public policy by breaking down its policy cycle into different phases. Although the organisation and number of phases depend, in many cases, on the author, following the work of Hogwood and Gunn, we can distinguish the following phases: (1) the definition of the problem and its entry into the agenda of the public authorities, (2) the formulation of proposals and the adoption of decisions, (3) its implementation, (4) the evaluation of the results and (5) the eventual termination of the initiated policy (1984, p. 4). However, a common element in all the classifications reviewed is that impact evaluation is usually considered one of the final public policy stages. Alongside this, most authors state

³⁸OECD (2018).

³⁹Ballart (1996).

that the process of agenda entry, formulation, implementation and evaluation is, in fact, a circular process that constantly feeds back on itself.⁴⁰

Impact evaluation is not done in the abstract but is intended to improve the programmes and policies evaluated; to provide accountability and/or exemplify and illustrate future actions. Various works point to three functions, depending on the intended use of impact evaluation of gender equality policies: (1) *improvement*; (2) recapitulation, *accountability*; and (3) *enlightenment*.⁴¹ Regarding the first function, that of improving the evaluated programme or policy, evaluation is conceived as a methodological artefact that allows for feedback and learning about one's practice. In this sense, evaluation is an essential instrument for the improvement, enhancement and guarantor of the quality of a service or programme. Logically, this function reinforces the focus on the specific and determined context of what is being evaluated, the differentiated needs of the people receiving these services and of all the agents involved in the service, especially the staff who provide it and the organisation that promotes it.⁴²

Accountability would be the second function of impact evaluation. In this respect, the evaluation of equality policies must serve as an instrument to hold accountable different levels of responsibility for the management, results and impact of each of the plans and programmes implemented.⁴³ Thus, citizens have the right to know where public funds are being spent and how effectively and efficiently those funds are being allocated, managed and used. In addition to these two functions, evaluation can fulfil a third function to shed light on possible future actions. The ultimate meaning of impact evaluation is the evaluation of a particular programme in a given context, situation, and time to its improvement. However, impact evaluations provide systematic information that allows for a general approach to specific public problems; the impact may go beyond what was expected a priori.⁴⁴

The purpose of impact evaluation of gender policies should also be to assess their usefulness in achieving social welfare. In this respect, social utility becomes another critical element of impact evaluation, achieved by recognising and involving different stakeholders in the evaluation process.⁴⁵ Above all, impact evaluation should be helpful through its practical orientation; an evaluation intended to play a role in future actions favouring gender equality.⁴⁶ Impact assessment has traditionally been conceived to measure the results and effects of a policy or programme. In this sense, some authors have also pointed out the retrospective character of impact evaluation. From this perspective, impact evaluation seems to claim only to provide information

⁴⁰Birckmayer and Weiss (2000). For a detailed review of gender responsive budgeting see Chapter on Gender equitable taxation of the Textbook.

⁴¹Stufflebem (2001).

⁴²Weiss (1998).

⁴³Bickman (1994).

⁴⁴Berk and Rossi (1990).

⁴⁵Nelson (1996).

⁴⁶Patton (1997).

on what has happened or is happening⁴⁷ As the analysis of what impact assessment entails in gender equality policies has broadened, however, this exclusively retrospective character has become less clear. Recently, in some international bodies and some countries, such as Sweden, “ex-ante” evaluation modalities are being developed, making it difficult to classify it as a purely retrospective activity. The above, and similar examples, have led to the abandonment of the idea that impact assessment focuses exclusively on the outcome of processes. Therefore, no one disputes today that impact evaluation can cover the different phases of policies or programmes favouring gender equality, from their design or conception to the measurement of their final impact.⁴⁸ It is precisely this breadth that allows the evaluation of gender equality policies to be an integral part of the life of equality policies and to serve as a useful methodological tool for the entire process.

12.3 Gender Sensitive Policies

This section will discuss key gender sensitive policies that are used in different sectors and take various forms.⁴⁹ Social policies for gender equality deal with problems related to family, reconciliation, work and parental leave, time use, time for caring for the elderly and other dependents, and equal access to society’s goods and services. Likewise, social policies aimed at gender equality impact the search for equity in the labour market, in access to employment and labour contexts in general. In addition to the above, university spaces are no stranger to social policies for gender equality, nor are the public contexts where political representation and participation occur. Finally, social policies favouring equality are concerned with devising actions to protect the environment against gender violence and eradicating multiple discrimination based on gender, ethnicity, religious beliefs, origin and other diversities such as functional and sexual diversity.

Social policies for gender equality are the set of principles, norms and objectives explicitly formulated and sanctioned by public authorities, aimed at achieving de jure and de facto equality between women and men.⁵⁰ Gender equality policies aim to achieve greater equality of opportunities between women and men by influencing the socio-economic and cultural conditions that prevent and hinder such equality.⁵¹ The following are some of the social policies that promote gender equality and their main limitations.

⁴⁷ Rist (1990).

⁴⁸ Bachi (1996).

⁴⁹ Jacquot (2015).

⁵⁰ García Prince (2008).

⁵¹ Bustelo (2004).

12.3.1 Family and Work-Life Balance Policies⁵²

The establishment in 1960s of the dominant welfare model is patriarchal and legitimises an unequal allocation of responsibilities and an overburdening of women in the family sphere. Thus, women are primarily responsible for household chores, care roles, the transmission of values, morality and conduct, and families' general welfare.⁵³ For their part, family policies that promote equality focus mainly on external family support services. Some of the most common resources are childcare facilities, day-care centres and home care. In addition are leaves of absence and reductions in working hours.⁵⁴ The benefits and deductions proposed and/or implemented also include: maternity leave, paternity leave, breastfeeding, other paid leave, economic benefits for dependent children, care allowances and deductions in the personal income tax return.

Family policies that promote gender equality are based on two main ideas. The first is that it is not only family members who are capable of providing the best care. The second is that family care is a source of enrichment and satisfaction for the people involved. Thus, depending on the country, other strategies are related to childcare services, actions to provide care for dependents, care throughout the life cycle and the intensification of care at certain points in life.⁵⁵ As for the limitations of the family policies in place, they can be grouped into five categories: (1) the insufficient supply of public services and resources made available; (2) the weakening of the social network of support and favours; (3) insufficient attention to the needs of increasingly diverse families; (4) the belief that, for balance, actions must be aimed primarily at women, and (5) the presumption that it is women who will have to make more concessions and bear the most significant burden in those areas not covered by the policies.⁵⁶

12.3.2 Equality Policies in the Labour and Political Sphere⁵⁷

Concerning labour policies, in industrially advanced societies employment occupies a pre-eminent place in the shaping of identity. In this context women suffer from disadvantages; they do not have equal access, opportunities nor equal pay in all sectors and professions.⁵⁸ Equality employment policies have been concerned with promoting women's access to paid work and female employment promotion. Other measures implemented have consisted of making employment more flexible,

⁵²For a detailed review of the legislative framework see Chapter on Family law of this Textbook.

⁵³Meil (2011).

⁵⁴Otero Hermida (2016).

⁵⁵Cohen and Samzelius (2020).

⁵⁶Gallardo (2021).

⁵⁷For a detailed review see chapters on the Labour law and Human rights of this Textbook.

⁵⁸Puleo (2014).

including overtime as actual working hours, reducing productive working time without undermining pay, telecommuting and teleworking. Similarly, measures such as the regulation of working hours, school, business and public administration hours are proposed.⁵⁹ The limitations of these policies include the following: (1) they are limited to particular areas and sectors of the labour market; (2) they are not concerned with informing, incentivising and encouraging potential employers to implement them; (3) they are mainly targeted at women, leading to situations of discrimination (for example, if only women consider part-time work) and, finally, (4) they are not always aimed at promoting gender equality. The challenges for equality policies in the field of employment continue to be the following: (1) to guarantee equal opportunities and non-discrimination; (2) to maintain an effective system of protection against unemployment that includes active policies, unemployment protection policies and employment integration policies for groups with particular difficulties in finding employment, and (3) to promote an entrepreneurial and business culture.

Policies for women's equal political participation are concerned with combating horizontal and vertical discrimination, establishing lines of action to establish quotas, and favouring equal representation.⁶⁰ At present, other challenges remain: (1) achieving substantive representation of women, which can be achieved to the extent that an increase of women in decision-making bodies leads to an improvement in the representation of their interests;⁶¹ (2) adapting the agenda for gender equality, and (3) promoting increases in budgets to achieve the above challenges⁶²

12.3.3 Diversity, Anti-discrimination and Anti-violence Policies⁶³

This section focuses specifically on the problems faced by LGBTQIA+ people, women victims of gender-based violence and the policies implemented in favour of diversity and against discrimination and anti-violence. LGBTQIA+ people suffer discrimination on the grounds of sexual orientation and gender identity. This increases when other variables such as gender, ethnicity, age, religious beliefs, functional diversity, health, social class, economic status and political orientation come together. LGBTQIA+ people also suffer denial of rights, murder, non-lethal violence (such as threats, coercion, beatings, kidnappings), harassment, rape, sexual abuse, torture and other ill-treatment.⁶⁴ Social and institutional discrimination against LGBTQIA+ people take place in personal development, family, education, employment, health and equal access to goods and resources. The policies to be

⁵⁹Beveridge (2021) and Pastor et al. (2017).

⁶⁰Aldeguer Cerdá (2020).

⁶¹Freeman (2010).

⁶²Bjørna (2012).

⁶³For a detailed review see chapters on the Criminal law and Human rights of this Textbook.

⁶⁴Montenegro et al. (2020).

implemented should focus on reviewing, holistically and with a rights-based approach, the serious situation of discrimination and violence experienced by these people and formulating lines of action to promote their rights and freedoms in equality.⁶⁵

Gender violence suffered by women is a social problem of international scope, where it is possible to distinguish particularly vulnerable groups such as older women⁶⁶ and women with disabilities.⁶⁷ Violence against women persists over time without the formulation of social policies capable of preventing and stopping it. The main limitation of policies against gender violence is that they try to fight it with mainly punitive actions, forgetting that various factors involved are intertwined in the socio-patriarchal system. In this sense, policies against gender-based violence should aim to change the social system itself: the structural, cultural and subjective factors of the gender model. Thus, policies should focus not only on the victims, but also on the rehabilitation of aggressors and raising awareness of the law, institutions and (within?—unsure of meaning) society.⁶⁸ Consequently, measures should aim to change hierarchical and sexist gender relations based on stereotypes. Gender roles that foster inequalities are crucial to generating violence and abuse against those considered inferior. In addition to the above, the strategies implemented should be comprehensive and aimed at the education system, the labour market, the media and families to influence and transform the values of children and young people.⁶⁹

12.3.4 Education and Science Policies for Gender Equality

A feminist analysis of the university (what university- or if no university it would be university system or structure) primarily leads us to question the percentage of women rectors worldwide, which is much lower than that of men.⁷⁰ An even more pronounced look leads us to analyse the (not always) gender-balanced composition of the governing teams and the structures that guarantee equality in the university. Women working at universities continue to carry the most significant burden of care tasks without economic compensation and, in some cases, without social recognition.⁷¹ This translates into difficulties for access and promotion in university and management careers, and a decrease in women's quality of life compared to men. The organisation of some curricula in morning and afternoon sessions, the working day of administrative, service, teaching and research staff means that many women have to carry out what is known as the second and third working day: work at home,

⁶⁵ Jiménez Rodrigo (2020).

⁶⁶ Bermúdez Figueroa and Hervías Parejo (2021).

⁶⁷ Hervías Parejo and Minguela Recover (2021).

⁶⁸ Vélez Bautista and Serrano Barquín (2018).

⁶⁹ Vera (2020).

⁷⁰ OECD (2021).

⁷¹ Hervías Parejo (2019).

teaching or management, and positions of political responsibility.⁷² Finally, universities are no strangers to situations of gender-based violence, sexual and workplace harassment and LGBTQIA+ phobia. In this context, policies for gender equality in the university (as above, system or structure) consider the implementation of leaves of absence, measures to favour reconciliation, co-responsibility and breastfeeding spaces, toy libraries and summer schools. Furthermore, they are concerned with promoting equality and combating discrimination, gender-based violence and sexual and sexist harassment.⁷³ Among the challenges of equality policies in the university sphere, the following stand out: (1) responding to the diversity of needs and the motivations and interests of university communities; (2) making gender and equality an issue of interest to the entire university community; (3) making the working day and teleworking more flexible; (4) promoting transversality in undergraduate, postgraduate and master's degree training; (5) promoting the transfer of equality to society as a whole; (6) stimulating the institutionalisation of networking, and (7) promoting gender mainstreaming in higher education, for example, by integrating a gender perspective into curricula, textbooks and pedagogical approaches.

12.4 Conclusion

Public policies have often been viewed as gender-neutral interventions. However, even public policies that appear to be gender-neutral may substantially impact gender equality. Nowadays, gender mainstreaming has been embraced across countries as an approach to reduce gender inequality. Several elements are important for an effective and sustainable integration of gender perspective into public policies. First, a comprehensive strategic framework is required. Most countries adopt strategic documents that outline general gender equality goals and set priorities, timelines, general and specific objectives and expected outcomes. This provides a basis for effective gender sensitive policy planning across various sectors and organizations. Second, effective tools of implementation, such as gender impact assessment, gender sensitive budgeting and policy evaluation are needed to ensure the integration of gender mainstreaming at all levels of the policy process to promote gender equality. Third, political commitment to provide clear roles, responsibilities and a supportive environment is required to facilitate capacity development, stakeholder's participation, and effective oversight. The last two elements are necessary to implement, monitor and evaluate gender sensitive policies.

The changing role of women and LGBTQIA+ in the population influences the use of gender sensitive public policies. Namely, the relationship between public policies and gender equality is bidirectional.⁷⁴ On the one side, public policy may support

⁷²Puleo (2014).

⁷³Ruiz Bravo López and Sánchez Barrenechea (2019) and Vujadinović et al. (2020).

⁷⁴Duflo (2012).

gender equality. On the other side, the role and status of women's empowerment and leadership can only be conducive to the promotion of gender equality.⁷⁵

Social policies have the most prominent role in promoting gender equality. These policies deal with problems related to families and their diversity, the reconciliation of family and professional life, work and parental leave, the use of time, time for caring for the elderly and other dependents, and equal access to the goods and services offered by society. Likewise, gender equality policies impact the search for equity in the labour market, access to employment and the protection of groups and special vulnerability situations. In addition to the above, the spaces of representation and political participation are not alien to gender sensitive issues either. In this case, strategies focus on combating inequality and promoting the representation of women's interests on an equal footing. Such policies are also concerned with alleviating discrimination and gender-based violence by focusing on protecting diversity in all areas of human development and aiming to change the social system itself: the structural, cultural and subjective factors of the gender model. Finally, gender equality policies are formulated and implemented in university settings. In this context, actions aim to make the working day and telework more flexible, promote transversality, foster transfer and stimulate networking.

Questions

- **Case study 1.** Gender mainstreaming is based on the idea that there are no gender-neutral policies. This means that the implemented actions have a positive or negative impact on people's lives, that is, women, men and the LGBTQIA+ community. In recognition of this reality, the United Nations has repeatedly invited governments and other social agents to integrate a gender perspective in their legislation, policies, plans, programmes and projects. Students are asked to select two countries and compare how their governments have or have not integrated the gender perspective in their public policies. In this sense, they will also have to assess whether the public strategies implemented have applied gender mainstreaming.
- **Case study 2.** The Gender-Equality Index (GEI) developed by the European Institute for Gender Equality (EIGE) measures the progress of gender equality in the EU.⁷⁶ GEI shows the areas that need improvement and aims to support policymakers to design more effective gender equality measures. GEI examines how disability, age, education, country of origin, and family type intersect with gender to result in different outcomes. Students are asked to select the gender equality indices of two countries and to draw out similarities and disparities from a study of their gender equality legislation.

(continued)

⁷⁵Profeta (2020).

⁷⁶EIGE (2020).

- **Case study 3.** Using Gender, Institutions and Development Database OECD available at <https://stats.oecd.org/Index.aspx?DataSetCode=GIDDB2019>, students are asked to visit the Data Portal, select the main indicators of gender inequality and draw at least five conclusions about them.
- **Case study 4.** The OECD Gender Data Portal includes selected indicators shedding light on gender inequalities in education, employment, entrepreneurship, governance, health, and development. Students are asked to select a country and establish benchmark indicators in the area of discrimination in the family. Using additional sources, students should provide context and set the public policy goals for a five-year period.
- **Case study 5.** Inequalities are recurrent and, therefore, it is necessary to consider the principle of equality as an objective that, in an integrated manner, permeates decision-making, design, management, implementation, monitoring and evaluation of all public policies and not just equality policies. Students are asked to discuss the concept of gender inequality and reach consensus on a common definition. Also, using additional sources, students should provide context and state the objectives of public policies to combat gender inequality.
- **Case study 6.** Equality plans are a set of objectives and measures taken and approved by a government and must be carried out at different administrative and governmental levels and within a specific period ranging from two to five years. The objective of equality plans usually includes all aspects or areas that affect women, i.e. education, work, culture, health, legislation, politics, leisure, environment, and rural environment. Students are asked to carry out a comprehensive search for international public legislative and technical instruments in favour of equality of women and men in the world.
- **Case study 7.** In the EU, to ensure gender equality in policy impact assessment, various methods were developed, including gender indicators, gender analysis, gender impact assessment, gender budgeting, and evaluation. Students are asked to assess the implementation of such strategies in chosen Member States and in third countries and give some examples and whether they are proving successful.
- **Case study 8.** Gender impact assessment proposes to rely on three types of strategies to achieve effective equality between women and men from the perspective of gender mainstreaming. These strategies are reparation, adaptation and transformation and can be applied in a complementary manner to formulate and reformulate policies, plans and programmes. In this exercise, students are asked to review what these actions consists of and to find applied examples of such strategies in policies implemented at the international level.

(continued)

- **Case study 9.** The invisibility of care: “Care policies” are those whose programmes, plans and regulations seek to promote equality between women and men in their provision. Spanish state laws include Law 39/1999, of 5 November, to promote the reconciliation of work and family life for workers; Law 39/2006, of 14 December, on the Promotion of Personal Autonomy and Care for Dependent Persons; and Organic Law 3/2007, of 22 March, for the effective equality of women and men. These laws are analysed in detail, and no precise definition of the concept of care is found. The conclusion is that the laws mentioned above silence the explicit visibility of care, although it is an essential part of citizens’ needs. Based on the previous case study, students are asked to select a country other than Spain and analyse the legislation related to care in that country to deduce whether care is explicitly included and regulated in these laws or whether, on the contrary, it is made invisible.
- **Case study 10.** The difficult reconciliation of work and family life and the ethnicity of care in rich countries: in rich countries, older people are increasingly cared for by immigrants from developing countries, which monetises and makes visible the previously invisible care and assigned to women in the family. Based on the above case study, students are asked to find international or national legal foundations to help them position themselves for or against the following construct: Care is a derivation of gender because its provision has been assigned to women.

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