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Political Approaches to Inequalities in Southern Europe: A Comparative Analysis of Italy, Portugal, and Spain

Abstract

This article analyses political approaches to inequalities in three south European countries: Italy, Portugal, and Spain. Analysis is based on Crenshaw's (1991) concept of political intersectionality, McCall's (2001, 2005) broader structures of inequality and "configuration of inequality," and scholarly works on the institutionalization of multiple inequalities (Hancock 2007; Kantola and Nousiainen 2009; Weldon 2008). Focusing on gender, ethnicity, and sexuality, the article comparatively explores the ways in which multiple inequalities have been institutionally treated in the selected cases, often as a response to European Union policies. It then draws on empirical findings of this institutionalization to categorize types of political approaches to inequalities, including practices that intersect different inequalities. This comparison contributes to theoretical progress in understanding the political treatment to address inequalities by sharpening the distinction between intersectional policy practices and those of multiple inequalities.

Introduction

Feminist scholarship has raised awareness on the mutually constitutive character of inequalities by highlighting, since Crenshaw (1991), how strategies to address an inequality can simultaneously marginalize people at the intersection among different inequalities (Ferree 2009; Hill Collins 1998; McCall 2005; Verloo forthcoming; Walby 2009). Literature on institutionalizing intersectionality in Europe is increasingly developing to catch up with a rapidly changing political context due to European Union (EU) pressure (see Kantola and Nousiainen 2009; Krizsan, Skjeie and Squires 2012). For many member states, the obligation to transpose EU anti-discrimination directives 2000/43/EC and 2000/78/EC stimulated treatment of different inequalities. However, the approach to inequalities promoted by the EU is multiple and separate rather than intersectional (Lombardo and Verloo 2009), and policy practice in member states shows few traces of intersectionality (Verloo et al. 2009; QUING STRIQ reports[1]). Yet, the EU anti-discrimination approach has created opportunities to broaden the range of inequalities protected in member states and to establish equality machineries on these inequalities. Different types of political approaches to treat multiple inequalities are developing in EU member states. Studying them is important to detect what multiple approaches offer to treat inequalities and implement intersectionality in European policy-making.

This article analyses political approaches to address inequalities of gender, race, and sexual orientation in Italy, Portugal, and Spain, which are part of the European Quality in Gender Equality Policies (QUING) research project. The term *political approach to address inequalities* is meant to describe existing institutional and political practices (such as the nature of equality institutions, legislative, institutional, and policy-making styles) that have been developed to deal with multiple inequalities. Our argument is that domestic equality architecture critically shapes the political approach to address inequalities by creating opportunities for and constraints to the implementation of multiple or intersectional policy practices. We ask the following questions. How have gender, race, and sexuality inequalities been institutionalized through different machineries in Italy, Portugal, and Spain? What political approaches do these southern countries adopt to address multiple inequalities? To what extent does equality architecture in each national context offer opportunities for or oppose constraints to the institutionalization of intersectional approaches to inequalities?

Our case selection reflects a common classification of southern European countries as part of a Mediterranean cluster. Yet, the

existence of a relationship between supposedly similar socio-cultural characteristics—catholicism, familism, and a strong patriarchal culture—and similar political approaches to address inequalities must be empirically explored (González, Jurado, and Naldini 2000). Our methodology includes the analysis of institutions through their official documents and websites,[2] a frame analysis of general state policy documents on equality that plan broad action in different equality areas,[3] and eighteen semi-structured interviews of Italian and Portuguese institutional and civil society actors. In the Spanish case, three interviews of institutional actors were complemented by participant observation of the expert committee during drafting of the equal treatment law.[4]

This article is structured into three sections: First, it sets the theoretical basis of the argument; secondly, it explores the treatment of multiple inequalities in Italy, Portugal, and Spain through the analysis of equality institutions established on gender, race, and sexuality; and thirdly, it draws a typology of political approaches to inequalities found, including practices that intersect inequalities. In the conclusion, we discuss how the typology developed to organize the empirical findings could contribute to intersectionality theory by incorporating dimensions and concepts to improve our understanding of current political approaches to multiple inequalities.

Institutionalization of Multiple Inequalities: Theoretical Debates

Literature on state feminism and feminist institutionalism has shown that analysis of gender equality machinery is a key starting point to understand what structural conditions of the machinery, broader context, and alliances between women's policy agencies and feminist movements may favor gender-equal outcomes (Krook and Mackay 2011; McBride and Mazur 2010; Outshoorn and Kantola 2007). Rai (2008) related the effectiveness of equality machineries to factors such as high status of the institution in the decision-making hierarchy; clarity of mandate and functional responsibility; links with civil society groups supporting women's rights; human and financial resources; and accountability of national machinery to the women's movement. These criteria, elaborated for women's policy agencies, can be applied to other equality agencies now that EU member states have established equality institutions that address more than gender following the 2000/43/EC Anti-Discrimination Directive (Kantola and Nousiainen 2009). We will thus take these criteria into account whenever relevant to our analysis of national equality machinery.

Prior and parallel to the mentioned European institutional reforms, theory on the institutionalization of multiple inequalities has intensified the analysis of how different systems of inequality mutually construct each other (Hill Collins 1998; McCall 2001; 2005; Verloo forthcoming; Walby 2009). Crenshaw (1991) alerted us to the importance of paying attention to people's experiences at different points of intersection among inequalities, such as women of color who often end up marginalized both by black men (sexism) and white women (racism). The author uses the concept of *political intersectionality* as a means of addressing interdependencies among intersecting inequalities because strategies on one axis of inequality are not neutral toward other axes. This concept opens discussion regarding the role of policies on multiple inequalities and the extent to which they counteract or create inequalities.

If Crenshaw's theory of political intersectionality has challenged identity politics and intra-group hierarchies (Crenshaw 1991, 1242), McCall's (2005) work has had "power in engaging with the larger structures" as Walby, Armstrong, and Strid (2012, 227) argue. McCall (2005, 1786) theorized and empirically developed the "inter-categorical approach" to inequality that unravels "the complexity of relationships among multiple social groups within and across analytical categories." She focuses on the dynamics of social groups within each inequality by observing the relationship between black and white women, working and middle class men, and so on, without forgetting the broader structures of gender or class domination that make some groups especially powerful. McCall informs our argument by suggesting that political strategies to address inequalities must promote equality more broadly by addressing social collectives through measures such as positive actions and gender mainstreaming.

Another important concept in our analysis is McCall's "configuration of inequality," useful for pointing out the "unique combinations of gender, race, and class inequality" that make each political context different in both intersection of inequalities and assessment of progress toward equality (McCall 2001, 30). The idea that outcomes of intersections should be empirically explored because they cannot be assumed a priori is not only from McCall. Hancock (2007) also recommends that scholars treat the relationship among inequalities as an "open empirical question" because specific configurations of individual circumstances and institutional contexts can result in intersectional dilemmas. Ferree's (2009) work on intersectionality has further helped scholars reflect on how the hegemonic role of one inequality in a given context, such as race in the United States and class in Germany, affects the historical construction of the political approach to address inequality and influences the

institutionalization of other inequalities such as gender. This means that it is important for our analysis to consider inequality dominance in equality institutionalization.

Scholars have employed different terms to classify policy practices that deal with multiple inequalities (Weldon 2008). Hancock (2007) distinguished between unitary (tackling one inequality as the most relevant), multiple (tackling several inequalities as equally relevant), and intersectional (tackling intersections among inequalities) approaches. We believe that Hancock's differentiation has been very helpful in providing a preliminary classification of institutional approaches to inequality in national contexts. However, it does not fully grasp empirical realities of newly developing institutionalization of multiple inequalities that express accidental, EU-influenced policy measures rather than consistent intersectional politics. We argue that empirical analysis of political approaches to address inequalities can inform and refine existing theory so that the latter may better reflect how multiple inequalities are actually institutionalized.

The study of applied intersectionality has also focused on "alliances" among different actors where two or more inequalities do not strictly intersect but still come together at a particular moment (Walby 2009, 2011). The latter is what Walby (2009, 75) calls *projects* or "processes within civil society that create new meanings and social goals and are rooted in collective action." In Walby's view, projects "involve an orientation to change" and promote "the social reconstitution of subjects through joint activities and discussions" rather than express "stable essentialized identities." Examples—that we will cover in our discussion of implemented intersectionality—include the temporary alliance of the lesbian, gay, bisexual, and transgender (LGBT) and feminist movements in struggles concerning same-sex partnership, sexual, and reproductive rights. These projects can impact equality institutions and be influenced by characteristics of equality machinery at the same time. Alliances can inform on the extent to which an intersectional approach is implemented in a given context.

Institutionalization of intersectionality in Europe has been the objective of increasing empirical studies that aim at grasping institutional changes proposed for discussion and resolution in the member states from the obligation to transpose the EU anti-discrimination directives 2000/43/EC (concerning race or ethnicity), 2000/78/EC (concerning age, disability, sexual orientation, religion, or belief), and 2004/113/EC (concerning gender). In particular, scholars have analyzed the transposition of the Race and Equality directives (Bell 2008), and the resulting changes in the EU polity (Kantola and Nousiainen 2009; Lombardo and Verloo 2009) and in the merged

equality agencies of the forerunner—UK (Squires 2009), northern countries (Borchorst et al. 2012; Skjeie and Langvasbråten 2009), the Netherlands and Belgium (Celis et al. 2012), central eastern European countries (Krizsan and Zentai 2012), and southern countries such as Spain (Bustelo 2009), Portugal (Alonso this issue), and Italy (Lombardo and Del Giorgio 2012). These studies discuss the role of the EU in promoting institutional changes to address multiple inequalities. They point at both the opportunities (a broader institutional approach to cover multiple inequalities) for and constraints (limitations of the anti-discrimination approach versus other structural equality-promoting approaches) to such changes, and to the economic resources of merged equality institutions. This article aims at contributing to the debate on institutionalization of intersectionality in Europe by analyzing political approaches to address inequalities in three south European contexts.

Equality institutionalization in Italy, Portugal, and Spain has been greatly influenced by EU legislation on equality, and has been determined by the EU in some cases, particularly for inequalities of the 2000/43/EC and 2000/78/EC directives. Europeanisation theory is thus considered in our analysis due to the EU's key role as a norm setter influencing law making, discourses, and institution-building on equality. While the pressure for adaptation from the EU is formally the same in the three member states, domestic constraints and how institutional and civil society actors "use" the EU (Woll and Jacquot 2010) produced different policy solutions to address inequalities. In this respect, we especially draw on Europeanization theories that adopt discursive approaches to the discipline, and that consider the role of policy discourses and actors key for understanding the dynamics of policy change in Europe (Liebert 2003; Lombardo and Forest 2012; Schmidt 2010).

In summary, the aforementioned theories have provided us with a number of analytical tools to grasp the empirical reality of equality architectures: The characteristics of equality machinery as influential to their effectiveness, the role of policy strategies in counteracting or creating inequalities, the importance of equality policies that address social collectives and not only individuals, the specific configuration of inequality in each national context, the demand for an empirical analysis of how intersectionality is institutionalized in specific contexts, the importance of civil society alliances—and their study—for implementing intersectionality, and the role of the EU in promoting political approaches to address inequalities in member states. These concepts have informed our analysis of the institutionalization of inequalities in Italy, Portugal, and Spain.

Equality Machineries on Gender, Race, and Sexuality

Although the EU influenced the establishment of equality machinery in the three southern countries, the development and consolidation of an institutional framework on equality has varied in the three cases. We compare not only the formal creation of gender, race, and sexuality institutions, but also their functioning and working practices of coordination with other equality institutions and of civil society involvement.

Gender equality has long been institutionalized in the analyzed countries with the first women's policy agencies created in 1970 in Portugal, 1983 in Spain, and 1984 in Italy. The type and evolution of gender machinery is important to understand the development and strength of the institutional framework in each country. In the three cases, laws to create gender institutions much preceded the EU's 2002/73/EC and 2004/113/EC directives that prescribed the creation of a women's policy agency. Yet, the three cases demonstrate important differences. Portugal developed state feminism as early as 1970 and has shown progressive strengthening of women's institutions. The main Portuguese gender agency, the Commission for Citizenship and Gender Equality (CIG), is located in the Presidency of the Council of Ministers. This has enabled the consolidation of the CIG as a stable institution, somewhat independent from governmental changes (Alonso this issue). Spain has shown progressive consolidation of gender machinery (Bustelo and Ortbals 2007) since 1983 when the autonomous Woman's Institute (WI) was created by law. During the 2000s, a higher ranked Equality Policies General Secretariat and a Ministry of Equality were added in 2004 and 2008, respectively, to reinforce this already strong gender architecture.[5] In contrast, development of Italian gender machinery seems more discontinuous and vulnerable to government changes, with greater progress coming from left-wing governments (Guadagnini and Donà 2007). The main Italian gender institution, the Ministry for Rights and Equal Opportunities, created in 1996 under a centre-left government following EU and United Nations recommendations, directly depends on the presidential office. However, dependence on the cabinet for functional responsibility and scarcely available financial and human resources have resulted in the lack of political and financial autonomy that limits the institution's' implementation capacity and policy-making influence.

Portugal shows the greatest involvement of civil society in the policy process. The CIG has had an advisory council to provide consulting for women's non-governmental organizations (NGOs) since 1977. The NGOs represented in the council deal with inequalities of

gender, citizenship, sexual orientation, disability, age, and religion (Alonso this issue). In contrast, current Italian gender machinery has no institutionalized channels for consultation, which is dependent on the government's political will, with greater openness to civil society coming from left-wing governments (Guadagnini and Donà 2007). In Spain, although the WI was created in 1983, the Council for the Participation of Women was set through the Equality Act in 2007 and implementation began in 2010.

After gender, *race* is another inequality that has received greater institutional attention in the three countries. The 2000/43/EC Directive prohibits inequalities of race or ethnicity, obligating member states to designate an institution for promotion of equal treatment irrespective of race and ethnicity with the tasks of monitoring discrimination and offering judicial assistance to victims. Portugal and Spain created several institutions to deal with race inequalities not only to assist victims of discrimination in presenting complaints, but also to encourage intercultural dialogue and social inclusion of immigrants. To support victims of race discrimination in presenting complaints and monitoring policies, Portugal established the Commission for Equality and against Racial Discrimination (CICDR) in 1999, complying with the type of institution prescribed by the 2000/43/EC Directive. Spain created the Council for Anti-Discrimination of People on the Grounds of Race or Ethnicity (Law 62/2003), which was only formally established in 2007 (RD 1262/2007 and 1044/2009) and effective since 2009. In response to the EU Race Directive, Italy created the National Office against Racial Discrimination (UNAR) in 2003, primarily to assist people who feel discriminated, promote positive actions, and conduct research on making policy recommendations. However, as an example of its weakness, under the 2008 Berlusconi government, UNAR was left without a director and thus operationally inactive for nine months (Lombardo and Del Giorgio 2012).

Civil society engagement in anti-racism institutional activities has different modalities in our cases. Portuguese equality agencies have a tradition of involving civil society from creation (Alonso this issue; Valiente 1998). One of the two Portuguese race institutions, the High Commission for Immigration and Intercultural Dialogue, established the Advisory Council for Immigration Affairs in 1998 in which civil society associations working on citizenship, ethnicity, race, and class issues participate in the policy process; representatives of these associations are chosen by immigrant communities (Alonso this issue). The Italian UNAR involves civil society organizations through collaboration with the Italian Christian Workers Association to deal with race discrimination complaints, and through the UNAR

National Register of NGOs concerned with race and ethnicity that can initiate legal action (Lombardo and Del Giorgio 2012).[6] As for Spain, almost half of all council representatives are from civil society.

Without EU obligation to establish an institution for *sexuality* inequalities as for race and gender, institutionalization of sexual orientation has depended on domestic pressures. In Italy, the creation of an agency to deal with sexual orientation exemplifies the country's political dynamics. The centre-left governments, pushed by homosexual movements, opened up a window of opportunity in 2007 to set up the Commission for LGBT Rights and Equal Opportunities within the Ministry for Rights and Equal Opportunities, which would consult with LGBT organizations. However, the centre-right government in place since 2008 never made the agency operational (Lombardo and Del Giorgio 2012). Portugal is yet to establish an institution to deal with sexuality. The reference to citizenship added to the name of the reformed CIG suggests the intention to cover sexuality, and the CIG's advisory council has even consulted NGOs (Alonso this issue). Spain also lacks an institution to deal with sexuality, although the 2009 draft of the Equal Treatment Act established a single agency that includes sexuality inequalities (Bustelo 2009).

The restructuring of equality architecture in the three southern countries to include not only gender but also race equality institutions has been greatly influenced by the EU. No institution was implemented when the EU did not prescribe agency creation such as for sexual orientation. The EU also influenced the type of institution established, pushing for independent agencies that help individuals present complaints rather than equality promotion institutions that adopt a broader approach. Civil society inclusion in the policy-making process of equality institutions also varies in the three countries. The institutional and political framework, as well as historically privileged inequalities of each domestic context further shaped the different equality machineries established on gender and race.

Political Approaches to Address Inequalities

In this section, we combine data on equality machinery in Italy, Portugal, and Spain with information on existing practices of intersectionality detected by observing civil society dynamics of alliances and competition. This informs us of the type of political approach that the equality machinery adopts and the extent to which intersectionality is endorsed. To understand the different modalities in which multiple inequalities are politically treated, we elaborated a typology of political approaches to address inequality:

1. *Targeted axes*—in Hancock's (2007) terms, whether the approach is unitary (addressing only one inequality), multiple (addressing several inequalities), or intersectional (addressing how different inequalities interact among each other). We operationalized this dimension by analysing the characteristics of equality agencies;

2. *Privileged equalities*—which inequalities have received greater institutional attention. Here, we were inspired by McCall (2001) and Ferree (2009) to explore the hegemonic role of particular inequalities in the institutional architecture of each national context. Analysis of equality machineries and length of their institutional history helped us to identify the most privileged and neglected axes;

3. *Strategy*—way of understanding and tackling inequalities, that is, anti-discrimination versus equality promotion, and sanctioning versus nonsanctioning. This is theoretically inspired by McCall's (2001) broader structures of inequality and is operationalized by analyzing policy strategies on gender, ethnicity, and sexuality in the three countries. We examine the extent to which the approach tends to be: A reactive anti-discrimination approach that caters to individuals and selectively applies sanctions to law infringements; or a proactive equality approach that broadly addresses collectives through positive actions and gender mainstreaming (not only when discrimination has occurred), and may or may not apply sanctions in cases of incompliance;

4. *EU influence*—degree to which the EU has been influential in the development and legitimation of institutional equality architecture. For this dimension, we studied the transposition of EU anti-discrimination directives into domestic legislation, and conducted a discursive analysis on use of the EU for legitimation in national policy documents;

5. *Coordination*—institutional collaboration among equality machineries to implement multiple inequality policies. This required searching for evidence of existing procedures to promote institutional coordination on equality;

6. *Participation*—whether or not equality institutions consult civil society on equality issues. This was researched by analysing the existence and nature of institutionalized channels for consultation with civil society on equality; and

7. *Intersectionality implemented*—evidence of legislated and implemented intersectionality. We identified the former through analysis of official policy documents that explicitly refer to intersections among inequalities. The latter was detected in three ways: First, following Walby's suggestion, by searching for cases

of alliances or competition among different civil society groups concerned with equality; secondly, by inspecting equality machineries and policy documents for traces of coordination among equality agencies to develop intersectional policies; and thirdly, by looking for evidence of participation of civil society groups working on equality in policy-making processes.

We have classified the comparative findings in Italy, Portugal, and Spain according to these seven typology dimensions. The summary of findings in Table 1 is followed by a comparison of the three cases analyzed in each dimension.

The institutional approach to inequality regarding *targeted axes* can be described as unitary in the process of shifting to a multiple approach in all three cases. Yet, there are differences in how this change is being conducted. Gender, race, and sexuality (not operational) agencies in Italy have been included within the Ministry of Rights and Equal Opportunities, which was mainly oriented toward gender. In Spain, the trend is to keep institutions separate in historically gender-oriented institutional architecture that may later include other inequalities.[7] The Portuguese maintain equality machineries separate and create coordinating structures that link the institutions' policy activities.

Across the countries, the range of institutionally *privileged inequalities* also differs. Gender is privileged in all cases but is hegemonic in Spain and part of more consolidated machinery in Spain and Portugal, whereas gender is situated within weak machinery and is vulnerable to governmental changes in Italy (see Equality machineries on gender, race, and sexuality). While the institutionalization of race equality is growing in all cases due to the EU directive, Portuguese race equality agencies were created in the 1990s before the directive and have a longer institutional history than agencies of the other two countries. This earlier progress in protecting race inequalities is due to immigrant flow in the 1970s and again from the 1990s onwards. Sexuality is the less-institutionalized equality without an established institution but with various legislative developments in Spain through the 2005 law on homosexual marriage, and in Portugal through legislation on same-sex partnership (2001) and marriage (2009).

Strategy or how inequalities are understood and addressed (anti-discrimination vs. equality promotion; sanctioning vs. nonsanctioning) shows similar tendencies in the three cases. There is emphasis on equality promotion (targeting collectives) linked with nonsanctioning power concerning gender, and anti-discrimination (targeting individuals) linked with both sanctioning and nonsanctioning power

Table 1. Typology of Political Approaches to Address Inequality in Italy, Portugal, and Spain

Country	Machineries	Targeted axes	Privileged equalities	Strategy	EU influence	Coordination	Participation	Intersectionality implemented
Italy	Gender, race, sexuality (not operational)	Unitary shifting to multiple	Gender	Gender: equality promotion, nonsanctioning Race: anti-discrimination, nonsanctioning	Equality agenda-setting; for legitimation	Gender, race, sexuality under same ministry but no coordination procedures	Cabinet-dependent participation; work relation with civil society on race	Occasionally legislated (EU directives) but not implemented; ad hoc civil society alliances
Portugal	Gender, race	Unitary shifting to multiple	Gender, race	Gender and race: equality promotion, nonsanctioning	Procedural compliance with EU norms; for legitimation	Gender institution coordination; Plan coordination	Advisory institution for civil society consultation	Legislated (plans), potential for implementation; ad hoc alliances, resistance
Spain	Gender, race	Unitary shifting to multiple	Gender	Gender: equality promotion, nonsanctioning Race: anti-discrimination, nonsanctioning	Agenda-setting for multiple inequalities	Signs of coordination in draft of act	Potential participation through future act	Some regional legislation (plans); ad hoc alliances, resistance

concerning race. Strategy with race does not involve direct sanction-
ing in both Italy and Spain. The UNAR and Spanish Council cannot
sue as juridical subjects, but offer advice to discrimination victims.
In Spain, the 2009 draft of the Equal Treatment Act, which will not
be approved in the near future, had a strong tendency toward indi-
vidual sanctioning and planned a single protection institution that
would include the six inequalities of Article 13. This would not
threaten the WI that would maintain its role as a gender equality
promotion institution. Portugal mixes strategies: Equality promotion
through targeted actions toward some intersectional groups with
little sanctioning, and anti-discrimination without sanctioning for
victims of workplace gender discrimination since 1979 and of racial
discrimination since 1999.

   EU influence is the main convergence factor behind recent steps
toward institutionalization of policy response tackling multiple
inequalities in Italy, Spain, and Portugal. Nevertheless, its manner of
influence varies depending on the countries' institutional legacies.
Institutional treatment of gender inequalities in the two Iberian coun-
tries has been largely endogenous. In comparison, transposition of
the EU directives has been key to putting gender on the agenda in
Italy through legislation and institution-building (EU pressure was
crucial in the creation of the Ministry for Rights and Equal
Opportunities in 1996) despite Italian governmental actors tradition-
ally paying little attention to gender equality. Furthermore, Italy had
to expand its legislation on race discrimination by transposing the
Race Directive (Decree 215/2003) in 2003, and to legislate on anti-
discrimination on grounds of sexuality for the first time by transpos-
ing the 2000/78/EC Directive (Decree 216/2003). The EU-driven
nature of such legal changes is exemplified by European Commission
(EC) intervention in Italy to enforce full implementation of legislative
measures against discrimination on grounds of race and sexuality.
The EU was also the force behind the establishment of a law enforce-
ment institution—UNAR—to assist victims of race discrimination.
Moreover, Italian left-wing politicians and civil society actors have
discursively linked the EU to the defence of equality values, and have
used EU norms to legitimize calls for equality legislation and its
implementation in an unfavorable political context (Longo 2008).

   In Spain, EU influence has been stronger on institutionalization of
protection from race inequalities and on including multiple inequal-
ities in the political agenda. Whereas domestic factors were determi-
nant in the institutionalization of gender equality (gender institutions
were created in the 1980s and consolidated in the 2000s under social-
ist national governments), EU pressure has been much more evident
in race anti-discrimination. The EC was behind the creation of a race

anti-discrimination institution and pushed the Spanish government to implement the Race Equality Directive 2000/43/EC. Even so, there were no developments regarding a sexuality anti-discrimination institution without obligation from the EU, though legislative progress was made with a law on homosexual marriage. The legacy of gender as a privileged Spanish institution has had consequences for the institutionalization of other inequalities, demonstrated by the absence of discourses on anti-discrimination in the analyzed documents (López 2008). The EU has therefore acted as agenda-setter for establishing institutions and introducing multiple inequalities in the Spanish gender-dominated political arena.

In Portugal, gender and race institutions were created before the EU directives required them, showing that domestic factors were more influential in equality institutionalization. However, EU influence is noticeable in the creation of a race anti-discrimination body in 1999 anticipating prescription of the 2000/43/EC Directive. In fact, the EU had particular impact on the 2004 constitutional reform following the 2000/78/EC Directive's call for inclusion of: Sexual orientation among the categories of prohibited discrimination, sexuality in the agenda of gender machinery (appearing in the reference to citizenship added to the name of the reformed CIG in 2007), and LGBT NGOs among those consulted by the advisory council (Alonso this issue). Additionally, the EU influence has been illustrated by compliance with EU norms through a technical and procedural policy style shown in the framing of gender equality policies, mainly as requiring more efficient management (Nunes 2008). Discourses on double discrimination of women, though not so widespread, are legitimated in Portuguese texts through reference to the EU anti-discrimination approach (Alonso this issue).

Two elements that signal effective implementation of a multiple or intersectional plan are *institutional coordination* among equality machineries, and a *participatory approach* where equality institutions occasionally or regularly consult civil society. Here is where we notice greater differences among the countries. In Italy, despite potential for institutional coordination with gender, race, and sexuality agencies located in the same Ministry for Rights and Equal Opportunities, no procedures for coordinating actions on equality were detected. Consultation practices at the national level are occasional and left to the Ministry for Rights and Equal Opportunities' good will concerning gender organizations, and formally exist but have never been operationalized for LGBT associations. As for race, work cooperation between institutional and civil society actors is implied, but there is no discerned effort to incorporate civil society's voices in policy-making. In Spain, some signs of coordination were observed in the

2008–2009 Expert Group appointed by the Ministry of Equality to draft the Equality Treatment Act. Although the group included NGOs working on gender, ethnicity, disability, and sexual discrimination, members of the Expert Group were referred to as (mostly legal) "experts," not as civil society representatives. Consultation with civil society is not a common practice at the Spanish central level, not even with gender issues for which the Council for the Participation of Women was created only in 2010.

Portugal stands out comparatively as the "champion" of a coordinated and participatory approach. Its separate equality agencies are coordinated through joint policy implementation. The older and more consolidated institutions, such as gender and race, play a leading role in coordinating the other equality agencies, often through policy plans. Portugal also has a tradition of consulting civil society through advisory councils established from the creation of equality institutions (Alonso this issue). This participatory approach has been explained by a corporatist heritage from the pre-democratic Estado Novo in which the regime organized workers into official groups to better control them (Nicholls 2007). This united to a generally top–down approach to public policies (usually adopted by decree) suggests that the institutional aim of participation could be to profit from NGOs' skills and not necessarily to incorporate civil society's perspectives in policy-making (Alonso this issue). Although the approach appears more neocorporatist than genuinely participatory, the existence of institutionalized consultation channels could allow for the development of a deliberative political approach to address multiple inequalities.

We found little evidence of *legislated intersectionality* among inequalities in recent official policy documents of European member states (Verloo and the QUING team 2009). Yet, this scarce evidence still provides clues on the type of intersectional approaches found. The 2003 decrees transposing the EU Race and Equal Treatment directives are the first cases of legislated intersectionality in Italy. Decree 215/2003 refers to the intersection of race and ethnicity with gender, culture, and religion. The other ruling (Decree 216/2003) mentions the differential impact that discrimination on grounds of sexual orientation, religion or belief, disability, and age can have on women and men. In Portugal, recent equality plans, like the Third National Plan for Equality: Citizenship and Gender 2007–2010, deal with multiple discriminations of gender, race, religion, disability, age, and sexual orientation (Alonso this issue). The evidence of legislated intersectionality in Spain was found at the regional level in the 2006 Fourth Basque Plan for Equality (intersections of rural and urban environments, and citizenship) and in two Catalonian plans:

The 2006 Plan for Anti-Discrimination Against Homosexual and Transgender People and the 2009–2013 Plan for the Roma People (intersections of sexuality, gender, age, class, ethnicity, and disability) (Bustelo and Forest 2009).

To find evidence of *implemented intersectionality*, we analyzed practices of policy coordination among equality agencies, institutional consultations with civil society, and alliances and competition among civil society organizations. Comparing the three southern countries, Portugal offers greater potential for the implementation of an intersectional approach, particularly a "deliberative" approach (Alonso this issue). This is due to the country's emphasis on the coordination of equality machinery and routinized consultation with civil society. Moreover, in the last decade, civil society groups have built cross-cutting equality coalitions as in the 2007 campaign on the abortion referendum when the women's movement allied with trade unions, the LGBT community, and immigrants (Alonso this issue). However, conflicts have also emerged in Portuguese institutional consultation with civil society. In 2007, feminist's criticized the CIG Advisory Council's move toward a multiple inequalities approach. The modification led to inclusion of organizations representing LGBT, race, and disability issues, and exclusion of some of the oldest feminist organizations. While some civil society actors involved in the advisory institutions acknowledge that conflicts are likely to arise within agencies that include NGOs working on different inequalities, they also recognize that dialogue is important for managing political conflict and reaching agreements (Alonso this issue).

The Italian case provides little evidence of intersectional potential at the institutional level. This is demonstrated by the lack of procedures for institutional coordination (despite having the three inequalities under the same ministry, which could encourage future coordination) and only occasional consultation with civil society. However, there were strategic alliances among civil society groups. In 2006, the lesbian and women's movements allied against restrictive legislation on assisted reproduction (Law 40/2004) introduced by the right-wing government. Furthermore, the homosexual movement made alliances with the anti-racist movement under the slogan of "anti-racist pride" for the 2009 Gay Pride Parade (Lombardo and Del Giorgio 2012). Similar to Italy, there are limited signs of implemented intersectionality at the national level in Spain. Equality bodies are rarely coordinated, and the few civil society alliances have been contextual, such as LGBT movement's alliance with feminists and human rights activists for the 2005 same-sex marriage campaign. In this context dominated by the institutionalization of gender

inequality, some feminist groups have resisted the inclusion of other inequalities, considered competition (Bustelo 2009).

Conclusions

Analysis of equality architecture on gender, race, and sexuality in Italy, Portugal, and Spain has helped us to grasp the type of political approach to address inequalities that characterizes the three countries, offering elements that inform intersectionality theory. Though lacking evidence of intersectionality, the three countries present a unitary approach moving toward one of the multiple inequalities, mostly due to EU influence. Despite this common direction, there are differences in how they address multiple inequalities, linked to their individual features of equality policies that shift to multiple inequalities depending on their initial institutionalization paths. Our analysis confirms the relevance of McCall's specific "configuration of inequality" that characterizes each context, making intersectionality an "open empirical question" in Hancock's terms. It also supports Ferree's (2009) argument on the hegemonic role of historically institutionalized inequalities in shaping policies for other inequalities.

In the three countries, prominence is given to gender inequality, which has been addressed not only through individual anti-discrimination policies but also through policies actively promoting gender equality such as positive actions and mainstreaming. Race inequality, in contrast, is mainly addressed through an individual, EU-supported anti-discrimination approach. Protection of sexuality is the least developed in all three cases, with legislative developments on same-sex marriage in the Iberian countries and an Italian anti-discrimination measure thanks to the EU directive. A further indicator of the EU's role as equality promoter in the selected cases is the absence of sexuality institutions in the southern countries without obligation by the EU.

Our findings—based on dimensions employed to understand the type of approach to inequalities—help us to identify the potential for intersectional approaches since each context presents a spectrum of opportunities for and constraints to intersectionality in their equality architecture.

Italy is characterized by weak equality architecture that is especially evident in its weak state feminism vulnerable to cabinet changes, and the discontinuous presence of institutionalized channels for civil society participation. In this unfavorable context, the EU played a key role in promoting the development of equality machinery and legislation. Owing to the EU, we found two cases of legislated intersectionality in Italian decrees transposing the 2000 EU

anti-discrimination directives. The EU was also influential in the establishment of the Ministry for Rights and Equal Opportunities in 1996 and the race anti-discrimination agency in 2003. The use of the EU by civil society and left-wing politicians in domestic policy documents to legitimize support for equality issues underlines the importance of the EU in Italy. Overall, despite the opportunities offered by gender, race, and (only formally existing) sexuality agencies positioned under the same ministry, and by occasional civil society alliances to resist unequal governmental policies, the weak Italian equality architecture currently leaves little potential for intersectional political approaches.

Spain shows a stronger institutional equality framework. The privileged position of gender in institutional architecture—especially promoted by national socialist governments—has had opposite effects. On one hand, it resulted in policies showing structural understanding of gender inequality that proactively promote gender equality in society; on the other hand, it hindered policy developments in other equality areas (Bustelo 2009). The EU was thus less relevant for setting the agenda on gender equality—pushed by endogenous factors—yet crucial for creating institutions and legislation on multiple inequalities. Also, references to the EU in policy documents approved in a political context favorable to gender equality (2004–2007) show the EU's role in legitimizing anti-discrimination more than gender. Concerning opportunities for an intersectional approach, the Spanish decentralized form of state has enabled development of legislated intersectionality in the regions of the Basque Country and Catalonia. However, an intersectional approach is still far from being implemented at both central and regional levels—due to little institutional coordination and consultation with civil society, and only occasional civil society alliances.

Portugal presents greater evidence of institutional coordination and civil society participation in policy-making. Actions of the different Portuguese equality institutions are coordinated through equality plans, and civil society is consulted through advisory bodies created for each equality agency. The presence of a long-established gender equality body, coordination efforts among different equality machineries, and extensive tradition of engaging civil society offer the greatest potential for developing intersectional approaches compared with Italy and Spain. The institutionalization of race prior to EU input provides further opportunities for intersectional policy-making. At the same time, in the last decade, civil society groups concerned about equality have managed to create ad hoc but cross-cutting coalitions as in the 2007 abortion campaign. Although institutional protection of gender and race inequalities developed mainly due to

domestic factors in Portugal, which is different from Italy (for gender and race) and Spain (for race), the EU has encouraged focus on multiple inequalities. In fact, the EU promoted legislative changes on race and sexuality, and has been employed in policy discourses to legitimate an anti-discrimination approach and more efficient management of gender policies.

In light of the findings on institutionalization of equalities in Italy, Spain, and Portugal, Hancock's (2007) classification of unitary, multiple, and intersectional approaches to inequalities can be refined. Reality reveals a wider range of possible configurations of different inequalities lying between multiple inequalities and intersectionality. While the institutionalization of multiple inequalities could be taken as an initial opening toward intersectional policies, there may be "momentary" cases of intersectionality in legislation and policies—often due to transposition of EU directives—that do not imply implementation of an intersectional approach. This is why we suggest distinguishing between legislated and implemented intersectionality, and between entrenched (or routinized) and accidental (or occasional) intersectionality.

Political changes in Italy and Spain in autumn 2011 show the dynamic nature of the institutional configuration of inequality. Italy's right-wing Berlusconi government resigned and the new, "technical" Monti government assigned three women as Ministers of Labor and Welfare, Justice, and the Interior. However, in a scenario characterized by the need for technocratic solutions to the economic crisis, gender equality is not a priority of the new Italian government. This was apparent in the downgrading of the Ministry of Rights and Equal Opportunities to being dependent on the Ministry of Labor. In Spain, the socialist Zapatero government resigned and the new conservative Rajoy government relegated the historic WI to part of the new Ministry of Health, Social Services, and Equality. This represents a counter-trend in the Spanish path to consolidation of women's policy institutions. The impact of these latest changes on equality institutionalization in Italy and Spain will need to be reassessed in the future.

Despite meager evidence of intersectionality, the study of Italy, Portugal, and Spain has revealed domestic equality architecture's role alongside supranational pressure from the EU in creating opportunities for or constraints to policy implementation of multiple or intersectional inequalities. Analysis of equality architectures and political approaches involves constant interplay between theory and policy practice on multiple inequalities. To grasp the varied and continuous changes in existing empirical realities that may be halfway between multiple inequalities and intersectionality, concepts and

typologies of political approaches to address inequality require ongoing theoretical revision.

NOTES

1. See Quality in Gender Equality Policies (QUING) reports on intersectionality at http://www.quing.eu/content/view/34/52/.

2. In this article, we mainly analyze equality machinery at the national level for comparative purposes despite the importance of regional governance in Spain and Italy. The search for evidence of legislated intersectionality, which was difficult to map at the central level in Spain, moved us to analyze some regional policy documents.

3. Analyzed documents were part of the frame analysis of policy texts from 1995 to 2007 conducted in the QUING research project. Within the issue "General Gender Equality Policy and Machinery," ten Spanish texts, eleven Italian texts, and eight Portuguese texts were analyzed.

4. Interviews in Italy (conducted by Elena del Giorgio): Marianna Borroni, Italian Christian Workers Association (ACLI) Expert and National Office against Racial Discrimination (UNAR) Junior Expert (Rome, 26/02/2009); Member of Parliament (MP) Lucia Codurelli (24/02/2009); MP Anna Paola Concia (23/02/2009); MP Emilia De Biasi (Rome, 26/02/2009); Senator Silvia Della Monica, Former Head of the Department for Equal Opportunities 2006–2008 (Rome, 25/02/2009); Pino Gulia, ACLI/UNAR Senior Expert (20/06/2009); Sergio Lo Giudice, Arcigay Honorary President and President of the Commission for LGBT Rights and Equal Opportunities (Bologna, 27/02/2009); Grazia Naletto, Immigration Expert

of the Lunaria Association (23/02/2009); Riccardo Noury, Amnesty International–Italy (Rome, 23/02/2009); and MP Barbara Pollastrini, Former Minister for Equal Opportunities 2006–2008 (Rome, 25/02/2009). Interviews in Portugal (conducted by Alba Alonso): Dina Canço, Main Advisor of the Commission for Citizenship and Gender Equality; Gonçalo Moita, Advisor of the High Commissioner for Immigration and Ethnic Minorities; Timoteo Macedo, President of Solidaridade Imigrante; Carmen Rasquete, Advisor of the Portuguese Association for Victim Support; Paulo Côrte-Real, President of the International Lesbian and Gay Association–Portugal; and Manuela Góis, Joana Sales, and Manuela Tavares, Executive Members of the Women's Union of Alternative Answers (Lisbon, 2-4/03/2009). Interviews in Spain (conducted by María Bustelo): Isabel Martínez Lozano, General Secretary of Equality Policies (Madrid, 31/07/2008); Marta Selva, Director of the Catalonian Women's Institute (Barcelona, 18/06/2008); and Micaela Navarro, Andalusian Ministry of Equality and Social Affairs (Seville, 14/07/2008). Participant observation of the Expert Working Group appointed by the Directorate General against Discrimination to draft a Spanish Equal Treatment Law was conducted by María Bustelo who attended the group's meetings in December 2008 and January 2009. The Working Group included twenty-seven academics and representatives of anti-discrimination NGOs.

5. In 2010, as part of the policies against the economic crisis, the Ministry of Equality was abolished and downgraded to a state secretariat within the Ministry of Health, Social Policy, and Equality. In November 2011, when the conservative party took office, the WI was ascribed to the only Directorate General for Equal Opportunities left within the new state secretariat in charge of both equality and social affairs. These changes represent a step backward for the Spanish equality institutional framework.

6. Ministerial decree, December 16, 2005. The register currently includes 320 NGOs.

7. In 2010, the Minister of Health, Social Policy, and Equality announced the inclusion of an Equal Treatment Act on multiple inequalities to the political agenda, which the former Ministry of Equality had started to draft in 2008. However, the act was not adopted by the socialist government and is not a priority of the current conservative government.

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