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## NOTAS Y DISCUSIONES

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## STRATEGIES OF AGENCY: ASSESSING THE INFLUENCE OF STATE FEMINISM ON MITIGATING GENDER-BASED VIOLENCE AGAINST WOMEN IN ITALY, FRANCE, AND SPAIN

### ESTRATEGIAS DE AGENCIA: EVALUACIÓN DE LA INFLUENCIA DEL FEMINISMO DE ESTADO EN LA MITIGACIÓN DE LA VIOLENCIA DE GÉNERO CONTRA LAS MUJERES EN ITALIA, FRANCIA Y ESPAÑA

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#### Abstract

This brief paper provides an extensive analysis of the role of state feminism in combatting gender-based violence against women, focusing on its implementation and impact in Italy, France, and Spain. The study examines the connection between state feminism—defined as the incorporation of feminist ideas and ideals into official procedures and policies—and the frequency and kinds of gender-based violence that take place in these countries. Gender-based violence is still a serious issue in France, Italy, and Spain, requiring extensive interventions. The evidence reveals that state feminism, when effectively integrated, is instrumental in fostering environments that condemn gender-based violence and promote gender equality. This initial comparative study contributes to a broader understanding of how governmental entities and feminist ideologies intersect to construct safer, more egalitarian societies.

#### Keywords:

Gender-based violence against women; women's agency; women's rights; progressive policies; state feminism

#### Resumen

Este breve artículo analiza el papel del feminismo de estado en la lucha contra la violencia de género hacia las mujeres en Italia, Francia y España. Se comparan los marcos legales y sociopolíticos que estos países utilizan para empoderar a las mujeres y se destacan las similitudes y diferencias en sus estrategias. También se examina la forma en la que la incorporación de ideas feministas en las políticas oficiales influye en la frecuencia y los tipos de violencia de género en estos países. A través de una comparación, se explora la efectividad del feminismo de estado para reducir la violencia de género y promover la igualdad. Aunque existen diferencias en el compromiso y la ejecución entre los países, los esfuerzos colaborativos impulsan mejoras en la lucha contra la violencia de género. Este análisis invita a explorar cómo optimizar el feminismo de estado para erradicar la violencia y establecer una igualdad sostenida de tal manera que se fomente el diálogo sobre estrategias unificadas y efectivas.

#### Palabras clave:

Violencia de género hacia las mujeres; agencia de las mujeres; derechos de las mujeres; políticas progresistas; feminismo de estado

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# STRATEGIES OF AGENCY: ASSESSING THE INFLUENCE OF STATE FEMINISM ON MITIGATING GENDER-BASED VIOLENCE AGAINST WOMEN IN ITALY, FRANCE, AND SPAIN

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## Introduction

State feminism, defined as the actions and policies adopted by governments to promote gender equality and women's rights (McBride & Mazur, 2010), has evolved across countries. This brief paper focuses on the experiences of Italy, France, and Spain, investigating how state feminism has been realized in these countries and its implications, particularly in the context of addressing gender-based violence against women (GBVAW). Using an ecological approach that explores the social, personal, and relational dimensions of interaction, this study zeros in on GBVAG (Casique Casique & Furegato, 2006; Heise, 1998) and emphasizes how crucial it is to recognize gender as a basic component of comprehending this complex social phenomenon (Baker & Leicht, 2017; Donato, 2023).

Italy, France, and Spain have demonstrated their commitment to tackling this urgent issue by enacting laws and policies that target

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gender-based violence specifically. The necessity of governmental intervention in preventing gender-based violence has been emphasized in literature over the past 30 years, mainly through structural critiques of gender inequality, patriarchy, and how it interacts with neoliberal economic initiatives. As in Walby (2023), countries with the lowest rates of GBVAW tend to have well-established gender democracy. These countries lean towards social democratic ideals rather than neoliberal or authoritarian approaches. Gender democracy of greater depth allows the government to effectively harness its various capacities to combat GBVAW. This includes targeting perpetrators, especially those with coercive power, and providing substantial support to victims/survivors through welfare and regulatory measures. This approach ensures a proactive and balanced response to gender-based violence, addressing its causes and consequences.

In Spain, the current Gender-Based Violence Law, also known as VioGen, enacted in 2004, has been praised as one of the most progressive and comprehensive pieces of legislation on gender-based violence in Europe and worldwide (Goicolea et al., 2013). To guarantee the safety of victims, France has put in place measures like the establishment of specialist police units and the issuance of emergency protection orders (Allwood, 2016). Additionally, Italy has taken action to combat gender-based violence by establishing services for survivors of violence and enacting laws that make it illegal to harass women in various ways and to use gender-based violence against them (Corradi & Donato, 2023). In today's society, the influence of state feminism in Italy, France, and Spain has played a significant role in addressing gender-based violence. The influence of state feminism in Italy, France, and Spain has been uneven but instrumental in raising awareness about gender-based violence, improving legal frameworks for protection and support, and empowering women to report and seek justice for the violence they experience. This is strictly connected to women's agency and their strategies to overthrow the status quo on women's rights. Indeed, the concept of agency is closely linked to and directly impacts the prevention of GBVAW. By shifting away from portraying women solely as victims and instead emphasizing agency, empowerment, and the tools for change, women can become active agents in preventing such occurrences for themselves and others.

## Methods

This brief article employs a combination of qualitative analysis with process tracing tools and comparative analysis (Bergman, 2007; Collier, 2011) to investigate the role of state feminism in the fight against GBVAW



in Italy, France, and Spain. The methodology used in this paper involves an examination of the socio-political and legal frameworks that these countries have adopted to empower women and combat gender-based violence. Using process tracing tools, this brief paper traces the implementation of state feminism within these countries, identifying both the commonalities and disparities in their approaches. The research further scrutinizes legislative measures, policy implementations, and support systems to assess the effectiveness of state feminism in shaping societal norms, values, and behaviors related to gender-based violence. The comparative analysis approach helps uncover the variations in commitment and policy execution among the examined countries, shedding light on the divergent outcomes of state feminism initiatives.

## State Feminism and Contexts of Reference

In Italy, state feminism has a relatively brief history, with the government implementing measures to increase women's participation in the workforce and combat gender-based violence since the mid-90s. Legislation about equal pay, gender quotas in elected offices, the creation of dedicated police units to look into cases of GBVAW, and laws making some forms of violence, such as stalking, illegal are some examples of these measures (Valiente, 2005). Notwithstanding these initiatives, concerns have been raised about financing, the distribution of resources, and the degree to which state feminism complies with the demands of feminist groups. More specifically, a number of feminist organizations have attacked the dearth of political will, financing, and resources devoted to women's rights and gender equality, as well as the disarray and lack of coordination between government departments.

Since the Women's Institute (Instituto de la Mujer) was founded in the 1980s, Spain has adopted a unique strategy for state feminism. Through programs like female quotas in political parties and the Organic Law on Female Violence, which addresses gender-based violence, this institute has played a significant role in advancing gender equality (Roggeband, 2012; Valiente, 2005, 2008). The country has maintained its support for gender equality through state feminism initiatives, such as the 2004 Organic Law on Gender Violence, the 2007 Law on Effective Equality between Women and Men, and the most recent 2023 law on the right to gender self-determination. Critics point to state feminism in Spain as prioritizing formal equality (*de jure*) above substantive equality (*de facto*). Additionally, under various legislatures and political majorities, the country's government has pursued a robust legislative approach to state feminism.



France has a long history of state feminism, dating back to the late 19th century. The country has enacted laws about representation in elected entities, equal pay, and voting rights. France strengthened its commitment to gender equality in the 2000s by implementing policies in a number of different areas (Clavagnier, 2018). In order to further women's rights, the French government has also established specific organizations. However, there are still issues in completely addressing gender-based violence. The French government introduced a number of measures to advance gender equality in several areas, including work, education, and political representation, with a noticeable improvement in the decade of the 2010s. During this time, government organizations devoted to advancing gender equality and women's rights were established. One such organization is the Interministerial Delegation for Women's Rights and Equality. In France, state feminism has prioritized gender equality in education and the prevention of violence against women (VAW), according to preliminary comparative research. The government of Spain has implemented comparable laws, such as quotas for female candidates, to promote women's involvement in politics. However, state feminism in Italy has been less comprehensive and has mainly addressed preventing VAW and increasing the employment options available to them. Overall, one could argue that concerning the conceptual framework of state feminism, it thrives better in countries with well-established feminist groups and high levels of women's political participation.

## **Gender-based Violence against Women: Historical Overview of Government Responsiveness and Women's Movements**

In Italy, public policies addressing VAW began to gain increased traction with the enactment of Law 66/1996 on sexual violence (Feci & Schettini, 2017). In contrast, the issue of VAW had already emerged in Spain, even within the public domain, since the end of the Francoist dictatorship, culminating in the establishment of the Women's Institute in 1983. Spain had approved relevant legislation as early as 1989 and a national plan to combat VAW in 1998. Notably, Spain demonstrated a strong interconnection between feminist movements, which, through collaboration, successfully institutionalized their demands into state feminism—a dynamic notably lacking in Italy (Lombardo, 2017).

The fight against GBVAW in Spain has seen a notable change in both policy and movement throughout time. Women's rights movements in the country raised awareness of the problem of VAW in the 1980s and 1990s, and they were instrumental in helping the government open the country's first shelters for victims of domestic violence



(Astelarra, 2005). Subsequently, in 2004, the Spanish government passed comprehensive legislation that criminalized gender-based violence, incorporating domestic and sexual violence. In the early 2000s, the Spanish government introduced an array of measures to support survivors, which encompassed the creation of specialized courts dedicated to handling gender-based violence cases and the allocation of increased funding for shelters and helplines (Donato, 2023; Valiente, 2008). Subsequently, in 2018, Spain enacted legislation aimed at addressing online harassment and the non-consensual distribution of intimate images. Recent years have witnessed Spain's adoption of a national strategy to prevent and combat VAW, with a particular emphasis on early intervention, support for survivors, educational initiatives, and a comprehensive countrywide awareness campaign. Remarkably, feminist advocates in the Parliament, often referred to as *femocrats*, actively contribute to these efforts alongside state feminism initiatives (Donato, 2020).

France's trajectory in this context aligns with a similar pattern. In 1994, the French government passed legislation criminalizing domestic violence. Then, in the 2000s, the country implemented a number of policies targeted at assisting survivors. These included setting up courts specifically for instances involving gender-based violence and providing more funds for shelters and hotlines. The year 2018 saw the ratification of laws in France to combat non-consensual sharing of intimate images and internet-based harassment. In addition, France released a national strategy in 2020 to prevent and combat VAW. The strategy strongly emphasizes providing support to survivors and advancing prevention through a broad statewide awareness campaign (Zadeyeh, 2021).

## Comparing the Cases of Italy, France, and Spain

When Spain's government introduced the country's first national action plan against domestic abuse in 1995, it began to take steps to address GBVAW. The law on help and assistance to victims of violent crimes and sexual freedom was passed in the same year. Its purpose was to control the flow of public funds to victims who had experienced terrible outcomes, such as death or significant harm to their physical or mental health. A pivotal moment in Spain's response to gender-based violence was the Ana Orantes case in 1997 when she bravely aired her years-long ordeal of abuse on television, leading to increased public awareness and subsequent governmental actions and the presence of feminist advocates in the policy-making process that, in the 2000s, led to the strong legislative period on GBVAW reforms (Roggeband, 2012). In fact, Spain implemented several supportive initiatives and legislative measures,



culminating in adopting the comprehensive VioGen statute in 2004. This ground-breaking law created a strong framework for victim support, protection, and prevention, in addition to defining gender violence as a type of discrimination against women. Notwithstanding the VioGen law's widespread worldwide recognition, persistent conflicts arose at the national level, primarily over its emphasis on violence between partners, whether they were current or past. In spite of these obstacles, Spain persisted in honing its strategy to stop gender-based violence, establishing a national hotline and putting in place a number of initiatives to deal with this pressing problem.

The Italian government's institutional response to VAW started in 1996 when the Ministry of Equal Opportunities was established and legislation against sexual violence was passed. These turning points signaled a dramatic change in the legal and punitive landscape around sexual assaults and VAW. Subsequent years witnessed the introduction of crucial legal measures, including the implementation of protection orders against domestic abuse and the eviction of violent individuals from family homes. Italy also expanded its data collection efforts through the "Urban" project, establishing a national network of shelters for women. Legislative advancements continued, addressing concerns such as stalking and increasing penalties for sexual violence. In 2019, introducing the "Red Code" law further improved reporting mechanisms for violence and expedited law enforcement responses, with feminist advocates interventions, underscoring Italy's commitment to combating gender-based violence (Corradi & Donato, 2023).

In France, feminists started bringing attention to domestic and sexual abuse in the 1970s. However, the French government did not enact its first legislation prohibiting VAW until 1992. This legislation was a major step toward developing a legal response to abuses based on gender and toward giving victims resources and continuing support. Later, French legislation addressed relationship-related psychological abuse, increased victim support, and established specialist police units. The statute of limitations for reporting sexual assault was extended by law in 2018; also, organizations that support victims have received more financing in recent years (Clavagnier, 2018). The year 2020 saw a countrywide survey to gather ideas on tactics for stopping and dealing with VAW. The #MeToo movement also got much traction in France, where it brought attention to sexual assault and harassment through many high-profile incidents and received support from the country's parliament.

When examining the reactions to gender-based violence in France, Italy, and Spain, one may see different approaches, triumphs, and



challenges. Although all three countries have addressed this important issue to a great extent, their legislative and regulatory frameworks differ.

Spain is notable for having recognized the issue at an early stage, as seen by the introduction of its first national action plan against domestic abuse in 1995. In 2004, a groundbreaking effort known as the “VioGen” law was implemented, which established a comprehensive framework for victim support, prevention, and protection against gender-based violence. This was a clear outcome of state feminism and feminist intervention in the country, giving women the ability to respond to the circumstances surrounding gender-based violence and claim their agency. However, ongoing debates continue, especially with regard to the law’s emphasis on violence between current or past partners, highlighting the issue’s enduring complexity beyond the context of intimate relationships.

Conversely, Italy started its institutional response in 1996 when the Ministry of Equal Opportunities was established, and a statute against sexual violence was passed. A strong legislative framework has been bolstered by later legislative initiatives, including protection orders and the “Red Code” statute. Italy has also received recognition for its coordinated strategy, which includes data collection initiatives and a network of shelters. Nonetheless, there are still questions over the extent of gender-based violence, particularly in light of the state feminism’s lack of interest in combating violence.

After enacting its first law prohibiting VAW in 1992, France went on to enact progressive laws against psychological abuse and to extend the statute of limitations for reporting sexual violence. The #MeToo movement has also impacted France’s response by bringing attention to sexual assault and harassment. The National Observatory of Violence Against Women’s data, however, indicates a rise in incidents that have been recorded, highlighting the continued need for prevention and intervention.

It is clear from examining these three countries that they each have particular advantages and disadvantages when it comes to combating gender-based violence. Spain’s early recognition and the “VioGen” law demonstrate a robust legal framework, while Italy’s integrated approach is laudable. France, on the other hand, has been influenced by the #MeToo movement, further emphasizing the importance of public awareness. Despite these variations, all three countries recognize the persistent challenges associated with the scope of gender-based violence. Their dedication to enhancing support services and laws is still vital in the continuous fight against this widespread problem.

The three European countries that are the subject of this analysis—Italy, Spain, and France—show both noteworthy parallels and



distinctions. The definition of the phenomena is a critical point of differentiation. Italy lacks a national definition and relies on the 1993 international definition from the Vienna Declaration, which is due to the absence of *femocrats*. In Spain, there is a specific contextualized definition as presented on the dedicated page of the Ministry of Gender Violence's website, emphasizing the invisible nature of gender violence as a clear manifestation of inequality and power dynamics between men and women. France predominantly focuses on domestic and conjugal VAW, with a more limited adoption of a gender-based approach.

Regarding gender visibility in policies, both Italy and France struggle with gender invisibility. In contrast, in Spain, gender mainstreaming institutionalizes gender-related concerns and discrimination because it connects with the demands of feminist movements. In Italy, the flexibility in conceptualization seems tied to the transnational approach through international reforms and the close to zero presence of feminists in the decision-making processes at the national level. Spain prioritizes attention to gender and “*violencias machistas*,” in contrast to the French approach.

In terms of political reforms, Spain has been at the forefront, implementing national reforms earlier and more consistently. In Italy, political reforms have been influenced by transnational factors, and successful implementation depends on the non-conservative majority in power. This is linked to how reforms are encouraged and the differing relationships between state feminism, women's movements, and feminist political actors in Spain compared to the lack of dialogue between feminist movements and political actors in Italy and France.

In summary, Spain stands out for its comprehensive approach and legal framework, particularly since the government of Zapatero. Italy, on the other hand, responds to specific issues with limited, transnationally imported legislation. France focuses on aspects of conjugal violence and lacks an integrated approach. France's laws and policies also emerge primarily within the national context. Ultimately, Italy and Spain, at least concerning the chronological and state feminism aspects, appear to be more distinct, with France occupying a middle ground, sharing elements with Italy and Spain in managing gender-based violence.

Table 1 provides a concise overview of the similarities and differences in the responses to gender-based violence in Italy, Spain, and France. While each country has achieved great strides, they all face different difficulties, opportunities, and methods in dealing with this pressing matter. Furthermore, the table's use of the term “state feminism” draws attention to the disparities in the level of cooperation between the governments of Italy, Spain, and France and the feminist movements in their campaigns against gender-based violence.



**Table 1. Comparative Analysis of Responses to GBVAW and Outcomes in Italy, Spain, and France**

<b>Main responses and outcomes</b>	<b>Italy</b>	<b>Spain</b>	<b>France</b>
<b>Initial response</b>	1996 - Law against sexual violence and establishment of the Ministry of Equal Opportunities	1995 - First national action plan against domestic violence and law concerning aid and assistance to victims of violent crimes	1992 - First law against violence towards women
<b>Landmark legislation</b>	“Red Code” law in 2019, protection orders, Ministry of Equal Opportunities	“VioGen” law in 2004, a comprehensive framework for prevention and assistance	Extending statutes of limitations, specialized police units
<b>Definitions of gender-based violence</b>	Relies on the international definition from the Vienna Declaration	Specific contextualized definition emphasizing inequality and power dynamics	Predominantly focuses on domestic and conjugal violence against women
<b>Gender visibility in policies</b>	Struggles with gender invisibility	Institutionalizes gender-related concerns and discrimination	More limited adoption of a gender-based approach
<b>State feminism</b>	Limited dialogue with feminist movements	Strong relationship with feminist movements	Varied relationship with feminist movements, with notable influence from the #MeToo movement
<b>Integrated approach</b>	Network of shelters and data collection efforts	A comprehensive framework for prevention and assistance	Focuses on specific aspects of violence
<b>Ongoing challenges</b>	Scope of gender-based violence and transnational influence	Focus on violence between current or former partners	Ongoing need for intervention and prevention

Source: Author’s elaboration.



## Conclusions

In conclusion, the role of state feminism in championing gender equality and women's rights in Italy, France, and Spain is undeniable, yet each country grapples with distinct challenges and criticisms. Notably, French feminism has historically emphasized women's legal rights, often standing apart from the broader feminist movement, and addressing VAW gained traction only in the 1990s. In Italy, reluctance from national governments, particularly during right-wing coalitions, hinders the integration of feminist perspectives in combating gender violence. In contrast, Spain serves as a beacon of success, setting an example for other countries. Spanish state feminism, with its focus on agency, rights, and possibilities, starkly contrasts the persistent emphasis on victimization and vulnerabilities in Italy and France. This brief article has provided an initial exploration of the power of state feminism in fostering women's agency and its role in combating violence.

To properly address these difficulties, however, more thorough study and cooperative efforts between governmental institutions and civil society are essential. The differences in tactics and results between these countries highlight the necessity of an all-encompassing and coordinated plan to advance gender equality, defend women's rights, and stop gender-based violence globally. Only through sustained research, dialogue, and cooperative initiatives is there hope to create meaningful change and empower women worldwide.

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