Abstract
Throughout the text the latest Spanish laws that address the issue of equality between women and men are analyzed. About them we wonder: are promoting substantial changes? Or, conversely, are perpetuating the role of women as mothers first, while his role as worker is subject to it? It is also pointed out the need for studies of the impact of various policies will have both men and women. It has been shown that neutral actions are to the detriment of women. So we need to avoid them.

1. Introduction
The purpose of this communication is to question the public policy of equality between men and women in Spain. In Western societies formal equality is guaranteed by law. But what about real equality? Are equality policies working in the right direction? Aiming to answer this question we reviewed the Spanish legislation which addresses equality. What we found is that it seems that changes, instead of providing solutions in order to promote a full participation of men and women in work and family, are designed to facilitate women to keep on carrying out home and children care tasks. While serious efforts are not made to change the roles inside and outside the homes of men and women, real EQUALITY will not be possible. If you really want to have any revolutionary social changes that truly reach equality between women and men "public authorities and social partners are required to reorganize schedules, duties and places in the interests of population. A democratic society, where everyone has the same responsibilities, rights and duties and equal opportunities, should be organized according to everyone’s interests. Being able to develop a professional and private life without having to renounce motherhood should be a democratic right "(Mercadé, 2007:80)

We begin the analysis of equal opportunities policies with this wish.
Formal equality between women and men is guaranteed by our legal system, that is, the same rights have been recognized for both women and men. At the beginning it was thought that just the mere recognition of equality
through legislation would be sufficient to overcome the obstacles to equality. Legislation is needed, among other things, to try to avoid giving direct discrimination situations, but time has shown that it is not enough because discriminatory situations continue to occur. When there is unequal treatment, either through undercover strategies or by making “neutral” decisions, we say there is indirect discrimination (glass ceiling, glass barriers).

But to achieve real equality, that is to say, women and men as members of society and who are active in the different spheres of economic, political, social participation... and in the activities and services of education, employment, health, entertainment... in the same conditions, other actions are needed to complement legislation.

The distance (gap) between formal and real equality is the space for action in relation to equal opportunities and policies. And policies in this field have evolved over time and changes.

Since 1995, it is crucial to introduce the principle of gender mainstreaming in equality policies. The most complete definition of this term was developed from the working groups preparing the Beijing Conference:

...is the (re)organization, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making (Institute for Women, 2003). †

To carry this out, the commitment of all political structures and decision makers are required. Moreover, the principle of equal opportunities should be taken into account in every decision-making process at all levels of decision. Since the Beijing Conference the need to address the situation of women integrating the gender perspective in all aspects is emphasized to ensure democracy and gender equality.

The application of the principle of gender mainstreaming is grounded in the fact that relations between men and women and social participation are conditioned by the sex/gender system. In this sense, political decisions which are not sexist a priori, can have unforeseen impact on men and women. Therefore it is necessary that every action is preceded by an analysis of its impact for both men and women themselves. In that way, undesirable effects can be avoided.

2. Gender equality policies in Spain

In Spain, as Maria Pazos (2004) says, it seems clear that when the law to promote the reconciliation of work and family life of working people (39/1999) was drafted, , there was no analysis of its impact taking gender into account (although it is noted in the preamble). The law is worded in neutral terms and addressed to workers but, if we analyze the proposed measures (leave, leave of absence...), those who finally make use of them are women, interfering not only in their careers, but also in incomes and social protection.

In the same way, this law seeks to tackle the problem of the distribution of domestic tasks also unsuccessfully. Men are taking interest in both housework and family care timidly, but generally not from a position of responsibility but help. Shared responsibility implies a balanced distribution of those tasks, but also allows family members to develop one’s self according to personal, professional and social interests. This is an essential step forward to achieve real equality between women and men. As long as man continues to assume a position of ‘help’ in household responsibilities real equality will not be achieved. In this sense both men and women have to make a major effort, as gender socialization plays against us. In education we must take a leading role in promoting changes in individual roles assigned by patriarchal societies and promote the integral development of the person according to his or her abilities, potential and individual limitations without gender as a restrictive feature. We must contribute to educate free critical and active citizens in democratic societies.

On the other hand, as Judith Astelarra (2005) reminds us, it is not only necessary to modify individual roles but the social organization that supports them. In the same way, Emanuela Lombardo (2003) points out that European countries act keeping the existing policy paradigm when, in fact, profound changes are required in both the structures and processes of decision making.

† http://www.coe.int/t/dghl/standardsetting/equality/03themes/gender-mainstreaming/index_en.asp
Among equality policies in Spain, we should also highlight the enactment of the Organic Law 3/2007 of 22 March on Effective Equality between Women and Men (hereinafter Equality Law).

This law is based on the premise that "women and men are equal in human dignity, rights and duties" (Article 1). Therefore aims to enforce this equality, mainly through the elimination of discrimination against women to achieve, as stated in Article 1, "a more democratic, more fair and more supportive society".

The law sets out the basic legal concepts and categories relating to equality: both direct and indirect discrimination, sexual harassment and harassment on grounds of sex, positive action.

It explains transversality and tools for its integration. Both the need for gender impact reports and the adequacy of statistics and studies, including designing and using appropriate indicators with a gender perspective are also in the law.

The law goes into specific areas such as education, art, health, information society, rural development, sports, urban planning and development cooperation, setting the standard for the integration of the principle of equality in them all. But it gives a special relevance to the field of paid work.

Which is the importance of this law? It recognizes and reflects the discrimination of women in every sphere of both public and private life. It also recognizes that improving the status of women is a benefit, not only for women but for society as a whole; although this was already recognized 1995 in Beijing, it had not yet been taken into account in a Spanish law.

Article 17 of the Law for Equality says that the government will periodically approve a Strategic Plan for Equal Opportunities which will concrete objectives, priorities and measures of performance in which public authorities must focus their actions. Moreover, in the first Plan (2008-2011) which is derived from this Law, there is a distinction between basic principles and guidelines.

Basic principles are organized around the principles of non-discrimination and equality, and encourage authorities to act from this dual perspective. This is due to the necessity of acting from a global perspective (equality) where the core thing is to recognize that women are half of the Spanish population and should be involved in a situation of parity in all aspects of life. And a specific perspective (non-discrimination), with the implementation of measures aimed at correcting discriminatory situations.

The guiding principles of the Plan are: Citizenship, Empowerment, Mainstreaming and Innovation, all of which are connected to each other. The first model proposes a redefinition of citizenship from a gender perspective, which recognizes feminine matters as wealth because of its own value being not necessary to compare or equate with masculinity, because men and women are different but should not be unequal.

The concept of empowerment has two different aspects. On the one hand, it refers to the ability of women to access positions where decisions are made. And, on the other hand, the appreciation of the contribution of women. As it is not a quantitative issue, as quotes’ opponents seem to understand, but a qualitative change in the participation of women in decision-making and, for this reason, the first step of this long journey is to be there.

Gender mainstreaming aims to modify the way of making politics nowadays. It is about taking experiences, contributions of women, their way of being in their world and knowledge as a reference.

However, as stated in the introduction of the Plan itself...

3. Are equality policies too focused on results and forget to work on the causes of inequalities?

Social changes are slow and complex. But up to now there has been more changes in women trying to get adapted to the stablished social model (mainly concerning their access to the labor market) more than changes in
society itself towards equality. In this regard, we share the criticism made to the administration about the measures taken regarding work-life balance because, although the legislation is aimed to "working people", it mainly affects women. When the Work-life balance Law was enacted in 1999, it might be thought that there had been a proper study on the impact of gender. But, why does the Equality Law (2007) take a similar approach? Will there be a truly change of the social model anytime or will we keep on showing an embellished patriarchal system as if it were neutral? Studies indicate that, to a large extent, constructions of "man provider" and "caregiver woman" have not been questioned Social policies in Spain show large deficiencies in infrastructure and services relating to children, elderly and dependent people care and with special emphasis on labor market measures. Within this framework, the solution is to support women to better combine reproductive work at home with productive work in the labor market. The problem is seen as located at work organization rather than at the organization of privacy or citizenship.

Current regulation show women as mothers first and as workers second, while men are almost invisible in these texts. Women are the ones with the problem, and therefore, they are the main target audience of actions. Despite the apparently neutral discourse about gender, men are the standard reference group in the sense that individuals who do not “need” work-life balance are implicitly understood as the norm. At the same time it is welcomed that men give a hand to “help”.

References

Pazos, M. La política familiar y el trabajo de las mujeres documento extraído de Internet webs.uvigo.es/pmayobre/master/textos/maria_pazos/politica_familiar_y_trabajo.doc