

EDITORIAL

Gender-based violence and public policies: building up feminist and intersectional responses

Ministry of Equality and Feminism, Centre for Contemporary Studies



Illustrator: [Eduardo Luzzatti](#)

Gender-based violence shows an order of structural inequalities related to the gender system, but also to the intersections of this category with others, such as origin, skin colour, phenotype, ethnicity, religion, administrative situation, age, social class, financial vulnerability, functional or psychological diversity, addictions, HIV status, deprivation of liberty and sexual or gender diversity.

Since feminisms have been breaking the silence that invisibilize and naturalize the violence against women, there has been a wide range of knowledge, legislation and social transformations in order to eradicate it. Along this path, public policies have focused fundamentally in providing responses to violence that takes place within the couple and the family sphere. These approaches have enabled us to discover that the conditions of this violence are produced and reproduced socially in other different areas, such as the institutional, community, work and digital spheres, among others. Moreover, the structural

inequalities that systematically afflict women, children and adolescents are a key element in the reproduction of gender-based violence in each of these areas.

The amendment of the law as a starting point

The special issue *Gender-based violence and public policies: building up feminist and intersectional responses* (published by the IDEES magazine, edited by the Centre for Contemporary Studies) is based on Catalan Law 17/2020, dated 22 December, which amends Catalan Law 5/2008 on the right of women to eradicate gender-based violence. This is a pioneering law in Catalonia, as well as on a national scale, due to the wide range of forms and areas of gender-based violence that it recognizes, and because of the perspectives for intervention when facing this violence. Among these perspectives, we could highlight the feminist and intersectional point of view, the focus on human rights, the incorporation of international human rights law standards (such as due diligence), the guarantees of non-repetition and non-revictimization and the importance given to prevention and comprehensive reparation, which goes well beyond punitive responses.

Moreover, this issue, published on the 2022 International Day for the Elimination of Violence Against Women, is made up of a series of contributions on the implications of the law amendment. Such amendment aims to specify and materialise the law in concrete practices and changes that we should guarantee in order for it to be a living law. But, first and foremost, the amendment's main goal is to make sure that the rights of women, children and adolescents are at the heart of public interventions. In this regard, our specific intention is to have an impact on institutional culture and on formal and informal training and education spaces.

We believe that that women, children and adolescents should be aware of their recognized rights, the mechanisms to make them effective and the responsibilities of public authorities as a prerequisite to be able to exercise them and demand compliance with them. For this reason, we also want to guarantee the right to information by disseminating the law amendment, its importance and the transformations it involves for all citizens.

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The sixteen articles included in this special issue are divided into four sections, dealing with the law amendments and providing key points to understand and interpret them. The special issue has been promoted jointly by the Catalan Ministry of Equality and Feminisms and the Centre for Contemporary Studies from the Catalan Ministry for Foreign Action and European Union. The scientific and technical coordination has been assumed by [Anna M^a Morero Beltrán](#) and [Patricia González Prado](#), who work at the Awareness and Prevention

Sub-directorate within the General Directorate for the Eradication of Gender-Based Violence at the Catalan Ministry of Equality and Feminisms.

A Broader Look at the Subject

The first section, *A Broader Look at the Subject*, includes three contributions. Two of them deal with the inclusion of transgender women, adolescents and girls as subjects exposed to sexual and gender-based violence.

The first article, "Sex, gender and other little words: some notions to help understand the biographies of women, adolescents and girls with transgender life experience", focuses on the need to approach the issue of gender-based violence from the transgender women's point of view, including their life situations.

The second text, "Transgender women, journeys, intersections and gender-based violence", describes, from a situated perspective, the life experience of a transgender woman sex worker who exposes the violations of rights and violence she has witnessed, questioning public policies.

The third contribution, "Femicides and gender-based aggressions", shows the legislative and political impact of the recognition of femicide, introduced after Law 17/2020 amendment. The article also provides tools to improve prevention and comprehensive reparation regarding these acts of extreme gender-based violence against women, children and adolescents.

Intersectionality

Section number two, under the title *Intersectionality*, aims to tackle the incorporation of intersectionality into the law and includes two contributions.

The first article, "Towards an intersectional feminism in Law", addresses the origins of intersectionality from a historical and political perspective, as a critical paradigm of analysis developed in feminist political theories and practices that questioned the idea that there is a common *oppression* defined by the subject *woman*. The article also explains some of the steps from which intersectionality has been recognized in international regulations and jurisprudence, as well as in some state and regional laws. Finally, the contribution refers to the main implications of the concept intersectionality in terms of human rights.

The second article, "Intersectionality: conceptualisation, implementation and challenges", explains how the incorporation of the concept into the fight against gender-based violence implies the consideration of the interrelation between gender and other issues, both in its conceptualisation and in the drawing up of public policies and specific actions. This text shows the key premises of intersectionality and highlights the relevance of applying this perspective, pointing out some of the current challenges involved in considering the complexity of the intersectional perspective.

New forms of gender-based violence

The third section, *New forms of gender-based violence*, is devoted to the inclusion of four new forms of gender-based violence in the Catalan law; more specifically, vicarious violence and second-order violence, online gender-based violence, obstetric violence and violence against sexual and reproductive rights, as well as against the rights of children and adolescents in situations of gender-based violence.

The first article, "Vicarious violence and second-order violence", shows how the visibility of these two forms of violence, something that feminist movements had demanded, has made it possible to reinforce the protection of women, children and adolescents, as well as other people in their environment who suffer violence, placing their rights and needs at the heart of the matter.

The second contribution, "Online gender-based violence: implications of tackling it within the framework of gender-based violence circuits", describes the phenomenon of online violence and develops the main implications of its approach in the framework of the circuits and services related to gender-based violence. The article also points out the main actions for improving the situation and self-defence of women and LGTBIQ+ people against this violence, as well as the needs identified by the authors for prevention, care, recovery and reparation.

The third text, "Obstetric violence and violation of sexual and reproductive rights", is a conceptualisation of sexual and reproductive rights and obstetric violence. The article highlights some of the most common violations that occur in this area.

The fourth contribution, "Sexual violence against children and adolescents as situations of gender-based violence", reflects on the recognition of children and adolescents as subjects of gender-based violence, who until now have only been considered to be affected by such violence within the sphere of the couple. According to the author, what qualifies a form of violence as a form of gender-based violence is not only the subjects who suffer it most frequently, nor even the subjects who perpetrate the violence with an unquestionable pre-eminence, but rather the mechanisms that are triggered and the impact they have when it comes to organising gender inequality, in intersection with age as a criterion for the distribution of social, symbolic, political, economic and legal power.

New spheres of gender-based violence

The fourth section, *New spheres of gender-based violence*, focuses on the legal and political impact of the incorporation of the political life and the public sphere for women, as well as the institutional and the educational spheres, as material and symbolic spaces where different forms of gender-based violence take place.

The first article, "Gender-based violence in women's political lives and the public sphere", explains how this violence works as a mechanism of control over women in accessing and

remaining in spaces of participation and representation, and ultimately, in power. When they occur in parliaments or other political institutions, the actions and omissions of gender-based violence undermine the legitimacy of the institutions and attack the foundations of democracy.

The second contribution, "The recognition of institutional violence: a new tool to demand women's rights", concerning the impact of the legislative recognition of the field of institutional gender-based violence, develops the assertion of a historical debt with women's and feminist movements, a conceptual breakthrough and a tool with great potential for change. The concept *institutional violence*, forged by human rights organisations, has great communicative power and aims to move away from the paradigm of the individual offender to focus on public authorities. It also aims to move away from the formal recognition of rights to the effectiveness of these rights.

IDEES special issue reflects on a pioneering law in Catalonia due to the wide range of gender-based violence forms that it recognizes

The third article, "Keys to understanding and dealing in a transformative way with gender-based violence in the educational sphere", is devoted to the incorporation of the educational sphere as a specific area where gender-based violence occurs. This new approach makes it possible to measure the importance of structural prevention in both formal and non-formal educational spaces, underlining the need to work to ensure due diligence in the comprehensive reparation of gender-based violence.

Prevention is the key to fight gender-based violence

The last section, *Prevention, the ongoing task*, brings together innovative proposals linked to tackling gender-based violence.

The first article, "Economic violence and judicial proactivity", shows how due diligence in judicial activity can be made more specific. The author also highlights that proactivity and perspectives of intervention are necessary so that the guarantees of rights which need to be constructed judicially are comprehensive and respond to women's needs.

The second text, "Prevention and comprehensive reparation of gender-based violence: a paradigm focused on the rights and needs of women, children and adolescents", develops the new framework for tackling gender-based violence proposed on the basis of new legislation -both the amendment that has inspired this special issue and the international organisations general recommendations and the Istanbul Convention.

The third contribution, "Prevention and anti-sexist masculinities", deals with prevention policies regarding the promotion of new masculinities. In this regard, building new forms of masculinity is a key point for the eradication of gender-based violence.

Finally, the fourth article, "Consent: Sister, I believe you", reflects about the limits of freedom and autonomy, as well as social control, identities and dissidence.



Ministry of Equality and Feminism

The Ministry of Equality and Feminism at the Government of Catalonia aims to promote the Catalan Government's equality policies to achieve equality at work, guarantee human rights and non-discrimination and eliminate gender-based violence. The Ministry also includes other policy-making areas such as care work policies, gay, lesbian, bisexual, transgender and intersex policies, the promotion of human, political and civil rights and the Catalan immigration and asylum policy.



Centre for Contemporary Studies

The Centre for Contemporary Studies (CETC) is an in-house think tank of the Ministry for Foreign Action and European Union at the Government of Catalonia, dedicated to the analysis, debate and reflection on the key issues of the contemporary world. The Centre for Contemporary Studies is the editor of the IDEES magazine, a digital publication on contemporary thought which addresses the main global challenges and debates through the view of leading world experts. First published in 1999, the IDEES magazine is now available online.