

RAQUEL PLATERO

LOVE AND THE STATE: GAY MARRIAGE IN SPAIN

Spanish Law no. 13/2005, 1 July 2005, concerning, through a change in the Civil Code, the access of lesbians and gay men to the institution of marriage.¹

ABSTRACT. On 30 June 2005, the Spanish Parliament approved Law 13/2005, which amends the Civil Code to permit same-sex marriage. This formal equality measure put Spain in the spotlight of the international media. It is the culmination of a series of developments spanning from the last years of the Franco regime (which ended in 1975), through the enactment of anti-discrimination measures in 1995, to the recent fight for kinship recognition. It also follows a recent shift, from 1998 to 2005, towards the enactment of same-sex partnership laws at regional level, the approval of same-sex marriage and finally, the approval of a ‘gender identity law’ (2007). This legislative note assesses the context in which the new law on same-sex marriage has been enacted. I argue that although same-sex marriage has been represented by many activists and politicians in Spain as a gender neutral contract, it has the potential for differential impacts on lesbians and gay men, and further research and debates are needed in this area.

KEY WORDS: divorce, equality, lesbian feminism, same-sex marriage, Spanish law

INTRODUCTION: ‘FAMILY’ IN SPANISH SOCIETY

The achievement of same-sex marriage in Spain in 2005 cannot be understood without acknowledging recent transformations in the institution of the family and the role played by women in Spanish society. Spanish families have experienced considerable changes due to women’s greater incorporation into the paid labour force. Traditional gender values imposed during the Franco regime – exhorting girls to aim to be good mothers and wives whilst giving boys a more rounded education – have given way to arguably more egalitarian

¹ *Ley 13/2005, de 1 de Julio, por la que se modifica el Código Civil en materia de derecho a contraer matrimonio, BOE de 2 de Julio de 2005, no. 157.*

family relationships (Talavera Fernández, 2001, p. 10).² Over time, women are becoming more economically independent, and possess increasing control over maternity and birth control.

The concept of the ‘family’ is crucial for understanding not only Spanish history, but also the framework of our rights and struggles. The Spanish state relies on the family as a social and economic institution in which the social, economic and legal protection of families is fixed.³ But the Constitution does not define family in terms of marriage; instead family is vaguely defined (Art. 39), and it is broader⁴ than heterosexual marriage (Art. 32). According to the Centre for Sociological Research (C.I.S.) survey of 2004, ‘family’ is the institution that Spanish citizens value the most, over others like employment, politics, leisure, friends, money or religion.⁵ Therefore, it is not surprising that lesbian, gay, bisexual and transgender (L.G.B.T.) rights are constructed by activists and policymakers within this framework. The struggle is not to promote individual civil rights but, rather, to obtain recognition of L.G.B.T. families and relationships by the state. Most of the debates about marriage and partnerships have been linked to adoption and the ‘capabilities’ of L.G.B.T. people as parents. Against this, the Catholic Church⁶ and the Conservative Party⁷ (P.P.) have promoted the idea of traditional family as the true source of citizenship, portraying L.G.B.T. rights – along with divorce and feminist struggles – as a source of instability, an attempt to break Spanish society.

² Most Spaniards think that the ideal family is made of men and women sharing domestic tasks and child rearing (Cruz Cantero, 1995, p. 18). The egalitarian family model is more popular/prevalent among young Spaniards, aged 15–29 (C.I.S., 1999; quoted by Fernandez Cordón and Tobío Soler, 2005, p. 26).

³ As can be seen in Article 39.1 of the Spanish Constitution (1978).

⁴ The Constitutional Court (S.T.C. 222/1992, 11 December) defined family allowing for the inclusion of all kinds of relationships based on solidarity and dependence, far from the traditional (heterosexual) definition of family.

⁵ C.I.S., Study no. 2579, October–November 2004: Research on opinions and attitudes towards family.

⁶ See, for instance, the note by the Spanish Episcopal Conference titled “In favour of true marriage” (*En favor del verdadero matrimonio*), 15 July 2004: <http://www.conferenciaepiscopal.es/documentos/Conferencia/VerdaderoMatrimonio.htm> (accessed 24 June 2006).

⁷ See, among other texts, the 2004 electoral program of the Conservative Party.

MARRIAGE AND THE REGULATION OF LESBIAN AND GAY RIGHTS
IN SPAIN

Recent achievements regarding lesbian and gay rights in Spain are linked with a shift in the public perception of lesbians and gay men, and also to new roles played by women in relation to family structures. The democratic transition after the Franco dictatorship was the starting point for the battles for gay rights, from the removal of legal obstacles that punished homosexuality, such as the “L.R.P.S. law”⁸ and the abolition of the Public Scandal article in 1988,⁹ to the enactment of anti-discrimination measures in 1995,¹⁰ to the later struggle for kinship recognition for gays and lesbians against trenchant opposition and protests from conservative sectors of society.¹¹ The demand for same-sex relationship recognition was initially constructed as a demand for same-sex partnership laws, resulting in 12 partnerships laws¹² in 12 out of 19 regions over the period 1998 to 2005, before the final achievement of a national law on same-sex marriage.

Same-sex marriage did not emerge ‘out of the blue’: it was the culmination of a series of demands based on a long struggle for partnership rights from social movements on the left (including political parties and policymakers) who perceived a window of political opportunity. Left wing parties are constructing a vision of

⁸ “Law on Social Danger and Rehabilitation”, Law 16/1970, 4 August 1970 (*Ley 16/1970, de 4 de Agosto, sobre Peligrosidad y Rehabilitación Social*), hereafter referred by its acronym L.R.P.S.

⁹ Article 431 of the Penal Code on “Public Scandal” was in force until 1988. It was used by the police to arrest anyone involved in “immoral acts”. On 23 October 1986 two women were arrested during two days for kissing in downtown Puerta del Sol (Madrid), based on the public scandal article, generating a large mobilisation of lesbian feminists who protested by organising a kiss-in.

¹⁰ *Ley Orgánica 10/1995, de 23 de Noviembre, del Código Penal. BOE de 24 de Noviembre de 1995, n. 0281.*

¹¹ Negative references to and insults of homosexuality were frequently found in legal texts, to the extent that the General Board for Judicial Power asked judges to avoid opinions and personal comments aside from legal decisions (*Consejo General del Poder Judicial*, 19 April 1990) (Villagrasa, 2000, p. 427).

¹² In chronological order: Catalonia (Law 10/1998), Aragon (Law 6/1999), Navarra (Law 6/2000), Valencia (Law 1/2001), Madrid (Law 11/2001), Balearic Islands (Law 18/2001), Asturias (Law 4/2002), Andalusia (Law 5/2002), Canary Islands (Law 5/2003), Extremadura (Law 5/2003), Basque Country (Law 2/2003) and Catalonia (Law 3/2005) Cantabria (Law 1/2005).

citizenship that requires a greater commitment to social movements (Calvo, 2005, p. 33). The left wing party – *Izquierda Unida*, I.U. – was crucial in introducing the most progressive proposals contributing to the emergence of L.G.B.T. policy issues on the political stage. But the main role has been played by the Socialist Party – *Partido Socialista Obrero Español*, P.S.O.E.

The P.S.O.E. government, which came into power in 2004, set equality as a priority, addressing the demands of feminist organisations (through, for example, Law 1/2004 which addresses gender-based violence¹³); disability organisations (through changes in the terminology used to define “disability” in 2006, the promotion of a law on dependency,¹⁴ the parliamentary proposal to approve Sign Language as official language¹⁵), and the L.G.B.T. movement (through same-sex marriage (Law 13/2005) and the Gender Identity Law (3/2007)¹⁶ (see also Platero, 2007, p. 86)).

But in order to locate same-sex marriage against its legal and historical background, it is necessary to go back to the 1889 Spanish Civil Code, in which Spain was defined as a Catholic State. Under the Civil Code, religious marriage was compulsory for baptised people, whereas civil marriage was limited to non-Catholic individuals. The ecclesiastic tribunals had power to determine questions relating to religious marriages and the State was limited to regulating civil marriages.

Equality between the sexes was recognised during the II Republic (Art. 25, 36) between 1931 and 1939. However, the Franco dictatorship (1939–1975) sent women back into traditional roles, controlled by the State, creating a specific organisation to train women in their role of mothers and wives (*Sección Femenina*). The Civil Code was reformed on 24 April 1958, introducing two types of marriages: mandatory ecclesiastic marriage if either of the two spouses was Catholic, and civil marriage limited to two non-Catholic spouses. The

¹³ *Ley Orgánica 1/2004 de Medidas de Protección Integral contra la Violencia de Género*, *Boletín Oficial del Estado* de 29 de Diciembre de 2004, no. 313. This law implies a different treatment of violence committed by men to that committed by women and has been largely demanded by the feminist movement since 1997.

¹⁴ Approved by the Parliament on 5 October 2006.

¹⁵ Law proposal accepted on 13 January 2006.

¹⁶ Law 3/2007, march 15th, regulating the rectification of the register, concerning the people's sex (*Ley 3/2007*, de 15 de marzo, reguladora de la rectificación registral de la mención relativa al sexo de las personas). BOE 65, March 16th 2007 p. 11251.

legislation was clear about the role of women: until 1975, the Civil Code treated them as if they were, in effect, under-age.

Spain formally became a secular state through the Spanish Constitution of 27 December 1978. It brought about a degree of formal equality, eliminating the unequal status of women within marriage as well as children born outside marriage. The Constitution stated that men and women had the right to marry with full legal equality, without explicitly stating that marriages had to be between men and women. The provision was interpreted as providing for heterosexual marriage only.¹⁷ Divorce was finally permitted in 1981 against huge opposition from the Catholic Church.¹⁸ Since then, the secular status of the Spanish State was undermined by numerous agreements with the Catholic Church, perpetuating the strong role of the Catholic Church in marriage (Alonso, 2005).¹⁹

THE EMERGENCE OF GAY RIGHTS AS KINSHIP RIGHTS

Against this background, Law 13/2005 brought about changes in the Civil Code and heterosexuality is no longer the exclusive norm for marriage. The aim of this section is to trace how demands for same-sex marriage have been articulated by both activists and politicians. The first attempts to demand same sex marriage and partnership rights took place at the beginning of the 1990s. In 1991, lesbian feminists from all over Spain published a common set of demands in relation to same-sex marriage,²⁰ and in 1992 some groups began to meet with political parties.²¹ Throughout the 1990s, the largest

¹⁷ Resolution by the General Directorate of Registrars and Notaries (1988) ratified by the Superior Tribunal of Justice (1991, 1994 and 1996).

¹⁸ See Law 30/1981, 7 July 1981, modifying the Civil Code concerning marriage, nullity, separation and divorce.

¹⁹ The Spanish State signed agreements with the Catholic Church on 3 January 1979 recognising the civil rights of canonical marriage previous to the Constitution. New reforms such as Law 30/1981, still recognise the role played by the Church in religious marriages.

²⁰ In 1991 the Lesbian Feminist Collective of Madrid promoted a joint text on lesbian rights called "*Lesbiana que no te discriminen*", by the National Lesbian Feminist Taskforce: "We are not in support of institutionalising (affection) relationships, but we do not accept the discrimination suffered by those lesbians and gays that would like to marry and cannot do it".

²¹ The Revolutionary and Cultural Committee for Lesbians (C.R.E.C.U.L.) presented the first partnership proposal.

organisations, those involved in fighting against the A.I.D.S. pandemic, were turning to service provision (Petit, 2003, p. 34), adopting the international trend of demanding kinship rights and asking for “partnership” recognition, becoming more adept at building relationships with state institutions and political parties. Despite these developments, there were no successful attempts to legislate on same-sex partnerships during the fourteen years of the Socialist government. In 1996, there was a change in the government with the election of the Conservative Party and the L.G.B.T. organisations began to build a higher media profile.

L.G.B.T. activist leaders became progressively more involved in party politics (E.F.E., 1999). Left wing political parties began to perceive gay rights as a source of political capital. Some politicians, mostly male, began to come out of the closet (Rusiñol, 2001) campaigning for partnership rights and making gay rights central to their political careers (V.V.A.A., 2003). In the context of European Union discourses around equality, citizenship and the inclusion of sexual minorities, the Socialist government had the chance to represent itself as a modern and progressive party through recognising same-sex partnerships.

From a spectrum of potential L.G.B.T. demands, certain issues were constructed over time by key L.G.B.T. activists to be more relevant. We can distinguish two broad periods (see Platero, 2007b). In the first one, from the beginning of the 1990s to 2002, partnership rights emerged as a key demand, although there was no consensus about this amongst L.G.B.T. organisations. The demand for partnerships rights (for stable couples) gained support and mobilisation, adopting different names (civil unions, de facto unions, stable partnerships). While some L.G.T.B. organizations continued asking for partnership rights, there was a quick transition towards same-sex marriage demands led by the National Federation of L.G.B.T. organizations (F.E.L.G.T.). During the second period, the F.E.L.G.T. and those political actors that supported same-sex marriage had an increasing political impact, leading to a proposal for same-sex marriage that was admitted to Parliamentary debate on 21 January 2005. The proposal was rejected at the Senate and sent back to the Parliament, winning with the support of 187 votes in favour, 147 votes against, and 4 abstentions. Law 13/2005 was thereby approved, reforming the Civil Code and constituting the starting point of formal equality for Spanish gays and lesbians. Once

same-sex marriage was approved, partnership²² demands were abandoned and they are only present in the discourse of some left wing parties and smaller L.G.T.B. organisations.

Law 13/2005 provides access for same-sex married couples to rights of inheritance, residence, adoption of the other spouse's children, tax benefits, and to divorce rights. It constitutes a simple technical legal arrangement (Forcada Miranda, 2005, p. 27), adding a paragraph to Article 44 of the Civil Code stating that marriage will carry the same rights and obligations whether the spouses are of the same or of opposite sex. The rest of the changes in the Civil Code just substitute "wife" and "husband" for "spouses" or similar non-gendered expressions. But despite the egalitarian spirit of the law, formal equality has limits for same-sex marriage: if there are children, the non-biological parent has to co-adopt them, whereas heterosexual marriage implies paternity *per se*, directly discriminating against those in lesbian marriages with children born out of artificial insemination. The new law has also been under attack from several city halls, which claimed "conscientious objection" to performing same-sex marriages. These objections were soon overturned.

However, the controversy raised by Law 13/2005 is not over. A popular platform drawn from the more conservative realms of Spanish society, known as the Family Forum, presented a proposal to repeal Law 13/2005, which was supported by the P.P. and part of the Catalanian Conservative Party (*Unió Democràtica de Catalunya*), and was recently dismissed in the Parliament (Yanel, 2007). The Conservative Party is using its objection to same-sex marriage law as an electoral strategy.

Against this background, the National Statistics Institute (I.N.E.) published data in January 2007 on same-sex marriage for the period between July and December 2005, showing that 1,275 same-sex couples got married, comprising only 1.8% of total marriages in Spain for that period. Two thirds of same-sex marriages were between gay men (923 marriages), as against 352 marriages between women. There were twice as many same-sex as different-sex marriages with a foreign spouse. Some authors and activists claim that during the first months, getting married was not easy due to the resistance of conservative judges and city halls, but also that the institution of marriage has not been as attractive to gays in general and to lesbians in particular, unless you can

²² The rights granted by partnership laws are heterogeneous; therefore a citizen may access different rights depending on the region or residence.

benefit from obtaining residence or protecting your children or wealth. It is no surprise that gay marriages were more likely to take place in large cities, such as Madrid (20.2%), Barcelona (17.2%) and Valencia (10.7%). The partial data published on June 27th 2007 by the Justice Ministry presented similar results: lesbian marriages summed the 29% vs. 71% gay marriages, taking place mostly in Madrid (32%), Catalonia (26%), Andalusia (12%) and Valencia (8%) (EFE, 2007).

LESBIAN (IN)VISIBILITY

From the preceding analysis, it is clear that partnership rights and same-sex marriage have dominated the political arena on L.G.B.T. issues in Spain over the past decade, marginalising many other L.G.B.T. issues. Most political actors – including feminists who were active in the political transition from the Franco regime and who debated the impact of heterosexual marriage on women – have strongly supported same-sex marriage as a symbol of formal equality, presenting the demand for same-sex marriage as unanimous and universal. However, vital feminist perspectives on the impact of marriage on women, which could have been usefully incorporated into the debate, have been absent (e.g., Auchmuty, 2004). The context around same-sex marriage also in Spain, led to binary standpoints, in which there was little room to problematise the institution of marriage (Butler, 2002): those organisations and individuals that have been critical of same-sex marriage, such as the Lesbian Feminist Group of Catalonia²³ and queer activists, have failed to create mobilisation to displace marriage from the centre of the debate, and they themselves have remained largely marginalised.²⁴ This follows trends in many other jurisdictions, where liberal arguments about equality have been dominant in most marriage debates, diminishing the impact of dissident voices that questioned the differential impact of marriage on ‘other’ individuals (lesbians, illegal residents, racialised people, etc.) (Barker, 2006, p. 243).

Same-sex marriage has a number of potentially positive effects for lesbians: the legal and social recognition of their relationships, economic protection for partners and children, as well as a chance for

²³ See “Beyond Marriage”: http://www.lesbifem.org/textos/matrimoni/matrimoni_ENG.html (accessed 20 June 2006).

²⁴ For instance, the Karakola feminist group: <http://www.sindominio.net/karakola/matrimonios/casate.htm> (accessed 20 June 2006), or Vidate (2004).

non-residents or undocumented residents to get access to Spanish citizenship. On the other hand, same-sex marriage has the potential to reinforce principles of monogamy, cohabitation and the sharing of economic assets, which many lesbians challenge in their everyday lives. In particular, Article 68 of the Civil Code states that the spouses must live together, be loyal and help each other, share domestic tasks and care of children, elderly and dependent individuals. Furthermore, the impact of same-sex marriage on lesbians in Spain has not been investigated and was not an explicit concern for politicians and activists in the run up to the amendment of the Civil Code. The only specific political mention of lesbians took place in the parliamentary debate of June 2005. The Catalanian and Republican Party²⁵ (E.R.C.) presented a proposal allowing two women (married or not) to register as a mother of the same child. Contrary to the spirit of Law 13/2005 same-sex parents, who are not recognised automatically as heterosexual parents, have to start an adoption process. Recently, the Socialist government committed to review the Law of Assisted Reproduction (Art. 6) in which the State will recognize both lesbian women in couples as mothers (de Cozar, 2006).

Surprisingly enough, marriage legislation was presented as having neutral²⁶ effects on lesbians and gay men. But these assumptions have yet to be proved correct. There is therefore a need to cast a critical eye over the potential differential economic and social impacts of same-sex marriage on lesbians, especially in the Spanish context, where so much emphasis is put on the family as a source of reciprocal care and economic support that underlines not only the welfare system but the whole organisation of the State. Similar research is taking place in Canada through the work of Susan Boyd and Claire Young (2003; 2006), and in the UK through the work of Rosemary Auchmuty (2004), Nicola Barker (2006), Davina Cooper (2001) and Carl Stychin (2006), among others. These authors have pointed out the need for a deeper, intersectional analysis of the differential effects of marriage on disenfranchised individuals. Marriage is not a neutral institution when it is so underpinned with structural inequalities of race, gender, class and ethnicity. When family and marriage institutions are

²⁵ See the parliamentary speech of Rosa M. Bonás Pahisa, concerning the approval of Law 13/2005, 30 June 2005.

²⁶ Using a small example regarding ethnicity and religion, in Spain there has been a lack of recognition of some forms of marriages, such as gypsy or evangelical weddings, while Roman Catholic weddings are currently recognised with the same status as civil marriages.

reinforced as natural and ideal (Young and Boyd, 2006), same-sex marriage does not lead to radical social change but merely to the inclusion of lesbians and gay men as sexual citizens (Stychin, 2006, p. 81). Marriage benefits those couples with most property and wealth, which contributes to a model of privatised responsibility of care within the 'traditional' family structure, resulting in an explicit class and gender bias, among others (Stychin, 2006, p. 85; Barker, 2006, p. 243).

CONCLUSIONS: TENSIONS BETWEEN ASSIMILATION AND (IN)VISIBILITY

The approval of Law 13/2005 is the result of only one of the social movement claims that have entered the Spanish political agenda in the past decade. The Socialist Party has been promoting Spain as a modern and inclusive country by making equality a priority. In a relatively short period of time, Spain has experienced a transition from a dictatorship that criminalised homosexuality to a democracy that specifically legislates for same-sex marriage.

Same-sex marriage continues to be controversial in Spain. It is perceived as a threat to the traditional family by the Conservative Party and the Catholic Church, it is perceived as an obsolete or even damaging institution for some lesbian feminists and queer activists, and it is celebrated by L.G.B.T. organisations and left wing parties as an advance towards (formal) equality. The debate has been sensationalised and polarised with arguments over the suitability of L.G.B.T. individuals as parents and the appropriateness of the term "marriage" for same-sex couples, amongst others.

Little has been said so far in this debate about the impact of marriage on lesbians in Spain. Often, lesbianism is used to symbolise non-normative sexualities breaking with traditional gender roles. It could be argued that lesbians united by marriage will move from subversive sexuality to an assimilated and desexualised role. Indeed, one of the major disadvantages of Law 13/2005 could be the construction of a "good and respectable" married lesbian citizen as against a "bad and unstable" unmarried and non-recognised lesbian (non) citizen (Young and Boyd, 2006, p. 220; Platero, 2007a). Nevertheless, the entrance of gays and lesbians into the institution of marriage does not imply the transformation of dominant values; heterosexual (and, sometimes, gay male) values prevail. Same-sex marriage shares with traditional marriage a number of constraints

that benefit middle class property owners and men. In order to assess the differential impact on marriage in Spain, there is a need for further research that includes an intersectional gender analysis.

REFERENCES

- Auchmuty, R., "Same-Sex Marriage Revived: Feminist Critique and Legal Strategy", *Feminism & Psychology* **14**/1 (2004), 101–126.
- Barker, N., "Sex and the Civil Partnership Act: The Future of (Non) Conjuality", *Feminist Legal Studies* **14**/2 (2006), 241–259.
- Boyd, S. & Young, C., "Losing the Feminist Voice? Debates on the Legal Recognition of Same Sex Partnerships in Canada", *Feminist Legal Studies* **14**/2 (2006), 213–240.
- Butler, J., "Is Kinship Already Heterosexual?", *Differences: A Journal of Feminist Cultural Studies* **13**/1 (2002), 14–44.
- Calvo, K., "Matrimonio homosexual y ciudadanía", *Claves de la razón práctica* **154** (2005), 32–40.
- C.I.S., "Los jóvenes de hoy", *Boletín Datos de Opinión* **19** (1999).
- Cooper, D., "Like Counting Stars? Re-Structuring Equality and Socio-Legal Space of Same-Sex Marriage", in *The Legal Recognition of Same-Sex Partnerships: A Study of National, European and International Law*, eds. R. Wintemute & M. Andenaes (Oxford: Hart Publishing, 2001), 75–96.
- Cruz Cantero, P., *Percepción social de la familia en España* (Madrid: C.I.S., 1995).
- de Cozar, A., "El Gobierno revisara la discriminación de las lesbianas con los bebés 'in vitro'", *El País*, 18 October 2006, 41.
- E.F.E., "El P.S.O.E. constituye un Grupo Federal de Gays y Lesbianas", *El Mundo*, 16 March 1999.
- EFE., "Más de 3.300 parejas homosexuales se han casado en España en los últimos dos años", *El País*, 27 May 2007.
- Fernández Córdón, J.A. & Tobío Soler, C., *Conciliar las responsabilidades familiares y laborales: prácticas políticas y prácticas sociales* (Madrid: Fundación Alternativas, 2006).
- Forcada Miranda, F.J., "Las últimas reformas legales en España sobre el derecho a contraer matrimonio y en materia de separación y divorcio", *Puntos de reflexión. Aequalitas* **17** (2005), 27–37.
- Petit, J., *25 Años más* (Madrid: Icaria, 2003).
- Platero, R., "Entre la invisibilidad y la igualdad formal: perspectivas feministas ante la representación del lesbianismo en el matrimonio homosexual", in *Cultura, Homosexualidad y Homofobia*, eds. F. Rodríguez & A. Simonis (Madrid: Alertes, 2007a).
- Platero, R., "Intersecting Gender and Sexual Orientation. An Analysis of Sexuality and Citizenship in Gender Equality Policies in Spain", *Contesting Citizenship: Comparative Analyses, C.R.I.S.P.P.* **10**/4 (2007b).
- Rusiñol, P., "El orgullo 'gay' toma el escaño. El portavoz del PSC Miquel Iceta defiende su condición de homosexual ante el Parlamento catalán y pide una reforma que legalice el matrimonio para ese colectivo", *El País*, 28 June 2001.

- Serrano Alonso, E., *El nuevo matrimonio civil. Estudio de las leyes 13/2005, de 1 de julio, y 15/2005, de 8 de Julio, de Reforma del Código Civil* (Madrid: Edisofer, 2005).
- Stychin, C.F., “Not (Quite) a Horse and Carriage. The Civil Partnership Act 2004”, *Feminist Legal Studies* 14/2 (2006), 79–86.
- Talavera Fernández, P.A., *La unión de hecho y el derecho a no casarse* (Granada: Comares, 2001).
- Vidate, P., “Divorcio y matrimonio gay”, *Diagonal*, 21 July 2005, 38.
- Villagrasa, C., “La Union estable homosexual”, in *El Codi de Família i la Llei d’Unions Estables de Parella. Aproximacions Doctrinals a las leyes 9/1998 y 10/1998 del Parlament de Catalunya*, eds. A. Hernández Moreno & C. Villagrasa Alcaide (Barcelona: Cedecs, 2000), 425–433.
- V.V.A.A., “José María Mendiluce, candidato verde y gay. El eurodiputado y candidato a la alcaldía de Madrid reconoce su homosexualidad en la revista ‘Zero’”, *El País*, 2 January 2003.
- Yanel, A., “El congreso rechaza anular la ley de matrimonios homosexuales”, *El Mundo*, 28 February 2007.
- Young, C. & Boyd, S., “From Same Sex to No Sex? Towards Legal Recognition of (Same Sex) Relationships in Canada”, *Seattle Journal of Social Justice* 1/3 (2003), 757–793.

QUING (Quality in Gender Equality Policies)
European Research Project
Departamento de Ciencia Política y Admón. II
Facultad de CC. Políticas y Sociología
Universidad Complutense de Madrid
Pozuelo de Alarcón
Madrid 28223
Spain
E-mail: platero@cps.ucm.es