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CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS

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The Policy on Gender Equality in Portugal

NOTE

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POLICY DEPARTMENT C: CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS

GENDER EQUALITY

THE POLICY ON GENDER EQUALITY IN PORTUGAL

NOTE

Abstract

This note reviews gender equality data, legislation and policies in Portugal in the six priority areas outlined in the European Roadmap for Equality between Women and Men (2006-2010). It demonstrates that significant progress has been made in the development of legislation and programmes promoting gender equality within the Roadmap period, but there continue to exist several obstacles to full gender equality and some of this progress has stalled or even reversed in the context of the current financial crisis and subsequent austerity policies.

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BACKGROUND AND AIM OF THIS NOTE

The aim of the present note is to provide an overview of policies and facts relevant for evaluating gender equality in Portugal in 2013. The data included in this note needs to be examined against the backdrop of increasing economic, social and political precariousness stemming from austerity measures that push women and other social groups into greater vulnerability. The recent political discussion about the financial crisis has already included proposals which, if to be enacted, would amount a serious attack on previously recognised rights, such as divorce, abortion and same-sex marriage.

This report makes use of several qualitative and quantitative sources, such as the most recent Census, media reports, feminist internet websites and sociological literature. Some of the sections rely heavily on studies previously conducted at the Centre for Social Studies, University of Coimbra, as well as within the Intimate Citizenship work package of the FEMCIT research project, conducted at the Birkbeck Institute for Social Research, University of London.

1. GENERAL DISPOSITIONS

1.1. Background

Portugal is a small country located in Southwest Europe, with a population of almost 10.5 million people and a relatively recent democracy established in 1974. For much of the 20th century, Portugal was governed by *Estado Novo*, an isolationist and colonial regime (established in 1933) with a single-party system, a corporatist economic model and a repressive state apparatus sustained by mechanisms of censorship and a secret police, PIDE. From 1961, *Estado Novo* waged a war against independence movements in Angola, Mozambique and Guinea-Bissau, a long and violent conflict which provoked significant discontent amongst the population and sectors of the army, leading to a military coup which would overthrow the regime on April 25, 1974. Due to the extraordinary impact of this patriarchal and conservative authoritarian regime, for many years Portugal lagged behind other Western European countries in terms of indicators and policies on gender equality, but in recent decades it has witnessed accelerated modernisation on many levels, including in relation to gender equality and sexual and reproductive rights.

Social change in the realm of gender equality and family life started to become apparent during the 1980s. There was a steady decline in marriage rates: 9.4 marriages per one million inhabitants in 1970, 7.2 in 1990 and 3.4 in 2011 (PORDATA, 2012). The average age at first marriage has been rising steadily since 1980, when it was 25.4 for men and 23.3 for women; by 2011 it was 31 for men and 29.5 for women (PORDATA, 2012). There was also a sharp decline in birth rates, from 3.2 children per woman in 1960 to 1.3 in 2010 (PORDATA, 2012), a rise in divorce, cohabitation and solo living, and a growing participation of women in the public sphere (Ferreira, 1998; Roseneil *et al*, 2008; Vicente, 2008). Despite the low percentage of childless couples and single-parent families, there was an increase in cohabitation among the younger generations (INE, 2001). Culturally, marriage remains normative, with 53.5% of the Portuguese population either legally married (46.6%) or living in a legally recognised de facto union (6.9%) (Census 2011). Compared to cohabiting coupledom, solo living is still highly residual – 8.2% of the overall population (Census 2011).[1]

These changes were influenced by wider processes of modernization (e.g. literacy rates improved, alongside healthcare, labour rights and access to information and technology), particularly after EU accession in 1986, and were accompanied by the increasing visibility and political efficacy of women's organizations (Tavares, 2000, 2010), as well as other movements for sexual equality (Roseneil et al, 2010; Santos, 2006, 2013). Even if the impact of social movements remains unacknowledged, both by mainstream literature (Santos, 2013) and society at large (Tavares, 2010), Portuguese culture seems to be increasingly influenced by principles which were at the heart of the collective demands of the women's movement. These include the right to equality between women and men, the importance of autonomy and choice, and protection from violence (Neves, 2008).[2]

[1] For a detailed country report on policies and change regarding intimate citizenship, see Santos (2008). For a statistical background, see Roseneil *et al*, 2010.

[2] The women's movement is also invested in challenging stereotypical views of feminism, often regarded in Portugal as something too radical or even outdated. This seems to have been effective as a recent study conducted in two Portuguese secondary schools reveals that 51% of participating students self-identified as feminists (75% of women and 20% of men) (Tavares, 2010: 580).

In spite of these transformations in the family structure after the 1980s, it was not until the 2000s that the most significant legal changes occurred. These included the formal recognition of both different-sex and same-sex *de facto* unions in 2001, as well as rights for cohabitants regardless of blood ties and the number of people involved (the 'shared economy' law, Law n. 6/2001). It also included the decriminalisation of abortion in 2007 and a new divorce law in 2008, in which the concepts of 'guilt' and 'litigious divorce' have been removed. With regard to children, the notion of 'paternal power' has been replaced by 'parental regulation', and the child can now be trusted to a member of the family in situations when none of the parents can perform their parental responsibilities.

More recently, in 2010, Portugal became the 8th country worldwide to legalise same-sex civil marriage (Santos, 2013). The achievement of same-sex partnership rights has been celebrated both by the feminist and lesbian, gay, bisexual and transgender (LGBT) movements, as it was part of the social movements' agenda for several years. This achievement was part of a broader series of changes in relation to sexual equality laws that took place in the 2000s. Other changes included anti-discrimination clauses in the Labour Code (in 2003), aggravation of penalties in the case of hate crimes and same-sex domestic violence (in 2007), equalisation of ages of consent (in 2007) and gender identity provisions (in 2011) (Santos, 2013).

1.2. Gender equality in law and social policy

The Constitution of the Portuguese Republic enshrines the principle of gender equality and the promotion of equality between men and women as a fundamental task of the State. Portugal ratified the Convention on the Elimination of all Forms of Discrimination against Women in 1980, without any reservation, being one of the first member states of the UN to do so.

There are two mechanisms for the promotion of equality. Founded in 1977, the Commission for the Citizenship and Gender Equality (CIG) is under the tutelage of the Secretary of State for Parliamentary Affairs and Equality and has had a cross-cutting mandate since 2007. It gathers over 40 non-governmental organisations (NGOs) in its Consultants' Council, from fields as diverse as youth, migration, religion, disability, LGBT, ethnic minorities and gender (Santos, 2008). The Commission for Equality in Labour and Employment (CITE), founded in 1979, is a tripartite mechanism with representatives from the social partners and the government.

The main policy instruments are the National Plan for Equality – Gender, Citizenship and Non-Discrimination and the National Plan against Domestic Violence, both in their fourth edition (2011-2013). The intermediate report concerning the first year of implementation of the IV National Plan for Equality (2011), contains information about several measures being implemented. The plans against domestic violence have been relatively effective and acquired great visibility in Portuguese society (Ferreira and Coelho, 2013). In 2007, the previous government launched funding programmes to support ministries, municipalities, businesses and voluntary organizations to design and implement gender equality plans.

2. THEMATIC DISPOSITIONS

2.1. Equal economic independence for women and men

Compared to other Southern European countries, the female employment rate in Portugal is high. According to Walby (2001), Portugal is amongst the countries in the "high female employment group (45.0% and over in 1999)", and this aligns it with "Nordic (Sweden, Finland, Denmark); former Soviet bloc central Europe (Czech Republic, Hungary, Poland); [and] liberal/Anglo-Saxon (US, Canada, UK)" countries. Portugal is therefore outside the "low female employment group (35.0-39.9%) from Southern Europe (Greece, Italy, Spain)" (Walby, 2001:10). However, the crisis and subsequent measures have introduced significant changes in this scenario.

The impact of the austerity measures imposed on Portuguese society after 2011 have been particularly harsh on the most vulnerable sectors of society, namely youth, elderly and women. Data collected by Ferreira and Coelho (2013) reveals that:

- The unemployment rate for women aged 15-24 years was 31.7% in 2011, 8 p.p. higher than 2010 and 11 p.p. higher than the EU average (20.7%).

- The gender pay gap reached 12.8 p.p. in 2011, 2.8 p.p. higher than the 2010 figure, although it is still lower than the EU average (16.2 p.p.).

- The reinforcement of female entrepreneurship continues to be pursued pro-actively by the government, in the framework of the Human Potential Thematic Operational Programme of the National Strategic Reference Framework 2007-2013 (QREN 2007-2013). The National Programme for Microcredit (*Programa Nacional de Microcrédito*) also gives support for women's entrepreneurship through easier access to credit.

2.2. Equal participation in decision-making

The parity law (Law n. 3/2006) requires that candidate lists for the National Parliament and for local authority elections include a minimum of 33.3% of the less represented sex (1 in each 3 names). Parties not complying with these rules face financial sanctions. In the state-run firms, equality plans are mandatory. No data is available to assess the impact of these plans. Key findings (drawing on Ferreira and Coelho, 2013):

- In 2012, the share of women in decision-making positions in politics was 29% in national parliament and 17% in national government (equal to 2011 but lower than the two previous years: 30% and 29%, respectively). This means that Portugal has a higher percentage of women MPs than the EU27 average (26%).

- The share of women in quoted companies (members of the board including president) was 7% in 2012, less than half the EU27 average (16%). The share of women in the Central Bank was reduced to zero in 2012 as the only woman on the board was replaced by a man. This put Portugal well below the (low) EU27 average (17%). For the first time a woman has been appointed Attorney-General by the President of the Republic, becoming the head of Public Prosecutor Office (MP). In the

national public administration, the share of women has improved to 48% in 2011, which places it 9 p.p. above the EU average.

- In 2012 there were only 5% women in decision-making positions in the Portuguese Supreme Court, 2 p.p. more than in 2011, but a strikingly -29 p.p. than the EU average.

2.3. The eradication of all forms of gender-based violence

One of the main priorities of the Portuguese state regarding gender equality policies has been to tackle gender-based violence and, most specifically, domestic violence. On 5 February 2013, Portugal became the third member state of the Council of Europe to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

Since 1999, the law establishes that the state should indemnify, in advance, the victims of domestic violence and the government has been in charge of the creation and management of a public network of refuges for survivors of violence. From 2000 onwards, ill-treatment has been considered a public crime. Therefore, anyone can lodge a complaint and/or institute proceedings. There is a public network of refuges for survivors of domestic violence with 617 places in 36 units, covering 67% of the national territory, and a programme of electronic surveillance for survivors of domestic violence. According to official data, there were 31,235 complaints in 2010. This figure has been increasing every year at an average rate of 12% (CIG, 2012). In 2011, 27 women were killed by their partners or former partners in incidents of domestic violence (UMAR, 2012).

CIDM/CIG and other public bodies have launched several awareness-raising campaigns focusing on domestic violence and violence in intimate relationships among young people. Genital mutilation, human trafficking and homophobic bullying have also been the subject of campaigns. A manual for the prevention of moral and sexual harassment in the workplace is being drawn up as a joint initiative of the two official mechanisms for gender equality (Ferreira and Coelho, 2013).

In September 2007 the Penal Code was revised to include hate crimes based on sexual orientation among the grounds for aggravation in the case of murder, alongside hatred based on race, religion, politics, ethnic or national origin, and gender (article 132). This revision of the Penal Code also criminalized any promotion of discrimination based on sexual orientation (article 240) and addressed the issue of same-sex domestic violence. In article 152, the revised Penal Code included among potential victims of domestic violence a person – either of the same or different sex – with whom the aggressor has, or has had, a relationship similar to that of married partners, regardless of whether it was a cohabiting one or not. This had been a demand of the LGBT movement since 2006 (Santos, 2013).

2.4. The promotion of gender equality in third countries

One of the 14 ‘strategic areas’ set out in the current National Plan for Equality – Gender, Citizenship and Non-Discrimination is the mainstreaming of gender equality in initiatives in ‘international relations, cooperation for development, and Portuguese communities abroad’. The promotion of gender equality in third countries has been developed primarily as part of Portugal’s development cooperation relations with the 5 Portuguese-Speaking African

countries (PALOP: Angola, Cape Verde, Guinea-Bissau, Mozambique and Sao Tome & Principe) and East Timor. The document which shapes current development cooperation policy – entitled *A Strategic Vision for Portuguese Cooperation* (2006) – makes very few references to gender issues, but the promotion of gender equality is explicitly named as one of the principles (alongside respect for human rights, good governance, environmental sustainability, cultural diversity, and eradication of poverty) that act as 'the starting point for the definition of the thematic and sectorial priorities of Portuguese development cooperation policy' (2006:25).

The public body which presently manages development cooperation initiatives is the Camões Institute for Language and Cooperation (CICL). One of its agents is the Forum for Cooperation and Development, comprising several thematic working groups developing Sectorial Cooperation Strategies. One of those groups produced in 2011 in partnership with CIG a comprehensive document setting out *The Strategy for Portuguese Cooperation for Gender Equality*. This strategy sets out as its main priorities the promotion of women's and girls' rights and of gender equality at the political, economic, social and cultural levels; access to education and health; empowerment for participation in political decision-making and the labour market; and the economic independence of women, to name just a few.

Another noteworthy recent development is the framing of the promotion of gender equality as a 'transversal concern' (along with environmental sustainability) of public funding for civil society-led initiatives in cooperation for development. The Portuguese government ring-fences a small part of its overall international development budget for funding of initiatives led by development NGOs (as recognised by the Ministry for Foreign Affairs). This funding is managed by CICL and distributed annually through a process of open applications. One of the sections of the application form asks applicant organisations to detail how they will guarantee that the project's measures and methodologies promote a 'balanced gender perspective'. This increasing emphasis on the promotion of gender equality as one of the aims of Portuguese development initiatives has been fostered in part by the foregrounding of these issues in the international arena, namely through the Millennium Development Goals.

These are notable developments which have contributed to place gender equality more centrally on the international development agenda in Portugal. However, their effect has been weakened by two factors: a) these changes in policy have not been accompanied by large-scale investment in gender equality training amongst the professionals working in the development sector, which means that the levels of expertise on, and commitment to, gender equality required to implement these developments across all levels of decision-making are often not available; b) in recent years, due to government changes and the impact of austerity policies, investment in the cooperation sector has reduced. This has led to a decrease in the resources available for the sector, and to the suspension of some of the work planned for the broader strategy for development and the specific sectorial strategy for the promotion of gender equality.

2.5. The reconciliation of private and professional life

Parental leave

According to the Decree-Law 91/2009, fathers and mothers are entitled to almost the same care leave (caring for children, including an adopted or step child, for the elderly and next of kin, like spouses or partners). Maternity and paternity leaves were replaced by parental leave that may have different lengths, different holders and payment rates depending on whether it is enjoyed exclusively by the mother, or the father, or both (shared leave).

Governmental initiatives in this domain are limited to campaigns to inform the population about the new rights and training sessions for strategic publics (e.g. ministry employees) and the public in general. Data gathered by Ferreira and Coelho (2013) shows that among public administration employees there is a trend to reduce the take-up of parental leaves: in 2011, 73 men used the shared leave with the mother (compared with 76 in 2010) and 90 men used the paternity leave (compared with 100, in 2010). In spite of these measures, the birth rate in Portugal is among the lowest in the world. In 2011, it was 9.92 ‰ (the EU-27 average birth rate for the same year was 10.4 ‰[3]). In 2008 the government implemented a new measure consisting of dentist vouchers for pregnant women who would then be entitled to dental treatment up to 120€. This was interpreted as a measure supporting motherhood (Santos, 2008). In July 2008, only 10% of these vouchers had actually been used.[4] This measure is no longer in place.

Childcare

Key facts (Ferreira and Coelho, 2013):

- There was 37% coverage of childcare services and facilities for children under 3 years in 2010, well above the EU27 average (28%). The number of places and crèches with extended timetables almost met the demand. Formal childcare for children aged 3 to compulsory school age reached the coverage of 79% in 2010 (2 p.p. less than in 2009), while the EU27 average was 84%. Formal childcare for children aged from compulsory school age up to 12 years diminished by 2 p.p., covering 97% of the relevant population (above the EU27 average: 95%).
- Childcare services are provided mostly by the voluntary sector supported by private-public partnerships. Regulations on childcare services are established by the government and inspected by Social Security. The funding for childcare services comes mostly from the state, but families contribute according to their income.

The compulsory father

Article 1826 of the Civil Code establishes what it calls the presumption of paternity. It states that the law assumes that the child who is born or conceived within marriage will be the son (sic) of his (sic) mother's husband, unless the mother claims otherwise. In this case, she must formally initiate the procedure aimed at removing the presumption of paternity within 60 days. In order to do so, she must go to the Civil Registration Conservatory where the child was registered in order to submit a petition explaining the facts, plus several documents and witnesses. If the mother is not married and the father of the child is not present, the child registration will not include the father's name, which can be added afterwards (Santos, 2008).

Reproductive rights and health

In 2011, the fertility index was 1.5 children per woman.[5] Free contraceptives and free teenage sexual health medical appointments are provided in public health centres. However, a study published by the National Consumer Rights Agency (Deco) in May 2007 revealed that only 57% of health centres provided a teenage medical check-up and that 40% of young people would be refused medical check-ups based on the grounds that they were trying to access a health centre outside their residential area.[6]

[3] Information gathered from Eurostat, available at http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&plugin=1&language=en&pcode=tps00112 [accessed 22/04/2013].
[4] Público online, 10/07/2008, http://ultimahora.publico.clix.pt/noticia.aspx?id=1335024&idCanal=62 [accessed 12/08/2008].
[5] Information gathered from Eurostat, available at http://epp.eurostat.ec.europa.eu [accessed 22/04/2013].
[6] Published in *Jornal de Noticias*, 29/05/2007.

Abortion is probably the oldest and more recurrent struggle for the Portuguese women's movement. Until 1984 abortion was outlawed in all circumstances. In 1984, Parliament passed Law 6/84, 11 May, establishing the acceptable exceptions to the abortion law, which criminalised abortion with up to three years prison sentence.

According to the Ministry of Justice, between 1998 and 2004 there were 223 registered crimes of abortion, translated into 34 investigation cases and 18 women and men sentenced.[7] After a referendum in 2007, abortion upon request up to ten weeks' pregnancy became legal and free under the National Health System.[8] There was an increase of 12% in this referendum's turn-out compared to the previous referendum in 1998, which may indicate more political awareness regarding reproductive rights (Santos, 2008; Sousa Santos *et al*, 2010).

In May 2006, Parliament passed a law on assisted conception (Law 32/2006, 26 July), which excluded unmarried women from accessing assisted conception techniques. This law also excluded lesbian women, as same-sex civil marriage was then illegal in Portugal. This ban on single women has been identified as discriminatory. The assisted conception law does not state an age limit for accessing assisted conception techniques. However, according to the President of the Portuguese Society of Reproductive Medicine, there are state agencies which will refuse women older than 42 or even 38.[9]

The assisted conception law is clear about surrogacy (what the Portuguese legal text calls 'motherhood of replacement') . Article 8 reads 'Any juridical agreement, either pro bono or paid, concerning motherhood of replacement is considered null', followed by 'The woman who undergoes a motherhood of replacement for someone else is held, in the eyes of the law, to be the mother of the child who will be born'. According to media reports, on average ten Portuguese people each year travel to the USA to get a surrogate mother for their child (Santos, 2008).

2.6. Breaking down gender stereotypes

The past decades have seen considerable change in attitudes and stereotypes about gender amongst the general Portuguese population. Scholars have argued that contemporary Portuguese gender stereotypes are characterised by an apparently contradictory combination of 'modernist' beliefs in the importance of gender equality (namely in employment and the sharing of household tasks) and more traditional values, emphasising the importance of women's family roles and highlighting women's allegedly greater natural aptitude for child-rearing and domestic labour (Aboim, 2010; Pereira, 2010). For example, a survey conducted in 2002 as part of the International Social Survey Programme found that 93.3% of people agree with the statement 'Both the man and woman should contribute to the household income', 86.2% with the statement 'Men ought to do a larger share of childcare than they do now', 85.3% with the statement 'Men ought to do a larger share of household work than they do now' and 75.4% with the statement 'Having a job is the best way for a woman to be an independent person'. However, it also found that 78.4% agreed with the statement 'A pre-school child is likely to suffer if his or her mother works',

[7] These numbers were published in the newspaper *Público*, 25/01/2007.
[8] The law was approved in Parliament (8 March 2007), endorsed by the President (10 April 2007) and finally published on 17 April 2007.
[9] As reported by *Correio da Manhã*, 21/01/2007.

and 60.8% with the statement 'A job is all right, but what most women really want is a home and children' (Aboim, 2010).

Media

These stereotypes are partly reproduced by the media. Although they have increasingly adopted more diverse and egalitarian representations of gender (and given more coverage to gender equality issues and women's rights organisations (Peça, 2010)), Portuguese media continue to represent women largely as mothers, wives and homemakers (as well as sexual objects) (Pinto-Coelho, 2009). Therefore, governmental efforts have been made to raise media professionals' awareness of issues of gender equality and promote less discriminatory representations of gender in the media. However, such policies have been fragmented, sporadic and have relied on voluntary participation, rather than legal enforcement (Silveirinha, 2012). In 2005, CIDM published a *Guidebook for Gender Mainstreaming in the Media* and created the 'Parity Award: Women and Men in the Media', which seeks to recognise media products which contribute to promote a more balanced and non-stereotypical representation of women and men. It is not clear whether the guidebook has had an actual impact on media professionals' attitudes and practices, and it has been noted that these awards are not always valued within media organisations (Cerqueira and Cabecinhas, 2012).

As part of 'strategic area' 8 of the current National Plan for Equality, which focuses on 'media, advertising and marketing', efforts have also been made to develop training on gender mainstreaming for media professionals, but researchers have noted that the professionals taking these courses are often those who already have an interest in gender equality issues (Cerqueira and Cabecinhas, 2012). The national body for regulation of the media (*Entidade Reguladora para a Comunicação Social)* has made deliberations on representations of gender in the media, but only in response to complaints by individuals or non-governmental organisations. This means that gender equality issues are only recognised by this body if and when there is pressure from the civil society, and there is no systematic and pro-active engagement with the media's central role in the reproduction (and potentially the breaking down) of gender stereotypes (Cerqueira and Cabecinhas, 2012).

Education and Science

One of the main areas of governmental action in recent years has been education and science. Researchers have argued that both these sectors have tended to contribute to the reproduction of gender stereotypes in Portugal. Studies of school textbooks, for example, have found that they offer traditional narratives and images of women, affording relatively little attention to women's role in Portuguese history and not reflecting the profound recent changes in social practices and attitudes in relation to gender (Alvarez, 2009; Gomes *et al,* 2008). Research in Portuguese universities has found that issues relating to gender equality and women's experiences are not always recognised by Portuguese scholars as 'proper' and relevant academic topics, and hence are not often integrated in degree curricula or given institutional support and funding (Pereira, 2011, 2012).

CIDM/CIG and other public bodies have attempted to address these problems and strengthen education and science's role in breaking down gender stereotypes by developing a range of initiatives. These have included, for example, a) the SACAUSEF project (2004 – 2008), an initiative of the Ministry of Education (ME) aimed at developing a gender-sensitive system for evaluating and certifying educational multimedia software, which led to the publication of the book *The Gender Dimension in Multimedia Educational Products*; b) an initiative by CIG (in collaboration with the ME) to produce *Gender and Citizenship* guides

aimed at teachers working in pre-schools, primary schools and secondary schools; and c) protocols signed in 1998, 2003, 2004 and 2008 between CIDM/CIG and the Portuguese Foundation for Science and Technology (FCT) to fund research on relations of gender and equality policies. These protocols invited the national scientific community to undertake research projects 'analyzing the factors that contribute to the reproduction and eradication of inequalities between women and men'. In these four competitions, FCT and CIDM/CIG received 203 applications and funded 59 research projects[10], awarding a total of 7.5 million euro.

Sexist Language in Legislation and Policy

The masculine universal is a pervasive feature of policy and legal documents in Portugal. Because most words are gendered, nouns such as 'citizens', 'parents' or 'guardian' are not gender neutral and they are always used in its male version.

During the dictatorship, law and policy included expressions such as "family chief" or head of the family, which described the role of men. These were later removed. However, similar formulations continue to exist in the family law included in the Civil Code. When describing the rights and duties of the guardian of a minor, the Code notes that the guardian should 'play his role with the diligence of a good family father' (sic) (i.e., good father figure) (article 1935 of the Civil Code, dating from Law-Decree 496/77, 25 November).

The Civil Code establishes what is called an inter-nuptial break (article 1605). This indicates that there has to be a certain amount of time between the date when a former marriage is dissolved, or declared null, and the next marriage. The most surprising aspect of this, however, is that the period of time varies according to gender: men must wait 180 days, whereas women must wait 300 days. There are exceptions, whereby a woman can re-marry after 180 days: when she gets a judicial statement certifying that she is not married and had no children after the marriage was dissolved; or if the former husband died or the couple was already judicially separated (Santos, 2008).

Another example of sexism is the definition of infanticide, which regards exclusively the mother: 'the mother that kills her son [sic] during or immediately after giving birth, while being under its disturbing influence, is punished with a prison sentence of 1 to 5 years' (article 136 of the Penal Code).

On the 8 March 2013, the Parliament approved a recommendation to all state and private bodies regarding the usage of 'human' instead of 'men' when referring to human rights (resolution AR, n. 39/2013).

[10] These included, for example, research projects on representations of gender in the media, the sexual citizenship of lesbian women, intimate and domestic violence, women in science and technology, women's entrepreneurship, family law, gender and migration, women in male-dominated employment sectors, women in policing, women's health, gender inequalities in education, men's attitudes towards family life and fatherhood, women's history, and women's political representation, to name just a few.

3. CONCLUDING REMARKS

The last decade has been one of extremely significant expansion and strengthening of the gender equality policy framework in Portugal or, as Ferreira and Monteiro (2012) call it, the richest gender equality policy cycle in Portugal since the post-1974 revolution period. Although these policies have in some cases been fragmented, under-resourced and/or unable to generate as much actual change in practices and attitudes as desired, they have enabled very clear and important advancements towards greater gender equality and improved the lives of many men and women. However, and as Ferreira and Monteiro (2012) also note, this very rich cycle has now come to an end and there are indisputable and worrying signs of backlash and reversal of some of the valuable achievements produced by these policy developments. Indeed, gender equality policies in Portugal are currently under threat in the face of austerity plans that have significantly reduced the public resources available for these initiatives, which tend to be considered less important in a context of financial crisis. The times ahead are times of immense and difficult challenges for the promotion of gender equality in Portugal.

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