Implementing gender equality policies in the Spanish film industry: persistent prejudices and a feminist will to ‘exploit the centre into concentric circles’

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ABSTRACT
Over the last decade, gender equality measures like positive actions in public funding have been implemented in the Spanish film industry. This article discusses these measures by looking at both the gender order that has been embedded in the Spanish film governance regime since its origins and the ways in which such gender order re-emerges in the current context as experienced by women film workers. Two persistent prejudices that can be traced back to Franco’s dictatorship are identified: Public funding as connected to censorship and/or lack of profitability, and the representation of women as incapable members of a so-called ‘minority’ that has to be assisted. Concrete measures including quotas are necessary for adjusting the unbalance in women’s participation, but they are means towards an end that goes beyond quantitative changes, for the ultimate goal would entail transforming the structure of a patriarchal film governance regime from a bottom-up feminist approach.

Introduction

The evidence of gender inequality in the European film industry is overwhelming. The European Women’s Audiovisual Network (EWA) exposed that, in the period 2006–2013, only 21% of the films in Italy, Austria, Croatia, France, Germany, Sweden, and the UK were directed by women (EWA (European Women’s Audiovisual Network) 2016). A 2019 report from the European Audiovisual Observatory showed similar results: women represent 21% of all directors with at least one European feature film produced between 2003 and 2017 (Simone 2019). As for films supported by Eurimages, the European Film Coproduction Fund that promotes the European audiovisual industry, 38% had female directors in 2020 (Eurimages 2020). Just eight years before, that percentage was 17%. Such a change in numbers didn’t happen spontaneously. Rather, it reflects an active adoption of strategies to promote equality, such as ‘aiming for 50/50 by 2020’ (Eurimages 2018). The ‘5050x2020’ campaign was originally launched by Anna Serner, Swedish Film Institute CEO since 2011, at the Cannes Film Festival in 2016. That same year, the Swedish industry managed to reach 50% of women directors in films supported by public funding by 2016, turning Sweden into an example of gender equality success (Jansson and Wallenberg 2020).

The decision by Anna Serner, Swedish Film Institute CEO since 2011, to implement a quota goal within the Swedish film policy has been referred to as an inspiration by women film workers across Europe. In Spain, where women have directed only 17% of the films registered for competition at the Goya Prize between 2015 and 2019 (Cuenca Suárez 2020), the Swedish example has been employed...
by collectives such as the Association of Women Filmmakers and from the Audiovisual Industry ‘CIMA’ and the ‘Inter-territorial Working Group for Equality in Audiovisual 50/50 by 2025’ (Arranz et al. 2010) to legitimise their demands for measures towards achieving gender equality in the film industry (Blanco 2018; Calderón Sandoval 2019, 114). As detailed below, the common production scheme within the Spanish industry combines private and public funds. The Spanish Film Institute (ICAA) is responsible for regulating public funds at a national level. It has a committee in charge of assessing film projects according to a point system in which those films with the most points get funded. In 2009, for the first time, extra points were awarded to films featuring a woman director and/or scriptwriter. In 2020, a major change took place with the introduction of a binding quota reserving 35% of the whole ICAA’s budget for supporting projects directed by women. These measures, as discussed in the last two sections of the article, have been criticised by part of the sector (Medina 2020) but have also been celebrated by many, including CIMA’s president, Cristina Andreu (NCM 2021).

Nevertheless, as scholars Maria Jansson and Louise Wallenberg have pointed out in relation to current experiences of women in the Swedish film industry: ‘gender equality in numbers may not be enough to transform the working conditions of women film workers’ (2020, 164). Quantity change doesn’t necessarily bring qualitative transformations with it, especially when positive actions like quotas are represented as unfair impositions ‘in conflict with the core values of the film governance regime’ (Jansson 2016, 1). Similar concerns have been raised by the various contributors to a recent study of the situation of women filmmakers in seventeen countries (Liddy 2020). Some of the shared patterns that the editor of the collection, Susan Liddy, identifies across all the countries under analysis – Spain was not included – are: women underrepresentation at all levels of the industry; projects made by women are less likely to get funded and have smaller budgets; rejection from the sector against positive actions; and the persistence of sexist representations. All in all, she concludes that ‘the absence and marginalisation of women in the international film industry is another manifestation of patriarchal power’ (Liddy 2020, 14). Inspired by Jansson’s and Liddy’s analyses, this article aims to reflect on the tensions and effects of implementing gender equality policies into the Spanish film industry by looking at the gender order of Spanish film governance since its early years and the ways in which this patriarchal gender order re-emerges in response to current attempts at change. As will be discussed further in the article, such attempts go beyond top-down actions and might find their strongest manifestations in bottom-up activism by women film workers.

The Spanish case is analysed as an example of a film nation with public support and a film governance regime in which gender equality policies encounter resistances arguably linked to a decades-long patriarchal dictatorship. Under Franco’s regime (1938–1975), women were granted the same status as the one given to minors and so-called ‘incapable’ people. For instance, article 57 of the Civil Code stated that wives had to obey their husbands as administrators of the conjugal society. In terms of film industry development, paradoxically, Franco supported it more than any previous government, but not in terms of strengthening its artistic values nor its commercial success, but as a powerful ‘propaganda machine’ (Kogen 2005, 69), thus producing a film governance regime controlled by an explicitly patriarchal State, which censored any content that went against its core values. As the article will show, these two approaches towards gender and film – women as incapable and public funding linked to censorship and/or lack of profit – keep on appearing as persistent arguments against positive actions, which makes the required analysis move from a focus on numbers like that of previous research (e.g. Lauzen 2012; Smith et al. 2013; Cuenca Suárez 2020) towards an exploration of the idea that ‘history matters’ (Bennett 2006) in the implementation of resilient and truly transformative equality measures.

Previous studies of the conditions faced by women in the Spanish film industry (Arranz et al. 2010; Zecchi 2014) have also adopted a historical perspective, but have not focused as much on the structure of the film governance regime and its productions schemes, while former research on film policy in Spain (Kogen 2005; Álvarez Monzoncillo and López Villanueva 2006; Clares Gaviñán 2013; Sedeño and Ruiz 2016) has not paid much attention to the gender dimension. This article joins both approaches and updates the discussion in light of the positive actions adopted in 2020. The main
sources are public record materials regarding equality and film policies, and nine interviews conducted between 2016 and 2021 with female directors, producers, scriptwriters, and a representative of the ICAA. The structure is divided into four parts plus the concluding remarks. The first part establishes the theoretical and methodological framework; the second and third ones trace a historical overview of the Spanish film governance regime, i.e. the norms and practices ruling the film industry (Jansson 2016, 2); and the fourth one analyses the current situation, highlighting the experiences of women film workers. Persistent prejudices are discussed in the conclusion.

**Gender in/equality and film governance regimes: theoretical and methodological approaches**

‘Women’s cinema’ is a polemic term. White proposes a strategic use of the concept, not assuming any sameness criteria, but ‘thinking through relations of alliance and exchange among women’ (White 2015, 17). Likewise, Pravadelli asserts that, beyond essentialist approaches, what has characterised women’s filmmaking in the European context is their being highly constrained by financial matters, so that female directors have been numerous in the fields of ‘the avant-garde and in documentary where budgets are small or nearly non-existent, and scarce in narrative and commercial cinema where budgets are big’ (Pravadelli 2016, 330). This marginal status, however, has also been ‘a vantage point from which they have cast a critical eye on the norm’ (2016, 330). A similar conclusion is reached by Liddy: what emerges after comparing and contrasting the situation of seventeen national film industries in different continents is a patriarchal gender order ‘in which women continued to be sidelined, devalued and underfunded with troubling similarities across the world’ (2020, 14). But in light of this situation, women film workers have been demanding changes and proposing ways forward. Feminism has politicised women’s cinema for a feminist film, filmmaker, film theorist, or film viewer is characterised by ‘a stance of ongoing public activism, rooted in but not limited to gender equity’ (Mayer 2015, 20).

Gender equality, however, can be a problematic concept. Within a liberal perspective, ‘equality implies “same as men”, where the yardstick is that already set by men. Instead of a radical shift in the gender order, women therefore are required to fit into the prevailing androcentric structures’ (Lazar 2007, 16). Still, achieving equality remains ‘historically important for politically disadvantaged groups of women who have been systematically denied equality under the law’ (Lazar 2007, 16). In its definition of the term, the European Institute for Gender Equality (EIGE) stresses the importance of granting diversity, while striving for equal opportunities for women and men. It also acknowledges that equality ought to be considered not only in terms of economic interests but also as a human rights issue and a model of ‘sustainable people-centred development’ (EIGE (European Institute for Gender Equality) 2021).

Judith Butler proposes to think of inequality in terms of precarity, arguing that the distribution of precariousness ‘is to a large extent dependent upon the organization of economic and social relationships, the presence or absence of sustaining infrastructures and political institutions’ (2015, 119). Therefore, precarity is not inherent to any group but unequally distributed as an effect of power relations under specific conditions. Feminist theory has claimed that women disproportionately face social inequalities in virtually every sphere of life. What Butler warns against is the idea that ‘women have an unchanging and defining vulnerability . . . [since] that kind of argument makes the case for paternalistic provisions of protection’ (2015, 140). Rather, the challenge is to keep necessary demands for institutions to provide fair conditions and corrective measures, without resorting to modes of paternalism that ‘reinstate and naturalize relations of inequality’ (2015, 142).

Inequality has been denounced in the film industry by feminist film theorists, who have exposed gender stereotypes and the scarcity of women as creators behind the camera since the seventies (Rosen 1973; Johnston [1973] 2000; Mulvey [1975] 1978). There is a long genealogy of activism behind current demands for positive actions and well-known movements like #metoo, #OscarsSoWhite, and TimesUp (Liddy 2020, 2–3). Feminist activists within the film industry have
indeed focused on ‘making visible the invisible’ (Kuhn 1994, 67), i.e. revealing oppressions, absences, and contradictions naturalised by androcentric practices not only within the film texts but also within their contexts of production, distribution, and exhibition. Gender equality policies in film governance regimes are among the tools for exposing this and eventually transform it.

Feminist institutional theory highlights that gender mainstreaming is always introduced into systems with previous gender orders (Pardo 2010; Mackay 2014; Lombardo 2016; González Ramos et al. 2018; Jansson and Wallenberg 2020). Such established gender regimes present obstacles towards the changes intended by gender equality measures, and these resistances are not necessarily modified by a mere quantitative change, especially if the positive actions are not targeted at transforming previous norms. It is in this sense that a historical overview from a feminist perspective can be useful in detecting prejudices behind what Bennett calls ‘patriarchal equilibrium’ (2006), that is, how patriarchy keeps the historical continuity of female oppression, concealed by the mirage of history as transformation. Historicizing patriarchy is what she proposes to dismantle the work carried out at various fronts (culture, economy, sexuality, law, politics, family) by patriarchal institutions to maintain male power without this being their only objective nor their only effect. Such a political approach, she points out, also implies paying attention to women as survivors, resisters, and at times agents themselves of patriarchy (Bennett 2006, 59).

The Spanish film industry has been patriarchal, i.e. ‘male dominated, male identified, and male centered’ (Bennett 2006, 55), as discussed in the next sections. Therefore, following Bennett’s approach and the insights raised by feminist film theory and feminist institutional theory, this article interrogates how gender equality has been incorporated in the Spanish film industry, paying attention to its gender order. The methodology starts from a revision of norms and practices ruling the Spanish film industry since its beginnings, i.e. its ‘film governance regime’ (Jansson 2016, 2), by looking into government bills and previous research on the presence of women behind the camera. Then, to place the focus on the current situation from the perspective of the women film workers active in the Spanish film industry, the analysis incorporates nine semi-structured interviews with four directors, three scriptwriters, one director and producer, and an ICAA’s representative. Apart from the latter, all of the interviewees are active at associations of women film workers at national and European levels (EWA, CIMA, and Dones Visuals). The four interviews from 2016–2017 were conducted face-to-face as part of a Ph.D. research project within the Marie Curie European Union’s Horizon 2020 programme ‘GRACE Gender and Cultures of Equality in Europe’ (see Calderón Sandoval 2019). The five interviews from 2021 took place via Zoom. All interviews were conducted in Spanish and lasted between 50 and 80 minutes. I transcribed and translated all of them. Due to the historical focus of this article, the methodology does not rely heavily on interviews; nevertheless, these were considered key in providing a way to read the past through the present as experienced by those women directly involved in filmmaking and feminist activism. As argued in the last two sections, these nine voices from within the contemporary industry help identify persistent prejudices and stances of resistance.

From Franco’s dictatorship (1938-1975) to the transition (1975-1985): censorship, protectionism and female pioneers

During the Second Spanish Republic (1931–1938), a period in which gender equality and women’s right to vote were legally recognised in the Constitution, Rosario Pi Brujas became the producer of the first three feature films with sound in Spain. She also directed two films during the Spanish Civil War but had to exile herself after Franco’s triumph. The dictatorship that followed (1938–1975) dismissed all the Republican accomplishments, including women’s equal status under the law. As for the development of the film industry, Franco’s rule was characterised by censorship against any production that would question the regime’s values, protectionism in favour of compliant stakeholders, and encouragement of cinema as propaganda rather than as an artistic expression (Kogen 2005).
Public financial support during the Forties was strictly conditioned to the extent to which audiovisual contents were ‘educational, indoctrinating and moralising’ (Gutiérrez and Calvo 2018, 104). Exhibitors who wanted to screen a foreign film had to release first a Spanish film, a protectionist measure known as the ‘screen quota’. If such Spanish film had a higher classification due to its coherence with the regime’s ideology (films labelled as being of ‘National Interest’), then more permits for screenings of foreign films were allocated. In 1941, compulsory dubbing into Spanish was imposed, with the effect that spectators increasingly preferred Hollywood cinema. In 1943, the license to import foreign films was given to Spanish producers in exchange for producing accommodating films and, as a result, artistic and commercial goals were replaced by the desire to make attractive films for the Classification Board, since that was the recipe to do good business with foreign films licenses (García 2009, 28).

The General Direction of Cinematography and Theatre was created in 1951 and the Board of Classification and Censorship started its operations in 1952. This Board established five categories of films, assigning a percentage (40, 35, 30, 15 and 0%) to each as subsidy from the Film Protection Fund. ‘Special Interest’ films, whose focus was placed on young filmmakers, could get up to 50% of their cost covered by this fund. The production model combined this State grant (assigned in accordance with the film’s gross box office revenue) with contributions of the production company itself, advances from distributors, and union credits. These included non-returnable credits from the Official Credit Bank for ‘Special Interest’ films, and credits to be returned within three years for commercial films. All of these protectionist measures aided in the development of the so-called ‘New Spanish Cinema’ (Montes 2011, 615). However, since censorship could still transform ultimate meanings, filmmakers had to resort to veiled messages. The Spanish film production of the Sixties was dependent upon the government, while American multinationals controlled most distribution circuits (Sedeño and Ruiz 2016, 108).

Second-wave feminism hadn’t emerged openly in Spain due to the repression of the dictatorship, but several women had organised in clandestine ways so that, weeks after Franco’s death in November 1975, the Women’s Liberation Front was created and women’s civil rights were acknowledged in the 1978 Constitution (Navarrete, Ruido, and Vila 2005). Censorship laws were repealed by 1977. In terms of film production, this led to the development of what became the cinema of ‘el destape’ (‘naked films’), which oscillated between comedy and soft pornography. Women’s bodies were exploited as objects of desire by the male directors of these films, which nurtured the mainstream production of the period called ‘The Transition’ (1975–1985).

During these years, only three women directed films: Cecilia Bartolomé, Josefine Molina, and Pilar Miró. Bartolomé expressed her feminist politics since her thesis at the Official Madrid Film School, Margarita y el lobo (1969). She also directed Vámonos, Barbara (1978), which is considered Spanish cinema’s first feminist feature film but was virtually ignored at that time. Josefine Molina has an extensive career that has been recently recognised with the National Cinematography Award. She has spoken about the orphanhood felt by the female filmmakers of her time, which led her to donate a prize she was awarded in 2006 to the creation of CIMA (Zecchi 2014, 14).

Pilar Miró directed nine feature films and was the first woman appointed as Head of the General Direction of Cinematography (1982–1985). As such, she was behind the implementation of the so-called ‘Miró Law’ in 1984, which incorporated a pre-shooting aid system covering up to 50% of the film’s cost. ‘Miró Law’ can be regarded as the first example of a positive action measure (Arranz et al. 2010, 53), not gender-specific, but aimed at supporting young emerging filmmakers whose projects fell into a new category called ‘Special Quality’, for which 65% of the public budget was destined. She also introduced the ‘X category’ for softcore pornography, which was denied public support and had an increase in taxes. Thus, indirectly, Miró’s policy impacted how women were represented in Spanish cinema since there was a decrease in the production of those films that relied on their objectification. Moreover, even though the focus was not on supporting female filmmakers, ‘Miró Law’ created favourable conditions for the emergence of six women directors between 1984 and 1989: Isabel Mulá, Virginia Nunes, Pilar Távora, Cristina Andreu, Isabel Coixet, and Ana Díez.
Nevertheless, since this law partially led to a drastic reduction of film production, it was blamed for encouraging ‘the non-production of commercial work and the neglect of popular taste’ (Sedeño and Ruiz 2016, 108). Two problematic oppositions can be read in this approach: that between commercial and quality films, and that between the ‘popular taste/taste of the public’ and more diversity among film industry workers. This argument still nurtures oppositional stances against gender equality policies in the audiovisual industry, relying on the unquestioned idea that such ‘popular taste’ equals dominant narratives, which also happen to be masculine: softcore films objectifying women when ‘Miró Law’ was first implemented, and films in which protagonist and director are men, as it’s the case in the majority of the current commercial productions (Carrillo and Cascajosa 2020).

It has also been argued that this law’s increase of so-called ‘public easy money’, called as such due to its possibility of covering up to 65% of the production costs with State non-refundable grants, generated ‘a fever in the creation of production companies’ (García Fernández 2009, 41) that were mostly one-person projects with ‘almost artisanal dynamics’ (Álvarez Monzoncillo and López Villanueva 2006, 7), i.e. lacking the industrial infrastructure, means of production and financial resources that could guarantee their recapitalization. This multiplicity of small companies, created for making just one film, is still representative of the Spanish film industry, to the extent that the 2021 ‘Spain: Europe’s Audiovisual Hub Plan to Promote the Audiovisual Sector’, designed with the budget from the European Union Recovery and Resilience Facility, mentions as a key challenge for the sector the fact that ‘large, highly digitized and global companies coexist with a majority of very atomized companies (…) with weak business structure’ (Spain AVShub 2021, 43). Public support of the film industry is still connected to the idea of censorship, of going against commercial interests while promoting an inefficient production model. All of these prejudices are important to consider when analysing the current arguments against gender equality policies.

From the ‘boom’ of the nineties to the Film Law of 2007: television and autonomous communities within the Spanish Film governance

The Spanish Film Institute (ICAA) was created in 1985, and the ‘Goya’ Awards, Spain’s main national annual film prizes, were first awarded in 1987. Over its thirty-five editions, only three women have won the ‘Goya’ as best fiction feature film director, and eight women have got this prize for their directorial debut. Between 1988 and 1996, nearly thirty women filmmakers directed their first films, which was called a ‘boom’ but was not a real change, just the beginning of a more balanced situation (Camí-Vela 2001, 105). By the end of the decade, though, this growing tendency stopped, and from 1999 to 2000, the number of female directors actually decreased from 13.4% to 8% (Zecchi 2014, 121).

As a member of the European Economic Community, Spain had to adopt the 1989 ‘Television Without Frontiers’ Directive (TVWF). In addition to free movement for European television programmes and ‘broadcasting quotas’, the TVWF Directive demands public and private televisions to invest 5% of their income in films’ anticipated financing. In Spanish legislation, this wasn’t incorporated until 1999 and was met with resistance from private television owners who claimed ‘violation of freedom of business’ (Clares Gavilán 2013, 92). In response to the pressure, the General Audiovisual Communication Law 7/2010 kept the 5% of investment (6% for public television) but diversified the kinds of works to which that percentage can be destined: 60% has to be for films, but the other 40% can be invested in telefilms and series.

The obligation of television broadcasters to invest in the production of national cinema also affected the development of film policies within autonomous communities (Clares Gavilán 2013, 109). The statutes of autonomy of the 17 communities, approved between 1979 and 1983, allows each one of them to have its own budget for financing audiovisual projects, which can be combined with State grants and television investment. Apart from Catalonia, Basque Country, and Galicia, which have had their own film policies since the Eighties, autonomous communities developed a more solid policy only after the year 2000, thanks to the investment from public autonomous televisions. Differences between
regions are abysmal, though: while Catalonia has a strong public television and invests an average of 20 million euros in regional films, Castile-Leon doesn’t have an autonomous television and its budget doesn’t reach one million euros.

The current Spanish film governance is regulated by the Film Law of 2007, which has faced opposition from private televisions and exhibitors due to the aforementioned compulsory investment in cinema and the screen quotas. Regarding national subsidies, the Spanish State distinguishes between project-based aids and those for amortization of completed films (the latter were eliminated in 2015). Project-based aids can be general or selective. General aids, which have bigger budgets, are open to independent production companies but also to television channels, while selective aids are exclusively for independent projects, documentaries, debut films, and those with ‘special cinematographic, social or cultural value’ (ICAA 2021). To get these aids, projects have to undergo an evaluation process by a committee of experts, which follows a predetermined criterion that assigns points up to 100 based on quality and artistic value of the project, coherent budget and financing plan, and professional background of director and producer. Regional aids have their own regulations, with requirements such as the birthplace of the director, the film locations, or a percentage of the crew being from the autonomous community. Together, national and regional subsidies cannot cover more than 50% of the total cost of any film.

The subsidies pre-financing scheme is blamed for a weak production structure that has almost no negotiating power with exhibitors. A widespread argument, sustained on the aforementioned opposition between quality cultural products and profitability, also criticises the State production grants for having created ‘a reliance by filmmakers on the largesse of the government, a disincentive to find independent financing, and a limited range of genres’ (Kogen 2005, 77). Most film professionals agree on the fact that subsidies are needed, but what some criticise is the lack of vision for a sustained capitalisation of production companies (Martínez, Roca, and García Santamaría 2009, 531). For Álvarez and López (2006, 15), television ought to be film production’s best investor and ally, for it has access to mainstream distribution channels, marketing budgets, and privileged exhibition conditions. A balanced approach combining public aids with tax incentives has also been under discussion (Sánchez 2017). Platforms such as Netflix and the Spanish Filmin have opened up possibilities celebrated as strategic (Roca 2021; Spain AVSHub 2021, 55).

Kogen argues that possible indirect censorship from the State can take place because production grants are awarded based on ‘cultural merit’ as defined by the government itself. Nevertheless, this is standard policy in Western Europe, where protectionism is seen as ‘the best way to keep European cinema alive in the face of the Hollywood juggernaut’ (2005, 77) and guarantee the arm’s length principle. The need for a ‘cultural exception’, i.e. positive actions to overcome the obstacles that the European audiovisual sector encounter in a context of free competition with the North American industry, has been stated in the 2001 ‘Resolution on National Aids to the Film and Audiovisual Sector’ of the European Union Council (Pardo 2010, 389). Just like the free market and the prohibition of State intervention are rendered flexible for the sake of cultural diversity, a ‘gender exception’ would be justified in light of the unbalanced presence of women in the film industry. Being a patriarchal space, the audiovisual industry has developed positive actions justified by the cultural exception in areas such as minority languages (e.g. specific funding for films in Catalan or Eusker) but has ignored gender inequality for most of its history (Pardo 2010, 430). This has started to change over the last ten years thanks to the pressure from legal frameworks, European examples (e.g. the Swedish quota goal), and associations of women filmmakers.

**From the Equality Law of 2007 to the current situation: positive actions and the experiences of women filmmakers**

The 2005 Reform of the Spanish State-Owned Media places gender equality under the heading ‘Other missions of the public service’, which are described as those focused on ‘the protection of minorities in a position of social disadvantage or forgotten for not being profitable in terms of communication’ (in Pardo 2010, 412). Such phrasing reveals two prejudices surrounding gender equality policies in the film
industry: 1) the conceptualisation of women as a ‘minority’ that has to be ‘protected’; 2) women’s interests placed in opposition to profit and so-called quality. The representation of women as ‘assisted and subsidised victims’ (Navarrete, Ruido, and Vila 2005, 161) has also been criticised as the dominant way in which gender-based violence was approached in the mass media after the implementation of the Organic Law 1/2004 for Measures on Integral Protection against Gender Violence. Instead of recognising feminist labour against gender-based violence, governmental institutions superficially appropriated their discourses, representing women as ‘fearful beings who need the help of others (family, community and the state) to “recover” from the bad, “fortuitous” moment they have had to live’ (Villaplana 2008, 169). This way, androcentric institutions can simulate that they take care of the problem while reaffirming the patriarchal hierarchy at its basis, an approach that has been contested by collectively organised women.

In 2006, a group of Madrid-based filmmakers created the Association of Women Filmmakers and from the Audiovisual Media in Spain ‘CIMA’, with the goal of sharing the problems they face in the industry to find solutions and ways of fostering gender equality in the sector. CIMA carries out annual reports of women’s presence in the Spanish film industry since 2015. The highest percentage of women-directed films presented for competition at the ‘Goya’ Prize until now is 30%, the 2019 figure. The difference in budgets between women and men-led projects oscillates around 26%. Besides, more women receive selective aids rather than bigger general aids. CIMA’s creation encountered a favourable junction due to the implementation of the Equality Law in 2007, which provided the association with a legal framework that legitimised its demands, such as the obligation of public institutions to prove parity in their juries when evaluating public grants. Remarkably, the suspension of the jury in charge of deciding the 2011 National Cinema Award due to its lack of parity received lots of media attention, but in a tone of outrage, portraying equality as a capricious demand (Triana 2013, 95).

The first concrete positive action adopted in the Spanish film governance was driven by filmmaker Ángeles González-Sinde, Minister of Culture between 2009 and 2011. The Order CUL/2834/2009 for the Establishment of the Regulatory Bases for State Aids assigned five extra points (out of a total of 100) to projects with a woman director or scriptwriter, male co-participation allowed. And in 2011, a distinction with no monetary nor distribution aid attached was created: ‘Especially Recommended for the Promotion of Gender Equality’. After various modifications to the Film Law in 2015, the corresponding Order ECD/2796/2015 for the regulation of the State Aids added, as a requirement for participation, not having been sanctioned for non-compliance with gender equality regulations. This Order placed positive actions under the evaluation criteria called ‘Socio-economic impact and investment in Spain and innovation’ (which represent up to 32 points of 100) but giving fewer points to gender equality (up to 4): 1 point for a female director, scriptwriter and/or executive producer; and 0,5 points for women as ‘other authors and/or head of departments’ (Order ECD 2015). EWA’s deputy director criticises these measures for being ‘merely cosmetic’, i.e. small actions used to argue that equality is on the agenda but which make no real difference (Muiños, interview 2021). She also warns against falling into a kind of ‘mirage of equality’ since, at a larger scale, the increase in numbers that has taken place over the last four years is not significant. Consequently, Spanish regional associations of women filmmakers have been asking for public funding to move in the direction of the quota rather than a system of points that, as director and producer Yolanda Olmos explains, ‘didn’t work at all at a national level; the percentage [of women] just didn’t rise from a 20%’ (interview 2021).

Beatriz Navas, filmmaker and ICAA’s director since 2018, has shown a will to achieve gender equality, and stronger positive actions have indeed been incorporated in the Royal Decree 1090/2020. Changes to the bases for access to cinema’s subsidies have been rendered possible due to the categorisation of films directed by women as ‘difficult works’, for this allows them to opt for an increase in public aid of up to 75%. According to the ‘Communication from the Commission on State aid for films and other audiovisual works’, public aid within the European Union must be limited to 50% of the production costs, except for ‘difficult audiovisual works’. Such a category includes ‘short films, films by first-time and second-time directors, documentaries, or low budget or otherwise commercially difficult works’ (EC (European Commission) 2013, 11). The document also specifies: ‘it is up to each Member State to establish a definition of a difficult film according to national parameters’ (EC (European Commission)
A representative of the ICAA explains that labelling films directed by women as ‘difficult works’ was ‘the formula’ they found to increase public support: ‘it is an incentive because if producers see that they are going to have an option to cover more costs through public aid, they are more likely to support a project and present it’ (Rodríguez, interview 2021).

The possibility of covering up to 75% of the production budget includes tax incentives for national and international productions made in Spain. The category ‘difficult work’ has also allowed the ICAA to increase distribution support and thus ‘promote that the works of women are not only carried out but also that they are seen’ (Rodríguez, interview 2021). Even though the official intention is clearly that of a positive action, it is important to bear in mind the underlying implications of the official terminology, which connects the label ‘commercially difficult works’ (EC (European Commission) 2013, 11) to films directed by women, thus potentially reproducing the idea that ‘popular taste’ and profitable films are those made by men, while women’s cinema has to be ‘subsidised’.

The changes brought about by the Royal Decree 1090/2020 also consider a 35% quota of the budget to be reserved for projects directed by women and, out of a maximum of 50 points in the evaluation criteria, 7 are for gender equality: 3 points for a woman director, 2 for a woman scriptwriter and/or executive producer, 1 extra point if both director and scriptwriter are women, and 3 points if at least 40% of the heads of the technical-artistic departments are female. Male co-participation is no longer allowed (with the exception of scriptwriting) to avoid what had become a fraudulent practice of adding a female ‘quota name’. After getting the funding, this ‘quota’ woman would be dismissed or would become an assistant to the man actually in charge.

There have been mainly positive reactions from the sector towards these measures, but also negative responses. For instance, actress Candela Peña argued against giving money to an ‘awful director (...) just because she is a woman’, and director Gracia Querejeta said she felt ‘ashamed’ of getting ‘more points than Mariano Barroso or Fernando León’ and proposed to limit these measures to debut films (in Medina 2020). Alexia Muñños from EWA links male rejection of positive actions with mediocrity: ‘Extraordinary men directors are going to keep making movies. The problem is mediocrity because, when a lot of novice women directors come by with new ideas and trying hard to do their projects, well, of course, the male mediocre ones fall’ (Muñños 2021). Another comment against gender equality policies is that ‘male talent is being lost with the incorporation of women’, to what Yolanda Olmos, from Dones Visuals, responds: ‘the cake is the same for everyone, if this has to be rebalanced, someone has to be left out’ (interview 2021).

There’s general agreement about the importance of pedagogy for film workers to understand that positive actions are not about giving away budgets, but about ‘motivating a generational change’ (Muñños, interview 2021). Education is key for a transformation that has to take place beyond the industry to guarantee the resilience of gender equality policies, which are not in opposition with better quality films:

If you raise the competition, if you encourage the entry of women in the financing path, you are raising quality because you will make everyone try it harder to present better, more original, more sensitive projects (...) what we have to do is change society, because otherwise, these measures will be temporary, linked to Anna Serner, Beatriz Navas or whoever is in charge. And since we do not want them to be temporary, what we have to do is change the base of society, to understand that all stories are necessary, that we cannot ignore the story of a grandmother, a female cleaner, or an immigrant. These are interesting stories. Just like, for many years we have consumed and perceived as universal, stories that were all male. (Muñños, interview 2021).

A demand from the Catalan association Dones Visuals to public institutions is the inclusion of gender equality and diversity experts in their selection committees because, they argue, ‘public funding cannot be used to finance sexist or racist contents’ (Olmos, interview 2021). What they have encountered is that this is experienced as ‘censorship’. Olmos, director of Dones Visuals, argues that applying this criterion in choosing the projects for the programs in their own action plan ‘has made the projects richer, more original and with more quality’ (interview 2021). The vindication of other stories, which are usually labelled as marginal, echoes the experience narrated by a racialized Spanish director who was told by
a producer that her documentary project about a young woman searching for her transnational roots was ‘already a very hackneyed story; as if we haven’t seen thousands of films about men coming to terms with their origins’ (De la Rosa, interview 2021).

Reflecting on how she has sold the script of a television series in 2020, seven years after having won a prestigious award with it, Ana Alkimim, a migrant scriptwriter, concludes that back in 2013 ‘the Spanish market was not prepared for an absolutely feminine project (…) Nobody knew what to do with it because it was too radical. Time has had to pass so that television would start to get much more feminized’ (interview 2021). She frequently works with her husband, also scriptwriter, and jokes about the fact that, over the last couple of years, producers always ask her to attend every meeting because now she is ‘the female quota’. This awareness of now being ‘invited’ to a male-dominated space speaks of how mere inclusion of women can become a mechanism to simply restore the ‘patriarchal equilibrium’ (Bennett 2006) without effecting any changes into male-centred structures. As a matter of fact, more than with gender equality measures, Alkimim links the change in work dynamics to the struggles of the feminist movement: ‘feminism has raised women’s self-esteem. A rescue of values usually considered feminine like care (…) Now even the conservative woman from the TV channel looks at you in a different way’ (interview 2021).

Director Icíar Bollaín has denounced the unmarked position of the male filmmaker, for only women are asked for the specificities of their cinema (Bollaín [1998] 2003). Scriptwriter Virginia Yagüe considers that the best answer to the question ‘is there such thing as women’s cinema?’ is another question:

Is there a men’s cinema? Has mainstream cinema been labelled as men’s cinema? I have never heard that. I’ve never heard this categorisation. However, I hear the phrase: ‘There’s women’s cinema’. What does exist is very clear discrimination in the budgets obtained by women. On average, when they make feature films, it is less than half of what men get. And this determines the content that women can create. (Yagüe, interview 2016)

As explained in a previous section, ‘women’s cinema’ distinctiveness is not about essentialism. Rather, it has to do with women’s socio-cultural position in a patriarchal order and the precarity that comes with such position. Only two directors, Coixet and Bollaín, have worked with budgets similar to those available for their male colleagues, but most women seemed to be tied to low-budget projects. For instance, discussing the ‘boom’ of women directing documentaries, a less expensive field than fiction, Zecchi wonders whether women have not been trapped in documentary cinema due to lack of financial support (2014, 124). Another scriptwriter denounces the prejudices she has faced against stories starring women when male producers have told her that such projects will not sell for they seem too much like ‘feminist movies’: ‘I stay mute and laugh inside saying “this abject being is also an imbecile”. How many films has he produced, written by men, directed by men, starring men, has he ever thought that they are male chauvinist movies?’ She adds: ‘if you are a female scriptwriter you are paid less because they think that fewer people will go to see the movie’ (Luna, interview 2016).

Such gender prejudices are sustained by that long-standing representation of profitability as opposed to films with women on both sides of the camera. A documentary filmmaker explains: ‘The film industry says that it’s not interesting to tell feminist stories (…) It says that a story of women doesn’t sell, that it doesn’t fill the theatres. I think that’s why many people end up reproducing the commercial film script’ (Jiménez, interview 2017). Several independent female filmmakers, especially those who define themselves as radical feminists, prefer reduced funding and limited distribution as long as they can talk about the issues they care about with creative freedom, but they are aware of the marginality that comes with this decision. Meanwhile, directors who want to work within the industry feel frustrated, to the extent that even their activism becomes an extra workload that eventually leads to burnout: ‘I did the calculation one day and domestic workers earn twice as much as I did while making my first feature film (…) I saw myself without money, I had no time to look for work, dedicated 24 hours a day to women’s associations and I had a breakdown’ (De Ocampa, interview 2016).
The interviewees acknowledge sorority but also inequalities among women, which urge for intersectional feminist approaches. Just having more female filmmakers doesn’t mean a change of content:

The fact that there are more women making films doesn’t mean that the narrative is different, because if you haven’t deconstructed yourself, if you haven’t reflected on how we are telling the stories, you are reproducing the classic structures of cinema and the same characters, the same scripts. (Jiménez, interview 2017)

An increase in the number of women working in the film industry is regarded as indispensable in the construction of gender equality, but not as enough. An organic bottom-up transformation of contents and a transversal implementation of resilient gender equality measures in the film industry dynamics require a strong political will that enforces concrete measures like funding at all stages of the film production process, as well as pedagogical efforts to visualise gender inequalities in dialogue with others axes of oppression such as race and social class. The ultimate goal, as Olmos puts it, is not merely getting into the centre of the industry, but transforming it:

That centre must be exploded in the metaphorical sense that all narratives might fit (...) There is certain loneliness when you are outside such centre, but now, thanks to women’s groups and other forms of association, that centre, which is where the money is, is being unsettled. And that’s what we have to achieve: That this centre gets diluted into concentric circles around art and creativity, not around the money. (Interview 2021)

This image of concentric circles reveals an awareness of the transformative potential of feminism, which strives for unmasking and dismantling the patriarchal equilibrium of the film industry rather than merely being the ‘female quota’ in it.

Concluding remarks

Considering that gender equality policies are always introduced into structures with previous gender orders, this article has presented an overview of the ways in which the Spanish film governance regime has been developed, placing the focus on the gradual incorporation of gender equality measures and possible reconfigurations of what Bennett calls ‘patriarchal equilibrium’ (2006). Along this path, two persistent prejudices have been identified: The negative connotations of public funding in the film industry, connecting it with censorship and/or lack of profitability/commercial vision; and the representation of women as incapable members of a ‘minority’ that has to be assisted because their stories are said to be marginal, nor profitable nor popular.

It was the first woman appointed as General Director of Cinematography, filmmaker Pilar Miró, who implemented a pre-shooting aid system aimed at supporting debut films in 1984. The pre-shooting public aid system that Miró initiated created favourable conditions for the emergence of women directors, but has also been blamed for encouraging the production of films that neglect ‘popular taste’. This argument seems to imply that supporting diversity among filmmakers outside commercial formulas, some of which openly rely on sexist stereotypes and most of which are made by men with male protagonists, is going against ‘the taste of the public’. Such taste would then be nothing but male. One more layer is added with the other persistent representation: that of women as a ‘minority’ that has to be assisted. This prejudice can be traced back to Franco’s regime, during which the Constitution openly granted women the same status as the one given to so-called ‘incapable’ people. It is within the framework of these two prejudices that the demand for parity in a public jury in 2011 was unsurprisingly referred to with outrage, portraying equality as a bothersome demand, or that the claim for including gender equality experts in public funding selection committees is crossed out as censorship.

In 2020 and thanks to the pressure of associations of women filmmakers, legitimised by national laws and European examples such as the 2015 Sarajevo Declaration, the Spanish public aids have started to go beyond ‘merely cosmetic’ measures for the production of films led by women. Labelling these films as ‘difficult works’ so that they can opt for an increase in public aid of up to 75% seems to echo the tendency to place women as those who need to be assisted, and their films as those which
are not popular. What the interviewees argue is that these positive actions have to be accompanied by a pedagogical effort to expose the unequal conditions that the film industry has presented women with. It is within such a patriarchal context that films led by women have been positioned as ‘difficult’, but the box office and prestigious awards have proved that films with women on both sides of the camera have quality and audiences. This counter-argument has to be repeated to change the dominant perception of gender equality policies as aids for undeserving films.

Understanding the unequal conditions under which the Spanish film governance has been constructed is vital for dismantling the representation of gender equality measures as illegitimate. It’s not about giving away budgets to an ‘awful director (. . .) just because she is a woman’ (in Medina 2020), but about laying the foundations for a more even ground where diverse stories get the same chances to be produced. The feminist potential to organically transform norms and relations in a resilient way, along with the bottom-up creation of gender-equal contents that get to be made outside precarity, are the ultimate goals for which gender equality policies and the 50% occupation of women are the means. Positive actions materialised into such fundamental aspects as funding are needed to counterbalance decades of normalised inequality. They are important steps in a transformation that might start in the numbers, but that has the potential to radically modify the basis of the film governance regime by placing justice, responsibility, and care at the centre of artistic creation.

Notes
1. The ‘Inter-territorial Working Group for Equality in Audiovisual 50/50 by 2025’ is formed by Dones Visuals (Catalonia), AAMMA (Andalusia), AMMA (Murcia), Dona I Cinema (Valencia), Hemen (Basque Country), and MIA (Women in the Animation Industry).
2. All the translations of quotes taken from texts originally written in Spanish are mine.
3. Since its creation in 1980, the National Cinematography Award has been given to eleven women: for more than 30 years, actresses were the only women working in the film industry recognised with this prize. In 2012 it was given for the first time to a wardrobe designer, in 2014 to a scriptwriter, and, in the last three years, to two directors (Coixet and Molina) and one producer (Esther García).
4. The ‘Goya’ to best fiction feature film director has been awarded to Pilar Miró (1996), Bollain (2003), and Isabel Coixet (2005 & 2017). Recipients of the ‘Goya’ to best directorial debut have been Ana Díez (1989); Rosa Vergés (1990); Ángeles González Sinde (2003); Mar Coll (2010); Carla Simón (2017); Arantxa Echevarría (2018); Belén Funes (2019); and Pilar Palomero (2020). The 2021 edition, marked by the COVID-19 pandemic, has been the one with the most female presence (41%) in nominations. The decision of several production companies to postpone their premieres seems to have opened up the ‘Goya’ to ‘riskier and smaller proposals located on the margins of the industry’ (Zurro 2021).
5. The Spanish autonomous communities are: Andalusia, Catalonia, Madrid, Valencia, Galicia, Castile and Leon, Basque Country, Castile-La Mancha, Canary Islands, Murcia, Aragon. Extremadura, Balearic Islands, Asturias, Navarre, Cantabria and La Rioja.
6. CIMA’s founding members were: Inés París, Chus Gutiérrez, Iciar Bollaín, Isabel Coixet, Josefina Molina, Helena Taberna, Ana Díez, Cristina Andreu, Mireia Ros, Manane Rodríguez, María Ripoll, Cayetana Mulero San José, Laura Mañá, Eva Lesmes, Patricia Ferreira, Daniela Fejerman, Teresa de Pelegri and Judith Colell. The association currently gathers over 600 women.
7. The figures contradict this prejudice. In 2020, one film directed by a woman and starring a woman, Bollain’s La boda de Rosa, made it into the list of the highest-grossing Spanish films in the country. And in its theatrical re-release after winning the ‘Goya’ for best movie, Palomero’s Las niñas increased its numbers by 500%, reaching 670,000 euros despite the Covid-19 pandemic (Cineconñ 2021).

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