Reference:


New ways of parenting in changing contexts
RESEARCH PROJECT

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New ways of parenting in changing contexts

Social changes and some legislative initiatives have revived the debate on joint legal custody and shared parenting after divorce. We intend to look at a wider scope revolving around family and parenting.

Concepts such as traditional roles and models, gender relationships or conciliation are not only tied to the issue but they can help to pinpoint it more exactly.

Redefining kinship, the vulnerability of marriage as an institution and real world issues such as blended families after divorce proceedings, internal and international adoption, transnational families, single parents, same sex parenting and assisted reproduction are fundamental elements to understand our working framework and to be included as resources in any responsible maternity or paternity exercise.

New parental figures are emerging that raise demands and questions and bring about changes in personal circumstances and in public policies and social intervention. These experiences fall outside usual practice; they might be stigmatized and considered to be problematic but they shed light on and provide best practices for shared parenting.
Origin of research behind this website

This website originated from an action to internationalize researcher talent through the Jerónimo de Ayanz program within the framework of the Government of Navarra Department of Education, Universities and Research 2011 RTD+i program.

It attempts to consolidate ties to study parenting in migratory scenarios, circulation of minors and parental functions related to shared parenting. The network is made up of Mónica Tarducci, from the University of Buenos Aires, Gioconda Herrera and Patricia Ramos, from the Latin American Faculty of Social Sciences in Quito, Jose Ignacio Pichardo, from the Complutense University in Madrid, Paloma Fernández-Rasines and Mercedes Bogino Larrambebere, from the Department of Social Work at the Public University of Navarra.

Returning knowledge to society

This page has been chosen to return this knowledge to the society that made it possible, disseminating the ideas emerging in the academic field, situating them within the framework of social and cultural practices and public policies and providing an opinion and studies from academia.

Each block summarizes the state of a particular issue, offers bibliographic references and links to broaden the information and suggests a small project.

We would encourage people, collectives and professionals who are interested in the topic to send us their suggestions for improvements or comments. Contact: paloma.fernandez@unavarra.es
Theoretical framework
Gender equality

Gender has been defined as a social construction sustained over biological differences. Working from their sexual characteristics, people are classified and assigned expectations, behavior patterns, functions and rules. On the other hand, some studies state that gender constructs the sexual difference. We have organized social structure to be maintained by men and women and this organization requires sexism.

Family, school, our environment and the media work together on this socialization process that instills values, rules, customs, stereotypes and roles.

The entire 'real world' compiles, reflects and backs up this difference that impregnates the educational, social, legal, psychological, economic, work-related and political worlds and turns it into sexism. As men and women, we take on different social positions. Simplifying matters, we can say that each person is perfectly aware what being a man and being a woman entails and which behavior patterns consolidate or argue with the social consensus around it.

The roles and stereotypes assigned to each gender offer a plain reading of the real world, as if there were only one correct way of being a man or a woman and only two correct ways of being a person and for this reason, they represent a burden and a cost as they limit life possibilities.

Sexual divisions in the workplace are essential here: traditionally and even today, men are first and foremost entrusted with productive work, bringing home the bacon, and women, in addition to working in the employment market, also take care of reproductive and care aspects. In fact, most part time workers are women. Attitudes towards relationships are envisaged in the same way: men should be active and women dependent.

The "fiction of equality"

It is true that these matters are out there and discussed and we have moved on and made progress but we are still a long way from real equality. The so-called fiction of equality means that, with the progress we have made, we believe that there is nothing left to be done or questioned; we maintain the system despite its high personal and social costs.

WORK PROPOSAL:

Think about when you were a child and now. What behavior were you forbidden or advised against because you were a boy or a girl in your family, school and among your friends?

And nowadays, is different behavior imposed on you because you are a man or a woman?
Family, kinship and parenting

Kinship anthropology studies families. Within it, procreation anthropology studies social and cultural manifestations referring to reproduction of human groups, bringing up children and their belonging, their care, assigning the ultimate responsibility for their socialization and enculturation until they mature socially and, working from these processes, the relationships that they might develop throughout their life. (González et al. 2010 a.p. 102)

Some studies highlight that consanguinity is no longer the only authority creating kinship and modern Western kinship favors ties created from chosen relationships. Adoption, assisted reproduction and homosexual parenting broaden the biogenetic kinship model.

Redefining family

The family concept alludes to a group of people united by kinship, either through consanguinity or affinity. They may or may not live together, but they share a moral and symbolic identity that makes them see themselves or been seen by others as a family. In this respect, kinship ethics are defined as care ethics, as humans are organized around who they care for or who cares for them. Blended families, same sex parenting, single parents, multiple parents, central focus of voluntary and biological relationships, are the new agents in a scenario of changes where a couple’s relationship continues to make up the organizing nucleus of social relationships, but marriage as an institution is no longer as strong a force in technologised societies.

WORK PROPOSAL:

Family trees

If we go back three or four generations, our family tree will give us a dynamic view or graphic display of how families evolve.
Marriage and divorce

According to the National Statistics Institute, 110,651 marriages were dissolved in 2011, 93.6% of them ending in divorce. Although this shows a slight rise on 2010, it is nowhere near as high as figures from 2006 when as many as 145,919 marriages were dissolved.

In the light of the current crisis, economic uncertainty makes many couples think twice about divorce.

The greatest number of separations and divorces, both for men and women, happens in the 40 to 49 age range. 42.3 years old was the average age for women when their marriage was dissolved; 44.9 for men.

The average duration of a dissolved marriage was 15.7 years. Three out 10 divorces took place after 20 years of marriage and two out of 10 in unions lasted between six and ten years.

42% of dissolved marriages did not have any children, 48.4% only had children who were minors, 3.9% had children over 18 although economically dependent and 4.9% had children in both situations.

Child support payments were assigned in 57.2% of break-ups. In 85.9% the payment was made by the father, in 5.1% by the mother and in 9.0% to both. Alimony was paid in 12% of separations, by the husband in 9 out of 10 cases.

Custody of minors was given to the mother in 81.7% of cases, to the father in 5.3%, shared in 12.3% of cases and in 0.7% it was given to other family members or institutions.

Source: INE. 2012.

WORK PROPOSAL:

According to the National Statistics Institute, in its publication entitled *Mujeres y Hombres en España (Men and Women in Spain)*, 38.2% of women stopped work for over a year after their child was born compared to 7.4% of men. Can you relate this to aforementioned data on post-divorce custody?

*Las caras de la maternidad,* by Documentos TV brings up some interesting ideas (http://www.rtve.es/noticias/documentos-tv/reportajes/carasmaternidad/).
Joint physical custody and shared parenting

State framework

Spanish law considers four different custody models:

1. **Exclusive daily care by one parent** where the other parent has visiting and contact rights.

2. **Shared daily care** of the children, in which each parent takes on the custody of one or some of the children.

3. **Care awarded to a third party**, family member, tutor or institution.

4. **Joint or successive shared daily care**, encompassing several different forms.
   - **Simultaneous shared daily care**: the whole family group continues to live under the same roof.
   - **Part time shared care** where the children do not change houses. The parents come and go from the family home.
   - **Part time shared care involving changing houses**: The children live alternately in both parents’ homes.

In the light of the reform promoted by Minister of Justice, Alberto Ruiz-Gallardón, for the sake of giving priority to joint physical custody, it is being backed by different associations and groups, fundamentally fathers’ groups. Meanwhile, other forums believe that it can only be awarded if the parents have a good previous relationship and that the break-up has not been contentious, understanding that it is in the minor's interest to come to an individualized solution and this is infringed if one system is given legal preference. In the same way, interests concerning child support payments, family dependency and use of the home should also be included in the debate.

Navarra

*Foral Law 3/2011 on custody of children in cases of parent separation* provides a new aspect to the previous legislation: the judge could award joint legal and physical custody or sole custody even when the divorce petition is only being brought by one of the parents and without petition from the Public Prosecution Service.

Other Autonomous Communities
Other regions such as Aragon, Valencia and Catalonia have reformed their legislation. Only in the case of Aragon, the first region to legislate joint legal and physical custody, the *Law 2/2010 dated 26th May on equal family relationships after parent separation* applies a preference for joint legal and physical custody. Two years later, according to information from the Aragon Government, the percentage of sentences establishing joint physical custody is around 50%.

**Other countries**

Currently, joint legal custody and shared parenting after divorce is the preferred option in Belgium and Italy. It is also awarded by mutual agreement between parents in Germany, Norway and Portugal. It appears as a possible option in France, England, Czech Republic, Denmark, Finland, Holland and Sweden. In Norway, a pioneering country in equal parental distribution policies regarding paternity leave and boasting a high female employment rate, almost as high as men, only a minority take the joint physical custody option. This can be explained by the fact that in most couples, men dedicate more time to paid work, making it hard to co-parent.

**WORK PROPOSAL:**

In groups, look for arguments for and against each of the options envisaged by the legal framework in our country. Try to come to an agreement on the ideal regime and the conditions required to be able to go through with it.
Planned co-parenting

Recent legislation on care and custody in Aragon, Valencia, Catalonia and Navarra includes the Parenting Plan as an instrument. This is an agreement framework between parents that establishes post-separation co-parenting.

It is interesting to see how conditions and functions can be defined for responsible co-parenting, on legal authority, although really, in the free flow of relationships, this comes down to each couple's judgment.

The Ministry of Justice report on the joint legal and physical custody reform presumes that men and women share parenting responsibilities equally. However, a quick glance at economic activity indicators and how each gender uses their time, plus an evaluation of the effect of conciliation policies shows that the targets set by strategic EU directives in terms of equality between men and women are still a long way off, meaning that parenting is scarcely planned in terms of gender equality criteria and that traditional, asymmetrical models are applied to a large extent.

Parenting plans

As couples live together, divides appear in how tasks and responsibilities are shared out that cannot be hidden once the couple has separated. From this perspective, there is a clear need to draw up parenting plans prior to actually having children, contemplating the multiple social, work and economic consequences for both parents' lives.

WORK PROPOSAL:

Draw up your ideal paternity/maternity plan

Who would you like to have children with? Would you go it alone?

How many children would you like to have?

When would be the right time? What would be approximately the right age?

How would you divide up the leave, the care, the responsibility and the time spent with the other parent?

How would each parent have to make their job and personal life compatible?

In the event of a possible separation, how do you think you would approach custody?
Best practices
Migratory paths

Migratory movements modify the structure, operation and traditional gender roles and imply drawing up different internal discourse in families that also receive information and criteria from outside authorities: governmental and religious institutions, NGOs and social media.

Usually the media have shown "transnational families" as imperfect families. However, the people involved generally hold a positive view of their experience. This outside view is more disapproving for maternity than for paternity. Self-perception of each other is also different. In general, men think they will become better parents because of transnational child-rearing. In 2004, in an interview was carried out with emigrant men from Ecuador's southern sierra now living in the state of New York. These men stated that emigration had changed their relationships with their children. In many cases, their relationship before emigrating had been distant or based on discipline. However, distance brought about a transnational relationship based on more direct and continued care using technology to communicate.

Ecuador went from supplying the USA with a male workforce in the 80s to being the main provider of female carers in Europe in the mid 90s. The public discourse on migrant families has evolved from a catastrophic view of migration as family disintegration to seeing these families as mere objects of intervention. They are only marginally considered to be subjects driving social and global organization of care. At the same time, the figure of the traditional responsible mother, guarantor and provider of childcare and guardianship, so deeply rooted in constructions on family and nation, prevents us from legitimizing the experience of transnational maternity.

WORK PROPOSAL:

Look around you.

Do you know any members of a transnational family in your environment? Do you know the father or the mother?

Do you know how they perceive their experience?

Do you know how they maintain ties with the family remaining in their country of origin?
Blended families

The first entry in the RAE for the term family: "Group of persons related to each other than live together" is insufficient to define current families.

We are witnesses to the disassociation of the concepts of home and family, conjugal and parent-child relationships. The conjugal couple, the parental couple and the reproductive couple are not necessarily the same. Multiple conjugality and parenting bring about a new definition of family as a "social network woven throughout the parents' conjugal history." Blended families represented multi-home systems. They are characterized by the circulation of sons, daughters, parents and new parental figures that move through important dimensions such as time, space and the sensation of "feeling like home".

Four types of logic system or blended family models can be distinguished depending on the position that new partners occupy in the family:

**Substitution logic:** the partner of the parent with custody lives with his/her children and takes the role of the other parent.

This mode is based on a traditional family image. Family is not questioned but the parent figure is excluded.

**Long-lasting logic:** this involves continuous negotiation between ex-partners and new partners, understanding that the conjugal link has broken but ties with the children remain. The new partner takes the role of the "friendly step parent", in a relationship half way between friendship and kinship.

**Status quo logic:** where the new partner does not undertake an appreciable parenting role.

**Exclusion logic:** explaining the experiences or minors or young people who feel that the family blending project did not take their feelings into account and they do not feel part of it.

Experience tells us that real life situations vary widely and the words step mother/step father do not reflect the wealth and nuances of what actually happens, just like step brother/sister or half brother/sister, fortnightly brother/sister or other terms that barely express the infinite aspects of these new relationships.

**WORK PROPOSAL:**

Have you heard about the series called *Modern family*? It is a good exercise to watch an episode.
Same sex parenting

Not all families contain people that define themselves as lesbians, gay, bisexual or heterosexual parents. In other cases, parents are transsexuals (LGBTIQ families).

These people have varied access to maternity or paternity: biogenetic paternity, insemination from a known or unknown donor, surrogate pregnancy, adoption and fostering are all options that they have been able to take on their own or with their partner.

In any case, being a parent is frequently more specifically planned than a similar process for heterosexuals. On the other hand, these are processes that are still socially stigmatized due to the negative feeling towards homosexuality and by extension to any non standard sexual option. In fact, adoption regulations generally prefer heterosexual parents to homosexual parents.

Same sex families share the process that all other families go through, separations and blending, and in this respect, it is not unusual for one parent to bring their sons or daughters from previous heterosexual families to these families. This latter type of family probably represents the type of blended or recomposed family with the lowest level of social and academic recognition right now, possibly because it is difficult to understand that sexual preferences are a dynamic process that can vary throughout a person's life.

There is widespread concern for the children of same sex parent families, their relationship with their environment, their sexual preferences and concerning their development in general. In this respect, all studies carried out, both in our country and in others, reveal that there are no substantial differences in their personal and social development compared to boys and girls brought up in hetero-parental families.

WORK PROPOSAL:

Look around you.

Watching the movie *The kids are all right* (2010) can elicit an interesting group discussion, just like the documentary *Mis padres son gays*

(http://www.youtube.com/watch?v=pw0yz4AjQbc).
Adoption and fostering processes

Adopting internationally or within the same country represents a transfer of responsibility for the care and socialization of boys and girls. It is based on the consideration that minors constitute collective property beyond the boundaries of biological relationships.

In turn, adoption requirements from each responsible administration give a clear idea of the catalogue of parenting skills that are considered to be basic and the social features of ideal parenting figures. This fact creates tension between the knowledge of the responsible technicians and experts who define what a good father or mother is and the in-depth and intuitive know-how of applicants who have to undergo an examination that is not necessary for biological paternity and maternity.

A study on internal adoptions in Argentina confirms that this parenting option is increasingly widespread among young heterosexual couples and frequently raises the social standing of the adopted minors taking them from the countryside to the city, from poor families to rich families or from one province to another (Tarducci 2011).

An adopting mother expressed this concept as follows: "We already had the idea of adopting; I wanted to take my time looking, one child, and honestly the rigmarole never bothered me." In this respect, parental practices in adoption are perceived to be more flexible than in biological parenting, meaning that the exchange of roles potentially has a greater chance of being developed and boundaries are less vague, because neither of the two partners has experienced the baby's gestation in their body before facing the task of bringing up the child.

WORK PROPOSAL:

The movie La vergüenza (2009) (http://www.youtube.com/watch?v=0FlycYA7Ovg) gives one of the many views of adoption.
Agents and collectives
Agents and collectives

PIINA
Platform for Equal and Non-transferable Birth and Adoption Leave
www.igualeseintransferibles.org

AHIGE
Men's Association for Gender Equality
http://www.ahige.org/

AFADENA
Association of Adoptive Families in Navarra
www.afadena.es

ANAPASE
Navarra Association for Separated Mothers and Fathers
anapase.blogspot.com.es

COMPAPAYMAMA
State Confederation of separated fathers and mothers
www.compapaymama.org

LA TERRAZA ASSOCIATION FOR JOINT LEGAL CUSTODY
www.asociacionlaterraza.org

SEPARATED FATHERS ASSOCIATION
www.apfs.es

ASSOCIATION OF GRANDPARENTS SEPARATED FROM THEIR GRANDCHILDREN
www.abuelosseparadosdesusnietos.org
Professionals

SPANISH ASSOCIATION OF FAMILY LAWYERS
http://www.aeafa.es

OFFICIAL COLLEGE OF SOCIAL WORKERS IN NAVARRA
http://www.trabajosocialnavarra.org/

OFFICIAL COLLEGE OF PSYCHOLOGISTS IN NAVARRA
http://www.colpsinavarra.org/index.php

COLLEGE OF SOCIOLOGISTS AND POLITICAL SCIENTISTS IN NAVARRA
http://www.colsocpona.org/index.html

Family Support Social Services

INAFI - NAVARRA INSTITUTE FOR FAMILIES AND EQUALITY
http://www.navarra.es/home_es/Gobierno+de+Navarra/Organigrama/Los+departamentos/Asuntos+sociales+Y+de+la+Familia+Y+Juventud+y+Deporte/Organigrama/Estructura+Organica/INAI/

FAMILY MEDIATION IN NAVARRA
www.navarra.es/home_es/Servicios/ficha/2580/Mediacion-familiar

FAMILY MEETING POINT IN NAVARRA
www.navarra.es/home_es/Servicios/ficha/2578/Punto-de-encuentro-familiar

Justice Administration

Pamplona Trial Court No 8
(Family Court No. 2)
C/ San Roque, 4 - planta baja
31011 Pamplona
Tel: 848 424 370 · Fax: 848 424 368
pinspam8@navarra.es

Pamplona Trial Court No. 3
(Family Court No. 1)
C/ San Roque, 4 - planta baja
31011 Pamplona
Tel: 848 424 025 · Fax: 848 424 294
pinspam3@navarra.es

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[http://www.herrikoa.net](http://www.herrikoa.net)

**SORTZEN-IKASBATUAZ**

[http://www.sortzen-ikasbatuaz.org](http://www.sortzen-ikasbatuaz.org)

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[http://www.educacion.gob.es](http://www.educacion.gob.es)
Dissemination
Dissemination

Conferences, congresses and meetings

15th ANKULEGI CONFERENCE:
Modern questions on family relationships.
New perspectives and problems in the anthropological study of family ties.
Organized by the Basque Anthropology Association (Ankulegi) and the Department of Philosophy of Values and Social Anthropology (UPV).

Paper presented:
Parenting in changing contexts circulation of minors, shared parenting and joint legal custody.
http://www.ankulegi.org/xv-jornada-de-antropologiaankulegi/
Donostia - San Sebastian, 16th March 2012.

9th BASQUE SOCIOLOGY AND POLITICAL SCIENCE CONGRESS: Updating Social Science for new times.
Organized by the Basque Sociology and Political Science Association

Paper presented:
Shared parenting and women with no maternity: new parenting.
Bilbo-Bilbao, 16-18th July 2012.

6th LATIN AMERICAN CONGRESS ON GENDER STUDIES: Otherness and representations. Construction and political inclusion of differences.
Organized by the Faculty of Philosophy, Humanities and Arts at the National University of San Juan

Paper presented:
Women with no maternity and coparenting: emergence of new parental figures.
San Juan, Argentina, 20-22 September 2012.

INTERUNIVERSITY MEETING IN FLACSO-ECUADOR
Latin American Faculty of Social Sciences

Paper presented:
Parenting in changing contexts. Planned shared parenting.
Quito, Ecuador, October 2012.

INTERUNIVERSITY MEETING:
Parenting, Gender and Health.
Organized by: GRAFO/GETP.
Department of Social and Cultural Anthropology at the Autonomous University of Barcelona.

Paper presented:
Planned shared parenting and right to paternity.
Barcelona, 14-15th December 2012.
3rd EUROPEAN CONFERENCE ON POLITICS AND GENDER (ECPG).
Organized by: Universitat Pompeu Fabra.
Paper presented:
http://www.ecpg-barcelona.com/
Barcelona, 21-23rd March 2013.

3rd ENSACT JOINT EUROPEAN CONFERENCE.
Organized by: European Network for Social Action.
Paper presented:
Joint Legal Custody and Shared residence post-divorce. New parenting plans in Spain.
http://www.ensactistanbul.org/
Istanbul, Turkey, 17-19th April 2013.

6th CATALAN/INTERNATIONAL SOCIOLOGY CONGRESS.
Organized by: Catalan Sociology Association.
Paper presented:
http://acs-congres.espais.iec.cat/?page_id=12
Networked research

Paloma Fernández-Rasines: PhD in Social Anthropology from the University of the Basque Country (UPV), 1998. She has worked in university teaching and research in Spain and abroad: Public University of Navarra, Autonomous University of Barcelona, Latin American Faculty of Social Sciences, FLACSO-Quito, Ecuador; and Duke University in the USA. She is a Lecturer in the Department of Social Work at the Public University of Navarra. Her social anthropology research looks at procreation and family relationships. Studies on gender and migratory processes have been an important part of her teaching and research work, alongside studying identities emerging around sexual minorities. She is currently participating in this joint international action in the field of new forms of parenting and in 2013 she is joining an interuniversity project on shared parenting with the Autonomous University of Barcelona.

Gioconda Herrera: PhD in Sociology from the University of Columbia/United States. She has been a teacher and researcher at FLACSO-Ecuador since 1997. Her main line of research is the study of social inequalities in globalization, particularly through analyzing international migration. Her latest publications have revolved around the relationship between gender, migration and social organizations of care in globalization, as well as understanding transnational families. Her interest is currently focused on examining the impact of the global crisis on migratory strategies among Ecuadorians in Spain and the United States and repercussions on their original communities.

José Ignacio Pichardo Galán: PhD in Social Anthropology from the Autonomous University of Madrid (UAM) where he has given classes in the Official Master's Course on Interdisciplinary Gender Studies and he belongs to the University Institute for Women's Studies (IUEM) at the same university. He is the Assistant Lecturer in the Department of Social Anthropology at the Madrid Complutense University (UCM). His main lines of research revolve around questions relating to family relationships, family diversity, sexuality, gender and interculturality. He has also carried out research at the University of Barcelona, San Francisco State University and the Laboratoire de Sciences Sociales in Paris. His most outstanding publications are related to sexual diversity, new family models and same sex parenting.

Mónica Tarducci: She is a teacher and researcher on social anthropology at the Faculty of Philosophy and Arts in the University of Buenos Aires (UBA) and belongs to the Interdisciplinary Institute of Gender Studies (IIEG) at the same university. Since 2007 she has been director of Master's course on "Power and society from the problem issues of gender" at the National University of Rosario (UNR), a pioneering master's course in Latin America. She also runs the Master's course on Family Studies at the National University of San Martin (UNSAM). Her lines of research are framed by family relationship anthropology and feminist criticism. Her latest scientific contributions aim to study the new forms of maternity in the 21st century and adoption processes in Argentina.

Patricia Ramos: Currently taking her PhD at the Centre of Studies on Ethnicity and Migrations (CEDEM), Institute of Human and Social Sciences at the University of Liège. Researcher on the FLACSO-Ecuador Sociology Program. Her topics of interest are framed within the study of transnational families, gender and migrations. Her master's thesis, published in 2010, "Between scandal and routine: resources and family in Ecuadorian migration" analyses discourse on migrant families in the context of international migration. She is currently working on her doctoral thesis project at the University of Liège-Belgium, on subjective identities of women in migratory contexts in southern Ecuador.

Mercedes Bogino Larrambebere: Currently taking her PhD in the Social Anthropology Research Group (GIAS) at the Public University of Navarra (UPNA). Master's in
Interdisciplinary Gender Studies from the Autonomous University of Madrid (UAM). Degree and Advanced Studies Diploma (DEA) in Sociology from the UPNA. She received the Virrey Palafox academic exchange grant with the National Autonomous University of Mexico (UNAM) and a Pre-Doctorate Grant for University Teacher Training (FPU) from the Ministry of Education and Science. She has carried out research internships at the École des Hautes Études en Sciences Sociales (EHESS) in Paris and at the Interdisciplinary Institute of Gender Studies (IIEG) at the University of Buenos Aires (UBA). Her main research topics focus on analyzing gender inequalities, life paths and the study of forms of parenting.
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