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The regionalisation of housing policies in Spain: an analysis of territorial differences

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ABSTRACT

Housing policies have become increasingly regionalised but studies at sub-state levels are scarce and most research still focuses on the nation-state as the unit of analysis. This paper aims to address this gap by examining the development of regional housing policies in Spain. From an initial analysis of regional housing laws, three sub-state housing policy models were identified. Then, six case studies were examined to determine influencing factors and the relevance of regional political party positioning along centre-periphery and left-right cleavages. This research adds new information to the literature on the regionalisation of housing policies and provides insight about the role of subnational governments in generating alternatives to neoliberal housing policies.

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Introduction

According to the United Nations, housing constitutes an essential part of the right to an adequate standard of living. It has also been considered a central pillar of welfare states (Beveridge, 1942). In practice, however, access to adequate and secure housing is far from universal and gives rise to profound social inequalities. Across the capitalist world, housing is mainly distributed through market mechanisms based primarily on citizens' ability to pay (Olsen, 2019). As a result, housing policies have been described as an 'unstable pillar' of the welfare state (Torgersen, 1987). Nevertheless, comparative studies show the persistence of various forms of state intervention in housing markets over time, which has generated interesting debates.

As with other social policies, the nation-state is the dominant unit of analysis in the research on housing policies (Hoeskstra, 2020), which mainly links them to the type of welfare regime in each state. However, with globalisation and political decentralisation in recent decades, regional and local governments have gained

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relevance as providers of welfare (McEwen & Moreno, 2005), including access to housing (Stephens, 2019; Hoeskstra, 2020). In many post-industrial democracies, key redistribution and cohesion competences have been transferred to the regional level (Keating, 2020), creating dynamics associated with the ‘territorialisation or regionalisation of welfare’ (McEwen & Moreno, 2005; Costa-Font & Greer, 2013). In housing policy, regional governments are acquiring greater relevance in countries such as the UK (Stephens, 2019), Germany (Haffner, 2021) and Spain (Dol et al., 2017). Meanwhile, as many cities worldwide grapple with housing issues, innovative housing policies are being implemented (Kadi et al., 2021) by local governments, which are becoming more prominent as shapers of housing policies in many European welfare states (Wollmann, 2016). While some of these are not new trends, they have had little impact in the international literature (Hoeskstra, 2020). However, there is growing academic interest in analysing the multilevel nature of some welfare states and the increasing territorial variation in social policy design and implementation (Ferrera, 2005; Greer, 2010; Costa-Font & Greer, 2013; Vampa, 2016). More comparative studies are needed for a research agenda based on local and regional governments as the main unit of analysis.

This paper addresses regional housing policies in Spain, a highly decentralised state with three government levels (central, regional and local). Accordingly, analysis of these policies requires a multilevel approach, since both the central government and the 17 autonomous communities (ACs) or regions that conform the Spanish state have specific competences in housing. The scarce literature on regional housing policies in Spain indicates that prior to the severe economic crisis of 2007 and the subsequent bursting of the housing bubble, the ACs undervalued their competences in this area and did not develop their own public policies to promote social housing and/or land use (Gomà, 2003). The trend began to change in 2013, when several ACs introduced reforms aimed at making the right to housing effective. This new regional leadership in housing policy has led to significant territorial divergence that has scarcely been analysed (Dol et al., 2017). However, the development of distinctive regional policies connects well with the international literature on the regionalisation of social policies, especially that which analyses the impact of political decentralisation on the welfare state in Spain.

For this article, we analysed the current regional housing legislation in Spain to examine two main issues. First, we looked at territorial differences in legislation to explore whether regionalisation has brought about any significant change in relation to the dominant home ownership model. Then, a comparative analysis of the evolution of housing legislation in six ACs was carried out to examine the factors that have influenced policy development. The research objective was to ascertain whether territorial differences are related to the position of the governing regional parties along left-right or centre-periphery cleavages. Moreover, we also explored if the seriousness of the housing problem, its social perception and path dependency influence these developments.

The article is structured as follows. First, the theoretical debate on housing policy development and welfare regionalisation is addressed. In the second section, the Spanish context and the evolution of housing policies in this decentralised welfare state are described. The data sources and methodology are explained in the third

section and the results of the empirical work are presented in the fourth section, with a classification of housing regulation development in the 17 ACs and a description of the factors influencing development in six of them. The article ends with a discussion about how increasing territorialisation of housing policies in Spain has created a break with the prevailing home-ownership model, in a process led and promoted by regional parties positioned further to the left and more in favour of political decentralisation.

This work expands the existing literature on the regionalisation of welfare and social policies, with findings that corroborate the growing importance of substate governments in developing housing policies. It also examines the increased awareness of housing issues among regional and local political parties and their role in implementing innovative sub-state housing policies.

Housing policies and the regionalisation of welfare

Housing policies are the most marketized area of intervention in welfare states. Although many countries consider access to decent housing a basic right, in practice none have guaranteed public provision of housing for the entire population. However, after World War II, some countries went much further than others in advocating this right and developed more comprehensive and robust policies to promote access to housing. Most of the international comparative research on housing policies has focused on the state as the main unit of analysis for exploring variations in the extent and nature of public intervention in housing markets (Olsen, 2019). This has led to a clear ‘national bias’ in the main theories that have emerged from the study of these policies (Hoeskstra, 2020). Building on the theoretical frameworks of Esping-Andersen (1990), Kemeny (1995) or Schwartz & Seabrooke (2008), it has also been assumed that welfare regimes greatly influence the housing systems that are generated and the housing outcomes that can be expected. In this regard, some authors (Allen et al., 2004; Arbaci, 2007) have identified a strong relationship between the characteristics of Mediterranean welfare systems – including Spain – and their housing policies. Mediterranean housing systems predominately feature a culture of home ownership in which second homes are both prevalent and important, while social rental housing is scarce. There is also a strong relationship between access to housing and family structure that gives self-promotion and self-sufficiency an important role in housing provision (Allen et al., 2004; Leal, 2004).

As political decentralisation has become a structuring factor in contemporary political life, the predominance of the state level as a unit of analysis has come into question and the need to examine the role of regional and local governments in housing policy has become clearer (Hoeskstra, 2020; Stephens, 2019). Welfare devolution has been linked to privatization processes in some countries (Smith, 2002), particularly in relation to the provision of social housing services (Hunter, 2010). However, decentralisation has also given rise to diverse regional welfare regimes within the borders of a single state. This phenomenon has been linked to demands for greater autonomy by regions with strong historical identities (Ferrera, 2005; McEwen & Moreno, 2005), often in federal or decentralised plurinational states. In such contexts, regionally designed and controlled social programmes sometimes

become instruments for reinforcing sub-state cultures and preserving their distinctiveness (Banting, 1995). Horizontal competition between regions has also been identified in these situations, when some sub-state units perceive that they may lose influence if they appear less active than others (Bonoli et al., 2019). As a result, social policy innovation in one region is likely to be emulated by others (Obinger et al., 2005). When this occurs, sub-state governments may become the guarantors of social welfare for the people they represent, causing lobbyists and other competitors to perceive them as the new political decision-making hub for resource distribution (McEwen & Moreno, 2005).

Several studies in this area (Béland & Lecours, 2008; Keating, 2007; Vampa, 2016) indicate how regional parties have become key actors. Party positions along centre-periphery and left-right cleavages can lead to substantial differences in the implementation of regional social policies. Social policy can thus be instrumentalized by parties advocating political decentralisation, to strengthen regional identities and solidarities (Béland & Lecours, 2008). Some authors have also incorporated the territorial perspective into theories about 'power resources' (Esping-Andersen, 1985; Garrett, 1998), highlighting the role of centre-left political parties as drivers of new social policies at the regional level (Vampa, 2016; Greer, 2010). Such influence is more likely to occur when centre-left parties are excluded or play a marginal role in state government (Vampa, 2016; Swenden & Maddens, 2009), because regional branches of left-wing state parties would have fewer opportunities to push for specific or differentiated social policies if the central party leadership controlled the state government (Vampa, 2016). However, regional left-wing initiatives can be 'contaminated' and inspired by territorial mobilisation (Alonso, 2012), thereby becoming a source of regional welfare building independently of the role played by centre-left parties in the central government (Vampa, 2016). Since the great economic crisis of 2007, literature has emerged that focuses on the role of new left-wing parties – and in some cases populist (Waldron, 2021) – in putting housing issues back on the political agenda, especially at the local level (Janoschka & Mota 2021). These parties have tried to promote local alternatives to prevailing global and state neoliberal housing policies (Kadi et al., 2021).

From a different perspective, public policy literature also highlights other factors that can influence sub-state government decision-making. These include budgetary resources, citizen preferences, the structural features of the public policy sector in question, and the political, economic and social dynamics in each territory and level of government (Gallego, 2016). Political/institutional legacies and their influence on new policies constitute another contextual variable. The concept of path dependency is central to historical institutionalist analyses of the development of policies and institutions (Thelen, 1999) and can also be applied to the emergence and evolution of sub-state welfare regimes.

Studies on regional-level housing policies are scarce and have generally been developed outside a theoretical framework (Stephens, 2019). However, recent research indicates clear divergences in regional housing policies in the wake of the great economic crisis that began in 2007 and the subsequent austerity policies implemented in countries such as Spain (Dol et al., 2017) or the UK (Stephens, 2019). This movement away from a single housing regime also reflects the growing diversity in

regional party politics. In the process, housing has become an interesting field for examining the role of sub-state governments in managing social policies. Over the past few years, new social risks linked to difficulties in accessing housing have emerged and state inaction has led regional governments to address some of them (Dol et al., 2017). Thus, territorial divergence on housing policies may continue to increase and new research is needed to better understand these dynamics.

Housing policies in Spain

The Spanish housing system is typical of Mediterranean welfare regimes. It is predominantly market-based and focused almost exclusively on facilitating access to property ownership. Home ownership and second homes are prevalent, the public sector plays a marginal role and social housing is virtually non-existent¹ (Pareja-Eastaway & Sánchez-Martínez, 2015). Average household expenditure on housing is high² and households depend heavily on mortgage lending.

The 2007 crisis dramatically demonstrated the shortcomings of this home ownership model and its inability to facilitate universal access to housing (Pareja-Eastaway & Sánchez-Martínez, 2017). That year, 37.3% of the Spanish population considered access to housing to be their main concern (CIS, 2007). As the housing bubble burst and unemployment rose sharply, the problem intensified and hundreds of thousands of people began to lose their homes. The Judicial Power Council reported 720,000 foreclosure proceedings and 327,000 evictions during the 2007–2016 period. The seriousness of this situation has been analysed in numerous studies (Díaz Orueta & Lourés, 2008; Naredo & Montiel, 2011; Rodríguez & Espinoza, 2017) and is directly related to the prevalence of housing policies that have promoted home ownership over other forms of tenure (cooperatives, renting, etc.). These policies have privileged the exchange value of housing and the notion of housing as an investment commodity, to the detriment of its use value and its consideration as a basic need. As a result, large sections of the Spanish population have only been able to access housing through credit, which often entails over-indebtedness. Although since 2019 the central government has been implementing an active housing agenda addressing the emerging needs of vulnerable social groups, its initial response to the bursting of the real-estate bubble focused mainly on reactivating the real-estate sector and protecting the banking system through compensations and favourable regulations (Camacho et al., 2015).

However, not only housing policies in Spain constitute a point of tension between public authorities and market forces. They also create conflict stemming from the territorial distribution of power between the central government and the ACs (Gomà, 2003). After the fall of the hyper-centralist Francoist dictatorship (1936–1975), the Spanish Constitution of 1978 recognised the right to autonomy for all historical nationalities (Catalonia, Basque Country and Galicia) and regions. Thus, the creation of the welfare state occurred simultaneously with political decentralisation in Spain and the ACs have gradually emerged as key actors in the design and implementation of social policy. Analyses of regional social policies have found that despite the strong homogeneity between state and AC legislation regarding basic coverage of a range of public services, substantive options have also emerged around

‘complementary’ services, with networks of actors and government structures involved in providing these services (Gallego et al., 2005). This has led to differentiation in territorial welfare regimes (Gallego & Subirats, 2012; Dol et al., 2017) and prevailing trends in the ACs, with political dynamics that have been heavily conditioned by the asymmetrical and competitive nature of the decentralised model in Spain. While inclusion of *de jure* asymmetries in the Constitution satisfied the desire for differentiation in certain territories, it also sparked tension and debate from the outset. These asymmetries have decisively impacted the competitiveness of the Spanish model (Alonso, 2013). As the ACs with the highest competence ceilings have continually sought to acquire differentiating elements, the other regions have sought to match them, displaying a strong tendency towards emulation and territorial mimicry (Alonso, 2013). This has given the centre-periphery cleavage great relevance alongside the classic left-right cleavage in building the Spanish welfare state. As a result, regional political parties have acquired a crucial role in developing social policies.

In this context, housing policies have developed on multiple levels. Though the ACs have exclusive competence in housing matters (Art. 148 SC), the central government retains important cross-cutting competences that affect the housing issue. These include civil legislation, planning of economic activity and regulation of the credit and banking sectors (Art. 149 SC).³ The central government has defended a broad interpretation of these titles to develop various measures in housing matters. In fact, until 2013, housing policies were essentially developed from the state housing plans approved by the central government and funding was considerably reduced for regional actions not covered by these plans (Trilla & Bosch, 2018). Whether from this economic limitation or because housing policies constitute the weakest dimension of the welfare state in Spain, the ACs generally undervalued their competences in this area and did not develop alternative policies for public promotion of social housing and/or land until after 2007 (Gomà, 2003). The available research indicates that the ACs have generally prioritised the economic notion of housing over the social one, so responsibility for access to housing has primarily been managed in the family and market spheres (Gallego et al., 2003; Gallego & Subirats, 2012). As the crisis set in, however, the role of the ACs in relation to housing policies began to change. After the most intense moments of the real-estate and financial emergency, eleven ACs⁴ initiated reforms aimed at making the right to housing effective. This generated intense conflict between some regional governments and the central government. The latter – led by the centralist, right-wing Partido Popular – appealed all regulations passed between 2013 and 2018 before the Constitutional Court. This strategy of conflict was interrupted in 2018, when the central government changed hands. Under the more left-wing and progressive PSOE government new appeals ceased and withdrawal was negotiated for some appeals that had already been filed, thereby establishing the content of the autonomous reforms (Nogueira & Quintiá, 2019). However, at least two different approaches to housing policy have been identified in the content of these new regional regulations. In one, the ACs undertook comprehensive and structural reforms with a vocation for permanence. In the other, they limited themselves to approving ‘anti-eviction’ measures and addressing housing emergencies without any

pretence of global or substantive transformation of the traditional housing system (Nogueira & Quintiá, 2019).

As a result, the multilevel configuration of housing policies in Spain and the new leadership exercised by the ACs in recent years has become an interesting field for theoretical analysis of the regionalisation of welfare (Dol et al., 2017; Gallego & Subirats, 2012). Since the 2007 crisis, substantial territorial differences have emerged as the ACs have sought to implement new public policies to address the serious social risks arising from the housing problem (Dol et al., 2017). Further comparative research is needed to examine the potential territorial variations generated by recent housing policies in Spain and the factors that have influenced this process.

Data and methodology

In the following sections, the level of housing regulation development in the 17 ACs is examined. The analysis begins with a ranking developed by Paleo & Quintiá (2020), consisting of two dimensions and fourteen indicators (Table 1). The first dimension addresses the extent to which regional legislation has articulated an enforceable right to housing before the public authorities. The second dimension analyses whether the legislation has provided resources and/or specific measures to promote this right. The information needed to construct the indicators was obtained through content analysis of 28 AC laws currently in force. Based on the analysis of the resulting ranking, three regional housing policy models are identified. Studying the main characteristics of each of these models - focusing on issues such as the role played by the public sector in the housing market, how the housing problem is conceived, to what extent the right to housing is developed, to whom the policies are addressed, etc. - we to explore to what extent they fit in with or differ from the owner-occupied housing model that has characterised the Spanish welfare state.

Then, by analysing the content of all the housing laws passed during the democratic period (since 1978) in six ACs, we examined what factors have influenced

Table 1. Indicators on the normative development of the right to housing.

Dimensions	Indicators
Formal dimension	<ol style="list-style-type: none"> 1. Recognition of a right to housing 2. Recognition of the right to all citizens 3. Recognition of specific housing rights for the population in vulnerable situations 4. Right to a "public action" against the breach of housing rights 5. Articulation of a subjective right to housing
Material dimension	<ol style="list-style-type: none"> 6. Provision of financial resources to enforce the right to housing 7. Regional social housing provision 8. Treatment of the housing provision activity as a service of general interest 9. Legal provision for regional administration to develop public housing 10. Measures aimed at mobilising empty housing 11. Measures aimed at alleviating fuel poverty 12. Measures aimed at tackling housing over-occupation 13. Measures aimed at promoting collaboration between regions and municipalities for the promotion of social housing. 14. Rent regulation

Source: Paleo & Quintiá (2020).

legislative development in this area. Firstly, we looked at the role of regional parties to determine if regions governed by nationalist parties or those favouring decentralisation had made greater efforts to advance regulatory development in housing policies. Likewise, we examined whether the main legislative advances in housing had been promoted by regional governments controlled by left-wing political parties. We also looked for differences in how left-wing regional parties promoted housing policies in the ACs when those parties also governed at the state level and/or when regionalist forces in that territory favoured political decentralisation and sought to promote distinctive AC policies. The Regional Manifestos Project database was used to situate political parties in regional governments along the two cleavages mentioned above. Through content analysis of electoral programmes, this database maps the position of most political parties that have participated in state and regional elections in Spain since 1980.⁵

Secondly, we explored whether there was greater regulatory development of the right to housing in ACs where the population ranked housing among the three most serious problems. Statistical research data from the *Centro de Investigaciones Sociológicas* (CIS) for 2005, 2010, 2012, 2018 and 2019⁶ were used to analyse this factor (Table 2).

Thirdly, we analysed the influence of the seriousness of housing problem to determine if the level of housing regulation was higher in regions with more foreclosures⁷. For this, we calculated the number of foreclosure proceedings per 100,000 inhabitants using data published by the Council for Judicial Power of each Autonomous Community. The available data corresponds to the 2014–2019 period (Table 3).

Finally, we analysed path dependency in relation to the current regulatory development of each territory. We wanted to ascertain if the ACs that currently have a higher level of legislative development are those that have received a greater legacy from previous governments.

For this analysis, the comparative method was used to examine 27 legislative periods involving a change of party in six ACs. These regions were selected based on the ‘most-different systems’ design strategy (Przeworski & Tenue, 1970), to identify common causes that explain a common result in systems that differ from each other. First, we analysed the four ACs with the highest levels of regulatory development (Valencia, the Basque Country, Catalonia and the Balearic Islands), to look for factors present in all of them. Then, these were compared to one territory with a medium and another with a low level of regulatory development (Galicia and Castile La-Mancha, respectively) to cover the entire range of our ranking and thus improve the robustness of the results obtained.

Development of autonomous community housing legislation

The results of the ranking by indicators show that there are currently substantial differences in housing legislation development among the ACs (Figure 1).

From the combined analysis of the indicators in each territory three housing policy models were identified and are summarised in Table 4. The first, which we call the *Holistic Model*, describes the six ACs with the highest level of regulatory development: Catalonia, Valencia, Basque Country, Balearic Islands, Extremadura

Table 2. Percent of the population that considers housing as one of the three main social problems, by autonomous community.

Region/ Year	2005		2010		2012		2018		2019	
	%	Perception	%	Perception	%	Perception	%	Perception	%	Perception
Basque Country	44,4	Above average	19	Above average	11,6	Above average	3,4	Above average	3,4	Slightly above average
Cataluña	23,1	Above average	11,3	Above average	2,8	Slightly Below average	5	Above average	6,0	Above average
C-La Mancha	17,1	Below average	8,4	Slightly below average	0,5	Below average	No data	No data	1,5	Below average
Valencia	16,2	Below average	5,6	Below average	1,4	Below average	1,3	Below average	2,0	Below average
Baleares	15,8	Below average	3,4	Below average	1	Below average	10,6	Above average	12,1	Above average
Galicia	11,2	Below average	4,7	Below average	2,2	Below average	1,5	Below average	2,1	Below average
State average	19,9		8,8		3,2		2,6		3,2	

Source: Compiled by the authors based on CIS data 2005, 2010, 2012, 2018 and 2019.

Table 3. Number of foreclosures per 100,000 inhabitants by Autonomous Community, 2014–2019.

Region /Year	2014		2015		2016		2017		2018		2019	
	%	Severity	%	Severity	%	Severity	%	Severity	%	Severity	%	Severity
País Vasco	0,10	Low	0,07	Low	0,07	Low	0,07	Low	0,06	Low	0,03	Low
Galicia	0,34	Low	0,34	Low	0,17	Low	0,27	Low	0,09	Low	0,35	Average
Baleares	0,62	High	0,51	High	0,55	High	0,51	High	0,44	High	0,41	High
Cataluña	0,78	High	0,70	High	0,43	High	0,35	Average	0,39	Average	0,43	High
Valencia	0,85	High	0,98	High	0,67	High	0,60	High	0,57	High	0,64	High
C- la Mancha	1,03	High	0,95	High	0,41	High	0,26	Low	0,34	Average	0,55	High
Spain average	0,44		0,43		0,34		0,33		0,30		0,33	

Source: Compiled by the authors, data from Council for Judicial Power.

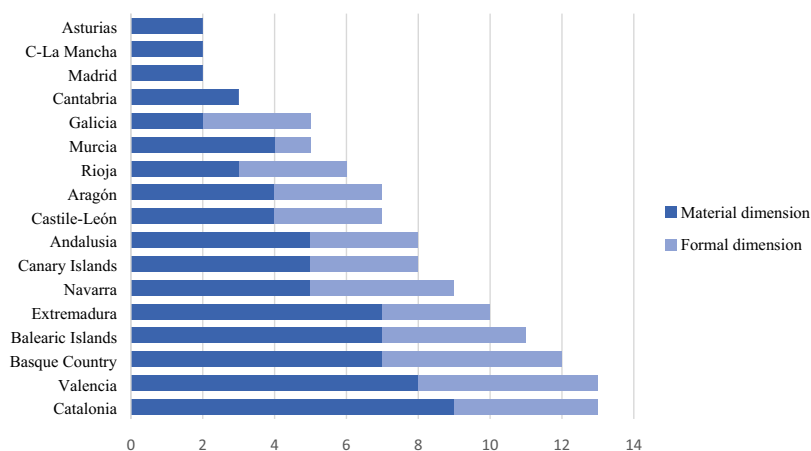


Figure 1. Housing legislation development (number of positive indicators) by autonomous community, 2019.

Source: Compiled by the author

Table 4. Housing policy models.

Model	AC	Public sector role	Characteristics
Holistic	Catalonia	Heavily enhanced	<ul style="list-style-type: none"> Structural approach Formally recognises the right to housing and seeks to enforce it. Broad material development of the right to housing Provision of resources Solutions for new problems (fuel poverty, over-occupation, etc.)
	Valencia		
	Basque Country		
	Balearic Islands		
	Extremadura		
	Navarre		
Aid-oriented	Canary Islands	Selective, targeted interventions for specific vulnerable groups	<ul style="list-style-type: none"> Aid-oriented approach Right to housing formally recognised but without guarantees to enforce it Weak material development of the right to housing Actions focused on specific housing emergency situations
	Andalusia		
	Castile-and-León		
	Aragon		
	La Rioja		
	Murcia		
Residual	Cantabria	Limited	<ul style="list-style-type: none"> Structures limited to the implementation of state housing plans No formal recognition of the right
	Madrid		
	Castile-La Mancha		
	Asturias		

Source: compiled by the author.

and Navarre. These ACs scored positively on at least nine of the fourteen indicators included in the ranking. This model has clearly challenged the hegemonic home ownership model and has strengthened the role of the public sector in this area. Using a more structural approach, these regional administrations have developed a public guarantee of the right to housing and recognise housing as a right for all citizens (nationals and foreign residents in the AC). Valencia, the Basque Country, Navarre and the Balearic Islands have also recognised a subjective right to housing and established a regulatory procedure for direct adjudication of housing to citizens who qualify. Measures have also been enacted to mobilise vacant dwellings, alleviate energy poverty, address over-occupation of housing and promote collaboration with

municipalities to advance social housing. Some of these ACs also declared housing provision to be a service of general interest, a mechanism that could help resolve problems stemming from the blurring of public and private law under current governance and globalisation paradigms. Subsequent legislation has generally provided financial resources to promote the right to housing and established a regional program for subsidised housing. In sum, these ACs have reinforced the formal dimension of the right to housing in unprecedented ways and developed the material dimension extensively. Recently, rental prices also came under regulation in Catalonia.⁸

Second is the *Aid-oriented Model*, which represents an intermediate level of regulatory development of the right to housing (positive score for five to eight indicators out of the fourteen analysed). Seven territories fit this description: Canary Islands, Andalusia, Castile-and-Leon, Aragon, La Rioja, Murcia and Galicia. Most scored in the middle range for development of the formal dimension, as their laws did not include the legal innovations introduced by territories in the first model to guarantee the enforceability of the right to housing. In the material dimension, there was also a notable lack of development on more structural issues. Housing policies in these ACs reflect a desire to cushion the effects of the mortgage crisis without altering the hegemonic housing policy model.

The third or *Residual Model* represents the lowest level of regulatory development. The four Autonomous Communities in this group – Cantabria, Madrid, Castile-La Mancha and Asturias– scored positively on only two or three indicators. These regions have gone no further than developing a regional program for subsidised housing and enabling the construction of public housing. Additionally, they have not reformed their housing legislation in recent years.

In short, this analysis confirms the diversification and regionalisation of housing policies in Spain. The time sequencing of these legislative innovations also reveals an intense process of emulation and transfer among the ACs, which is gradually reproducing the same legal concepts and regulatory solutions.

Factors influencing the regionalisation of housing policies

To analyse the factors that have influenced the regionalisation of housing policies, we began by thoroughly examining the housing legislation of the four ACs with the highest level of regulatory development: Catalonia, Valencia, Basque Country and the Balearic Islands.

Catalonia

In Catalonia, the legislative framework for housing policy has developed incrementally and more intensely than in the rest of Spain. In 1991, with the right-wing nationalist party *Convergència i Unió* (CIU) in power, a law was passed that formally proclaimed the right to adequate housing. However, no material mechanisms were added to this until 2007, under a left-wing tripartite executive clearly in favour of decentralisation (though less so than the previous CIU executive). Law 18/2007 of 28 December achieved compliance with nine indicators, compared to two indicators

under the prior legislation. This level remained unsurpassed in the rest of Spain for several more years, until the post-crisis legislative wave began in 2013. Catalonia also participated in this wave with the approval of three laws and two decree-laws between 2015 and 2020 under the coalition governments of JxSí and JuntsXCat. There was strong support in favour of decentralisation all along the entire left-right axis, from Esquerra Republicana (ERC) on the left to Convergència Democràtica de Catalunya (CDC) on the right.

The data reflects how path dependency in Catalonia encourages the development of housing regulations, as successive governments have accepted inherited housing legislation without regressing. Regarding the influence of party ideology, it is worth noting that since democracy began in Spain, Catalonia has always been governed by nationalist parties that tend towards demands for decentralisation. However, legislative advances occurred when left-wing parties were in government. The most significant progress occurred in 2007, under the Catalanian government historically located furthest to the left on the political spectrum (see [Table 5](#)). It was formed by ICV, ERC and PSC, this last party a regional affiliate of the governing Socialist Party of Spain (PSOE) (2004–2007 and 2007–2011 legislatures).

The other two factors proposed in this study – foreclosures and public opinion – may also have favoured regulatory development in this area. Foreclosure proceedings have always exceeded the national average in Catalonia, which currently has one of the highest levels of relative incidence of foreclosure in Spain. Similarly, housing has been more prevalent as a major social concern (except for 2012) in Catalonia than in the other ACs. It has remained consistently above the AC average and even doubled it (7.6% compared to 3.2%) in 2019.

Valencia

The second case analysed was the Valencian Community, which also has one of the highest levels of housing policy development. Chronologically, two moments of regulatory impetus can be observed (see [Table 5](#)). The first was Law 8/2004 of 20 October, with the right-wing and centrist Partido Popular in government. That law covered four indicators. However, the most intense housing policy development took place with the enactment of Law 2/2017 of 3 February, promoted by the PSOE and Compromís, which increased coverage to include thirteen indicators. These parties were positioned further to the left, with the latter clearly favouring decentralisation. A law passed in 2020 (Decree-Law 6/2020) did not alter the level of compliance with the proposed indicators, so progressive and cumulative development of housing policies was observed in Valencia as well.

Similarly to Catalonia, the ideology of the political party in government seems to have had significant influence. Minimum standards were not exceeded until the advent of the first coalition government, comprised of left-wing parties in favour of political decentralisation. However, the impact of the other two factors does not seem relevant in this case. The incidence of foreclosures in this region was quite high, ranging from nearly double to more than double the state average during the

Table 5. Data from the six Autonomous Communities analysed.

AC	Housing laws	Positive Indicators	Political parties in government				Perception of housing as a problem
			Party/Period	Left-Right Axis (-100 to +100)	Centre-Peripheral Axis (-100 to +100)	Foreclosures	
Catalonia	Law 24/1991	2	CIU (1980–2003) PSC, ERC, ICV (2003–2010)	6.22 -3.3	9.25 4.54	No data No data	No data Above average
	Law 18/2007	9	ERC ⁹ ICV ¹⁰	-8 -18.33	13.63 4.38		Above average
	-	9	CIU (2010–2015)	0.5	9.12	High	(2010) Slightly Below average (2012) Above average
Valencia	Law 24/2015; Law 4/2016; Decree Law 17/2019; Law 11/2020	13	JXSi (CDC + ERC) JUNTS XCAT (2015–present) ¹¹	-3.8	7.97	High	
	-	0	PSPV-PSOE (1983–1995)	-5.88	4.01	No data	No data
	Law 8/2004	4	PP (1995–2015) PSPV-PSOE/ Compromís (2015–2019)	-2.09 -11.34	0.83 5.98	High	Below average
Balearic Is.	Law 2/2017	13	Compromís	0.88	2.36	High	Below average
	Decree-Law 6/2020	13	PSPV-PSOE / Compromís/ UP (2019–present)	-11.34	5.98	High	Above average
	-	0	Compromís	0.88	2.36		
	-	0	UP	-19.47	2.53		
	-	0	AP/PP (1983–1999)	10.84	3.27	No data	No data
	-	0	PSIB-PSOE (1999–2003)	-2.55	0.64	No data	No data
	-	0	PP (2003–2007)	0.82	3.43	No data	Below average
	-	0	PSIB-PSOE (2007–2011)	-1.24	2.42	No data	Below average
	-	0	PP (2011–2015)	10.66	0.82	High	Below average
	Law 5/2018 Decree-Law 3/2020	11	PSOE / Podemos / Més (2015–present)	-6.31	4.95	High	Above average
			Podemos Més	-15.4 -6.98	4.81 12.66		

(Continued)

Table 5. (Continued).

AC	Housing laws	Positive Indicators	Political parties in government		Foreclosures	Perception of housing as a problem
			Left-Right Axis (-100 to +100)	Centre-Peripheral Axis (-100 to +100)		
			Party/Period			
Basque Country	-	0	EAJ-PNV (1980-1987)	5,76	20,04	No data
	-	0	PSOE-PSE (1987-1990)	-1,56	1,91	No data
	-	0	EAJ-PNV (1990-2009)	2,94	13,54	Above average
	-	0	PSOE-PSE (2009-2012)	2,87	2,92	Above average
	Law 3/2015	12	EAJ-PNV (2012-present) Opposition	7,61	10,71	Above average
Galicia	-	0	PSOE-PSE EH Bildu	-1,05	1,98	No data
	-	0	AP (1981-1987)	-10,9	21,01	No data
	-	0	PSdG-PSOE (1987-1990)	No data	No data	No data
	Law 13/1996	0	PP (1990-2005)	6,15	2,28	No data
	Law 18/2008	9	PSdG-BNG (2005-2009)	No data	No data	Below average
C-La Mancha	Law 8/2012	5	PP (2009-present)	-3,35	3,43	Below average
	Law 2/2002	2	PP (2009-present)	-7,53	12,11	Below average
	Law 1/2011	3	PSCM-PSOE (1983-2011)	-2,07	5,0	Below average
	Law 1/2012	2	PP (2011-2015)	-4,47	5,87	Below average
	-	2	PSCM-PSOE (2015- present)	10,59	-5,88	High (2015, 2016, 2019)
				-6,03	3,67	Below average
						Average (2017)
						Average (2018)

Source: Compiled by the author.

2014–2019 period. Thus, if the impact of this factor had been relevant, it would have been reflected in the legislation prior to 2017. Notably, the seriousness of this problem was poorly reflected in public opinion. A comparatively lower percentage of the population in Valencia indicated housing as a main social problem until 2019, when concern rose above the national average. This may have influenced Valencian housing reform in 2020, but not the substantially more decisive regulatory revisions of 2017.

Balearic Islands

In the Balearic Islands, all housing legislation is contained in Law 5/2018 of 19 June and Decree-Law 3/2020. Both regulations were approved by the first coalition government of parties occupying positions furthest to the left and most in favour of decentralisation. Notably, no legislative intervention for housing had been developed by prior governments, comprised of parties occupying centralist-conservative (PP) and centralist-progressive (PSOE) positions. Party ideology in the AC government has clearly influenced the evolution of housing legislation in the Balearic Islands, since housing legislation was only passed under governments run by parties located further to the left and more in favour of decentralisation.

As in Valencia, the incidence of foreclosure in the Balearic Islands was higher than the state average for the 2014–2019 period, while the level of public concern about the housing issue remained below the average of 2.6% until 2018. That year, a significant trend shift occurred and social concern about housing rose eight points above the average to reach 10.6%, before soaring to 27.3% in 2019 (compared to the AC average of 3.2%). The 2019 reform aimed at increasing public housing stock may have been a response to this social concern.

Basque Country

In the Basque Country, a single housing law was passed in 2015 under a minority government led by the Partido Nacionalista Vasco (PNV). This party favours political decentralisation and is located on the right of the political spectrum. Unlike all other cases, however, this law was put forward by the Partido Socialista del País Vasco (PSOE-PSE) while in opposition and approved by a parliamentary majority on the left (PSOE-PSE and Euskal Herria Bildu), with the governing PNV voting against. Thus, the political parties located further to the left were responsible for the current housing legislation. One of the opposition parties (Euskal Herria Bildu) that supported this law was even more in favour of political decentralisation than the governing party itself.

During its 2009–2012 legislature, PSOE-PSE governed in tandem with the second term (2007–2011) of José Rodríguez Zapatero (PSOE) as president of the central government. Two months before regional elections were called, the Basque government presented a draft housing law that failed due to the dissolution of Parliament. The text served as the basis for the bill presented by the PSOE-PSE in the following legislature and became the 2015 Housing Law, which covers twelve of the fourteen

indicators evaluated. Notably, the PNV did not pass any housing legislation during the decade that it governed this AC, from 1999 to 2009.

In relation to the other two factors, the Basque Country historically has the lowest incidence of foreclosures compared to all other ACs. In 2014 for example, there were 0.1 evictions per 1000 inhabitants in the Basque Autonomous Community, compared to the national average of 0.44 per 1000. In contrast, this region presented the highest levels of concern about the issue. In 2005, 44.4% of the Basque population considered housing to be the main problem in their community, compared to 19.9% nationally. These variables therefore do not appear to be decisive.

As mentioned earlier, to improve the robustness of the analysis, two other territories with lower levels of regulatory development for housing were also analysed: Galicia and Castile-La Mancha.

Galicia

In Galicia, the legislative framework for housing emerged with Law 13/1996 of 30 December 1996, when the Partido Popular de Galicia (PPdeG) was in government. This centralist party is located on the right of the political spectrum and the law did not address any of the indicators used in this analysis. Subsequent PPdeG governments made no further progress in this area. Major housing reform did not take place until the 2005–2009 legislature, led by a bipartite government composed of left-wing parties in favour of decentralisation: the Socialist Party of Galicia (PSOE-PSdeG) and the Bloque Nacionalista Galego (BNG). During this period, the Socialist Party of Spain (PSOE), with which the Socialist Party of Galicia is federated, was also governing at the state level. Law 18/2008 of 29 December covered nine out of the fourteen positive indicators used, setting it on equal footing with Catalan Law 18/2007. These were the only two laws that addressed housing development with such intensity during that decade (2000–2009). However, when the PPdeG returned to government in 2009, it immediately moved to reform the 2008 housing law and eventually repealed it with the approval of Law 8/2012 of 29 June. This altered the housing paradigm in the region and lowered the level of coverage to five indicators.

Temporal analysis shows that, unlike the four cases analysed above, Galicia experienced significant setbacks in the development of housing regulations, which seem to be related to the ideology of the political parties in government. Thus, the main initiative for regulatory development in this AC occurred during the only period when a left–peripheral coalition governed. Setbacks began when the more conservative and centralist PP returned to power. However, both the incidence of foreclosures and the social perception of housing as a major problem were lower than any others recorded until 2019, when they rose slightly above average. So, both indicators show limited impact in this region.

Castile-La Mancha

The first housing law in this territory, passed in 2002 when the Socialist Party of Castile-La Mancha was in power, covered two of the indicators. Nine years later, under the same executive, the level of development increased slightly with the approval of another law containing provisions aimed at allocating material resources to make the right to housing effective. However, this law was repealed in 2012 under the new Partido Popular government, with its more conservative and centralist positions, leaving only the 2002 legislation in force.

Temporal analysis of this case indicates advances and setbacks in regulatory development. As in Galicia, these variations seem to correspond to party ideology, despite the strikingly scarce legislative development that took place during the 12 years governed by the Socialist Party, which is located further to the left politically. Similarly, there have been no legislative advances in the field of housing since this party returned to the executive in 2015. Periods of coincidence between the socialist-led autonomous government and the socialist central government do not seem to have affected outcomes. The autonomous government of La Mancha has generally not participated in the upheavals and housing reforms that began around 2015. This region has nearly always had a higher incidence of foreclosures than the state average and in fact has the highest relative volume of foreclosure proceedings. However, this is not reflected in public opinion. Figures from Autonomous Community Barometer indicate that concern over this issue in this region was lower than the state average during the period analysed.

Comparative results

Combined analysis of all the data shows that regionalisation of housing policies has occurred in the context of a serious housing crisis in Spain. Some of the autonomous communities have sought to develop and implement the constitutional right to housing and thus address the social problems surrounding this issue. The process has accentuated territorial differences in addressing the problem and has even led to disconnection from the hegemonic owner-occupant model in some cases. In this study, three coexisting regional housing models have been identified (Table 4). The Holistic Model has challenged the homeowner system and clearly reinforced the role of the public sector in this area. The ACs associated with this model have promoted a public guarantee of the right to housing through a structural approach. The Aid-oriented Model covers the middle ground in the level of normative development of the right to housing. While some of the ACs in this position have formally recognised the right to housing and have introduced legislative innovations, these are not particularly transformative and do not question the hegemonic model. The Residual Model represents the minimum level of regulatory development. The ACs in this group have not even formally recognised the right to housing and have only established the essential legal provisions to enable a regional program for subsidised housing within the framework of state housing plans. Therefore, from a

legislative point of view, the territorial differences in the development of the right to housing in Spain are substantial.

The centre-periphery cleavage may have influenced regionalisation in various ways. Firstly, the historical nationalities of Catalonia and the Basque Country coincide with the first model and have led the way in implementing successive innovations. Secondly, this process has generated important tensions between levels of government. The Constitutional Court has intervened on numerous occasions and declared some regional measures unconstitutional on the grounds that they encroached on state competences. Thirdly, an intense process of transfer and learning – even competition – between territories was also observed. Subsequent regulations reproduced the same legal concepts and normative solutions in other ACs while gradually purging measures that had been appealed in previous laws, in efforts to retain their content but avoid litigation regarding the constitutionality of their texts (Quintiá, 2017).

The case analysis shows that the most significant legislative advances in the sphere of housing took place when the ACs were governed by parties with ideological positions further to the left and/or favourable to political decentralisation. In the six ACs analysed, however, no legislative advances in housing occurred when the PSOE – the main left-wing party at the state level – governed alone. Changes were promoted when this party governed in coalition with parties further to the left (IVC, Podemos) and/or in positions more favourable to decentralisation (ERC, BNG, Compromís). Moreover, in the contrasting cases of Galicia and Castile-La Mancha, a political shift towards more centralist and conservative forces – PP governments – led to legislative reforms that reduced the level of housing policy development. This appeared most vividly in Galicia, where a level of development corresponding to nine indicators receded to five.

In relation to the influence of regional parties, we also observed that the regional branches of the state left-wing parties developed breakaway housing policies when governing in coalition with nationalist parties at the regional level. This happened in Catalonia and Galicia, and to some extent in the Basque Country. It confirms previous research findings suggesting that left-wing mobilisation can be challenged by territorial mobilisation and play an important role in building regional welfare.

With regard to the seriousness and impact of the problem (rate of foreclosures) and public opinion, we observed no consistent pattern among the four cases of highest regulatory development or the medium and low cases. However, it is important to note that in the four ACs with the highest level of regulatory development, legislative progress occurred when the problem of foreclosures was more serious than in other territories or public concern was higher than average. One of these two factors was present when these advances took place and may therefore have some relevance. This should be explored further by including more indicators and more cases in the analysis.

The temporal approach also revealed several issues. Firstly, there have been no reversals in the successful cases; they have either maintained their positions or advanced further. Meanwhile, the two cases with low or medium levels of regulatory development did not retain inherited minimum levels of housing legislation and have instead suffered setbacks. The importance of inheritance is noteworthy in

Catalonia, where the great step forward in 2007 became the turning point for legislative advances during the economic crisis. However, two other ACs that fit the Holistic Model (the Basque Country and the Balearic Islands), have only passed one law each, and relatively recently.

Conclusions

This article contributes to research on the regionalisation or territorialisation of housing policies. Specifically, it shows how in the context of a serious housing emergency in Spain – a highly decentralised country– some ACs activated their constitutional competences in this area and began to promote innovative housing policies. At least three regional models of housing policy emerged from this process, one of which challenges the traditionally neoliberal and fundamentally market-based Spanish housing system. The results are in line with international literature indicating that when central governments withdraw or play a weak role in welfare management, regional governments are sometimes left to cope with new social risks (Moreno, 2011; Dol et al., 2017). Such findings connect to a more recent research agenda that has analysed how sub-state governments – especially municipalities – are attempting to generate alternatives to hegemonic neoliberal housing policies (Janoschka & Mota, 2021; Kadi et al., 2021). Here, empirical evidence reveals how regional governments in Spain, which have specific housing competences in this highly decentralised state, are working to develop the right to housing and promote innovative housing policies. Further analysis is needed, along the lines of the comparative research being done on new housing policies promoted by local governments in cities such as New York, Vienna, Berlin, Barcelona or Madrid, to understand how sub-state governments are developing housing policies in other decentralised states.

Secondly, the paper also examines the factors that may have influenced the territorialisation of housing policies in Spain. Significantly, the housing policy model with the highest level of development and which represents a break with state housing policies has been pioneered by two of the historical nationalities (Catalonia and the Basque Country) within the Spanish state. The literature on the regionalisation of welfare suggests that these territories may have been more inclined to innovate in this area and differentiate themselves from central government policy in a context of severe housing crisis because it distinguished them favourably as a political community. Other territories have followed suit in tackling the housing problem, revealing a clear dynamic of learning and transfer between ACs. One important finding from this empirical analysis emphasizes how political parties in regional governments influence this territorialisation process. Party positions along left-right and centre-periphery cleavages have emerged as a relevant factor. The fact that the most important legislative advances were promoted by coalition governments – formed by the main left-wing state party (PSOE) and regional parties further to the left and/or in positions more favourable to decentralisation – should be more thoroughly explored in future research. In other

words, the role of regional parties in incorporating housing as a key element of government agreements and the design of relevant policies should be further analysed. Finally, more work is needed to understand the extent of policy implementation over time to determine if housing legislation was a conjunctural response that regional parties sought to exploit in a context of housing emergency and social dissatisfaction.

Notes

1. During the peak of the crisis more than 80% of Spanish households were homeowners, one of the highest percentages in Europe (Dol et al., 2017).
2. Average household income expenditure is 32.1% and average household income expenditure for the population at risk of poverty is 45.6% (Trilla and Bosch, 2018).
3. The delimitation of this attribution of competences was clarified in Ruling STC 152/1988 of 20 July 1988. The State, in addition to regulating rent, can intervene and regulate economic aspects of the housing sub-sector, while the Autonomous Communities can legitimately develop their own policy (Trilla & Bosch, 2018).
4. Andalusia (2013), Cantabria (2014), Canary Islands (2014), Aragon (2015), Catalonia (2015, 2016, 2020); Basque Country (2015); Murcia (2015); Extremadura (2016, 2017, 2019); Valencia (2017); Navarra (2018); Balearic Islands (2018).
5. The programmatic preferences of the parties are conceived as indicators of the supply side of the electoral process. The general left-right ideological scale ranges theoretically from -100 (electoral program exclusively dedicated to pro-left categories) to 100 (program totally dedicated to pro-right categories).
 - The pro-left categories used were: Anti-imperialism; Army: negative; Peace; Internationalism: positive; Democracy; Market regulation; Economic planning; Protectionism: positive; Controlled economy; Nationalization; Expansion of the welfare state; Expansion of education; Labor groups: positive.
 - The pro-right categories used: Army: positive; Freedom and human rights; Constitutionalism: positive; Political authority; Free enterprise; Incentives; Protectionism: negative; Economic orthodoxy; Welfare state restriction; National way of life: positive; Traditional morality: positive; Law and order; Social harmony.As for the centre-periphery scale, a theoretical range was also constructed from -100 (electoral program dedicated exclusively to pro-centre categories) to 100 (electoral program dedicated exclusively to pro-periphery categories) (Alonso et al., 2012)
 - Pro-centre categories: Centralization; National way of life: positive; Multiculturalism: negative.
 - Pro-periphery categories: Decentralization; National way of life: negative; Multiculturalism: positive.More information on how these indicators were designed can be found at the Regional Manifestos Project: <http://www.regionalmanifestosproject.com/>
6. To analyse this variable, we used data from the CIS Autonomous Community Barometer series for 2005, 2010 and 2012 in each Autonomous Community. These seek to identify the three main social problems for citizens in each territory. Similarly, we obtained disaggregated data on this variable from the national CIS Barometer for each Autonomous Community for 2018 (December Barometer, Study No. 3234) and 2019 (July Barometer, Study No. 3257). In all cases, survey respondents were asked the same or a very similar question: What do you consider to be the main problem currently existing in Spain (or the corresponding Autonomous Community)? And the second? And the third?
7. Although foreclosure proceedings in Spanish law do not always lead to eviction (the expulsion from the dwelling), we consider that the mere initiation of proceedings and

the threat of losing one's home has a significant and relevant impact in assessing the seriousness of the problem.

8. Although the rent cap imposed by the Catalanian government has recently been declared unconstitutional (STC 37/2022), the Constitutional Court validated a regional guiding price index that remains in force (16/2021).
9. Data for the 2010 elections; no available data for this party in 2003 and 2006 elections. Data from the Manifest Regional Project indicate that throughout the democratic period ERC has been the party with the most pro-decentralisation position in the Catalan political system. In the 2012 regional elections, ERC's position on the Centre-Periphery axis was 22.78 and in the 2017 elections 20.26. In the 2012 elections, there was also a movement on this axis by CIU - the nationalist party in Catalonia that governed for a large part of the democratic period and dissolved in 2015 - which scored 19.78. This radical movement on this axis by both parties occurred during a very politically turbulent period in Catalonia and prior to the call for a referendum on self-determination in this region.
10. Data is for the 2012 elections, no available data for 2003 and 2006 elections for this party.
11. This data corresponds to Junts x CAT, there is no data for JXSi.

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