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Welfare and Decentralization  
in Spain

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and  
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**Moreno/Arriba: *Welfare and Decentralization in Spain***

This Working Paper has been written in the context of the 1998-1999 European Forum programme on **Recasting the European Welfare State: Options, Constraints, Actors**, directed by Professors Maurizio Ferrera (Universities of Pavia and Bocconi, Milano) and Martin Rhodes (Robert Schuman Centre).

Adopting a broad, long-term and comparative perspective, the Forum will aim to:

- scrutinize the complex web of social, economic and political challenges to contemporary European welfare states;
- identify the various options for, and constraints on institutional reform;
- discuss the role of the various actors in promoting or hindering this reform at the national, sub-national and supra-national level;
- and, more generally, outline the broad trajectories and scenarios of change.

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**Welfare and Decentralization in Spain**

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## Abstract

The Spanish welfare state incorporates elements of both Bismarckian and Beveridgean traditions, and can be labelled as a *via media* with respect to other existing regimes of social protection. It also represents a middle way of de-commodification and gendering, and of universal and means-tested access to services and benefits. Spain, thus, has reconstructed a medium-size system of social protection as compared to the countries of the European Union. The most relevant factor conditioning welfare development in Spain is the deep process of decentralisation both at the level of planning and policy implementation. Decentralisation of social services has had a much larger impact than privatisation. Social assistance is a power of the 'exclusive competence' of Spanish mesogovernments (Comunidades Autónomas). These institutional actors have made use of these powers for purposes mainly of institutional legitimisation. Of great relevance for the completion of the 'safety net' has been the implementation of the new regional programmes of *rentas mínimas de inserción* (minimum income benefits). The principle of territorial subsidiarity was enshrined in the Treaty of European Union of 1992, and provides for decisions to be taken transnationally only if local, regional or national levels cannot perform better. In other words, the preferred locus for decision-making is that closer to the citizen, and as local as possible. The paper concludes that the rationale implicit in the principle of decentralisation in Spain, and that of territorial subsidiarity in the European Union, favours the participation of sub-state layers of government in the running of social programmes. Policy innovation concerning social policies developed by sub-state communities with a 'cosmopolitan localism' perspective can be more effective and efficient, as the Spanish case seems to validate.





## Introduction: European Southern Welfare<sup>1</sup>

In recent times, a distinct model of South European welfare (Greece, Italy, Portugal and Spain) has been contended (Ferrera, 1995, 1996, 1997; Moreno, 1997b; Rhodes, 1996; MIRE, 1997). The discussion revolves around on whether the Mediterranean type of welfare constitutes a regime of its own or is simply made up of a 'family of nations' (Castles, 1993) lagging behind those of the 'continental' model of social insurance to which they belong (Katrougalos, 1996). Other views regard it as a mere 'Latin rim' characterised by a rudimentary level of social provision and institutional development (Leibfried, 1992; Gough, 1996).

Unlike the Continental, Scandinavian or Anglo-Saxon typologies (Esping-Andersen, 1990), cross-national studies including Greece, Italy, Portugal and Spain are lacking<sup>2</sup>. A good few issues deserve a closer examination, which could help us to define the overall picture of a Mediterranean type of welfare. However, there is an analytical common ground to be explored.

The four South European countries share analogies regarding historical backgrounds, value-systems, and institutional peculiarities. They all had past experiences of authoritarian and dictatorial rule (for longer periods in the case of Portugal and Spain), and have suffered from economic and industrial 'delays' in the processes of modernisation (except for early-industrialised areas in Italy and Spain). The religious factor has had a structuring role in all four countries, but the role of the Church as main organiser of social protection has diminished<sup>3</sup>.

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<sup>1</sup> This paper was presented at the Conference 'Reforming Social Assistance and Social Services: International Experiences and Perspectives', European University Institute, San Domenico di Fiesole, Florence, 11-12 December 1998, which was organised by Profs. Maurizio Ferrera and Valeria Fargion. This conference was hosted by the European Forum 1998-99, 'Recasting the European Welfare State: Options, Constraints, Actors', directed by Profs. Maurizio Ferrera and Martin Rhodes. We would like to thank Ana Marta Guillén for their comments on an earlier version of this paper. We acknowledge the support provided by the Spanish *Comisión Interministerial de Ciencia y Tecnología (CICYT)* under the research programme: 'Exclusion and Integration in the Welfare State: The 'safety net' of social protection in Spain (SEC97-1377).

<sup>2</sup> According to Esping-Andersen's ironic reference to the 'Four Laws of Sociology': "Everything is different in the South". The other laws are: (1) Some do, some don't, (3) Nothing ever works in India, and (4) There are no laws in Sociology (1993: 123-136).

<sup>3</sup> In Greece the ubiquitous Orthodox Church of Greece continues to be the most important form of private action for the family and the poor (Symeonidou, 1996). The same applies to the Roman Catholic Church —and its organisation Caritas— in Italy, Portugal and Spain.

This feature seems to correspond with a higher degree of secularisation in the social practices of Southern Europe. The impact of Europeanisation and globalisation have brought about, respectively, increasing incentives to economic convergence with Northern and Central Europe (Economic and Monetary Union), and world-trade pressures to restrict social programmes. In broad terms, similar social-demographic trends and macro-economic constraints can be observed in all four South European countries (Giner, 1986, Morlino, 1998).

As concerns the cultural-axiological dimension of welfare development there is a self-perception of differentiated needs and lifestyles (intra-familial pooling of resources, home ownership, and heterogeneity of social reproduction). Also noticeable is a compelling household solidarity and a pre-eminence of values of family inclusion and life cycle redistribution (gift mechanisms, processes of age emancipation, proliferation of family companies and jobs). Moreover, cultural choices and practices have structured their civil societies in a characteristic mode resulting in heterogeneity of social reproduction, and particularistic practices in various kinds and degrees (social networking, patronage, clientelism, and group predation).

In institutional terms, labour markets in Southern Europe show an apparent cleavage between 'insiders' (hyper-protected core workforce), 'peripheral' (in-between gainfully employed) and 'outsiders' (precarious, 'left-outs', and 'junk' labourers). There are fragmented systems of income guarantees and wide inter-generation disparities in cash benefits (e.g. overprotection of the elderly in Greece and Italy)<sup>4</sup>. The status maintenance principle characteristic of the contributory systems in Continental Europe links cash benefits to work position and, thus, are to be financed by both employers and employees. There is a preference for subsidiarity and an emphasis in the role of intermediary structures. However, publicly subsidised organisations, rather than subsidiary private and/or voluntary associations, carry out a significant number in the production/provision of social services.

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However, state welfare has widely increased in the last decades relegating the charitable action of the Church to a much complementary role. In Spain, for example, Caritas programmed 8,353 million pesetas to its 1988 social programme, an amount which was just above 9 per cent of the newly created Ministry of Social Affairs' budget (Rodríguez-Cabrero, 1990).

<sup>4</sup> Italy and Greece are well above the EU mean percentage of 62.0 per cent for the *per capita* average pension (77.6 per cent and 78.8 per cent in 1991, respectively). This is not the case of Spain and Portugal (47.3 per cent and 42.1 per cent, respectively) with a more balanced inter-generation distribution of resources. In Italy it may be improper to speak of a 'selfish' generation but, according to F. Castles and M. Ferrera, "...clearly there is a set of life-cycle distributions which strongly favour the interests of the old" (1996: 175).

Both Mediterranean welfare mix and the gender/family/work nexus are adaptable and complementary. On analysing politico-institutional development the pivotal role of the family in social protection cannot be over-emphasised. In Southern Europe the welfare state is to a large extent the Mediterranean welfare family. Intra-familial transfers are both material and immaterial. Concerning the latter, the involvement of women in both care of the elderly and children is crucial. However, the increasing participation of female workers in the labour force, coupled with new burdens for family formation and expansion, raise big questions, as to whether Mediterranean welfare can survive, as we know it at present (Saraceno, 1995; Guillén, 1997).

The Spanish welfare state can be labelled as a *via media* of universalistic (health care, education, social assistance) and occupational (income maintenance) regimes, and between breadwinner 'continental' and citizenship-centred 'liberal' models. It also represents a middle way of de-commodification and gendering, and of universal and means-tested access to services and benefits.

The welfare state in Spain represents a fundamental structure for both social reproduction and political legitimisation<sup>5</sup>. Since its integration in the European Community (1986), Spain has followed a pattern of welfare convergence with their European counterparts of a three-fold nature. Firstly, an universalisation of social entitlements (education, health, pensions). Secondly, a confluence in the pattern of welfare expenditure to the median of its European partners. Thirdly, a diversification in the provision of social services by private and 'third sector' organisations<sup>6</sup>.

Regional home rule can be regarded as the most relevant factor conditioning welfare development in Spain. The decentralization process embodied in the 1978 Spanish Constitution has undergone a long period of consolidation. The degree of autonomy for the Spanish nationalities and regions is considerable. This is illustrated by the evolution of the distribution of public expenditure in the three-tier system of government reproduced as follows:

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<sup>5</sup> According to a 1996 national survey, 46.3 per cent of Spaniards agreed that "The State is responsible for each and every one of its citizens, and has the duty to help them to solve their problems"; 35.7 also agreed that "The State is only responsible for the well being of least-favoured citizens"; and 13.0 per cent were of the opinion that "Citizens are responsible themselves for their own well-being and have the duty to sort out their own problems" (Don't know: 5.1 per cent. CIS, 1996).

<sup>6</sup> Note that social services were already a domain for private intervention. The new scenario is precisely the building of public networks within which the third sector plays a subsidiary role.

Table 1: TERRITORIAL DISTRIBUTION OF PUBLIC EXPENDITURE IN SPAIN (%)

	1981 <sup>1</sup>	1984	1987	1990	1992	1997	1999 <sup>2</sup>
CENTRAL	87.3	75.6	72.6	66.2	63.0	59.5	54
REGIONAL	3.0	12.2	14.6	20.5	23.2	26.9	33
LOCAL	9.7	12.1	12.8	13.3	13.8	13.6	13

<sup>1</sup> Beginning of the process of decentralization

<sup>2</sup> Government's estimates

Source: Spanish Ministry of Public Administrations (MAP, 1997)

In Spain, liberalisation in the provision of welfare services is observable in a certain extension of free-market morals and, thus, in the proliferation of 'non-profit' - but characteristically subsidised - NGOs (Sarasa, 1997). At the same time, a trend away from 'residualism' can be detected. In fact some reforms of universalisation have been put into effect in recent years encompassing some basic entitlements with traditional income related programmes. Both a level of medium to low intensity in pension payments and a degree of fragmentation in policy provision is, however, to be noted.

Social expenditure has grown significantly since the demise of Franco's dictatorship, in 1975. It has done so at a higher level than the whole of the EU. Note that during 1980-93, all Southern European countries increased their social expenditure at a higher rate than the mean figure of 3.5 per cent for EU-12, i.e. 6.6 per cent, Greece; 6.4 per cent, Italy; 6.7; Portugal; and 5.8 per cent, Spain (see Table 2). In the period 1980-94, the EU states with the highest real growth rates of protection benefits per person were the four Southern European countries. Their average percentages of increase were 75 per cent and over. In the case of Portugal the growth rate reached around 140 per cent (Eurostat, 1997: 245)<sup>7</sup>.

<sup>7</sup> Needless to say, countries like Germany, Denmark or the Netherlands had a level of social protection much higher than the Mediterranean countries. For instance, despite that the German growth rate for 1980-94 was little more than 20 per cent, their level of welfare benefits was approximately four times higher than that of Spain. This country increased their real growth rates of social protection around 80 per cent for the same period of time.

Table 2: SOCIAL PROTECTION CURRENT EXPENDITURE  
IN THE EU-12 COUNTRIES

(as percentages of GDP in market prices)

	1980	1985	1993	▲ % (1980-93)
Belgium	28,0	29,3	27,6	-0,4
Denmark	28,7	27,8	33,2	+4,5
Germany	28,8	28,4	31,0	+2,2
France	25,4	28,8	30,9	+5,5
Ireland	20,6	23,6	21,4	+0,8
Luxembourg	26,5	23,4	24,9	-1,6
Netherlands	30,1	31,7	33,6	+3,5
U. Kingdom	21,5	24,3	27,8	+6,3
EU-12	24,3	26,0	27,8	+3,5
Greece	9,7	15,4	16,3	+6,6
Italy	19,4	22,6	25,8	+6,4
Portugal	12,8	14,1	19,5	+6,7
Spain	18,2	20,0	24,0	+5,8

Source: Eurostat (1995: 16)

Recent reforms carried out in Spain are to have a far-reaching and enduring effect in future welfare developments. First, the universalisation of the educational system has meant that 100 per cent of the population in the 4-15-year age group has access to nursery, primary, and secondary schooling<sup>8</sup>. In 1986 the implementation of the General Health Act provided for health care for all Spaniards and foreign citizens resident in Spain. In 1990, the Non-Contributory Pensions Act established a universal coverage for both (over 65 years) and disability pensions (citizens between 18 and 65 years and with a degree of disability of 65 percent or higher). In 1996, the 'Pact of Toledo' was agreed by the main political parties, and subsequently received the support of the main social partners. It establishes that, by the year 2000, expenses by the

<sup>8</sup> Note that in 1992, relatively and absolutely, more women than men were under education among groups ranging from 16 to 29 years. It is particularly worth noting that among the 16-19 year-olds, 63 per cent of women were receiving formal education as compared to 53 per cent of men. Furthermore, there was a difference of over 8 percentage points concerning the 20-24 year-olds (EPA, 1993). Note also that around 12 per cent of the public expenditure on education is paid to concerted private schools. Together with non-concerted private education, they both covered 31 per cent of the total student population in 1990 (38.6, pre-school; 34.5 per cent, elementary; 28.7 per cent, middle; and 8.1 per cent, university).

contributory social security system should be met by both employers' and employees' contributions. General taxation should be responsible for the cost of the universal non-contributory benefits and services.

Thus, in Spain there has been a growth of institutional 'stateness', or state penetration of the welfare sphere (Flora, 1986/87; Kuhnle, 1997). However, this should not be interpreted in Jacobin terms, by which central administration and government are concepts synonymous to that of the state. In referring to 'stateness' we take into account the whole of state institutions, i.e. central, regional and local. In fact, the *Comunidades Autónomas* (Autonomous Communities) have taken of leading role in the development of programmes of social assistance and social services. Due to the growing importance of the regional and local levels in the provision of welfare programmes, this is an area of study of increasing relevance for social policy researchers (Alber, 1995).

### The Process of Decentralization in Spain

After Franco's death in 1975, the democratic parties advocated home-rule for all the Spanish nationalities and regions. The broad political consensus among parties, which made the drawing up of the 1978 Constitution possible, also brought with it an element of ambiguity in the formulation of the territorial organisation of the Spanish state. An implicit open model of asymmetrical federalisation was adopted, by which the three 'historical nationalities' (Basque Country, Catalonia, and Galicia) would have a special constitutional recognition for their claims to self-government. However, the formulation of a clear division of powers based upon 'conventional' federal techniques was avoided, and no discrimination in the degree of home rule was established between 'historical nationalities' and the rest of the regions of the 17 *Comunidades Autónomas*.

The construction of the *Estado de las Autonomías* had to follow a 'top-down' process of decentralization, and has undergone a long period of consolidation. Support for autonomy, apart from the Basque, Catalan and Galician communities, has been particularly strong in Andalusia and other regions (Aragon, the Canary Islands, Navarre and Valencia). In Spain as a whole, the process of decentralization has been assessed favourably as 'totally positive' (11 per cent) or 'more positive than negative' (49 per cent) by a majority the population<sup>9</sup>.

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<sup>9</sup> 31 percent considered it as 'more negative than positive' (21%), and 'totally negative' (10 %). The remaining 9 per cent corresponded to "Don't Knows" (*El País*, Nov. 19, 1995).

In parallel with the home-rule-all-round process, there has been a likewise extension of a new type of cosmopolitan localism in Spain. This is reflected in both societal interests aimed at developing a sense of local community, and at participating actively in regional, national and international spheres. A growing congruence between the particular and the general is noticeable. All Spanish meso-governments have made explicit their European vocation and have embraced the desire of a majority of Spaniards for deepening Europeanisation in the economic, political and social realms (Moreno, 1998).

With the gradual establishment of the *Estado de las Autonomías* a complex of relations has developed which can be explained by a model of 'multiple ethnoterritorial concurrence' (Moreno, 1995)<sup>10</sup>. Its defining traits incorporate social, economic and political elements<sup>11</sup>, in a dynamic manner and are, thus, responsible for the Spanish process of federalisation.

Since the transition to democracy in Spain, agreements and conflicts have taken place in a multiplicity of cases and circumstances. Eventual co-operation and mutual recognition of differences have often been reached between centre and periphery, or national and regional groups. But such agreements should not be regarded as mechanical outcomes in a linear political process. Asymmetry, heterogeneity<sup>2</sup> and plurality remain as chiefly elements conditioning the process of federalisation in Spain.

As regards our subsequent discussion, we will refer to some of the elements of this model of 'multiple ethnoterritorial concurrence'. They are at the basis of the new welfare rationale developed by the Spanish sub-state nationalities and regions.

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<sup>10</sup> Concurrence is to be understood as the simultaneous happening of political events at state and sub-state levels in the framework of plural societies, as is the case of Spain. Thus, concurrence should not be made equal to that of competition. In a situation of ethnoterritorial concurrence there are interactions between state and sub-state actors, or between the latter among themselves. However there is no compulsion to eliminate other competing actors. Competition, instead, implies the aim of achieving the monopoly by means of the elimination of further competition from other competitors. According to Karl Popper (1976) a situation of concurrence can and ought to be explained as an unintentional consequence (usually unavoidable) of the human actions (conscious and planned) of the competitors.

<sup>11</sup> These elements are: (a) The conflicting intergovernmental relations; (b) The politicising of ethnoterritorial institutions; (c) The differential fact; (d) The centralist inertia; (e) The democratic decentralisation; (f) The comparative grievance; (g) The inter-territorial solidarity; (h) The centrifugal pressure; (i) The ethnoterritorial mimesis; and (j) The inductive allocation of powers (Moreno, 1995).

<sup>12</sup> Asymmetry and heterogeneity, both *de jure* and *de facto*, are particular traits in the process of Spanish 'federalisation' (Moreno, 1997a/b).

## Mesogovernments as Main Actors of Social Assistance and Social Services

In Spain, political decentralisation and administrative de-concentration of social services have had a much larger impact than privatisation (Almeda & Sarasa, 1996)<sup>13</sup>. The institutional outcome of the interplay between central, regional, and local governments responds to the very nature of a contractually open process of power accommodation. The present section concentrates on the analysis of the central role played by the Spanish mesogovernments in the development of social services and social assistance. The lack of a clear division between these two realms characterises welfare arrangements in contemporary Spain (Casado, 1987).

For purposes of policy analysis, social assistance can be distinguished as a technique for providing guaranteed income based on means testing (Gough, 1997). Its main features concern the targeting of beneficiaries lacking resources, its residual and complementary character with the social insurance system, the transfer of monetary subsidies subject to possible obligations to be met by the users, its universal access to all eligible beneficiaries, and its financing by general taxation. Social assistance differs from traditional public beneficence, as it is a public service providing guaranteed minimum resources and not just material survival to its beneficiaries.

A sixth level of welfare provision has also been referred to as a system of personal or general social services (Kahn & Kamerman, 1987; Anttonen & Sipilä, 1997). Social services aim at providing the means for citizens' well being and social integration. Their scope of action has evolved from the provision of material help to precarious citizens to the development of programmes for 'ordinary' individuals and families.

The fragmented and inductive<sup>14</sup> nature of the reforms implemented in the last decades is a characteristic not only of the Spain as a single case, but of South European welfare as a whole. An historical review of the reforms implemented

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<sup>13</sup> For an analysis of the impact of decentralisation on health provision, and the establishment of a National Health Service in Spain cf., respectively, Rico (1997) and Guillén & Cabiedes (1997). For a study of the somewhat similar context in Italy, see Fargion (1996, 1997).

<sup>14</sup> According to the model of 'multiple ethnoterritorial concurrence', the rule of the inductive allocation of powers in the Spanish process of decentralisation acknowledges the absence of a clear-cut constitutional division of powers in the three-tier system of government. This rule draws attention to the fact that the Spanish decentralisation process has followed an open model of territorial structuring, which only the passing of time has gradually defined, as it shall continue to do.



in Spain since the inception of the democratic Constitution of 1978 is needed to gain analytical perspective.

*1978-1987: The establishment of the regional systems of social services*

At the end of the Francoist period in Spain, social assistance was characterised by a scarce public financing, a limited degree of social protection, and the important role played by some private institutions (The Roman Catholic Church, some quasi-public Saving Banks, and the Red Cross, primarily). The small supply of social services was provided by a variety of both public bodies and private institutions.

In 1977, the General Directorate for Social Action and Social Services was established within the Ministry of Health and Social Security. This governmental body took over those responsibilities of social assistance which had been previously attached to various departments of the central government (Home Ministry, principally). It run programmes such as those related to the Social Assistance Fund (*Fondo de Asistencia Social*), whose non-contributory benefits covered old-age and disability pensions. This was considered to be the principal instrument of social assistance at that time.

Within the contributory system of the social security, there were services for gainfully employees and their dependent family members. In 1978, the social security system was re-structured with the grouping of old-age and disabled services into the Institute for Social Services (*INSERSO-Instituto de Servicios Sociales*), a quasi-autonomous public agency of the social security within the framework of the Ministry of Labour.

In parallel, local authorities (municipalities and provincial authorities) continued to run various programmes of social assistance, which were in many cases the inheritors of traditional public charities and beneficence. Private institutions also continued to provide charitable donations and some services, particularly those offered by RC Church organisations.

In the period of transition to democracy, renewed citizens' demands for the implementation of new social services were coupled with an active mobilisation of the social workers in order to develop a new framework of service provision (Sarasa, 1993; Casado *et al*, 1994).

The 1978 Constitution inaugurated the period of institutionalisation of the social services in Spain. According to the Spanish *Carta Magna*, social

assistance is a regional power of the 'exclusive competence' of the 17 Autonomous Communities (art. 148; 1.20). Powers concerning the basic legislation and the economic regime of the social security system remain within the domain of the central government. However, the *Comunidades Autónomas* (Autonomous Communities) can exercise executive powers in the running of contributory programmes which can be decentralized to them (art. 149; 1.17).

The constitutional provisions neither define nor regulate both realms of social assistance and social services. Furthermore, all those powers and responsibilities which are not listed as 'exclusive competence' of the central government can be claimed and exercised by the Autonomous Communities (art 149.3).

As a consequence of the flexibility of the constitutional provisions, all Autonomous Communities claimed in their Statutes of Autonomy (regional constitutional laws) a large number of services and functions concerning social assistance, social services, community development, social promotion and welfare policies in general. The only services, which remained outside the request of the mesogovernments, were those of the *INSERSO*. However, and as we will analysed below, during the 1990s the executive powers for the running of practically all *INSERSO* services have also been transferred to the *Comunidades Autónomas*.

During the period 1982-1993, the Autonomous Communities took the legislative initiative in their regional parliaments, and passed acts which established regional systems of social services. In these pieces of legislation there were no references to social assistance as such. The implicit assumption was that, according to a comprehensive interpretation, social assistance was an 'exclusive' power of the Autonomous Communities, alongside with the social services. In this period the main concern for the Spanish mesogovernments was to request and receive as many powers from the central administration as a flexible interpretation of the 1978 Constitution could allow. The *Comunidades Autónomas* have made extensive use of their constitutional prerogative for purposes of institutional legitimisation.

A common claim in the legislation adopted by the regional parliaments to develop an integrated network of social services was the principle of decentralization. According to this, local governments would carry out the bulk of service provision<sup>15</sup>, but the powers of legislation, planning, and co-ordination

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<sup>15</sup> Responsibilities in the provision of social services for municipalities of more than 20,000

with the private and altruistic sectors would rest upon regional executives and legislatures.

All regional laws envisaged the social services as an integrated public system, open to all citizens without discrimination. Universality and equality were, thus, the two ideological foundations of the regional legislation on welfare provision. Traditional public beneficence was to be 'updated' avoiding stigmatisation of the beneficiaries. All things considered, the aim was one of modernisation of the social services in line with other experiences of welfare provision in Western Europe. Such aspirations were to be in tune with the aim of rationalising the provision of new social services.

On establishing the public systems of social services, the idea of the welfare 'mix' was also embraced enthusiastically by most Spanish mesogovernments. Non-profit organisations, in particular, were incorporated in the general provision of social services, and many of them were subsidised by the regional public bodies.

The processes for the implementation of regional systems of social services in Spain were not developed without a degree of friction with the central government. In 1986, a decision of the Constitutional Court (146/1986) established that, despite the 'exclusive' powers of the Autonomous Communities in this field, the central government could also develop programmes of social assistance guaranteeing an equal treatment to all *Comunidades Autónomas*.

Among the initiatives taken by the central government during this period, the passing of the *LISMI* Law (1982) is to be underlined. This piece of legislation provided guaranteed benefits to citizens with disability (65 per cent or higher). In the years 1983-84, the Socialist Government also attempted unsuccessfully to enact a National Act of Social Services. This Law would aim at integrating all 'scattered' social services within the contributory system of the social security into one institutional framework, centrally managed. But the Spanish mesogovernments remained as the main protagonists in the area of welfare development, a logical consequence of the home-rule-all-round process of decentralization (Casado *et al*, 1994).

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inhabitants had already been established by the Basic Law for Local Government passed by the Spanish Parliament in 1982.

The year 1988 can be identified as the beginning of a cycle of major developments concerning social services in Spain, and of a big expansion of social spending. The establishment in 1988 of the Ministry of Social Affairs<sup>16</sup> aimed at the development of a social policy, and area of public intervention which had been 'hidden' within the organisational structure of the Ministry of Labour. However, central intervention was somewhat conditioned by the consolidation of the regional systems promoted by the Spanish *Comunidades Autónomas*. Some views were expressed against the establishment of a Ministry which would lack of many powers already decentralized to the mesogovernments (Beltrán, 1992).

But the newly created Ministry of Social Affairs pursued a course of action of co-ordination with the mesogovernments in the development of General Plans such as those concerning Old-age, Drug Addiction, Equal Opportunities, or Youth. These Plans were not passed as pieces of legislation by the Spanish Parliament. They were agreements aiming at making functional the structures of welfare provision in the whole of Spain. In particular, they paved the way for the future transfer of the social services of the *INSERSO* to the regional systems of social services.

The most important agreement between the three layers of governments took place in 1987 with the approval of the 'Concerted Plan for the Development of the Basic Provision of Social Services by the Local Authorities' (*Plan Concertado para el Desarrollo de Prestaciones Básicas de Servicios Sociales de las Corporaciones Locales*). This intergovernmental agreement has resulted in an administrative co-operation between central, regional and local governments. The aim is that of providing services at the municipal level for the following purposes: (a) information and counselling; (b) social and day care services for the disabled and elderly; (c) refuge for abused women, single mothers, orphans or mistreated minors, and shelter housing for the homeless; and (d) prevention and social insertion.

This network of centres constitutes the basic level for primary attention in Spain<sup>17</sup>, and was supported by all Autonomous Communities except the Basque

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<sup>16</sup> The ministry was formed by the General Directorate of Social Action, the *INSERSO*, the Institutes for the Women and the Youth, and the Board for the Education and Care of the Disabled. It took also the responsibility of supervising the activities of NGOs, such as the Red Cross, the Blinds' Organisation, and other non-profit private charities.

<sup>17</sup> This network of community centres has taken over much of the social system developed by

Country<sup>18</sup>. The annual financing of this Plan is met on equitable terms by the three layers of governments. This agreement was the first in a model of intergovernmental relations characteristic of the process of federalisation of politics in Spain. Its implications for other policy areas has been of no little significance (Agranoff, 1993).

During this period the major reform carried out by the central government was the universalisation of old-age and disability pensions. In 1990, the Law of Non-Contributory Pensions of the Social Security (26/1990) put into effect the awarding of means-tested benefits for old-age and disabled citizens outside the social security system, as well as their dependent family members.

Note that in the period 1980-92, the total number of pensioners rose by 2.5 million (2.1, contributory, and 0.4, non-contributory), from 4.7 to 7.2 million. The total expenditure increased from 5.9 per cent, contributory, and 0.1 per cent, non-contributory) as a percentage of the Spanish GDP. Average social security pension benefits increased from 66.5 per cent of the minimum salary in 1980 to 93.3 per cent in 1992, and 100 per cent in 1995. Non-contributory pensions amounted to 53.3 per cent of the legal minimum salary in 1992 (Cruz Roche, 1994)<sup>19</sup>.

Let us remind that the executive responsibilities for the running of the *INSERSO* services were handed over to the Autonomous Communities<sup>20</sup>. In parallel, the Autonomous Communities decided to implement their programmes of minimum income for insertion (*rentas mínimas de inserción*), which will be dealt with in the next section.

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the Catholic church during the 1960s. In the period 1989-96, the *PSOE* governments have not been opposed to lending support to private assistance and charities of a religious nature. Nevertheless, they have often tended to favour NGOs of a secular nature, as well as the Red Cross and the powerful National Organisation for the Blind (*ONCE*). Since 1996 the *PP* government has encouraged private assistance and concerted action with RC church institutions.

<sup>18</sup> The Basque government did not join this general agreement because it did not accept categorical financing.

<sup>19</sup> However the minimum salary decreased from 77.5 per cent of the per capita GDP, in 1980, to 52.4 per cent, in 1992.

<sup>20</sup> This central body has changed its name in 1996 (*IMERSO, Instituto de Migraciones y Servicios Sociales* – Institute for Migration and Social Services). It has kept minor executive programmes regarding services for emigrants, as well as some functions of co-ordination with EU programmes.

## *The fragmented composition of the Spanish 'safety net'*

The implementation of the public systems of social services by the Spanish mesogovernments has been coupled with the regional development of new social assistance programmes, and the executive management of former social security services. To the assistance subsidies inherited from the traditional schemes of public beneficence, and the management of the non-contributory pensions, the implementation of the *rentas mínimas de inserción* (minimum income of insertion, *IMIs*) are to be added. Contingent and *ad hoc* benefits are also granted to needy citizens. Beyond the discussion on the distribution of powers in decentralized Spain, the 'safety net' providing the minimum means of sustenance and civic integration to those citizens and families who lack of them rest mainly upon the network of regional systems of social services.

As a consequence of the process initiated in 1978, social assistance and social services are concepts and areas of policy provision which often are made equal or synonymous. Institutional fragmentation continues to be a defining trait of the Spanish welfare state, although the intergovernmental collaboration of the three layers of government can be regarded as a decisive factor in the rationalisation of welfare provision. The process of reform, however, is far from being over.

The approval of regional acts and the development of the *Plan Concertado* have been carried out on universalistic grounds. Access is, therefore, available for all citizens. Nevertheless, some programmes and benefits, as those concerning minimum income guarantees of non-contributory and disability pensions, are targeted with a social assistance criterion on the least-favoured. As a consequence, both social service culture and approach by the social workers is somewhat balanced out between universalism and selectivity (Serrano & Arriba, 1998).

The principle of decentralization put forward by the regional legislation has been limited. In fact, a certain re-centralisation of the policy-making process on the intermediate layer of government, i.e. the regional, is noticeable. Important political decisions regarding the *IMIs*, and the organisation and planning of the services developed according to the *Plan Concertado*, have reflected not only a higher degree of political dynamism by the *Comunidades Autónomas*. They have also underlined the subsidiary role played by local councils dependent to a great extent on regional financial sources and regional

political concerns<sup>21</sup>. Only the big cities have been able to challenge the mesogovernments as main protagonists in the development of social services.

The considerable expansion of both social services and social assistance programmes has resulted in a *de iure* segmentation between the contributory (social insurance system for 'insiders' and gainfully employed) and social assistance realms of welfare provision (for those excluded from the formal labour market). However, both domains are intertwined in a manner which results in an aggregate of social provision. This has been inspired by the general principle of social citizenship and has, thus, expanded the 'grey zones' between both social insurance and welfare assistance realms (Moreno & Sarasa, 1992, 1993).

### Policy Innovation and Regional Mimesis: The Programmes of Minimum Income

The Spanish mesogovernments have shown an active interest for policy innovation concerning welfare programmes. Among the various actions taken by them one is to be identified as having far-reaching repercussions for the system of social protection in Spain: the programmes of minimum income (*renta mínimas de inserción*)<sup>22</sup>, which we analyse subsequently.

First, we will discuss the strategies carried out by the Spanish mesogovernments in order to secure the implementation of the *IMIs*. The process started in September of 1988 with the announcement by the Basque Government of a regional *Plan de Lucha contra la Pobreza* (Programme against Poverty). This sparked off a regional mimesis, or 'demonstration effect', on the part of the other 16 *Comunidades Autónomas*. By the end of 1990, all Spanish mesogovernments were engaged in implementation of regional programmes of minimum income<sup>23</sup>.

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<sup>21</sup> Articulated not only by nationalist and regionalist parties, but also by the increasingly important regional and federated branches of the main Spanish political formations (PP, PSOE, and IU). Internal processes of power accommodation within the Spanish parties have also greatly contributed to the internalisation by Spaniards of the federalisation of politics and policy-making.

<sup>22</sup> On this issue, cf. Ayala (1997); Gaviria & Laparra (1997), Serrano & Arriba (1998), and Arriba (1999).

<sup>23</sup> Except the Balearic Islands, where the programme was finally initiated in 1995.

Some of the programmes of minimum income were established mainly on the initiative of the regional governments, and as a result of the combined action by both types of policy-makers (elected politicians and executive officials). In some other cases, the pressure exerted by the opposition parties in the regional parliaments was the main factor behind the elaboration of these programmes. Finally, a third path of policy-making was due to the mobilization of the regional branches of the main trade unions (*CC.OO* and *UGT*), as well as some significant NGOs, such as Caritas.

Despite the different actors shaping the policy impetus and design of the programmes of *rentas mínimas de inserción*, the Spanish *Comunidades Autónomas* are to be regarded as the main protagonists in their implementation. Let us not forget that, prior to the approval by the regional parliaments, no explicit popular demand was expressed in any of the *Comunidades Autónomas* as to encourage their implementation. The institutional factor making relevant the issue of the minimum income guaranteed was precisely the constitutional entitlement for the *Autonomous Communities* to exercise their political autonomy. No 'path dependency' could be referred to in this case. This fact validates the assumption that policy innovation concerning social policies developed by sub-state communities with a 'cosmopolitan localism' perspective can be more effective and efficient (Moreno, 1998).

The regional programmes of minimum income have distinct characteristics mainly with regard to the intensity of the benefits and the insertion obligations to be complied by the beneficiaries. However, they are quasi-universalistic entitlements, which combine cash benefits with activation policies and programmes of social integration (employment promotion and vocational training courses, primarily). Their main common features can be identified as follows:

- (a) Families are the units of reference even though individuals can be single beneficiaries.
- (b) Means-tested criteria is related to a threshold of household income under which cash benefits are awarded (around two thirds of the minimum wage).
- (c) Residence status of applicants is required (ranging from 1 to 10 years).
- (d) Periods of extension are available provided that beneficiaries have complied with social insertion activities and social needs remain the same.

The central Ministry for Social Affairs showed no little reticence with the implementation of the regional programmes of minimum income. Its main reluctance concerned arguments of poverty dependency and labour disincentives. Allegations that these new regional policies could affect territorial



solidarity throughout Spain were among its criticisms (Ministerio de Asuntos Sociales, 1989). However, the then newly-created Ministry had already opted for making the universalisation of the non-contributory pensions its main priority, exhausting in this ambitious programme most of its political capital within the central government. The initiative taken by the *Comunidades Autónomas* left little room for the institutional manoeuvring of the central Ministry, and was grounded on those constitutional provisions safeguarding regional self-government. Within this context, no action to boycott the implementation of the regional programmes of minimum income was to be expected from the Socialist Government.

Since the beginning of the process, different arguments in favour or against the implementation of the regional *IMIs* were neither clear nor sophisticated in their analyses (Aliena, 1991). In this respect, the 'simplicity' of the arguments used by the Basque policy-makers are very illustrative: (i) The *IMIs* were to overcome social marginalisation; (ii) No labour passivity was to be encouraged; (iii) EU recommendations and other European experiences, such as the French *Revenu Minimum d'Insertion*, lent support to the programme; and (iv) There was a high degree of inter-party consensus and support from various Basque civil institutions.

Probably, among the factors above mentioned, the reference to EU recommendations is of particular importance. There was constant reference to the proposals made by the European Commission encouraging the recasting of the European systems of social protection so that guaranteed income could facilitate social and labour insertion to poor and excluded citizens. This became the main line of argument for the formulation of the regional *IMIs*. The French *RMI* attracted great attention due to its declared interest for establishing a linkage between the receipt of the benefits and the objective of social insertion for its beneficiaries.

Subsequently, the main trade unions supported these programmes. They pursued a course of action alternative to the traditional negotiation and eventual agreement at the national level. In fact, the climate of confrontation between the central government and the trade unions induced these negotiations at the regional level. Note that, between the autumn of 1989 and the spring of 1989, all the pacts subscribed between the mesogovernments and the trade unions (*CC.OO* and *UGT*) included the establishment of programmes of minimum income.

In parallel, a number of NGOs (RC Church institutions and Caritas, principally) committed themselves to support the *IMIs*, both at regional level (Caritas parish councils), but also nationwide (Spanish Caritas). They demanded the implementation of the programmes of minimum income but did not participate in the forums where policy design was discussed (with the exception of Catalonia).

Information about the various modalities and characteristics of the regional programmes was circulated among the *Comunidades Autónomas*. Formal and *ad hoc* meetings took place in which policy-makers and experts exchanged views and opinions on different aspects of the programmes to be implemented. Their main models of reference were the *RMI*, in France, and the 'Programme against Poverty', in the Basque Country.

Programme elaboration was carried out in various manners by the *Comunidades Autónomas*. In some cases, think tanks of politicians, officials and experts within the organic structure of the regional departments of social policy prepared 'behind closed doors' the pieces of legislation. In others, the process was open to the inputs made by trade unions or NGOs. However, the ultimate decision on the elaboration of the programmes remained with the mesogovernments.

In the phase of actual implementation of the programmes, the *Comunidades Autónomas* had to establish institutional agreements with the local authorities within their territories. The latter were to be the executive cornerstone of the programmes' success. Such agreements, however, brought about some delays in the implementation of the programme due to discrepancies stemming from the often different political colouring of local and regional administrations involved. This was evident in the case of large cities such as Barcelona controlled by the Socialists, but with a centre-right nationalist coalition at the *Generalitat* government, or Madrid, with a Conservative city hall and a Socialist regional administration. 'Pretexts' for conflict and institutional warfare referred in most cases to problems of financing, as well as to the lack of infrastructure for social centres for primary assistance.

In the process of policy implementation others criticisms were put forward by the social workers and programme managers. Their initial attitude was one of general consent. Complaints on the excessive paperwork and bureaucratic burden were soon expressed. Likewise, the insufficient material infrastructure for the managing of the *IMIs* was also made. As already pointed out, the universalistic approach of the social services during the 1980s was confronted

with the targeting criteria towards the needy put forward by the programmes of minimum income.

The process of policy implementation also confirmed the institutional leadership of the mesogovernments as main actors in the development of the *IMIs*. This factor was independent, in many cases, of partisan alignments. Let us remember, for instance, that the Socialists were in a government coalition with the Nationalists of the PNV in the Basque Country. They supported the first implemented *IMI* despite the reluctance of the Socialist Minister for Social Affairs. A similar situation took place in the region of Madrid. Thus, no consistent patterns of ideological standings are to be deduced from the political behaviour of the party organisations in the various institutional arenas of their participation.

The Spanish mesogovernments have benefited in terms of political legitimisation as a consequence of the implementation of the *IMIs*. The visibility of the programmes was maximised by the fact that the financial implications of their implementation were not too dear for the regional treasuries. Besides, a clear message of policy innovation and political *aggiornamento* underlined their dynamic commitment to carry out the 'closure' of the system of social protection in Spain.

As happened with the passing of the regional acts of social services, similar processes of mimesis took place with regard to the programmes of minimum income. Concerns about regional inequalities were not seriously considered. In fact, the mimesis effect produced by a multiple regional concurrence has arguably been one of levelling out - at least in terms of social policy innovation - the institutional output of the Spanish mesogovernments. This has resulted in the establishment of a differentiated arena of policy provision *vis-à-vis* the central government. At the horizontal, level the *Comunidades Autónomas* have followed patterns of mobilisation rooted on a self-perceived 'comparative grievance': no region wants to be left behind. These perceptions have interacted in a conflictive manner with the 'differential fact' claimed by the Spanish 'historical nationalities: Basque Country, Catalonia and Galicia. These are more interested in maintaining a higher degree of home rule as compared with the rest of the Spanish *Comunidades Autónomas*. The combination of these processes has resulted in *ade facto* policy equalisation and in an incentive for policy innovation in those Spanish regions which have been traditionally lagging behind the 'modernised' ones.

Indeed, policy outcomes have resulted in some visible differences in the intensity of the benefits and, above all, the nature of the 'insertion' programmes to be accomplished by the beneficiaries. According to these differences three groups of *IMIs* can be identified: (a) Those establishing a link between the perception of the subsidy and the aim of insertion; (b) Those where insertion takes the form of a job contract, and the benefits are subject to workfare; and (c) Those discretionary and *ad hoc* social assistance benefits (Laparra & Aguilar, 1997).

On explaining the differences in policy outcomes, the variable financial manoeuvrability has been adduced as the main explanatory factor. Certainly, the Basque Country and Navarre with a fiscal quasi-independence have been able to fund more generously their programmes of minimum income. Nevertheless, the setting of political priorities in policy funding appears to be the most compelling explanatory element. After all, the mesogovernments have also the final budgetary say in the running of a type of programmes which are the product of their own initiative. It remains to be seen whether these programmes will continue to be a priority for the regions. The limited coverage of the *IMIs* implied a degree of discretion in their daily functioning. The *Comunidades Autónomas* may face a situation of either requesting co-funding from the central government or containing the coverage scope of their benefits.

The impact of these *ab novo* programmes of minimum income has had a dramatic effect in the debate about the completion of a 'safety net' in Spain. According to estimates provided by the Ministry of Labour and Social Affairs, in 1996 there were 211,221 beneficiaries in the whole of Spain including dependent family members (around 0,5 per cent of the Spanish population) (see Table 3 for basic data on minimum income programmes). In all future scenarios, the action by the regional and local government will be of decisive importance for the sustainability of the system of social protection in Spain. Indeed, the three-layer institutional interplay is a structuring variable, which pre-determines to a great extent the diverse nature of welfare outcomes in contemporary Spain.

*Table 3*  
**REGIONAL EXPENDITURE AND COVERAGE OF THE PROGRAMMES**  
**OF MINIMUM INCOME**

	1996	1996	1996	1995	1995
	Actual spending (Pesetas) <sup>1</sup>	Number of households <sup>1</sup>	Benefit amount <sup>1</sup> (per person/month)	(%) Budgetary effort <sup>2</sup>	Percentage of households <sup>3</sup>
<b>Andalusia</b>	4,064,751,854 <sup>4</sup>	10.603 <sup>4</sup>	53,167 <sup>4</sup>	0.21	0.37
<b>Aragon</b>	480,376,492	1,112	64,898	0.06	0.26
<b>Asturias</b>	1,342,902,709	1,511	41,510	1.18	0.48
<b>Balearics</b>	—	—	—	—	—
<b>Basque Cou.</b>	6,875,000,000	16,052	40,500	1.24	2.55
<b>Canaries</b>	1,199,982,564	3,096	40,000	0.21	1.26
<b>Cantabria</b>	73,572,594	490	66,867	0.04	0.13
<b>Castille-Man.</b>	727,565,800	2,116	45,500	0.18	0.39
<b>Castille Leon</b>	1,353,000,000	3,306	30,000	0.51	0.39
<b>Catalonia</b>	4,248,215,755	8,372	41,000	0.23	0.42
<b>Extremadura</b>	210,000,000	671	32,500	0.18	0.59
<b>Galicia</b>	1,598,370,788	5,003	35,580	0.18	0.44
<b>La Rioja</b>	53,315,060	282	39,200	0.14	0.33
<b>Madrid</b>	3,457,540,577	7,815	39,365	0.90	0.49
<b>Murcia</b>	223,645,000	532	36,000	0.29	0.18
<b>Navarre</b>	409,125,024	1,503	40,800	0.14	1.45
<b>Valencia</b>	1,151,943,236	3,713	49,510	0.17	0.20

<sup>1</sup> Referred to the periodically perceived benefit of *renta minima* (MTAS, 1997)

<sup>2</sup> Referred to the aggregate expenditure of all periodical and *ad hoc* benefits, and the cost of insertion programmes. The 'effort' is the percentage of the costs of *rentas minimas* in the total regional public expenditure (Ayala, 1997: 519)

<sup>3</sup> Referred to the total number of beneficiary households of all types of benefits of *rentas minimas* (Ayala, 1997: 487)

<sup>4</sup> Both programmes of the *renta minima* and the regional occupational training schemes are added up.

**Source:** Columns 1,2 y 3, Spanish Ministry of Labour and Social Affairs; Columns 4 y 5, Ayala (1997)

## Conclusion: Subsidiarity and Welfare Provision

The European principle of territorial subsidiarity, enshrined in the Treaty of Maastricht of 1992, provides for decisions to be taken transnationally only if local, regional or national levels cannot perform better. In other words, the preferred locus for decision-making is that closer to the citizen, and as local as possible. Some central state political elites, reluctant to further the process of European institutionalisation, interpreted the subsidiarity principle as a safeguard for the preservation of traditional national sovereignty and, consequently, the powers to intervene centrally<sup>24</sup>.

The rationale implicit in the principle of subsidiarity favours the participation of sub-state layers of government in the running of public affairs, among which social provision appears to be an obvious priority. Territorial subsidiarity should furthermore encourage intergovernmental co-operation on the assumption that the role of the national states would be less hierarchical than it has been up until now.

The new rationale for the provision of social policies in Spain follows the assumptions put forward by the principle of decentralisation, coincident with that of the European territorial subsidiarity at the sub-state level. It offers a valuable experience of policy innovation at the regional level. Spanish mesogovernments are no longer dependent on the state building programs of rationalisation for the implementation of their citizenship-centred welfare programmes. As the process of decentralization in Spain shows, regional entrepreneurs, policy-makers and local *intelligentsia* representatives can adopt many of the initiatives and roles once reserved for 'enlightened' élites, who in the past held the reins of power at the centre of their nation states.

The implementation of regional systems of social protection in Spain is in line with the assumption that a more efficient welfare provision is plausible by means of a more effective development of community care services, a more suitable monitoring of means-tested programmes, and a maximisation of economies of scale. It also provides for institutional means to facilitate democratic accountability at the meso and local levels.

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<sup>24</sup> The case of the United Kingdom is paradigmatic in this respect. According to such interpretations, the legislative supremacy of Westminster would be preserved from supranational regulation originated at the 'federal' institutions of the European Union. However, the devolution of power from the constituent nations of the UK, and to amalgamated local authorities like the former Greater Council of London, could not be denied taking into account the same argumentative grounds.

The leading role played by the Spanish mesogovernments in the redefinition of the 'safety net' implies, nevertheless, scenarios of future uncertainty. If it is true that they have been able to integrate social services and social assistance policies into a common network, the ever-latent risk of exacerbating inter-regional inequalities in welfare provision is to be underlined. Up until now, the mimesis effect among the *Comunidades Autónomas* has proved to be an effective barrier against open discrimination among them.

Furthermore, the cycle 'differential fact-comparative grievance-mimesis effect' of the Spanish model of multiple ethnoterritorial concurrence has acted as a *de facto* equaliser in policy provision, although some differences have remained. Such a cycle of political behaviour has also brought about an extra incentive for regional policy innovation. The results of these reforms are to be assessed on a medium-term perspective. Longer time-series for analyses are, thus, required to validate the case for welfare decentralization. The one lesson to be drawn from the Spanish experience is its attempt to put into practice both paramount principles of Europeanisation: subsidiarity and democratic accountability.

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