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Regulating prostitution and same-sex marriage in Italy and Spain: the interplay of political and societal veto players in two catholic societies

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Regulating prostitution and same-sex marriage in Italy and Spain: the interplay of political and societal veto players in two catholic societies

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ABSTRACT This contribution adds to the scholarship on morality politics. It addresses the conditions of morality policy change by comparing the decision-making dynamics in the regulation of prostitution and same-sex partnerships in Italy and Spain over two decades. We seek to explain why and under what circumstances some political actors are successful in reforming morality policies. For this purpose, we develop a four-fold typology of morality policy change. Our findings highlight that the different regulatory dynamics in both Catholic nation-states depend on the balance of power among the change and blocking coalitions and their degree of congruence. We show that governments succeed in realizing their morality policy goals only if they are able to form a coalition with the relevant political and societal actors. Furthermore, the Catholic Church, not least owing to its historical ties with both nation-states (Italy and Spain), plays a particular but context-specific role.

KEY WORDS Change coalition; congruence; morality policy change; prostitution; same-sex marriage; veto players.

INTRODUCTION

This contribution presents an in-depth comparative analysis of the evolvement of two morality policies in two countries. By systematically contrasting policy-making concerning the regulation of prostitution and processes of institutionalizing same-sex partnerships in Italy and Spain, we provide empirical evidence on the determinants of morality policy change. Spain has liberalized prostitution and same-sex partnerships during the last two decades, whereas Italy has retained its strict regulation since the late 1950s because initiatives for adapting sexuality policies repeatedly resulted in non-decisions.

We ask: what determines the success of governmental initiatives for changing sexual policy across countries and policy fields? While recent research on morality policy emphasizes the role of religious denomination in society, this factor

hardly explains the puzzle observed here. In order to refine existing theoretical approaches, this comparative case study provides in-depth analyses of the decision-making process on two sexual policies over the last 20 years. By explaining the different dynamics in both countries, and given that international influences can be held constant, we draw on Tsebelis's (2002) veto player theory, namely actor constellation and institutional hurdles.

Our findings highlight that the different regulatory dynamics in both Catholic nation-states depend on the balance of power among the change and blocking coalitions as well as on the degree of congruence. Based on the constellation of these two explanatory factors, we develop a four-fold typology of policy change processes. Our findings show that governments succeed in realizing their morality policy goals only if they are able to form a coalition with the relevant veto players that pursue congruent policy agendas.

The contribution is structured as follows. Next, we introduce our empirical puzzle along with the current state of affairs. In the third section we present our theoretical argument and expectations, followed by the empirical application in the fourth section. Finally, we offer some conclusions along with an outlook for future research.

EMPIRICAL PUZZLE, RESEARCH QUESTION AND METHODOLOGICAL APPROACH

This contribution addresses the question: what explains the policy-making dynamics in the fields of prostitution policy and the regulation of same-sex partnerships in two Catholic societies during the last 20 years? In so doing, this empirical study adds to the emerging literature on morality policy. In this context, we follow a broad *a priori* definition of morality policies as addressing core values and questions of self-determination (cf. Heichel *et al.* 2013).

As illustrated by Table 1, Italy has been characterized by the failure to change existing regulatory regimes with respect to both issues, while Spain has experienced a number of reform laws during the two decades.

Prostitution in Italy is still regulated on the basis of the 1958 prostitution law. The act as such is legal, and the criminalization of street prostitutes, for instance, mainly takes an indirect form (e.g., by sentencing side-activities, such as

Table 1 Regulatory reforms in morality politics

	Prostitution	*Same-sex partnership*
Italy	Restrictive regulation reform failure (2007)	Restrictive regulation reform failures (2003, 2008)
Spain	Permissive regulation reforms (1995, 2003, 2009)	Permissive regulation reforms (1995, 2005)

Note: As we focus on policy outputs, we include the year of decision-making instead of its entering into force.

loitering). There is also a ban on most forms of assistance to prostitutes by third persons, including both profit and non-profit facilitation or procuring prostitution (cf. Danna 2001). In the absence of a comprehensive regulatory framework, there are currently few restrictions to regulate prostitution as such.

Similarly to the issue of prostitution, the Italian Civil and Criminal Codes do not take a position with regard to issues of sexual orientation and identity. While homosexuality has never been explicitly criminalized, family laws traditionally excluded homosexual couples from the possibility of starting a family or forming a civil union.

Spain's prostitution regime is more permissive than the Italian one. Three reforms in the last two decades[1] account for the current *status quo*. Adult, voluntary prostitution is tolerated and related infrastructure is mostly permitted. Third parties are criminalized only if they endanger the health or life of prostitutes. However, the state does not recognize prostitution as a regular profession with social insurance coverage or legal contracting rights (Consejo de Estado 2010).

Similarly, the legal approach towards same-sex partnerships is more permissive in Spain than in Italy owing to a comprehensive reform in 2005, following the election victory of the Spanish Socialist Workers Party (PSOE). This law grants equal rights to registered same-sex couples and heterosexual couples with respect to inheritance, residence, adoption of the spouse's children, tax benefits and divorce.

The literature on morality policy change in general, and prostitution politics or same-sex partnerships in particular, does not explain these divergent trajectories in morality policy-making. While single case studies on the respective policy processes abound (see Danna [2004] and Valiente Fernández [2004] for analyses on prostitution politics; cf. Calvo [2007] or Platero [2007] on the institutionalization of same-sex marriages in Spain), comparative approaches are still the exception. Only in the last decade have scholars of prostitution policy adopted a comparative perspective primarily based on actor-centred explanations (see Kilvington *et al.* [2001], Outshoorn [2004] and West [2000] on prostitution politics; cf. Paternotte [2008] for a comparative analysis of same-sex unions in three European countries).

Moreover, theoretical approaches towards morality policy change are unable to account for these divergent regulatory trajectories (see Heichel *et al.* 2013). While some scholars of morality policy-making expect the level of religiosity in society to constitute the decisive factor (Fink 2008), they fail to explain the differences between morality policy choices in Italy and Spain. Similarly, studies that highlight the importance of institutional criteria and political actors, including Christian Churches or other interest groups, in moderating the religion effect (cf. Schwartz and Tatalovich 2009) do not provide explanations to our puzzle. Further, Engeli *et al.* (2012) argue that the cleavage structure of the national party system determines the politicization of morality issues. The authors focus on the impact of a nation-state's party system on agenda-setting and policy formation processes in morality policy-making by analysing

the underlying degree of political conflict. Our approach adds to Engeli *et al.* (2012) by analysing how these lines of conflict influence the formation and power of influential actor coalitions.

The present analysis approximates a most similar system design enabling us to focus on institutional and actor-centred factors which determine the dynamics of the decision-making processes on the national level and, thereby, the success or failure of governmental initiatives for change. In so doing, we analyse two culturally similar Mediterranean nation-states with comparable proportion of Catholics in society.

THEORETICAL APPROACH

For explaining the empirical puzzle, we assume that political actors act strategically based on associated trade-offs when initiating and supporting policy proposals. However, institutional factors constrain their leeway for political action (Hall and Taylor 1996). Furthermore, we suppose that actor coalitions constitute the central units for decision-making. They include executive and legislative players as well as societal actors who share a general policy goal. For putting a policy proposal into effect, not only parliamentary but also non-parliamentary support is needed. Interest groups may not have a vote, but they have a voice and the resources to both mobilize the electorate and lobby parliamentary representatives. In the political arena we differentiate between two actor coalitions: firstly, the change coalition, subsuming the actors who prefer the policy proposal over the *status quo*; and secondly, the blocking coalition, covering all actors who – in light of the policy initiative – aim to maintain the *status quo*.

Based on these assumptions, we argue that the success of governmental initiatives and the extent of projected policy change in the field of sexual policies largely depend on the congruence within the change coalition and the balance of political power among the change and the blocking coalitions in the legislative arena.

Partisan and societal veto players in morality politics

This argumentation follows Tsebelis's (2002) veto player theory. Veto players are actors, whose support is required to enforce policy change. Besides partisan and institutional veto players, we take societal veto players into account. The consideration of societal veto players may be debatable, as they have no direct influence on the formation of majority coalitions in parliament. However, regarding the specific constitution of morality politics, interest groups can become veto players depending on their mobilization capacity, preferences and political access (cf. Fink 2009). As morality politics imply political conflicts on first principles and technically simple issues, debates are of greater public interest than in non-morality politics. Consequently, societal actors have a higher potential to mobilize the public for their purpose (cf. Mooney 2001).

As vote- and office-seekers, politicians bear the citizens' interests in mind when they take political decisions (cf. Strøm 1990: 566 ff.; cf. Mooney 2001).

In addition to mobilization capacity, the preference constellation within the group is decisive. Following Tsebelis's (2002) absorption rule, it has to take up an extreme position which is not absorbed by other veto players – a task, that may be easier in morality than in non-morality policy owing to the value-driven conflicts. Moreover, the internal cohesion and discipline of adherents is crucial. The more the internal opinions coincide and the more members are willing to follow common goals, the more they can signal a unified position. The veto power of interest groups also varies with their institutional ties to the state. The more the organization is coupled to the political structures by formal or informal participation rights, the more likely it gains veto power (cf. Fink 2009).

However, societal veto players differentiate from their partisan and institutional counterparts in a central aspect. While parties as well as institutional actors use their veto power based on their political responsibility, interest groups make strategic use of their potential veto power.

Coalitions' size and congruence

According to Tsebelis's (2002) approach, we expect firstly that governmental initiatives are successful if they can build a change coalition subsuming all veto players. In contrast, the probability for policy stability increases if at least one veto player accommodates with the blocking coalition. Hence, the more veto players a coalition subsumes, the more political power it has in enforcing its goals. A second factor is the congruence of veto players within the change coalition. The more the actors' positions lay apart from each other, the smaller is the set of possible deviations from the *status quo* and the more incremental the intended change will be. Consequently, if the government wants to realize its proposal it has to adjust its initiative to the positions of the different veto players.

Nevertheless, institutional settings play a decisive role in determining the conditions for coalition building. By specifying, for example, the electoral system and decision rights for second chambers or presidents, they define to a large extent the number of veto players. The more they increase the number of actors with veto power and the wider the distance among their preferences, the more difficult is the formation of a coalition (cf. Tsebelis 2002).

Four types of policy change dynamics

Hence, the balance of political power between the change and blocking coalitions as well as the congruence of actors within the change coalition determine the policy change dynamics. We derive four different scenarios, describing the political process of governmental initiatives. In the first scenario we find a strong change coalition, subsuming all veto players, whose positions do not

lie far apart from each other. Consequently, the government does not struggle to enforce successfully a far reaching reform. In the second scenario the congruence among the veto players decreases, while they still build a common coalition, cohering in their willingness to change the *status quo*. Consequently, the set of possible modifications of the *status quo* shrinks. In order to be successful, the government must propose incremental changes to *the status quo*. In the third scenario, the balance of power among the change and blocking coalitions is reversed. Owing to the far distance of veto players in the political arena, the blocking coalition incorporates veto players. As long as the smaller change coalition follows congruent policy goals, the government struggles in finding a majority in parliament and, hence, fails in changing the *status quo*. If the congruence within the change coalition decreases, the government is capable of entering into negotiations with the blocking actors allowing for at least minimal policy change via co-operation. This last case presents the fourth scenario.

MORALITY POLICY-MAKING IN ITALY AND SPAIN

The following subsections illustrate the formation of actor coalitions in homosexuality and prostitution politics in Italy and Spain since the mid-1990s. In so doing, we identify the relevant partisan and societal veto players and their strategic positioning.

Actors, coalitions and morality politics in Italy

Italy: multiple access points for morality policy-making
Italy is a multi-party system with considerable fragmentation among its political parties, which follows, however, a bipolar trend. Legislative initiatives can be introduced by the government or by members of parliament. Parliamentary committees are responsible for evaluating and – if necessary – modifying the bill. In order to become a law, the final draft must be approved by both chambers before it can be signed by the president. In practice, these processes are far less straightforward. In the majority of the cases legislative initiatives dry up in parliament as the commissions usually struggle with an overload of simultaneous proposals on the same issues. Thus, the main task of the commissions is to craft compromises, which do not usually return from the commission to the assembly for final voting. The picture becomes even more complex when considering the strong fragmentation among Italy's interest groups. Ideologically similar groups often compete over access to the political arena through *ad hoc* intervention with single political actors or members of parliament (Constantelos 2001). These dynamics, which are also a consequence of the realignment of the Italian party system since the early 1990s, are not least owing to the absence of a regulatory framework to co-ordinate access of organized interest to political decision-making. The Vatican as a specific interest group in Italy, however, has traditionally played an important role in Italian policy-making.

Since the dissolution of the Italian Catholic party, the Vatican and the Italian Catholic Church have continuously sought to rebuild their ties with newly emerging political parties and Catholic politicians on all administrative levels (Mudu 2002).

These highly interwoven processes require strong actor coalitions in order for a legislative proposal to be successful. In sum, the fragmentation of political parties prevents most of parliamentary initiatives or policy proposals from entering the voting stage in parliament. Therefore, institutional veto players can be considered less pivotal than partisan or societal veto players when it comes to morality policy-making in Italy.

Patterns of morality policy-making in Italy

Figure 1 summarizes parliamentary activity with regard to the regulation of prostitution and same-sex partnerships in Italy. The bars indicate the absolute number of parliamentary initiatives by government and opposition parties. This way, they illustrate how competitively these issues have been debated over the course of the recent legislatures.

Figure 1 illustrates the situation the centre-left government (Prodi II) faced when it tried to institutionalize same-sex partnerships in Italy in 2007. While the political left managed to dominate the agenda-setting in parliament regarding the issue of sexual orientation and civil unions, throughout the 15th legislature (2006 to 2008), the government's initiative was also accompanied by one legislative proposal and five motions from the conservative political opposition seeking to reverse the government's goal to regulate same-sex partnerships. These patterns illustrate the dynamics in parliamentary debate. On the one hand, the political left was unable to agree on one bill on same-sex partnerships with the number of alternative policy proposals by members of the government
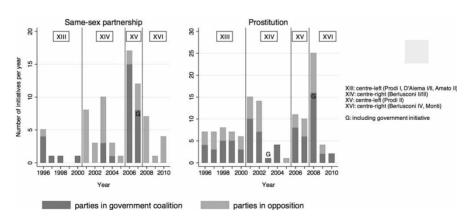

Figure 1 Number of parliamentary initiatives in morality politics in Italy
Source: Authors' compilation based on http://www.senato.it and http://www.parlamento.it.

coalition amounting to 17 in 2006 and 2007. On the other hand, the opposition made use of its ability to slow down decision-making on this matter by way of several parliamentary motions.

With respect to the issue of prostitution politics, the 2003 bill (14th legislature, governments Berlusconi II and III) was accompanied by 10 alternative proposals on the issue of voluntary prostitution by the political opposition, while in the 2008 case the number of opposing proposals amounted to nine. In addition, the two conservative governments (led both times by Prime Minister Berlusconi) also had to cope with considerable internal opposition in parliament, with 22 or 15 alternative conservative policy proposals respectively.

Homosexuality policies and actor coalitions in Italy

These figures illustrate that the issues of same-sex partnerships and prostitution have been highly contested in parliament in Italy. We argue that these dynamics in parliament reflect the underlying veto player positions on the two morality issues.

The government's 2007 initiative on same-sex partnerships was a response to increased parliamentary and societal pressure. As a consequence, Prodi's centre-left alliance favoured the institutionalization of same-sex partnerships in its manifesto prior to the 2006 elections. However, the subsequent formulation of the 2007 bill on civil unions already showed that the change coalition was rather small. Yet, the conflict on this issue only openly emerged with the presentation of the bill in parliament, when all policy actors had to take a stand on the issue.[2] With respect to the partisan veto players, the centre-left coalition (Prodi II) had to cope with the challenge to reconcile different party ideologies. While the strongest government party (the Democrats of the Left) was in favour of the initiative, representatives of the Christian Democratic party continued to argue against the institutionalization of same-sex partnerships. In contrast, members of the left-leaned socialist government parties argued for more far-reaching measures by introducing competing policy proposals themselves. However, the Democrats of the Left were not willing to negotiate a compromise, which illustrates the strong congruence of the arguably small change coalition. This internal fragmentation of the government created partisan veto players that threatened the success of the bill on same-sex partnerships by joining the blocking coalition.

The Catholic Church as a first societal veto player acted both inside and outside parliament against the institutionalization of same-sex partnerships. Since the 1990s, the Church gradually abandoned 'its policy of relative non-involvement in Italian and Roman political issues' (Mudu 2002: 190; cf. CDF 1986). On the issue of homosexuality policy the Vatican sought to directly influence parliamentarians and voters. In 1992, the Vatican published an appeal to the electorate to not vote for politicians propagating the equal treatment of same-sex partners, while in 2003 the Church directed another paper towards Catholic politicians themselves (CDF 2003). Finally, at the end of March 2007 and as a response to the Prodi initiative, the Italian Episcopal Conference

explicitly rejected the recognition of any kind of (homosexual) relationship that is different to the concept of a family (CCI 2008). In sum, the Catholic Church acted mainly by directly interacting with the members of parliament on the Prodi proposal – in support of the blocking coalition.

In this context, the gay movement as a second potential veto player was very committed to the official recognition of same-sex partnerships in Italy. As a number of organizations preferred farther-reaching measures than the government coalition, they did not actively support the 2007 bill. Rather, a number of deputies with ties to the gay movement or gay organizations made use of their mandate to claim farther-reaching policy change (Mancuso 2008). This strategy of direct interaction with members of parliament had also paved the way for the very first initiatives in parliament on this issue in the beginning of the 1990s (Rossi Barilli 1999: 215). This commitment of certain members of parliament was formalized by the conclusion of a symbolic treaty between select deputies and Arcigay, the most influential gay rights organization in Italy in 2008.

These dynamics show that the change coalition on same-sex partnerships for the Prodi initiative – despite its internal congruence – was rather small. While Catholic deputies intentionally joined the blocking coalition, left-leaned deputies did so indirectly by presenting their own initiatives. The two deviationist veto players were supported by different interest groups (i.e., the Catholic Church in the former and gay organizations in the latter case) that followed a targeted strategy of direct interaction with policy actors (i.e., members of parliament in this context). As a consequence of this veto player constellation, the proposal has never been voted on in parliament and the policy initiative eventually failed. Therefore, the 2007 initiative on same-sex partnerships constitutes an example of scenario three.

Prostitution policies and actor coalitions in Italy
With respect to prostitution politics, the change coalition faced challenges similar to those surrounding the regulation of same-sex partnerships. In both instances (2003 and 2008) the conservative Berlusconi government tried to pass laws to ban street prostitution. While the 2003 initiative sought in the first place to criminalize the clients of prostitutes, the 2008 bill went even beyond that goal, banning both the offering and the demand of prostitution in public places.

The high number of concurring initiatives from the government coalition during both the 14th and the 16th legislatures indicates that support for the policy proposals – and hence the change coalition – was rather limited. The work of the inter-ministerial commission that drafted the 2003 proposal was accompanied by strong opposition also from the government parties (e.g., the strongest Christian Democratic party).[3] This lack of support markedly increased the number of partisan veto players in the blocking coalition.

In this context, the Catholic Church also played an active role by spearheading two popular initiatives that were presented in parliament in 2004. As such it

became an active societal veto player that was not willing to support the change coalition in parliament. More precisely, the Church could not agree with the conservative governments' stance that sought to regulate (or criminalize) prostitution instead of offering support to women in order to overcome their dependence on prostitution.

This reasoning was shared by most (religious and secular) non-governmental organizations (e.g., Caritas Italy or On the Road) with regard to both initiatives (of 2003 and 2008). In this context, the Catholic association Community of Pope John XXIII, which carries out anti-trafficking initiatives, constitutes an exception in that it was explicitly in favour of the restrictive policy proposals of 2003 and 2008 (Caiffa 2005). Nevertheless, these organizations did not actively try to shape the policy-making process, which is why they cannot be regarded as societal veto players with regard to the issue of prostitution politics. Societal influence of the women's movement was even weaker – with the exception of the Committee for the Civil Rights of Prostitutes (which has, however, only limited access to national decision-making; Longo and Vianello [2008: 36]). In both instances (2003 and 2008), the feminist movement failed to exhibit commitment for the issue, which was mainly owing to the internal and regional fragmentation of the movement.

This actor behaviour illustrates the weaknesses of the change coalition on the regulation of prostitution. The change coalition – despite its internal congruence – failed to gain the necessary partisan support. Instead, partisan veto players (subsuming left-leaned and Christian Democratic parties) joined the blocking coalition. In this context, the Catholic Church constituted an important ally. Through its activism it was a very strong societal veto player that made use of a number of different venues of influence. Thus, the change coalition did not only fail to convince the Catholic Church but was also unable to gain support from the feminist movement. These actor constellations account for the failure of both initiatives in parliament, hence representing scenario three.

Actors, coalitions and morality politics in Spain

Spain: channelled access to morality policy-making

In Spain, the executive–legislative dimension is predominantly majoritarian, with the national executive generally consisting of single-party governments with either absolute majorities in parliament or the support of regional parties. Party discipline is strong owing to closed election lists and the concentration of power and resources in the hands of the parliamentary group leaders. While executive bills are rarely modified through votes in committee or plenary sessions, the government rather negotiates proposals with the opposition in early stages (cf. Gunther and Montero 2009). Institutional veto players are less decisive as their power is either limited (i.e., Senate) or they are not able to intervene during the policy-making process (i.e., Constitutional Court). Thus, the institutional setting facilitates the formation of strong and congruent change coalitions.

The plural interest group system supports these processes. After the transition, multiple small interest groups channelling public opinion emerged. They lack formalized ties with political parties or the executive. Approaching political parties is a more promising strategy than the direct lobbying of individual deputies owing to strong party discipline (cf. Hamann 2001). Hence, the willingness to participate, the size and cohesiveness of interest groups are important features of interest groups.

Patterns of morality policy-making in Spain

Figure 2 summarizes parliamentary activity concerning prostitution and same-sex partnerships in Spain. Three aspects are particularly striking. First, the total number of bills and motions is much lower than in Italy. This is probably the result of stricter legislative requirements and a limited number of parliamentary parties. Second, opposition parties seem to be less willing to make use of these instruments, which might be a product of regular negotiations across parties behind closed doors. Third, the number of parliamentary initiatives put forward on prostitution policy is lower than the one on same-sex marriage, pointing towards a less controversial debate.

Homosexuality policies and actor coalitions in Spain

The law on same-sex marriage in 2005 initiated radical policy change in Spain. It granted rights to registered same-sex couples with respect to inheritance, residence, adoption of the spouse's children, etc. A closer look at the actor constellation reveals that the power of the change coalition and its high degree in congruence paved the way for comprehensive reform. Main partisan veto players were the small left-wing parties (Izquierda Unida [IU], Esquerra Republicana de Catalunya [ERC] and Iniciativa per Catalunya Verds [ICV]) and the moderate Catalan party Convergència i Unió (CiU). They put forward most of the opposing initiatives (cf. Figure 2). In this context, the socialists were able to
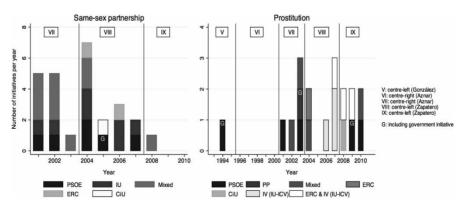

Figure 2 Number of parliamentary initiatives in morality politics in Spain
Source: Authors' compilation based on http://www.congreso.es.

form a powerful change coalition with the left-wing parties and to deprive the CiU of its veto power. The congruence of the coalition increased as soon as the PSOE adjusted its legislative proposal and extended adoption rights of same-sex couples (cf. Chaqués and Palau 2012). The coalition was accompanied by the active and cohesive interest group of gay and lesbian rights, the Federación Estatal de Lesbianas, Gais, Transexuales y Bisexuales (FELGTB). The FELGTB spoke with one voice in 2004, equally approaching left-leaned and centre-left parties (López *et al.* 2007). Their lobbying activity at the subnational level led to far-reaching rights for same-sex couples in single regions and increased public mobilization.

In contrast, the blocking coalition formed by the right-wing party Partido Popular (PP), the CiU and the Catholic Church was less cohesive. Although the Catholic Church might have acted as a veto player with high mobilization capacity,[4] it was not able to enforce its preferences in the decision-making arena. This behaviour is partially owing to its long tradition of partisan neutrality and given the silent blocking strategy of the PP. In sum, the favourable power structure and the high degree of congruence of the change coalition finally smoothed the way towards for radical reform, which hence constitutes an example of the first scenario.

Prostitution policies and actor coalitions in Spain

It is more challenging to draw the line between change and blocking coalition and to identify veto players in the field of prostitution policy, since various actors were involved in the policy-making process. In general, there are two central actor groups – one known as a pro-regulatory coalition accepting prostitution as a form of work and composed by the leftist parties IU and ICV and several interest groups. The other 'pro-abolitionist' group aims to fight the phenomenon of prostitution altogether. This coalition is relatively large but its degree of congruence low because its proponents follow two different lines of arguments. While some members disapprove of prostitution as an extreme form of women's exploitation (e.g., Institute of Women), some actors consider it as inherently immoral (e.g., the Catholic Church). Depending on the direction of change, the abolitionist group takes part of either the change or the blocking coalition.

The reform of the Penal Code in 1995 caused a radical change of Spanish prostitution policy. From 1995 onwards, facilitating the prostitution of third persons was no longer considered criminal behaviour and prostitution as such was decriminalized. The PSOE formed a minority government and was seeking support of either one of the main partisan veto players (i.e., the CiU or the IU). The PSOE approached the issue of prostitution mainly in connection to rape and sexual abuse, which has been a consensual topic amongst most of the parties. Consequently, both veto players were willing to support the PSOE in a strong and congruent change coalition. Although some members of the pro-abolitionist group were active as societal veto player, their mobilization capacity was not sufficient and the Catholic

Church remained rather inactive (Valiente Fernández 2004: 110). This led in combination to a weak blocking coalition that was unable to prevent major policy change. Therefore, the case provides evidence for the first scenario.

The second reform in 2003 introduced a more restrictive regime in criminalizing any activity related to the exploitation of third persons. In other words, any type of procurement was banned, including cases of mutual consent. As other aspects, such as the role of clients and the location of prostitution, were left untouched, the reform put forward an incremental alteration. PP represented a majority government and was not forced to approach other political parties. Moreover, the mobilization capacity of societal veto players (i.e., Hetaira) was low (cf. López *et al.* 2007: 118). This is partially owing to the fact that the issue of domestic violence overshadowed the debate and occupied many resources of feminist organizations. Furthermore, the debate was framed mainly in relation to the less controversial issue of sex-trafficking. The Catholic Church, in contrast, supporting the change coalition, stands out for its intense activity in favour of a restrictive regulation of both the offering and the demand of prostitution. In 2001, the Episcopal Conference presented a directive dealing with the link between organized human trafficking and prostitution (cf. López *et al.* 2007: 116). Other supporters of the pro-abolitionist approach, however, that blamed predominantly clients and procurers, argued for different policy solutions (cf. Outshoorn 2004). The growing heterogeneity in turn reduced the congruence of the change coalition. In a nutshell, the change coalition was large and powerful but less congruent, which prevented a radical change. Hence, the case characteristics fit nicely with our second scenario.

Six years later in 2009, the PSOE liberalized prostitution policy. The act stopped the general criminalization of any type of procurement. The socialists were leading a minority government, obliging them to approach partisan veto players either from the left (IU, ERC, IV) or from the moderate-right (CiU). The incorporation of left-wing parties proved difficult, since prostitution policy divides the leftist party spectrum (cf. Outshoorn 2004). In the end, the PSOE and the CiU built a large change coalition. Its degree of congruence was rather low. The small left-wing parties formed a strong and active blocking coalition with the help of societal actors. They lobbied intensively at the regional level, which facilitated far-reaching law proposals in the Catalan parliament and increased public mobilization. These circumstances opened up the possibility of entering into negotiations with the change coalition and of co-operating in incrementally adjusting the regulatory status. In sum, the change coalition was less congruent owing to diverging positions of the members. Moreover, it was confronted with a large and cohesive blocking coalition mobilizing various new actors. The PSOE profited from its centre-left position in the party spectrum, enabling co-operation not only with the small left-wing but also with moderate right-wing parties. This flexibility paved the way for the incremental adjustment of the Spanish prostitution policy towards a more permissive regulatory regime. Therefore, the 2009 reform constitutes an example for the fourth scenario.

Summary: actors, coalitions and morality policy change

In conclusion, we find empirical examples for all four scenarios (see Figure 3).

Spanish prostitution reform in 1995 and the institutionalization of same-sex marriage in 2005 fall into Scenario 1. In both moments, the change coalition was powerful and its preferences rather homogeneous allowing for radical policy change. The act on prostitution policy in Spain in 2003 provides evidence for the second scenario. A powerful and large change coalition formed by the PP and other pro-abolitionist supporters had to cope with weak internal congruence between the Catholic Church and feminist groups. The Italian reform attempts in the fields of prostitution policy and same-sex partnership come close to Scenario 3. While the change coalitions as such appear congruent and determined to carry out their policy proposals, important partisan and societal veto players left the change coalition. As a consequence, the reform proposals lacked the necessary support in parliament. Finally, the 2009 reform of prostitution policy in Spain lends evidence to Scenario 4. A low degree in congruence and a rather weak power structure opened up the opportunity for the blocking coalition to negotiate with the change coalition and, hence, to agree on incremental regulatory adjustments. In sum, the findings for all cases and across both countries support the expectation that the balance of political power among the change and blocking coalitions, as well as the congruence among the actors within the change coalition, are important determinants for policy change.

| | | Congruence among actors within change coalition | |
		High	Low
Balance of political power	change coalition > blocking coalition	**Scenario 1** **radical change** SPAIN Same-sex marriage 2005 Prostitution 1995	**Scenario 2** **incremental change I** SPAIN Prostitution 2003
	change coalition ≤ blocking coalition	**Scenario 3** **failure** ITALY Same-sex marriage 2007 Prostitution 2003, 2008	**Scenario 4** **incremental change II via cooperation** SPAIN Prostitution 2009

Figure 3 Actor coalitions and regulatory change in Spain and Italy

CONCLUSION

Our empirical analysis of the regulation of prostitution and the institutionalization of same-sex partnerships in two Catholic societies allows for some conclusions that might be of interest to the scholarship on comparative morality policy analysis.

On the one hand, we find evidence for the expectation that morality policy change is subject to the political and societal actors' strategic positioning as veto players. Given that morality policies deal with fundamental principles, policy change requires broad political and societal support for the government initiative. If the change coalition is challenged by the majority of veto players, the success of the policy proposal depends on the flexibility of the change coalition to negotiate a compromise with its opponents. While the Italian decision-makers lacked the necessary willingness to adjust initial policy plans, Spanish politicians were able to realign crucial veto players in the bargaining process not least owing to institutional conditions. These findings highlight the contingent influence of the legislature for morality policy change (cf. Heichel *et al.* 2013).

Our comparative analyses of the political processes also illustrate the role of the Catholic Church and the religious denomination in society on morality policy-making. In Italy, the Catholic Church is a powerful and active societal veto player having direct access to the decision-making process. Its mobilization capacity is very high owing to the geographical proximity of the Vatican and an extremely religious population. About 24 per cent of Italians attend religious services once a week whereas only 14 per cent of the Spanish population claims to do so, and this number is steadily decreasing owing to a notable secularization process (WVSA 2012: 2005 wave). Until the 2000s, the Catholic Church in Spain followed a strategy of partisan neutrality, avoiding any political involvement and thus restraining itself from being a strong societal veto player (cf. Montero 1999). As a consequence, religious factors do play an important role when it comes to explaining morality policy change in the two Catholic countries. However, it is necessary to shed a nuanced light on the cultural and institutional Church–state relations, the Church's situational preferences and behaviour, as well as its mobilization capacity.

These findings suggest venues for future research. In the first place, we highlighted the impact of partisan and societal veto players and the ability of the change coalition to incorporate them. Yet, we lack systematic understanding and detailed empirical information of the exact causal mechanisms enabling societal actors to access the change coalition. Future research might also address the following questions. In what way does the regulatory *status quo* matter in regard to the extent of morality policy change? Do these findings hold true in corporatist systems equipping some interest groups with more power in the decision-making process?

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NOTES

1 Owing to the focus on voluntary prostitution, we do not include the Immigration Act of 2000 and the Penal Code reform of 1999.
2 See 'Unioni di fatto, Dl divisi Poi passa la linea Bindi', *La Repubblica*, 7 February 2007: 1.
3 See 'Il Polo litiga anche sulla prostituzione', *L'Unità*, 4 August 2002: 7.
4 The Catholic Church campaigned yet in the mid-1990s against homosexuals and argued in its Episcopal Conference that homosexuality is a result of bad habits, bad companies and negative early experiences. It even intensified its activity from the 2000s onwards (i.e., publishing several officials press statements, presenting a pastoral directory for the family in 2003).

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