



Housing is not a crime: Madrid's post-crisis squatters' movement tell our story through activist research

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Abstract

Since the 2008 financial crisis the rate of squatting in Madrid has increased eightfold, a structural response to waves of evictions affecting upwards of 75,000 households in the region and the proliferation of vacant housing. Predictably, squatters have been criminalised and persecuted by local and national authorities, the courts, the media and the banks who own the vast majority of their homes. In this article we share the conclusions of a five-year research project by and for the *Coordinadora de Vivienda de Madrid*, the assembly bringing together Madrid's thirty or so neighbourhood housing mutual aid groups. Centred around a book published in 2017 and follow up interviews carried out in 2019, the project tells the story of Madrid's post-crisis squatting in the first-person plural as another tool in squatters' struggle for their right to housing. We tell the story through four lenses: speculation, poverty, criminalisation and legalisation. As we write about this work for the first time in English, we unravel the challenges of realising a research project as part of a social movement and reflect on the complex emotions of sharing the project at international academic conferences, often finding ourselves feeling outsiders as activists doing research rather than researchers studying movements.

Keywords

Squatting, housing, Madrid, social movements, evictions, activist research

Introduction

Who squats in Madrid and why? This is the question we answer in "Housing is not a crime" (*La vivienda no es delito*), a book published on 1 March 2017 in the name of Madrid's

Housing Coordination Assembly (*Coordinadora de Vivienda de Madrid*, 2017a). Through 33 interviews with families squatting in the city, we made visible the intersection of oppressions they face, the fears they felt and the solutions they demanded. We made the case for the social, economic and political rights of people that live in squats (e.g. Figure 1) and exposed the institutions and authorities that criminalise and evict them.

The book was an important tool in a campaign by the Madrid Housing Coordination Assembly to defend squatted housing and to win our squatting neighbours space to live and breathe. Since then, we've used the book during negotiations with banks and with local and regional authorities. It has provided a counter-narrative to media stigmatisation on national radio (Radio 5, 2019) and in national newspapers. (El País, 2017) We have continued our research since. In 2019 we revisited 17 of the original interviewees to understand how their situation had evolved three years on (Barrio & Youngman, 2021).

We've wanted to write about the project in English for some time as a way of engaging in dialogue with housing activists and researchers beyond the Spanish state. Presenting the project at conferences in Lisbon (Youngman, 2016a), London (Youngman, 2016a), Brighton (Barrio and Youngman, 2019a) and Stockholm (Barrio and Youngman, 2019b) has helped us situate our project's place in the wider European context, understanding what it has in common with other research and what sets it apart. With that context, we now feel able to write for an audience beyond Madrid.

In this article we summarise the methodology and then findings of our research into Madrid's post-crisis surge in squatting. We do this in four parts, following the structure of our 2016 book (*Coordinadora de Vivienda de Madrid*, 2017a), updated to include the findings of

Figure 1

A new squatted block is opened by PAH Vallekas.
Source: Juan Carlos Mohr.



our more recent research (Barrio & Youngman, 2021; Barrio et al., 2021). We tell the story of the **speculation** that gave rise to waves of evictions, the need for squatting and hoards of vacant housing. We tell the story of the **poverty** against which our neighbours use squatting to survive and resist. We tell the story of **criminalisation**, how our squatting neighbours are denied their basic rights for occupying a home. And lastly, we tell the story of **legitimisation** through struggle in which squatters in Madrid's housing movement are engaged. In this final section we move into telling the story of our research project, itself being one front in this struggle for legitimisation. We reflect on the way we used our research in the struggle and on the process of research by social movements. In this project we act as part of a social movement doing research. We are not academics doing research on (or with) social movements. We'll discuss what we've learned from that process, the mixed feelings we've felt in academic spaces and finally present some recommendations to others attempting the same.

About the project¹

In academic spaces—conferences, journals and the like—we find ourselves part of a conversation about establishing ethical collaboration with social movements from the academy. That was never our challenge. For us the challenge was carrying out militant research as part of a social movement while remaining faithful to our *compañeras* and our struggle.

Our analysis was always a collective project. Our 2017 book is collectively authored by the Madrid Housing Coordination Assembly, the *Coordinadora de Vivienda de Madrid*, where Madrid's 30 or so neighbourhood housing groups send rotating delegates to plan and agree joint action. It was at this assembly that Tom originally developed and proposed the project (Youngman, 2015) and we continued to report to and test consensus with them throughout the project. Of course only a limited group put pen to paper, but the project's direction was always agreed in those same assemblies where the movement took other strategic decisions like when to call a demo or how to negotiate with banks.

We, the authors of this article, co-ordinated the writing team. Both of us came to this project as active members in our respective neighbourhood housing groups: Tom in the district of Latina and Laura in Usera. Both our neighbourhoods lie in the poorer south side of the city. Each neighbourhood has its own particular patchwork of histories of struggle and migration. Both neighbourhoods were profoundly affected by the housing bubble and both mobilised in force to denounce the situation, defend their rights and prevent evictions. The general assemblies founded by the 15M movement in Latina and Usera gradually gave way to the specific neighbourhood housing assemblies (*asambleas de vivienda*) we were part of.

The project started as an idea: that the sorts of research that movements often use as a tactic to change media narratives and political discourses found little space in Madrid's

¹ This section in part translates, adapts and contextualises a section we contributed to in Barrio, D'Adda, Jóven, Ramón, Sala & Sanmartín (2021).

housing movement, which by necessity focussed on the daily emergency of stopping evictions. It's not a coincidence that Tom had this idea while studying undergraduate economics and sociology. Nor is it a coincidence that this idea was taken up with enthusiasm by Laura, a part time sociology student. Just as others in our assembly lent their van driving or poster-making skills to the movement, we sought to lend our nascent research skills. Others in the core writing team for our 2017 book² and in the interviewing team for our 2018-2019 research were in a similar position: active participants in their neighbourhood assemblies with research experience from current or former day jobs in the academy or non-governmental organisations. While some of us shared spaces or even professions with academics or postgraduate students, this project was solely militant in character, with no objectives set by academic institutions. Some of us did adopt a “two-career” scholar-activist strategy (Croteau, 2005) and realise academic studies on similar subjects in parallel (Youngman, 2016b; García-Calderón & Janoschka, 2016) but these were wholly outside of our participation in *La Vivienda No Es Delito*.

The core principle driving each step of the project was loyalty to the common ethos and experience we shared with our neighbours in our assemblies. These shared principles had been built carefully through years of conversations and debates; years accompanying neighbours to negotiate with bank managers, landlords and social services; years of care, fear, hugs, tears and shouts of *¡sí se puede!* Our approach to research thus isn't about ‘affinity’ with the housing movement or ‘collaboration’ with the subjects of a research project. Our research is *by* our movement, carried out from within the movement itself, following the movement's own principles. In our case, these principles are mutual aid, horizontalism, pluralism, inclusion and *asamblearismo* (PAH, 2015).

As a responsive, contemporary research project, our most immediate influence was research going on in other corners of Madrid's housing movement by Amnesty International (2016) and Enclave, Qiteria and PAH Madrid (2015). We learned from their approach, avoided duplication and deliberately sought to fill gaps they left. There were some powerful examples close at hand of academics researching our movement, characterising it and telling its story (Gonick, 2016; Martínez & García, 2015; García-Calderón & Janoschka, 2016) but we didn't see the concrete benefits to our movement of this purely academic work. We were more inspired by work that studied movements' enemies rather than movements themselves, such as the Ireland After NAMA (2009) collective and Desiree Fields' movement-commissioned work on corporate landlords in the USA (Fields, 2014). Our other major inspirations were activist-researcher counterparts we met through struggle. Tom had organised alongside researchers involved in the Participatory Geographies Research Group (PyGyRG) like Myfanwy Taylor and Sam Halvorsen in London and had witnessed how they wove together their activist and academic practice. We drew on PyRyRG resources like their special edition of *Social Movement Studies* and its lead article by Kevin Gillan and Jenny Pickerill (2012). As our research progressed, we learned from dialogue and discussion with our

² Un abrazo fuerte a Mercedes Lowezka Lovera González (PAH Arganda), Violeta Canabal Fernández (Asamblea de Vivienda Latina), Gladys Martínez López (Diagonal/El Salto) y Israel García-Calderón Pavón (PAH Getafe).

activist-researcher counterparts in Barcelona's housing movement like Maka Suárez (2014) and Melissa García-Lamarca (2016).

Synthesising these diverse inspirations, we tried to design a research process that would fit with Madrid's housing assemblies and PAHs (Platforms for People Affected by Mortgages), not least by choosing our objectives collectively. Open discussion groups suggested ideas which were sifted, evaluated and agreed at the Madrid Housing Co-ordination Assembly. It's no surprise that squatting emerged as the area the assemblies wanted us to look into. At that time the assemblies were fighting a wave of evictions of squatting neighbours, getting nowhere in negotiations with the banks whose flats assembly members were squatting and in response facing a barrage of disinformation and abuse from institutions and the media. The various contemporary reports and statistics about the situation facing homeowners (Observatori DESC, 2013; Amnesty International, 2016; Enclave et al., 2015) had been a great help to the movement but there was little contemporary analysis about the rise in squatting. There is rich sociological literature seeking to make sense of Madrid's squatting movement (Martínez López, 2002; *Seminario de Historia Política y Social de las Okupaciones en Madrid-Metrópolis*, 2014). These studies seek to chronicle one particular political movement made up of "young, politicised people looking to put their ideals into practice through their lifestyle" using the tactic of squatting (*Seminario de Historia Política y Social de las Okupaciones en Madrid-Metrópolis*, 2014, p. 226) rather than the tactic of squatting as a whole. These studies acknowledge that "squatting due to poverty is the more typical and traditional practice" (ibid., p. 225) and "a routine practice of ethnic collectives like gypsies" (Martínez López, 2002, p. 141)—but leave this wider practice out of scope. The convergence of the squatters' movement and the popular 15M movement in 2011 (Martínez & García, 2015) blurred the dividing lines between 'political' squatters and people squatting out of necessity. This new phase in Madrid's housing and squatting movement meant Madrid's post-crisis squatters were not accurately characterised by the previous squatting literature just as they were omitted from the contemporary housing literature covering other tenure types.

Through a gradual, iterative process to develop the research proposal (Youngman, 2015) we earned the trust of the housing assemblies to carry out a project that, done wrong, could have posed significant risks to the precariously and arguably illegally housed squatting neighbours at the centre of the project. We could only guarantee the safety and duty of care to the squatting neighbours involved by being active accomplices in their assemblies. We only had access because people had already seen our faces many times before behind police lines at a 7am eviction attempt.

When beginning the interview process we learned from Gillan and Pickerill (2012) that we couldn't rely on reciprocity with interviewees through the impact of the final written research output. To do so at best overstates the directness of the impact of research and at worst disrespects the time offered by research participants and limits researchers' intellectual independence by predetermining the direction of conclusions. Instead, reciprocity has to be found in the moment of exchange of information. This meant sending Tom on his bike all over Madrid, meeting interviewees in a location of their choosing to minimise their time and money spent on transport. It also meant leaving plenty of time to spare, arriving not just as

an interviewer but as a *compañera*. On occasion this meant breaking a sweat—helping one of our interviewees move (squatted) home, for example. But more often than not it meant having time spare when interviewees wanted to welcome him into their home for food, coffee, a hug and a morning chewing the fat. When Tom thanked them for their time, interviewees invariably thanked him too. For many, just being listened to for an hour or two was comforting and healing. In building reciprocity our challenge was accepting this generosity without fear or shame, taking care and letting ourselves be cared for when that was what interviewees wanted. This same approach was repeated by a wider team of interviewers in 2018.

We also had to make difficult decisions about how to find resources for our project without limiting our liberty to let the movement dictate topic, methods and formats. Conducting radical research *within* the academy opens access to many resources but it means getting into the university's productive cycle and its associated demands over project direction. We instead found personal and movement resources. The spaces, time and communication tools of Madrid's housing movement were the most important resources we made use of. But we also made use of time made available to us by supportive employers, in Laura's case, and by his local neighbourhood housing assembly, in Tom's.

We might have been free of some of the demands of the academy but that doesn't mean it was simple to carry out the research in a way that maintained the vision and trust of the housing assemblies. We regularly reported back to the assemblies, opening up our working group to new members, inviting contributions on specific topics and presenting drafts for comment and review. Inevitably we found ourselves facing occasional moments of suspicion and distrust. It took two years for the project to grow from first conception into a book ready to front a public campaign. Over those sorts of timescales energies ebb and flow, personalities come and go and working groups have periods of greater and lesser connection to the assemblies that guide them. In the one or two moments trust was brought into question, it was lengthy discussion, debate and decision that regained it and re-centred the project.

In the period after the book's publication, mass participation in the project opened to a wider group as communication and campaigning became more central tasks—we'll return to this later on. In the years since then we have fluctuated between being a 'working group of two', operating fairly autonomously in partnership, and continuing to work in an integrated way with Madrid's housing movement. Our engagement in academic conferences and journals has arisen more for personal development and interest whereas our substantive research, such as our second round of interviews in 2018, has involved renewing our wider working group and seeking consensus from the Madrid Housing Coordination Assembly, in which Laura still participates.

A note on the words we use

Struggle creates language. It creates words to crystallise shared experience. It creates words that challenge traditional depictions of marginalised groups in order to fight for their

rights and legitimacy. Squatters as a group are hounded and forced into hiding. Recording and popularising new language is a key part of the work we've done through the 'Housing is not a crime' project. That's something we've done exclusively in Spanish. Writing about the project in English for the first time requires a bit of a translation note before we get started.

Out of habit borne from the housing assemblies we participate in, we speak in the first person plural. The collective referred to by that 'we' modulates and fluctuates just as our relationships to the collectives we participate in change and evolve. Usually 'we' refers to the two authors of this article, Laura and Tom. But sometimes we use it to refer to the working group of Madrid's Housing Coordination Assembly that built this project with us, and sometimes we use it to refer to the Madrid housing movement as a whole. Neither of us were interviewed for this work, placing us outside of the collective of people whose experiences we reflect upon, but we share a collective identity with them both as part of the Madrid Housing Coordination Assembly and as part of the squatting movement. We take the best care we can to clarify which 'we' we mean, but there is some inevitable fluidity between these overlapping collective identities.

Squatting

Okupar is the most commonly used word for squatting in Spain. You're as likely to hear anarchists and activists using it with pride as you are to see it in the headline of a right-wing newspaper.

'*Un okupa*' usually refers to a squatted building but for the right-wing press it is the word of choice to refer to people that squat, usually in an article telling readers to be on guard in case squatters break into your home while you're on holiday.

Vecinas okupas or 'squatting neighbours' is our counterpoint to scare-mongering headlines about "*mafias okupas*" (e.g. El Mundo, 2016) liberating a new building. Our project is all about humanising squatters as fellow neighbours trying to meet their basic rights. People to have solidarity with rather than people to fear. This choice of phrase has a particular political weight. Madrid's Neighbours' Associations (*Asociaciones de Vecinos*) were our predecessors in the housing movement, leading the struggle in the 80s after the fall of dictator Franco (Sequera, 2011). Movements stake a claim to the right to the city as neighbours in contrast to other, external, actors such as politicians, businesses, banks, speculators or gentrifiers. So it doesn't quite feel right to refer to 'squatters' in this article just as we wouldn't refer to people as *okupas* in Spanish. Instead, we'll talk about squatting neighbours.

Obra social is the name the Platform for People Affected by Mortgages (PAH) gave its squatting campaign as a tongue-in-cheek imitation of the term used by Spanish savings banks for their philanthropic programmes.

Ocupar is used by some as a deliberate de-escalation of the anarchist and punk associations of the 'k' in *okupar* (as explained by Martínez & García, 2015) and by others as a more general, inclusive terms (e.g. *Seminario de Historia Política y Social de las Okupaciones en Madrid-Metrópolis*, 2014; *Obra Social Barcelona*, 2018). *Ocupar* with a 'c' translates literally as

‘occupy’ but without the political connotations the Occupy movement and others attached to that term.

Recuperar is another PAH favourite: assemblies often announce they have ‘reclaimed’ a vacant flat from a bank, often referencing the public bailout of the banks in the financial crisis. This has echoes of social centre squatters who talk of ‘liberating’ (*liberar*) vacant buildings.

Organising

Compañeras are the people we struggle alongside, day in, day out. This sometimes gets translated as ‘comrades’ but that brings to mind militaristic or Communist connotations not quite fitting. In our assemblies we often deliberately use the feminine versions of words by default rather than the masculine (disobeying Spain’s Royal Academy that set the rules on these things) as our movement is majority female.

Asamblearismo is organising by assembly. It has a lot in common with the consensus decision-making used in US and British movements but it also implies acting as a collective rather than as an individual and strong networks of interrelationships between collectives.

¡Sí se puede! – our favourite slogan! It means ‘yes, it’s possible!’ but has more of a ring to it.

1: Speculation

The recent wave of squatting for housing in Madrid begins with the speculation of the great housing con, the so-called ‘bubble’ that burst in 2007 and 2008. What at first seemed to be inclusion in the mortgaged housing market left millions of families vulnerable to the whims and irresponsibility of the banks (Colau & Alemany, 2014). When the bubble burst, many families affected by the crisis and by precarity in the labour market could no longer afford to pay the rent or mortgage (Observatori DESC, 2013). Where did people affected by the 79,872 court-ordered evictions in the region of Madrid between 2008 and 2015 (CGPJ, 2015) find shelter? Many were taken in by family members and a small number found temporary respite in the overheated rental market. But with no solution to precarity in sight, these solutions were available to few and often only temporarily. Spanish state policies sought to defend banks and markets, leaving the public not simply unprotected but struck twice by a cocktail of austerity measures including the sell-off of the already insufficient amount of social housing (Colau & Alemany, 2014).

Meanwhile Madrid had more vacant housing than ever. The last official census of empty housing was in 2011, when the Spanish state estimated 3.4 million empty houses (Idealista.com, 2014). Keeping flats empty post-repossession avoids banks’ losses materialising on balance sheets (Figure 2). The same applies to the many new build blocks that never made it to market before the crisis bankrupted their constructors. Putting these

Figure 2

A recently evicted flat bricked up to keep empty in the Madrid district of Usera.

Source: Asamblea de Vivienda Usera.



homes on the market would keep prices low, deepening banks' losses. Instead the banks' interest lay in keeping housing vacant, waiting eagerly for a new price bubble (*Coordinadora de Vivienda de Madrid, 2017a*).

This speculation strategy has a weak spot: collective action. If the houses are there then the informal economy, the economy of the street, will step in to balance the market. The use value which the houses were built to meet overpowers speculative forces. The squatting movement in Madrid has decades of history (Martínez, 2002). Its confluence with 2011's 15M movement led to an "explosion of new squats" (Martínez & García, 2015) as the skills and knowledge to support lasting squats reached the hands of those who most needed it.

The majority of families interviewed for our book had followed this path to their squatted flat. Fifteen of the 33 we interviewed had been evicted with a court order from their last stable home before squatting. A further nine had been forced out without a court order. Seven had been living with family members and had had to leave. Eighteen of the 33 families had not had access to a whole flat before squatting, instead fitting the whole family into a single room, a relative's sofa or other similar cramped options (*Coordinadora de Vivienda de Madrid, 2017a*).

Between them, the 33 families interviewed had lived in 39 squatted flats. Twenty-four of these were individual flats in blocks of mixed tenure types. The remainder were split between seven squatted blocks, six of which were affiliated to neighbourhood housing groups. The ownership of these flats and blocks reflects the fallout from the housing bubble. Twenty of the individual flats belonged to high street banks. In two cases the interviewees were unsure who owned the flat, while in another two cases the vacant flats were known to belong to individuals who had long since died. Of the seven squatted blocks, two were owned by banks, one by the SAREB (the Spanish state's 'bad bank' that bought up toxic bank debt) and one by an estate agency. The final three of the seven had contested ownership, their

constructor having gone bankrupt before the building could go to market (*Coordinadora de Vivienda de Madrid*, 2017a).

We managed to revisit 17 of our original 33 interviewees in 2019. The changing patterns of speculation in Madrid's housing market were reflected in the shifting ownership of their homes beneath their feet. Of the eight of the 17 that were still squatting, only one of their flats had the same owner—Santander, one of the Spanish banks to have fared best in the crisis (RTVE.es, 2014). Two of the flats had passed from high street bank BBVA to private funds including US private equity firm Cerberus. A further two had passed from high street banks to the SAREB. One had passed from an insolvent construction company to an estate agency. One of the flats was a new squat since our first round of interviews and the occupant of the final flat was unsure who the new owner was (Barrio & Youngman, 2021).

Their experience forms part of a new phase of speculation in Madrid's housing market driven by US private equity firms (Hale, 2017). It began with Blackstone's purchase of 1,860 flats from Madrid's Municipal Social Housing Company (EMVS) in 2013 and their bulk buy of more than 100,000 mortgages from CatalunyaCaixa in 2014 (Zuloaga, 2019). This strategy has become systemic, replicated by nearly every Spanish bank. The result for our squatting neighbours are Kafkaesque negotiations where bank managers direct them to US hedge funds and US hedge funds direct them back to high street banks.

2: Poverty

Street by street, speculation pushes people into poverty. Squatting and other forms of disobedience by our neighbours in this bleak situation doesn't solve their poverty but it is a means of resistance and survival.

The squatting neighbours we interviewed in 2015 declared a monthly family income varying between €346 and €520³, far below the regional poverty threshold of €802 per month (EAPN-España, 2016). This extremely low income is related to precarious employment. Only four of the 33 families interviewed included someone in full time legal employment with only two more having some part time legal work. Fourteen of those interviewed relied on precarious, cash-in-hand work such as street sales and 13 families were all unemployed. The remaining interviewees chose not to answer the question (*Coordinadora de Vivienda de Madrid*, 2017a). These are families on the whole completely excluded from the legal market economy, finding multiple ways to get by on the margins and obtain their basic rights. For example, squatting was often not the only alegal or illegal way those interviewed met their basic rights. Of the 33 interviewed only four had contracted electricity, with the vast majority finding ways to bypass their meter.

The average household income among the 17 interviewees we managed to trace again in 2019 was somewhat higher, rising to an average minimum monthly income of €666 and

³ We asked each interviewee to give a minimum and maximum estimate of their monthly income to allow for month-in-month income variations. The first estimate is an average of the minimum estimates and the second is an average of the maximum estimates.

an average maximum monthly income of €704. This is still below both the 2015 and 2019 poverty thresholds and below the 2019 minimum wage of €900 (up from €649 in 2015) (EAPN-España, 2016, 2020). This doesn't seem to reflect a general improvement in livelihoods: poverty rates and long-term unemployment rates in the Spanish state still hover within a few percentage points of their historic highs. There does, however, seem to be some evidence of squatting families benefiting from increases in state support. When looking case-by-case at the six interviewees whose income had increased between 2015 and 2019, three cited an increase in state benefits and one had received a small bump in their pension payments. One interviewee had found a new job and another had received a pay rise—both men. While there have been some marginal improvements to the resources available to the households in our study as well as one or two households that have found a route out of poverty, we found no evidence of systematic improvement. We put the increase in income estimates down to sampling bias, more than anything: our 2019 sample had relatively fewer young people and relatively fewer people with a history of migration than our 2015 study, suggesting we were unable to trace those more likely to remain in more precarious situations (Barrio & Youngman, 2021).

Our squatting neighbours are sustaining families with a complex set of needs. Of the 33 interviewed in 2015, 16 families included someone with a disability or long-term illness. There were children in 24 of the 33 households. The average age of those interviewed was 40 (*Coordinadora de Vivienda de Madrid*, 2017a). This is quite a different profile to that portrayed in Spanish media or to that involved in previous waves of social centre squatting (*Seminario de Historia Política y Social de las Okupaciones en Madrid-Metrópolis*, 2014).

With this overwhelming, unmet need for housing, people have taken matters into their own hands on a large scale. Data from the Spanish state prosecution service shows that the number of investigations begun in Madrid into the crime used to prosecute squatters, 'misappropriation of real estate'⁴, increased from 523 in 2007 to 4,032 in 2014 (see Figure 3). This is almost an eightfold increase in squatting rates in the Madrid region since the start of the financial crisis. The trend is similar, if not quite as extreme, statewide. Nearly 5,000 investigations into squatters were started in the Spanish state in 2007 compared to 19,336 in 2014—just under a fourfold increase (*Fiscalía General del Estado*, 1996–2015; *Coordinadora de Vivienda de Madrid*, 2017).

These statistics are an indicator of the criminalisation of squatting in Madrid's courts, rather than a direct metric of how many people are squatting. They are affected by changing policing and public prosecution strategies regarding squatters, evolving legal precedents and squatters' success in evading detection. They are also vulnerable to changes in the law, as

⁴ *Usurpación de un bien inmueble*, Article 245.2 of the Spanish Criminal Code (BOE, 1995).

Court proceedings begun for 'misappropriation of real estate', the crime of squatting, in Madrid region, 1997 - 2018.

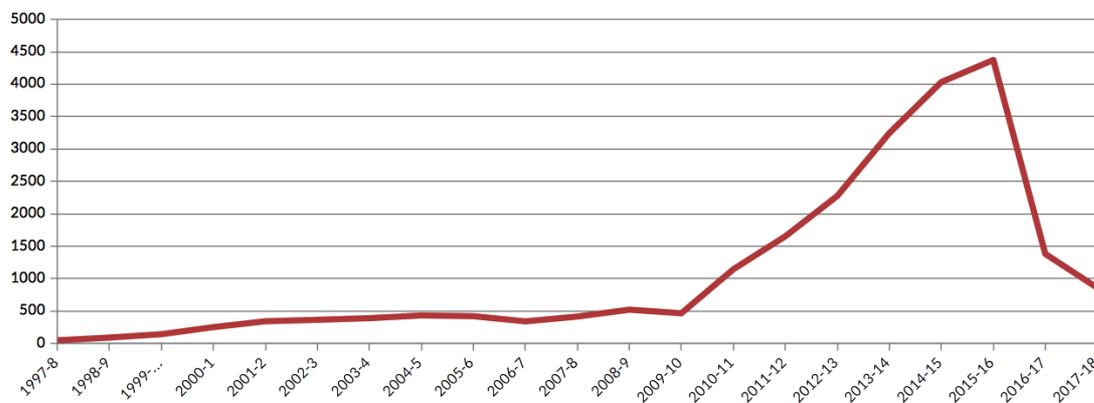


Figure 3

Graph of the number of court proceeding begun for *usurpación de un bien inmueble* ('misappropriation of real estate', the crime of squatting) in Madrid region between 1997 and 2018. Note the drop in 2016 after the change in Penal Code. **Source: Annual reports of the Spanish State Prosecutor (*Fiscalía General del Estado*) 1998 - 2019**

happened in 2015 when reform of the Spanish criminal code gave misappropriation of real estate a new legal form, a 'minor crime'. Data from Madrid's provincial prosecution service shows that the number of investigations begun into the misappropriate of real estate peaked in 2015 at 4,373 cases before falling dramatically to 1,383 cases in 2016. From there the number of new cases has fallen gradually year in year to the most recent 2019 figure of 565 cases, similar to pre-crisis levels (*Fiscalía Provincial de Madrid*, 2016–2020). Further work is needed to understand the extent to which this reversal is a reflection of change on the ground or whether it is a result of the 2015 criminal code reform's effect on judicial statistics.

3: Criminalisation

Reclaiming a flat from a bank alleviates a housing problem but brings with it a whole new set of oppressions and anxieties. Our squatting neighbours face threats from public and private institutions and individuals with a variety of stereotypes and prejudices contributing to their discrimination.

The chronic anxiety begins the day these families take the difficult decision to enter a flat without the permission of its owner. Opening up a flat and gaining access to water, gas and electricity means facing a potential confrontation with neighbours, landlords, police and judges from day one. Two thirds of the families we interviewed in 2015 did this without the support of a housing assembly, facing the experience more or less on their own. One of our interviewees summarised the experience:

From the first day we entered the flat, I had the feeling that everyone was pointing me out, that everyone knew I was in a flat reclaimed from a bank. Every time I saw a police car I thought they were coming for me. (*Coordinadora de Vivienda de Madrid*, 2017a)

The constant wait for these consequences creates a chronic anxiety with terrible health impacts. The majority of those we interviewed reported anxiety, stress and insomnia. Some referred to depression, exhaustion and panic attacks (*Coordinadora de Vivienda de Madrid*, 2017a). These health impacts coincide with the well-chronicled health impacts of evictions (Daponte, Mateo & Vázquez-Vera, 2013). Although our research has not focussed on children's experiences, some parents we interviewed reported their children faced these same health impacts, echoing the findings of previous research on evictions and the rights of children conducted with PAH Madrid (Enclave, Qiteria & PAH Madrid, 2016).

As squatting rates have risen, the effect of the criminalisation of families that squat has moved from neglect to outright attack. In *Housing is not a crime* we detail the media fabrication of the spectre of the 'squatting mafia' as a means of further stigmatising our squatting neighbours (*Coordinadora de Vivienda de Madrid*, 2017a). The social stigma leads our squatting neighbours to be frozen out of both formal and informal support networks. Registering oneself as resident in a municipality is the route to access healthcare, education, social services and many other local services in Spain. Squatters often face gatekeeping preventing them from the municipal registration critical to accessing essential services. Of the 33 squatters interviewed in 2015 only 18 had managed to register themselves as resident in their squatted flat, with 11 registered in alternate locations and four not registered at all (*Coordinadora de Vivienda de Madrid*, 2017a). This is despite total legal clarity that people that live in squats should be registered "where they actually live [...] completely independently of any judicial or private controversy surrounding the ownership of the house" (BOE, 1997, 2020).

Police harassment is part of life for squatting neighbours. Thirteen of the 33 interviewed in 2015 had a police visit within a month of moving in and a further 22 had a police visit in subsequent months. Most reported good behaviour on the part of the police but six of those interviewed reported outright hostility, while one was arrested on their own doorstep. Four interviewees reported three or more police visits. This is a systematic tactic. In 2016, at the height of the media campaign against the ephemeral squatting mafia, a new 'Anti-Squatting' Police Commissioner was appointed in Madrid and a campaign of police intimidation was carried out under the guise of a 'census' of squatted flats (*Coordinadora de Vivienda de Madrid*, 2017a).

The majority of interviewees also faced court proceedings. Fourteen of the 24 interviewees that squatted individual flats had faced criminal charges. Of the seven squatted blocks in the study, four had live court cases with two named individuals in each (*Coordinadora de Vivienda de Madrid*, 2017a) These court processes can be lengthy, leaving households unable to sleep easy in their own homes. In our 2019 interviews, three households were involved in civil proceedings, not even getting rest after having won lengthy criminal cases. Two were in negotiation after having won criminal cases. Three had again faced eviction attempts (Barrio & Youngman, 2021).

Perhaps the most insipid measure against squatters is the continued blacklisting of people that squat from social housing registers. Eligibility criteria instituted by Madrid City Council in 2012 barred anyone that had squatted a flat from the municipal social housing waiting list for ten years. This measure was softened only slightly by the leftish Manuela Carmena administration in 2016, removing the ten-year exclusion but still leaving people currently squatting ineligible for the waiting list. The regional authority, the *Comunidad de Madrid*, takes an even tougher line, refusing to let squatters even apply for social housing. So, whereas squatters applying for social housing from Madrid City Council will at least appear in statistics as being rejected from the waiting list, those applying to the regional authority are never even acknowledged (*Coordinadora de Vivienda de Madrid*, 2017a). More than any other measure, this seems a vindictive exclusion of those with the most urgent housing needs that only accelerates the cycle of eviction and re-squatting. Once again the right to housing guaranteed by the Spanish constitution seems to evaporate the moment our neighbours take matters into their own hands and guarantee their rights themselves. Activists and lawyers in Madrid are currently working to challenge this exclusion in the courts.

4: The struggle for legitimacy

Bringing a flat abandoned by its owner back into social use is a way of taking action to guarantee a family's own basic rights, supported by Article 47 of the Spanish Constitution, European law (*Coordinadora de Vivienda de Madrid*, 2017a, pp. 164-168) and by Article 11 of the International Covenant on Economic, Social and Cultural Rights (Sánchez, 2018). Recent jurisprudence from one of the first of 135 cases presented to the UN Committee on Economic, Social and Cultural Rights by the Spanish housing movement has clearly established the rights of squatters to freedom from eviction where no alternative housing is available (Committee on Economic, Social and Cultural Rights, 2019). This isn't to say a reclaimed flat is the decent housing we are fighting for. The lack of security of tenure and the risk of forced eviction stand out as two inadequacies among many.

A social rent—outside of the free market, adjusted to tenants' means and offered in the same flat in which they currently live—is what would allow our neighbours a stable existence. This form of tenure already exists, albeit almost invisibly, thanks to the struggle of PAHs and housing assemblies across the Spanish state. Despite being excluded by many social housing providers discriminatory rules, the 33 households interviewed had applied for social housing 34 times between them, from regional and municipal authorities, banks and charities. The most common route to a more stable housing situation was a successful struggle for a social rent contract from the bank that owned the flat they were squatting, with the support of a neighbourhood housing group. Four households had already achieved this when interviewed in 2015 (*Coordinadora de Vivienda de Madrid*, 2017a). When we interviewed 17 of the original 33 in 2019, two more had managed to get a social rent contract from a bank. Only one interviewee had been adjudicated social housing by the Municipal Social Housing Company, and this only came after an extensive pressure campaign by the Housing Assembly for the district of Latina in the wake of a brutal televised eviction carried out by Madrid's riot police (Sanchez, 2015; *Asamblea de Vivienda de Latina*, 2015). The total ineffectiveness of the

municipal and regional social housing offer is systematic. The 2018 municipal round of adjudication had 19,927 applicants for only 288 homes. The regional Social Housing Agency (AVS), covering the much larger *Comunidad de Madrid*, has a much smaller waiting list of 3,412. Gatekeeping, exclusionary eligibility criteria and a general feeling that there's no point even applying mean social housing waiting lists are no measure for the real scale of housing need (Barrio & Youngman, 2021).

For the Madrid Housing Coordination Assembly, squatting is a way for neighbours to guarantee their right to housing for themselves when no one else will do it for them. The systematic squatting of abandoned blocks through the PAH's *Obra Social* campaign is one of the most spectacular examples of this, reclaiming dozens of empty blocks for assembly-managed social housing. This campaign falls on the pro-negotiation side of one of the squatting movement's most fierce debates, seeking the security of tenure associated with regularisation in social rent contracts. This approach was followed by 25 of the 33 households we interviewed despite more than 20 of them reporting no willingness to negotiate on the part of the owners. Only two interviewees reported having no intention to negotiate (*Coordinadora de Vivienda de Madrid*, 2017a).

This tactic has been popularised and some are pursuing it outside of housing assemblies, but our 2019 interviews suggest our neighbours stand better chances resisting with a solid assembly behind them. Five of those interviewed again in 2019 had faced eviction attempts in the interceding years, three of them in a neighbourhood where the housing assembly supporting squatters had stopped meeting. Despite strong family support, two of the three families in that neighbourhood were evicted. The two neighbours to face eviction attempts in neighbourhoods where assemblies remained had successfully resisted and stayed in their homes (Barrio & Youngman, 2021).

Negotiating doesn't mean conceding. Refusing to hand over the keys to our houses is Spanish housing assemblies' key tool to gain leverage over banks in the struggle to stop them undermining inhabitants' basic right to housing. The Madrid Housing Coordination Assembly (2017a, p. 205) sees this as part of the struggle for a 'universal social rent':

Universal social rent isn't a distant utopia. It's being created right now in our neighbourhoods, towns and cities, flat by flat, block by block. Standing in the way of speculation, guaranteeing our right to housing for ourselves. Our disobedience brings this future closer and closer, whether they want it or not: there's not a lock that can stop us.

5: Our research as a weapon in the struggle

Our book is envisaged as an extra tool in the struggle for the right to housing, specifically for the rights of those who guarantee their right to housing for themselves through squatting. Faced with widespread stigmatisation and neglect of our squatting neighbours, our work attempts to evidence and mainstream a clear alternative narrative to that presented by Madrid's politicians and the media.

Who squats in Madrid and why? A recap of our counter-narrative

- **Speculation** means houses are used to maximise owners' profits, often left empty rather than being put to the social use for which they were built.
- **Poverty** leaves our neighbours with no option but to take their own rights into their own hands. No-one chooses poverty: it is thrust on them, perhaps by the 2008 crisis, often also by longer term oppressions like the marginalisation of Madrid's *gitana* community.
- **Criminalisation** punishes Madrid's squatting neighbours for something they had no choice in or blame for. They are harassed by police, courts, municipal authorities and the media.
- Taking the right to housing seriously means seeing squatters' claim as **legitimate**, ending criminalisation and offering them long term stability in the houses they currently inhabit.

Our work's alternative narrative is second nature to everyone in Madrid's housing movement but banks and authorities don't listen to voices from the *plazas*. So we thought a fancy looking book and a few numbers might help them get the idea. Our 2017 book has four chapters, each exploring the key aspects of the experiences of our squatting neighbours in Madrid that we have summarised in this article: speculation, poverty, criminalisation and legitimisation. The book includes recommendations directed at public authorities, banks, landlords, charities as well as collectives involved in social movements themselves. The book was another tool in the toolbox of those fighting for the right to housing in Madrid.

The book was launched just as collectively as it was produced (Figure 4). We launched the book in March 2017 at the *Casa del Reloj* cultural centre on the south side of the centre of Madrid (*Coordinadora de Vivienda de Madrid*, 2017b). We had a couple of hundred people in the audience—a diverse mixture of *compañeras*, interested allies and specially invited observers from banks, political parties, charities and more. Many of Madrid's housing assemblies participated in what was more festival than book launch. It began with ballet, a piece choreographed to represent the themes of the evening. From there a cast of lawyers, psychologists, educators and social workers who had made professional contributions to the book took to the stage. Pre-recorded videos let some of our more stage-shy squatting neighbours tell their own stories from their own homes whereas others took to the stage to re-enact some of the daily experiences they live through, for example meetings with social workers or bank managers. Where else to finish but with dance, another specially choreographed piece in which many neighbours from the assemblies themselves danced, and a standing ovation to a chorus of *¡sí se puede!* We took the tears filling eyes across that room as a mark of success.

The Madrid Housing Coordination Assembly has since used the book as the hook to get the rights of squatters on the agenda in spaces it would normally be excluded. We've held



Figure 4

Clockwise from left: the writing team at the book launch (photo: Raúl Capín); Alicia, one of our interviewees (photo: Pablo Castellanos); Asunción Carbonell, veteran of Madrid's housing movement and author of our book's foreword (photo: *Coordinadora de Vivienda de Madrid*); Violeta Canabal, the final member of the book's writing team (photo: *Coordinadora de Vivienda de Madrid*).

a roundtable meeting to discuss the book with the city's leading lawyers at the Bar (ICAM, 2017). We've been interviewed on national radio (Radio 5, 2019). National newspapers have used it to contextualise stories about the eviction of squatters (El País, 2017). Neighbourhood housing groups and PAHs have used the group to destigmatise squatting in their own areas (e.g. *Getafe Vecinal*, 2017). It appeared in the top 100 most requested books in Madrid's city libraries in 2017, three places ahead of *Les Misérables* and only eight places behind the latest *Harry Potter* (elDiario.es, 2017). Our book has been a reference point for the characterisation of Madrid's squatting movement in academic literature (e.g. Campos & Martínez, 2020). It has given us a solid body of evidence to use both at our day-to-day negotiations with banks and landlords and less frequent negotiations with political leaders on both right and left (Figure 5). It even inspired a similar, even more ambitious study by *compañeras* in Catalunya (Obra Social Barcelona, 2018).

What we think we've learned about how social movements can do research

What we've done is something a bit different to the 'militant research' conducted by our friends (and *compañeras* too) who work in the academy. Our research isn't 'for', 'on' or 'with' social movements, it's 'by' our movement. Obviously the limited group of individuals who actually worked on this project aren't a social movement by ourselves, but when we participate in social movements we submit ourselves to something bigger. We take decisions as a collective through consensus. We take action together and formulate shared demands.

Figure 5

Politicians from the Left and Right hold our report (on left, Pablo Iglesias (former) leader of progressive party Podemos, on right, Cristina Cifuentes, leader of conservative Partido Popular).
Source: Coordinadora de Vivienda de Madrid / Twitter.



Our project used these same tools. Just as we decide on slogans and protest dates in assemblies, we formulated research questions and agreed appropriate methodologies in assemblies. Obviously little working groups sidle off to do the work, just as the banners actually get painted outside of the decision-making space. But those side spaces reflected the collective will of the assembly, held true to that vision and regularly reported back to ensure they were heading in the right direction.

Our different approach has left us feeling a little bit odd on the four occasions we've presented our work to academics at conferences (Youngman, 2016a; Barrio & Youngman, 2019a; 2019b). We're creating knowledge in a highly situated way for a very specific purpose and context.⁵ The times we've felt best have been when our participation at academic conferences has brought out the housing activist that most RHJ contributors hide very shallowly under the surface; when academics' deep understanding of housing rights and struggles have made them the perfect people to introduce us to collectives in their own country in a way that helps movements learn from each others' practice. The way Swedish academics at the Tenants Organizing conference (Barrio & Youngman, 2019b) facilitated our participation in the *Bostadsvrålet* ('Housing Roar') gathering of Swedish housing activists felt a perfect example of how academic insight can permit cross-cultural, cross-struggle pollination, learning and growth.

That's where we've felt best. There are also lots of time we've felt a bit weird too. Research on social movements can be incredibly useful. But poorly handled it can result in requests from paid academics to do extensive unpaid labour for activities of little benefit to movements. Being interested in studying us isn't the same as studying with us. We know ourselves. More often than not it is the institutions and economies oppressing us we want help to understand and undermine.

So to finish, here are some of the things we think we've learned that might help others doing research by or with social movements.

⁵This is the closest we've gotten to translating any of our work into English. It might be of abstract interest to an English-speaking audience but we had no immediate need to as few English-speakers have much influence over the rights of squatters in Madrid.

Some things that worked for us: our mini-manifesto for social movement researchers

Research projects *by* social movements

1. Find ways to let social movements pick the research questions.
2. Let the principles of the social movement be the principles of the research project.
3. Let the decision-making spaces of the social movement make the strategic decisions about the research.
4. Publish the results of your research in the media of the movement. Stickers, flyers, songs, presentations at meetings, radio interviews, an article in a movement newspaper, an event. It needs to be in the same language as the one your movement speaks.⁶

Being a social movement researcher (whether that's *by*, *with* or *on* social movements)

1. Thinking of showing up to put forward your research project? First you need to show up full stop. Sit quietly in a few assemblies while you learn the ropes. Do the dishes and help prepare the food. Turn up to help stop some evictions (for example). Make your commitment to the movement primary and your proposal to do some research as part of the movement secondary. You're not the first person to show up with a Masters' or PhD thesis, or other research project, in mind.
2. Don't let your research be the only thing you do with the movement. Keep showing up to other stuff while you're working on your project.
3. Be prepared to let the research meander. Maybe a new evil corporation comes to town and you're needed to investigate them. Maybe someone you want to do a structured interview with actually just wants to serve you dinner in your house and tell you about their pet cats.
4. Who's paying you while you're doing the research? How are you going to stop their interests overriding the interests of the movement? We found ways to research in our own time (no universities involved) just as others in our movement do. Our movement's own mutual support structures were key. That's not the only way to do it but it worked for us.

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⁶ Duh. Oh and an article in an academic journal probably doesn't count.

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