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Crisis and Corruption in Spain: Improving the Quality of Governance to Fight Corruption

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Abstract

This paper analyses data on the skyrocketing perception of corruption in Spain and links this perception not so much to an increase in bribery as to growing dissatisfaction with the functioning of the political system. For this reason, it argues that there is an urgent need to improve the quality of Spain's government institutions if citizens' trust in their public institutions is to be restored. Corruption scandals in Spain have mainly emerged from sources such as town planning, public procurement and, above all, illegal party funding. All these corruption sources have evidenced serious institutional problems in Spanish governments and public administrations in all levels (national, regional and local). The paper poses nine reforms to raise quality of government in Spain. The first four proposals (strengthening the oversight capability of legislatures, the judiciary independence, the role of independent authorities, and reducing governments interference in the work of the media) focus on making limitations on the executives actually effective. The final five ones (improving quality of regulation, increasing professionalization of higher levels of public administration and public companies, maximizing transparency and the right to access to public information, protecting effectively whistleblowers, and disincentivating political careers of civil servants) focus on reducing the opportunities for corruption.

Keywords: Corruption, Spain, Quality of government, institutional reforms, public trust

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A Skyrocketing Perception of Corruption

Beginning with the analysis of data on the perception of corruption in Spain, Figure 1 brings together data from the special Eurobarometer on corruption to highlight the profound deterioration that has taken place in this country from the years of the Great Recession onwards.

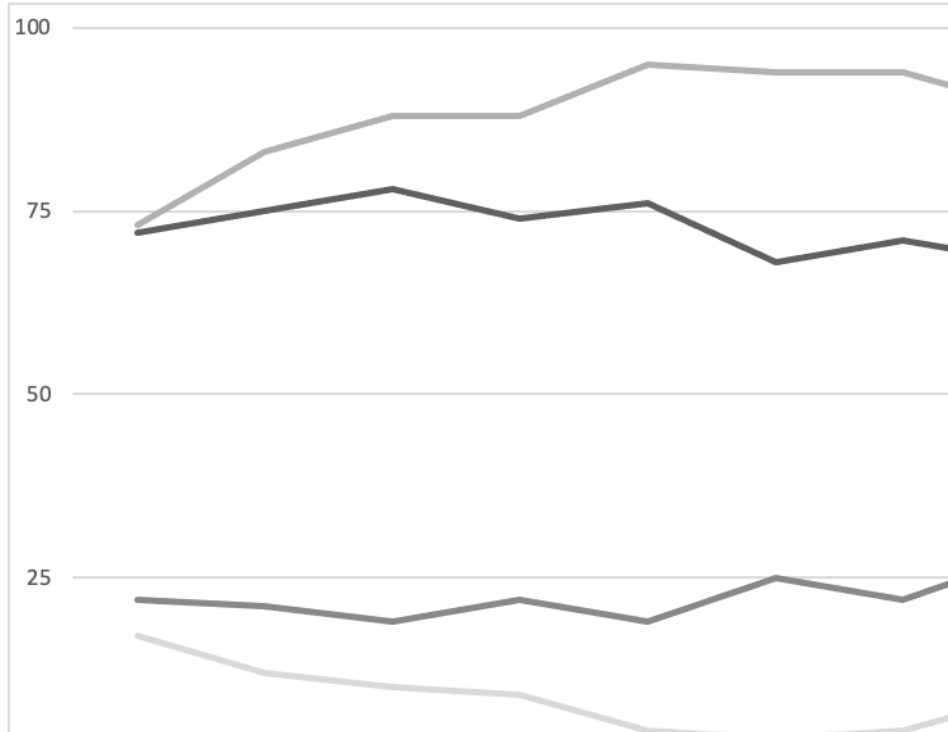


Figure 1. Perceptions of corruption in Spain 2005-2022

Source: Special Eurobarometer on Corruption

Numerous indicators from many different surveys show an alarmingly high perception of the extent of corruption among Spaniards, and a significant increase in the years coinciding with the deep economic crisis that began in 2008. Data from the special Eurobarometer surveys on corruption, which have been conducted at the EU level every two years or so since 2005, show that the deterioration in the perception of the problem in Spain is more than evident (Figure 1). Of all the EU countries, Spain is the one that has seen the biggest changes in recent years in the perception of corruption and in the perception of corruption as one of the most important problems facing the country. According to the latest available survey, conducted in April 2022, 89% of Spaniards believe that corruption is very or fairly widespread in the country. This figure places Spain in the top group of EU countries where this perception is highest, behind only Greece (98%), Cyprus and Croatia (94%), Hungary (91%) and Portugal (90%), and well above the EU average of 68%. Fourteen years earlier, in 2005, the perception of corruption as a major problem in Spain (73%) was high but close to the EU average (72%).

It is true that this increase in the perception of corruption has taken place in a context of severe economic crisis and harsh austerity measures in public spending, which have caused great social unrest. The increase in the perception of corruption and, above all, the way in which public concern about the problem has grown in recent years, seem to be a fundamental component of the climate of mistrust and discontent that has taken hold among Spaniards.

However, we must add a new aspect to these data in order to have a more accurate description of the corruption problem in Spain. This is the citizens' direct experience of paying bribes or, as it is known in the literature of corruption analysis, victimization surveys. In stark contrast to the high perception of the phenomenon, data on victimization are particularly low. According to the different waves of TI's Global Corruption Barometer, Spain's levels are very similar to those of Germany, Switzerland, Norway and even Finland.

Spain is one of the EU countries with the greatest difference between a very high perception of corruption and a very low direct experience of paying bribes to obtain public services. If we take the first figure, Spain would belong to a club of European countries that includes the leaders in this classification: Greece, Italy, Lithuania, Czech Republic, Romania, Slovenia, Portugal, Slovakia and Hungary. However, if we look at the data on direct experience with bribery, the members of the club to which Spain would belong would be the United Kingdom, Portugal, the Netherlands, Germany, Finland and Denmark.

This scenario suggests that countries such as Spain and Portugal, but also some others such as Austria, Ireland and France, share a unique problem in terms of the extent and characteristics of corruption. The citizens of these countries perceive a high incidence of the phenomenon, but unlike countries suffering from systemic corruption (many of those in Eastern Europe and the Balkans, as well as Greece, if we stay within Europe), the direct experience of corruption in accessing certain public services is almost negligible. The reasons for the high perception of the problem must therefore be sought elsewhere.

In the Spanish case, there are several factors that explain this situation: a succession of corruption scandals that are closely followed by the media and political spokespersons and that tend to have a great impact on public opinion (cf. Palau and Davesa, 2013); or the spread of a perception of impunity and lack of punishment due to the exasperating slowness of judicial proceedings (around 10 years on average in corruption macro-cases) and the recurrent use of pardons for this type of crime (132 pardons for politicians convicted of corruption between 2000 and 2012). Moreover, as Frank Rusciano (2014) has shown, there is a high correlation between high perceptions of corruption and deteriorating perceptions of public service delivery, which is certainly the case in Spain. In addition to these factors, there is the background of a political culture characterized by a cynical view of democracy, which fuels great suspicion about the motivations of the main political actors, and in some periods of severe economic crisis, such as the one we have been experiencing for various reasons in the last decade, a deep institutional discontent that exacerbates the high perception of the phenomenon.

Main Causes of Corruption in Spain

The low level of direct experience of ordinary citizens does not mean that corruption is a minor problem in this Iberian country. What happens is that it is usually high-level corruption that affects the political and economic elites, and very little that of the civil servant at the counter or that suffered in other countries by the users of the main public services, such as health, education or the police. In the case of Spain, if we take into account the information provided by the scandals of these 40 years of democratic rule, political corruption has been recorded in three main areas of action with strong links between them. These are irregular party financing, the public procurement of goods and services, and urban planning.

Starting with party financing, the main problems have been related to illegal donations by certain large companies, the “generous” forgiveness of credit debts by financial institutions, or the abuse of public administrations under party control through actions such as the collection of commissions for the award of contracts, the diversion of funds from public subsidies, or the decapitalization of public or private companies.

The regulation of political financing in Spain, even after the reforms of 2007, 2012 and 2015, has been and continues to be seriously flawed. Some authors have suggested that these flaws are deliberate, as they are “designed to prevent knowledge of activities that political parties prefer to keep hidden” (García Viñuela and González de Aguilar, 2014: 160). In other words, with such a regulation of political financing, it is difficult to achieve the goal of citizens’ trust in parties. The shortcomings have been analyzed by various authors (Jiménez, 2007b; García Viñuela and Artés, 2008, Pérez Francesch, 2009) and by the GRECO reports (2009, 2011 and 2013). Problems can be found in each of the three main pillars of the Recommendation (2003)⁴ that the Council of Ministers of the Council of Europe (CoE, 2003) dedicated to this issue: transparency, monitoring and sanctions (Jiménez, 2018, Jiménez and Villoria, 2018).

It has also been observed how a large part of the scandals of these years were related to the collection of illegal commissions for the award of public contracts, which, in certain cases and in certain percentages, were intended to finance the party that controlled the public administration that awarded the contract. The request that the Court of Audit devoted in 2006 to the analysis of the problems of control of local entities (Court of Audit, 2006) also reflected on the awarding of contracts, and many of these reflections are still fully valid and can be applied to other administrations. For example, some of the irregularities observed by the Court are due to the inadequate regulation of certain aspects of procurement. Specifically, the Court highlights three main aspects: the lack of definition of the characteristics that projects put out to tender should have; the lax regulation of calls for tender; and, finally, the inadequate definition of modifications, extensions and complementary works.

Even taking into account these regulatory shortcomings, the general rule is that the better equipped a public administration is in terms of human and material resources, the more difficult it is for administrative procurement to generate corruption. The problems become more serious the lower the scale of human and material resources in the hands of the administrations and also in the bodies of the institutional or instrumental administration

(public companies, consortia, foundations, etc.) where the control mechanisms are relaxed.

It can be concluded that public procurement, especially in territorial and institutional administrations, is carried out within a deficient institutional framework and in accordance with widespread irregular practices that make it very difficult to effectively control the actions of those responsible for these administrations. In short, this is a very fertile ground for the emergence of corrupt practices.

Finally, the institutional framework in which urban planning policy has been carried out in Spain in recent years has created enormous incentives for corruption from two sources. On the one hand, there is the fact of the enormous economic impact that public decisions - essentially in the hands of local and regional authorities - have had on urban land use. An impact that, unlike in our neighboring countries, is essentially on the wealth of the owners of the land that has been rezoned. In times of boom in the housing sector, such as the one Spain experienced between 1997 and 2006, and given the enormous difference between the value of rural land and that of building land, the temptation to “buy” a public decision that changes the declared use of a specific piece of land becomes difficult to resist. On the other hand, the various control mechanisms with which our political and legal system tries to prevent the use of public office for private gain, i.e. political corruption, have proven to be clearly insufficient in this area (Jiménez, 2009, Romero et al., 2012, García-Quesada et al., 2013, Jiménez et al., 2014 or García-Quesada et al., 2015).

Serious problems have been identified on at least four different levels: regulatory, bureaucratic, political and judicial. The hyper-regulation of urban planning activities paradoxically leaves certain doors open for a high degree of arbitrariness in decision-making. The use of administrative silence for the approval of clearly illegal urban planning licenses, as well as the conclusion of agreements with private individuals that give them a decisive role not only in the execution of urban planning, but in the planning itself, are clear examples of this problem.

Second, the bureaucratic internal control procedures that have traditionally been used to try to ensure the legality and economic rationality of the decisions of local authorities are now so deficient that in reality they do not provide effective control in the vast majority of our local authorities. The Court of Auditors warned of this serious problem in its devastating 2006 motion mentioned above. Thus, such a crucial internal control task as the audit function, which is reserved for officials with national accreditation, is “sensibly conditioned” for the following reasons, among others: a large number of posts reserved for officials with national accreditation remain vacant and are filled by random appointments, often with personnel “whose qualifications are not always adequate”; or the integration of officials with national accreditation into the local civil service, which has led to the dependence of those who have to control on the local body itself, which they are responsible for auditing.

As far as political control is concerned, although in many cases the role of the opposition is key to uncovering corrupt practices in this sector of activity, in many other cases it is incapable of sounding the alarm bells that lead to scrutiny of the work of those

in power. This is mainly due to three alternative reasons: either because of the lack of information on these matters, given the opacity of many urban planning procedures, such as agreements in many cases, or because of the social discomfort that it can cause these people to play the role of inquisitors of a leader who is highly respected and supported by the people, or because, as in Tagentopoli Italy, these other councilors receive their share of the spoils.

Finally, with regard to judicial control, the administrative jurisdiction, with cases that take an average of about eight years to resolve, presents a serious problem of efficiency that renders its control role highly ineffective in practice. Criminal jurisdiction, for its part, has also shown some problematic aspects in this area. On many occasions, investigating magistrates have raised preliminary administrative questions which, although they could have resolved them themselves, have been left in the hands of the public administration disputes judiciary, with all the consequences that this entails in terms of prolonging the proceedings. In addition, the complexity of urban planning offences often exceeds the human and material resources of the examining magistrates.

Many of these corruption cases in these three main risk areas have many common elements that need to be identified in order to make them the target of reform policies that seek to fight corruption effectively. In general, cases of irregular party and campaign financing have been linked to the other risk areas: rigged public contracts or urban planning decisions that favor the interests of certain businessmen. In other words, in all of them we find an exchange of irregular financing for public decisions that favor the donors, often in violation of regulations. The most worrying thing is that for a political party to be able to get the public administrations under its control to contribute to this exchange, it is necessary for those who work in such organizations to have a system of incentives that makes them willing to violate legal mandates. This is, as the prosecutor in the Palau case said in his indictment, the “abusive ascendancy” that senior party officials exercise over the staff of public administrations and which results in the “corrosion of the obligatory impartiality” of the latter.

As the work of Dimitri Sotiropoulos and others has shown, public administrations in southern European countries (Spain, Italy, Greece, and Portugal) are generally characterized by extensive politicization. Sotiropoulos (2006) pointed out how this higher degree of penetration of party influence in the public bureaucracy is evidenced by two types of clientelism: top and bottom. Top clientelism refers to the depth of political appointments in the upper echelons of the administration. Unlike in Northern and Western European countries, political appointments in the South are not limited to the highest levels (ministers and secretaries of state or equivalent), but go down several levels to clearly technical positions, for which civil servants with clear sympathies for the ruling party or parties are selected. Bottom-up patronage refers to the self-serving control that the ruling parties exercise over the recruitment of those who will fill jobs in the lower echelons of the public sector.

As Víctor Lapuente pointed out in one of his press articles, this politicization of public administrations spreads a clear awareness among civil servants and public employees of what the real rules of the game are: “If a promising young person who has just joined an administration has professional ambitions, he will realize that devoting 100% of his effort

to doing an impeccably professional job may not be the best way to reach the top”. What is more, this excessive politicization of public administrations very often and worryingly extends to the independent control bodies (Constitutional Court, General Counsel of the Judiciary, Council for Transparency and Good Governance, Court of Auditors, National Securities Market Commission, National Commission for Markets and Competition, Nuclear Safety Council, etc.), hindering the effectiveness and impartiality with which they must carry out their work.

In general terms, as the Transparency International report on the Spanish National Integrity System (Villoria, 2012) concludes, the concern to ensure the governability of the political system has led, over the years of the democratic regime, to the strengthening of the ease of public decision-making to a point that is probably excessive and hinders the effective functioning of the controls that limit the exercise of political power.

These problems described above are serious enough, but the worst of all is the failure of our political leaders to address the root causes of corruption. For too long, either nothing has been done or only cosmetic reforms have been made to get out of the way. While it is true that this inaction did not cause much concern among citizens for many years, in the end, the harsh years of crisis that began in 2010, as mentioned above, completely changed the perception and concern about corruption. Since then, Spanish society has shown a high level of indignation and constant unease towards corruption and politicians in general. At the same time, the level of trust in governments in our country has plummeted, going from a more or less even balance between those who trust and those who do not trust in April 2001 (45 versus 47 percent) to a truly dramatic situation in November 2019 (20 versus 75 percent), according to Eurobarometer data. The reader can imagine how difficult it is to develop public programs and conduct national policies in an environment of distrust and institutional dissatisfaction such as the one that has arisen.

This is why it is so important to introduce appropriate and necessary far-reaching reforms that drastically reduce the opportunities for corruption in order to regain the trust of citizens in their public institutions and political leaders. However, as Daniel Kaufmann is fond of saying, “You don’t fight corruption by fighting corruption,” i.e., the only way to minimize corruption risks is through reforms that improve the quality of governance in a country. I will conclude this text by outlining a minimum program to do so, in line with a report prepared with Francisco Alcalá for the BBVA Foundation and the Ivie (Alcalá and Jiménez, 2018).

Moralizing Public Life by Improving the Quality of Governance

Since the pioneering work of Douglass North (North and Thomas, 1973 and North, 1990), we have known that a country’s institutions are a key factor in explaining its level of development. Institutions encourage and constrain certain behaviors of economic and political actors, so that a country’s development depends on the extent to which its institutional framework encourages innovation. This depends on the economic institutions that have been put in place, and these in turn depend on the political institutions of the country in question. The question, of course, is what we should do, what institutional reforms we should introduce, in order to improve the quality of institutions in Spain, in order to boost the country’s development and increase the level of public integrity.

While countries that stand out for the quality of their government institutions (and are therefore more effective in controlling corruption) have developed a system that strengthens the effectiveness and legitimacy of checks and balances to limit the use of power by the executive, in Spain we have taken the opposite path over the years. We have opted for the ease with which the government can make decisions, and we have considered it a nuisance that the mechanisms of control and accountability should be limited as much as possible. The extreme situation to which the crisis that began in 2008 has led us, has exploded the level of dissatisfaction of Spanish citizens with the functioning of our system of government, while the succession of corruption scandals has exposed many of its weaknesses.

It is therefore necessary to reverse this situation by means of appropriate institutional reforms that allow for a more effective control of power, without going to the extreme of making governance impossible. To this end, I divide the proposals into two main groups. The first aims to reduce the sense of impunity associated with rising levels of corruption by strengthening the checks and balances of the political system. The second set of proposals aims to reduce the opportunities and resources available for corruption.

With regard to the first set of measures, we have observed that the mechanisms for controlling executive power in Spain do not guarantee a sufficiently effective limitation of executive power. This implies introducing reforms in at least three areas: strengthening the traditional separation of powers between the executive, the legislature and the judiciary; strengthening the specialized control bodies that have emerged over time in all liberal democracies (ombudsman, information commissioners, courts of auditors, independence of central banks...); and guaranteeing a level playing field with fewer government distortions for the media.

In these three areas, the reforms to be introduced would have three common features: guaranteeing and strengthening the independence of the work of these institutions from the government; increasing their capacity and resources so that they can carry out their oversight functions effectively; and, finally, establishing mechanisms of responsibility and accountability by which these oversight bodies must demonstrate that they are making good use of the increased powers that these reforms would give them.

The four reforms that could be pursued in this area are as follows.

Strengthen the Oversight Capacity of the Legislature (at all territorial levels)

The aim would be to provide more resources and specialized support staff to strengthen the work of parliamentarians and municipal representatives, enabling them to carry out a more conscientious monitoring of the executive's activities. Ramió (2016) has proposed the creation of a public policy evaluation office within the legislature, in order to have precise knowledge of the real impact achieved by the various government action programs. This office should be composed of highly specialized and well-paid professionals, as its proper functioning would be highly cost-effective for the proper use of public resources.

Strengthen the Independence of the Judiciary

Although, in general, the independence of the judiciary is sufficiently guaranteed in Spain and judges carry out their work without constant political interference, a well-known

GRECO report has drawn attention to the excessive politicization of the appointment of members of the higher bodies of the judiciary (Supreme Court and High Courts of the Autonomous Communities) through the politicization of the General Council of the Judiciary (CGPJ) and has recommended that measures be taken to strengthen the independence of these bodies.

In addition, a number of corruption-related trials have revealed serious problems with the effectiveness of the functioning of the courts. Proceedings for corruption offenses tend to take considerably longer than the average for ordinary cases. In addition, a fact that often hampers the investigation of these cases in Spain is related to the enormous number of public officials with privileged immunity, which leads to the transfer of cases under investigation from one court to another, with the consequent delays. Therefore, it would be advisable to reduce the number of people with privileged immunity in Spain as much as possible, so as not to alter the principle of the natural judge or hinder the development of investigations.

Strengthen the Independence and Capacity of Specialized Oversight Bodies Such As Courts of Audit, Transparency Councils, Ombudsmen, etc.

The procedures for appointing the heads of these bodies must ensure the suitability of the candidates, both in terms of their professional qualifications and their political independence. And once appointed, they should be provided with adequate resources to carry out their responsibilities, while being encouraged to do so with maximum efficiency and independence.

Reduce Government Interference in the Work of The Media

It is necessary to maximize the impartiality with which the various governmental bodies that are competent in the matter carry out three important tasks: they contract institutional advertising in the media; they distribute subsidies among them; and they grant licenses among the audiovisual media so that they can operate. This means reducing as much as possible the margin of discretion (or arbitrariness) with which these three tasks are carried out. This requires the development of objective criteria for the distribution of these assets and their maintenance over time.

A second component of this proposal has to do with the governance of public media. With few exceptions, the most common model of public media management in Spain is highly politicized. The public media are usually conceived as a resource that serves the interests of the party at the head of the government on which the media depend, thus ignoring alternative models of less politicized management, such as the often cited example of the BBC.

As for the second set of measures, which in this case refers to reducing the opportunities and resources for corruption, one of the leading specialists in the analysis of corruption and what needs to be done to contain it, Alina Mungiu-Pippidi (2016), emphasizes the need not only to improve the controls that allow for effective limitation of executives, but also to reduce the opportunities for corruption. Corruption is understood as all institutional arrangements that allow privileged and discretionary access to public power. For example, the existence of monopolies and oligopolies, but also other types of arrangements such as negative networks of social capital, cartels and other collusive arrangements, or

deliberately poor and inadequate regulation that encourages administrative discretion, or the lack of transparency that turns information into privileged capital for those in power and their close associates. In this second area, the reforms that should be promoted are the following:

Improving the Quality of Regulation

Regulatory quality is one of the World Bank's worst governance indicators in Spain (in fact, the worst one in the last years). As Mungiu-Pippidi warns, the poor quality of regulation leaves room for the discretionary, opaque and ultimately corrupt exercise of power. The Sansón Carrasco Collective (2014) of the Hay Derecho Foundation offers a rather worrying data on the regulatory tangle that exists in the country: in Spain there are one hundred thousand regulatory provisions, ten times more than in Germany, despite the fact that this country has twice the Spanish population and a (complex) institutional architecture similar to that of Spain. Although the temptation to solve public problems with new regulations is deeply rooted in the culture of Spanish political representatives, given this panorama, it would be better to undertake a serious task of regulatory simplification in order to untangle the situation in which we find ourselves (Jiménez, 2020).

Improving the quality of regulation should also be accompanied by the introduction of a legislative footprint. In other words, all regulations should have a clear record of the political process from which they emerged: who was involved in the process, with whom they met, which stakeholders were consulted or submitted their views on the regulation, etc.

Depoliticize The Higher Levels of Public Administration and “Para-Administrati-on” (Companies, Agencies, Foundations, etc.).

A decisive criterion of the quality of state institutions is the observance of the principle of impartiality in their functioning. In this respect, the degree of politicization of public organizations is crucial. The more politicized they are, and the less professional they are, the greater the scope for them not to respect this principle. Thus, in the actions of politicized public administrations, the electoral interests of the parties in charge predominate over the professional logic of what good public administration should be. For example, public contracts are awarded not to the company that made the best offer according to technical and professional criteria, but to the company that contributed to the electoral effort that brought that party to power. Or public jobs are awarded not to the most suitable candidates in terms of education, capacity and merit, but to those who form part of the party's electoral support base, regardless of whether they are qualified to carry out the tasks in question.

A large number of the corruption scandals that we have witnessed over the years show the ease with which the leaders of the governing party, at whatever territorial level, get the public administrations under their control (and even more so the public companies, foundations and other decentralized bodies) to bend to their dubiously legal or blatantly illegal desires. In this way, they have been able to exchange certain public decisions, such as the awarding of a contract, the granting of a building permit or a certain regulation favorable to the interests of a third party, for support for the party in the form of votes, donations or favorable image campaigns in the media.

A key objective for improving the quality of our political institutions is therefore to reduce the degree of politicization of public administrations. This requires that the number of posts whose appointment depends on criteria of political trust be greatly reduced and limited to those at the highest level of each organization, where the political priorities of the organization are set.

In addition, something that was only advanced on paper in the Basic Statute of the Public Employee in 2007 should become a reality: the regulation of professional public management. Spanish public administrations need professional public managers who can provide good management skills and give stability to public policies beyond the electoral cycle. To this end, access, tenure and exit from these positions should be regulated, ensuring protection against partisan or arbitrary dismissal. This includes selection and performance evaluation processes that are not in the hands of the politicians at the top of these organizations.

Ensure Maximum Transparency of Public Organizations and the Ability to Assess the Real Impact of Their Actions.

The ability to control corruption and for the public to know what is being done with the resources that citizens contribute through their taxes requires maximum transparency in the functioning of governments. Opacity increases opportunities for corruption, waste and mismanagement of public affairs. Advancing this goal would require progress in a number of areas, including the following.

First, full transparency in public spending should be achieved. This requires not only that public bodies provide all the information necessary for citizens to know how their money is being spent, but also that the way in which this information is provided adheres to a number of principles. The first is that such information should be as simple as possible so that it can be accessed in a very intuitive way. In addition, the information must be provided in formats that can be worked with by those who have the interest and knowledge to do so (media professionals or NGOs).

A second important aspect is the knowledge of the public and private agendas of the most relevant public officials. At present, information is only given (and not very accurately) about their public agendas, but it is important to know what kind of people and institutions these representatives meet with in their free time. And in this effort to improve citizens' access to key public information, with the aim of reducing opportunities for corruption, it is also important to remember the importance of thorough impact assessment of public policies.

Finally, another important aspect of this proposal has to do with improving information on the conflicts of interest in which public officials may be involved. In many cases, those who hold public office are confused about how to behave when faced with a potential conflict of interest in the exercise of their office or when they leave their office to engage in a private activity. The creation of public ethics commissions within public organizations to enforce codes of conduct and monitor potential conflicts of interest at all three stages of public life (entry, performance and exit) would be a good solution.

Protect Whistleblowers

Whistleblower protection is a key aspect of undermining corruption schemes and breaking the circles of silence around them. Indeed, the experience of some corruption whistleblowers has been traumatic. The implementation of whistleblower protection mechanisms would serve to change these incentives and would likely encourage the disclosure of new cases of corruption by significantly reducing the expectations of impunity held by many of those involved.

Debureaucratize Politics by Separating Administrative and Political Careers

The depoliticization of public administration should be complemented by preventing civil servants and public employees from entering politics. This, of course, would mean a revolution in the current situation where civil servants are over-represented in the Spanish political class.

This proposal has been promoted among us, notably by Víctor Lapuente (2016, ch. 2), and is based on the following reasoning. If we want those who work in public administrations to be able to develop a logic of action based exclusively on professional and purely technical criteria for the management of public affairs, counterbalancing the necessary and legitimate electoral logic of the public officials who run public organizations, the careers of the one and the other must be clearly separated. To the extent that civil servants can understand that the leap into politics is the best way for them to culminate their professional careers and consolidate the highest levels of employment to which they can aspire, we will contribute to confusing the two operational logics that drive public administrations, and we will torpedo the possibility of both logics acting as counterweights to prevent abuses in one direction or the other, because the result is a collusion of interests between both types of actors.

Conclusion

This paper analyzes data on the skyrocketing perception of corruption in Spain and links this perception not so much to an increase in bribery as to growing dissatisfaction with the functioning of the political system. For this reason, there is an urgent need to improve the quality of Spain's government institutions if citizens' trust in their public institutions is to be restored.

It is true that this increase in the perception of corruption has taken place in a context of severe economic crisis and harsh austerity measures in public spending, which have caused great social unrest. The increase in the perception of corruption and, above all, the way in which public concern about the problem has increased in recent years, seem to be a fundamental component of the climate of mistrust and discontent that has taken hold among Spaniards. To these data, however, we must add a new aspect in order to have a more accurate description of the corruption problem in Spain. Spain is one of the EU countries with the largest difference between a very high perception of corruption and a very low direct experience of paying bribes to obtain public services. This scenario suggests that countries such as Spain and Portugal, but also some others such as Austria, Ireland and France, share a unique problem in terms of the extent and characteristics of corruption. The citizens of these countries perceive a high incidence of the phenomenon, but unlike countries suffering from systemic corruption (many of those in Eastern Europe

and the Balkans, as well as Greece, if we stay within Europe), the direct experience of corruption in accessing certain public services is almost negligible. In the Spanish case, there are several factors that explain this situation: a series of corruption scandals that are closely followed by the media and political spokespersons and that tend to have a strong impact on public opinion.

However, the low level of direct experience of ordinary citizens does not mean that corruption is a minor problem in our country. In the case of Spain, if we take into account the information provided by the scandals of these 40 years of democratic rule, political corruption has been recorded in three main areas of action with strong links between them: the financing of political parties, the collection of illegal commissions for the award of public contracts, and urban planning policy. Many of these corruption cases in these three main risk areas have many common elements that need to be identified in order to make them the target of reform policies that want to fight corruption effectively. In general, cases of irregular party and campaign financing have been associated with the other risk areas: rigged public contracts or urban planning decisions favoring the interests of certain businessmen. What is most worrying is that for a political party to be able to get the public administrations under its control to contribute to these exchanges, the people working in these organizations must have a system of incentives that makes them willing to violate legal mandates. Moreover, this excessive politicization of public administrations very often extends, worryingly, to the independent control bodies (Constitutional Court, General Counsel of the Judiciary, Council for Transparency and Good Governance, Court of Auditors, National Securities Market Commission, National Commission for Markets and Competition, Nuclear Safety Council, etc.), hindering the effectiveness and impartiality with which they must carry out their work.

While countries that stand out for the quality of their government institutions (and are therefore more effective in controlling corruption) have developed a system that strengthens the effectiveness and legitimacy of checks and balances to limit the use of power by executives, in Spain over the years we have taken the opposite path. The extreme situation to which the crisis that began in 2008 has led us has exploded the level of dissatisfaction of Spanish citizens with the functioning of our system of government, while the succession of corruption scandals has exposed many of its weaknesses. It is therefore necessary to reverse this situation through appropriate institutional reforms that allow for a more effective control of power, without going to the extreme of making governance impossible.

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