

# GOVERN OBERT

6

## **Good Governance and Public Integrity against Corruption**

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Agustí Cerrillo  
Laura Chaqués  
Elena Costas  
Víctor Lapuente  
Simona Levi  
Jordi Muñoz  
Anna M. Palau  
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Generalitat de Catalunya



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Ministry for Foreign Action, Institutional Relations and Transparency  
Secretariat of Transparency and Open Government

First edition: December 2019

DL: B 27821-2019

Pagination and production:

Autonomous Body for the Official Gazette and Other Publications

Supervision and editing: STGO communication area

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## Prologue

# **Prevention, justice and transparency are the path**

Alfred Bosch i Pascual

Minister for Foreign Action, Institutional Relations and Transparency

It is everyone's responsibility to ensure that corruption is no longer a blight on society with direct and indirect consequences like a perceived lack of social justice. It is everyone's responsibility, with the Government of Catalonia leading the way, to ensure that institutions are effective, participatory and open. But it is the government's responsibility to set priorities and forge alliances to facilitate change from a comprehensive perspective.

The public plays an essential role in the fight against corruption and in the construction of public administrations that brook no privileged influence, as do analyses conducted from a plural perspective, like the one included in this book, with expert diagnoses and, above all, practicable ideas.

One sign that Catalonia is heading in the right direction is that in 2008 it established its Anti-Fraud Office, which was the first body of its kind to be created in the Spanish State. Another sign is the Strategy to Combat Corruption and Strengthen Public Integrity implemented by the Government of Catalonia.

International success stories make it clear that high-quality institutions are the best way of implementing such strategies and there is an exponential increase in their effectiveness when reforms are simultaneously applied to the political, economic and social spheres.

This is a process of gradual change that will require time and a great deal of mutual understanding to ensure that governments and institu-

tions are not isolated. Accordingly, the public and its values are essential to create frameworks of integrity in institutions and in society.

Prevention, justice and transparency are the path.



## Presentation

# **Nine external perspectives to help us prepare and promote the Strategy to Combat Corruption and Strengthen Public Integrity**

Jordi Foz

Secretary for Transparency and Open Government

In the book you have in your hands (or on your screen), you will find nine perspectives on good governance, institutional integrity and corruption. They are diverse reflections with regard to both their authorship (academics in the fields of political science and law, experts in corruption prevention, and activists) and their subject matter and approach.

The former Minister for Foreign Affairs, Institutional Relations and Transparency, Raül Romeva, often reminds us that there is much more knowledge outside public administrations than inside them, and one of the responsibilities of politicians and appointed officials is to make use of it to improve our decision-making. This is one of the convictions of the Secretariat for Transparency and Open Government and one of the reasons why we have produced this book, in which you will find different points of view.

We have elected to focus some of our analysis on institutional bodies and instruments that help combat corruption. You will find references in this regard in the interesting articles written by Òscar Roca, Miquel Salvador, Agustí Cerrillo, Laura Chaqués, Elena Costas and Víctor Lapuente. We have also included transversal approaches and other perspectives from outside the institutions in order to complete the panorama with the vision of external actors who are equally involved in the promotion of integrity. Tània Verge, Anna M. Palau, Pilar Sorribas-Navarro, Jordi Muñoz, Simona Levi and Míriam Carles have helped us in this aspect.

You will not find a shortage of insightful ideas. One of them is the importance of public trust and its relationship with institutional quality and the fight against corruption. The low levels of public trust currently placed in our public institutions are not leaving them unscathed. On the contrary, they are adversely affecting the quality of our democracy, wellbeing and social justice. For this reason we must resolutely commit to institutional quality and promote public policies to achieve it in a decisive and continuous manner.

The indicators used in numerous contemporary international studies on good governance and democratic quality appear to show us that transversal policies unremittingly applied to promote good governance and institutional quality have a positive effect on public trust. This thesis is borne out in countries that chose to continuously and persistently implement such options years ago, such as Sweden, Denmark and Estonia.

The Government of Catalonia Strategy to Combat Corruption and Strengthen Public Integrity implemented by the Government of Catalonia lies squarely within this approach. The nine reflections contained in this book will help us to be better prepared for the adoption of this agreement. In institutional quality and public policies in general, the methodology used to adopt decisions is very important; if the participation of the public and plural contributions are guaranteed and the evidence is taken into account, decisions are better and generate higher levels of public trust. It is not only important to have a transversal strategy in place to combat corruption and strengthen public integrity, but also to generate trust in how public policy is adopted.

I encourage you to read the nine articles contained in this book, all of which are illuminating and, I hope, useful for everyone, with a view to improving our public integrity and anti-corruption policies and, ultimately, public trust in our institutions and the democratic quality of our country.

## Reflections on the role of anti-corruption offices

Òscar Roca\*

Corruption Prevention Director of the Catalan Anti-Fraud Office

### Are they necessary?

Over the course of the last two decades, Catalonia and other countries in our environment have experienced the blight of corruption with an extremely disturbing intensity. Moreover, the 2008 financial crisis, whose effects included an increase in inequality, brought about a much starker public perception of corruption and a much greater loss of public trust than would ordinarily be expected from the impact of bribery and other serious cases of corruption. Public feeling in this regard has not changed since then.

Quantifying the economic, social and political cost of corruption is by no means an easy task, and the results may vary in accordance with the methodology used. However, the most conservative estimates considered by the European Commission place the figure at around €120 billion per annum in the EU. In the Spanish State, according to a recent study, which included the indirect social costs of corruption, the annual damage may be around €40 billion.

Until very recently it was not uncommon for people to doubt the need for institutions that specialise in preventing and fighting corruption (anti-corruption agencies, or ACAs).

There was no shortage of arguments in this sense: they are an additional expense, they multiply the existing control bodies, there is a risk of duplication....

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\* Òscar Roca graduated from the University of Barcelona in 1989 with a degree in Law and has subsequently followed a career in the public sector, lending his expertise to various national, European and international projects related to good governance.

Some of these arguments are proffered by people who prefer to continue operating in an environment of weakened institutional integrity, because this allows them more room for irregular activity. But when put forward by well-intentioned detractors these arguments are easily defeated: if the mechanisms we had were not up to preventing any of the major corruption scandals that have come to light in recent years, then we clearly need to complete the system with additional pieces.

The publication in the *Official State Gazette* of 21/07/06 of the instrument for the ratification of the United Nations Convention against Corruption (New York, 2003) resulted in the incorporation into the legal system applicable to Catalonia of the requirement for the State Parties

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The phenomenon of corruption is so complex that it calls for a comprehensive and multidisciplinary approach that is largely alien to the types of institutions that have traditionally undertaken such inspection and control work.

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to formulate and apply coordinated and effective policies against corruption and assess their effectiveness.

In accordance with this international commitment, each State Party must ensure the existence of one

or more bodies that specialise in both preventing corruption (Article 6) and combating corruption through law enforcement (Article 36). In both cases, these units must be independent and have the appropriate training and resources to carry out their tasks.

The phenomenon of corruption is so complex that it calls for a comprehensive and multidisciplinary approach that is largely alien to the types of institutions that have traditionally undertaken such inspection and control work in relation to certain aspects of public activity.

With the creation in 2008 of its Anti-Fraud Office, Catalonia was a pioneer in the Spanish State in compliance with this international commitment. This initiative is now starting to be replicated in other

autonomous communities and also on the local and supramunicipal levels.

## **What should they be like?**

Is there a specific ACA template that can be applied? There is, understandably, no categorical answer to this question, given the great diversity of their operating environments and attributed functions.

There is no doubt, however, as to the main qualities they should exhibit: independence, impartiality, objectivity.

Independence must be conceived in the sense expressed by the aforementioned UN Convention, that is, it may be modulated in accordance with the fundamental principles of the legal system of the State Party, but it must have the necessary independence to carry out functions effectively and without any undue influence.

The design adopted for an ACA does not make it independent, but it is a contributory factor. For example: a mandate that exceeds the ordinary renewal periods of political representation; legal grounds for termination; prior suitability control; public call for applications; own budget; differentiated legal personality....

It is a question of the ACA having the necessary freedom to pronounce and act in each case in accordance with its own criteria, without being subject to any kind of subordinate relationship. There are many things that, if not said by an anti-corruption agency, will not be said by anybody, simply because there would not be anybody who feels directly concerned.

Impartiality and objectivity, in turn, are requirements common to all public services, as recognised in the Constitution. Impartiality is the lack of prior intent or of prevention in favour or against someone or something, enabling the application of judgement and action with integrity.

It is, therefore, a state of mind, a necessary condition for objectivity. In contrast, objectivity means taking into account all the elements in play

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A suitable institutional and organisational design must include external control mechanisms that guarantee the closure of the system, given that it is clear that no institution should be exempt from accountability.

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and suitably weighing them, regardless of your own thoughts or feelings.

In terms of accountability it is not unusual for ACAs to be asked the question: who controls the controller?

A suitable institutional and organisational design must include external control mechanisms that guarantee the closure of the system, given that it is clear that no institution should be exempt from accountability.

This is particularly important for ACAs that are not subject to control by the government but who are in the parliamentary orbit. In these cases, the intervention of the legislative chambers in the appointment of the people in charge of ACAs and in the exercise of permanent and suitable control through ad hoc commissions is the best means of ensuring there are no scopes exempt of democratic control.

## **What should they do and how should they do it?**

There are ACAs of different types. Some are purely preventive, some focus exclusively on enforcement, and others combine both these functions.

This diversity is coherent with the generally accepted idea that there is no single model to fight corruption and that good practices, in comparative terms, identified in integrity policies cannot always be extrapolated to other countries.

In the context of the Spanish State, the ACAs or similar institutions created so far are more in line with a preventive model designed to strengthen public integrity and foster good governance. Any examination or investigation functions that may be granted to them involve only very basic powers of inspection and verification that are limited to the identification of criminal or administrative infractions for subsequent communication to a competent enforcement authority in order to determine the resulting responsibilities.

None of them, then, has any enforcement power with respect to the subjects submitted to their respective scopes of application, except with regard to the power to impose sanctions, as explained below.

In the absence of enforcement, the capacity to positively impact the integrity of institutions, preserving their transparency and, in short, ensuring the right to good government, will depend to a certain extent on the moral authority and prestige they are capable of achieving.

The most significant preventive functions that ACAs may have generally focus on studying, promoting and fostering good practices and staff training.

However, the experience garnered by the Catalan Anti-Fraud Office over the last ten years has revealed another group of functions with great impact that should be assigned to ACAs: advice and the formulation of proposals and recommendations. These should be included in the legal powers assigned to ACAs upon their establishment.

ACAs could then have an impact, for example, on the improvement of regulatory provisions currently in place or being prepared, providing legislators with the expertise necessary to intervene in matters particularly prone to integrity risks.

The capacity to penalise may be useful to ensure compliance with any new obligations established in relation to the prevention of corruption, such as the assessment of risks to integrity, with the prior identification

and analysis of the factors that affect each institution; the prohibition of reprisals against whistle-blowers and the obligation to suitably consider their allegations; and the supervision of declarations of interest.

In this sense, ACAs would ensure compliance with obligations to prevent corruption without entering into any jurisdictional problems with other bodies with the power to penalise.

A key element for their effective operation is being open to the society they serve. They should foster the participation and involvement of the public, share the specialist knowledge they accumulate, be transparent and exemplary, and be accountable for their actions.

Moreover, it should be taken into account that ACAs form part of a pre-existing set of institutions and bodies with which they have to interact, collaborate and even coordinate, if, as is to be hoped, this is stated

<hr/> <p>A key element for their effective operation is being open to the society they serve. They should foster the participation and involvement of the public.</p> <hr/>	<p>ed in the governance model of the National Integrity System.</p> <p>Furthermore, it is essential to avoid falling into the trap of being in the anti-corruption business, in the sense</p>
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of limiting action to merely formal or relational activities that are an end unto themselves, without any substantial content that contributes added value.

**Future challenges**

As part of their mission to help and support institutions, ACAs can play a key role if the influence to which I referred earlier is oriented to proposing integrity policies to politicians. It falls mainly to the political leadership of the government, especially at the executive level, to es-



establish priorities, forge social alliances and foster institutional relations in order to reach the consensus necessary to enable changes to be made.

It is necessary for governments to take into consideration the recommendations put forward by ACAs when defining integrity strategies and when deciding and prioritising the actions to be taken in a given context.

ACAs, in turn, must be capable of showing their effectiveness. This is not an easy objective, given that they are often subject to expectations that they cannot reasonably achieve with their specific functions, powers and resources.

The lack of literature on this matter reveals that the question of ACA effectiveness has often been reduced to a black-or-white question of whether they are the response to corruption or not, without going any further and asking why, to what extent, in which context or in accordance with which institutional design, to give a few examples.

At this point there is no doubt as to the need for a monitoring and assessment mechanism that is appropriate to the type of activity undertaken by ACAs and that distinguishes between results and impact. It is a question, in short, of adopting an evidence-based approach to determining what works and why.

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## **Staff function, executive function and public integrity: specific scopes of intervention**

Miquel Salvador\*

Associate professor of Political and Social Science, Pompeu Fabra University

The extensive literature on corruption has always indicated that it often requires the action – active or passive (inaction) – of public employees, including those at the executive level. In our country we have a significant history of actions targeted at this group, especially conferences, seminars, courses and workshops that have successfully raised awareness and offered operational guidelines to identify and fight corruption in public administrations. However, there is still a long way to go, especially because the phenomenon is complex and requires an extensive range of aspects to be taken into account.

These pages offer a reflection, accompanied by a number of proposals, on the function of staff in public organisations as a space for generating new responses to combat corruption and strengthen public integrity. In terms of the public function (or staff function in public organisations) in the field of public management it is useful to establish the difference between personnel management and people management. The former refers to the more macro dimension, that usually fostered by the central bodies of each administration and addressed to it as a whole. Personnel management defines the personnel policy (or rather it should, in the case of many administrations) and the management and administration policy, including the instruments and processes to enable its implementation in the planning of subsystems of public employment, selection, mobility, career development, training and compensation,

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\* Miquel Salvador has a doctorate in Political Science and Administration and a master's degree in Political and Social Theory from Pompeu Fabra University. He has held a number of different public administration advisory roles in the field of public management, especially in the transformation of areas like human resource management.

among others. People management, in turn, refers to the role played (or, once again, that should be played) by the various levels in the chain of command (from line managers through to directors) in all aspects related to the management of the professionals under their responsibility. This would include the organisation of work, the assignment of responsibilities, and the monitoring and assessment of performed activity, as well as motivation and the transmission of organisational culture values.

The values and informal rules that set the standard for the interpretation of situations and for the making of decisions in the normal course

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With regard to recruitment and selection systems, the first aspect to be reviewed could be the campaigns used to attract potential candidates, as they represent an ideal space to transmit what administrations value and seek in employees.

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of professional activity are transmitted through many channels, not just through the management of people (and not just through the hierarchy). And, in fact, not just based on the activity of the personnel department. But, undoubtedly, this department does have

great potential to directly affect the rules of the game in relation to strengthening integrity and combating corruption.

Although the length and depth of this modest contribution to the debate do not provide for the development of proposals, I feel it is necessary to highlight certain scopes in which there should be the option of taking measures oriented to fostering integrity.

First, in relation to personnel management, much can be gleaned from reinterpreting the various subsystems in accordance with their potential to incorporate measures with the aforementioned objective. With regard to the planning of public employment, outdated definitions of positions need to be abandoned in order to adapt structures to changing environments. Some approaches propose replacing a model oriented to

stability and rigid procedures (whose responses to the operation of the organisation tend to be more formal than practicable) with a species of contract between the people and the organisation in which the expected objectives and dynamics are openly set out. A more open conception of this tool would make it possible to incorporate new elements that could also be used to instil the values and principles necessary to combat corruption.

With regard to recruitment and selection systems, the first aspect to be reviewed could be the campaigns used to attract potential candidates, as they represent an ideal space to transmit what administrations value and seek in employees and to place more emphasis on the promotion of integrity. Additionally, in terms of selection mechanisms, initiatives related to strengthening integrity have been included, among others, in the incorporation of new issues that promote knowledge (and perhaps reflection) in this area.

By way of example, just in the general part of the subject matter for subgroup A1 there is scope for such emphasis in practically all civil service exams. Although it could be argued that in practically all the subjects there are elements associated with the promotion of integrity (from constitutional or statutory values to the rules of administrative procedure, among others), more specifically they usually highlight subjects associated with “good governance”, “ethics, values and transparency”, “access to public information”, and “codes of conduct and ethical infrastructure”. In the case of autonomous community administration, Resolution PDA/1805/2018, of 25 July, approving the subject matter of selective tests for access to the top level of general administration of the higher body of administration of the Government of Catalonia, allows the aforementioned content. But there are also references to special interest groups and their registration and to “protocols of action for senior positions and executive staff in their relations with special interest groups” (subject 2). There are also references to the subject of transparency, in addition to control and assurance institutions (such as the Catalan Ombudsman, the Catalan Data Protection Authority and the Catalan Anti-Fraud Office – subject 9). Within the block on

civil service, there are two key subjects, 57, on “Staff duties. Incompatibilities. Compliance assessment. Staff rights. Disciplinary system” and 60, which includes “General concepts of crimes against the public administration: perversion of justice by civil servants and other unfair behaviours, abandonment of employment and omission of duty to pursue crime. Disobedience and refusal of help, disloyalty in the custody of documents, violation of secrecy, bribery, influence peddling and embezzlement, fraud and extortion, negotiations and activities prohibited for civil servants and abuse of position. Forgery”. In short, an extensive treatment oriented to covering a large part of the complexity of the promotion of integrity in public service.

Although these proposals have great potential to raise awareness in the fight against corruption, it is a good idea to review how they are reflected in the selection tests in order to effectively validate that the people who take the tests have understood and internalised them.

With regard to the planning and assessment of compliance (one of the classic challenges yet to be overcome in the civil service), it would be a good idea to propitiate its development by integrating objective evidence with the value judgements of suitable evaluators while also incorporating the proposed scope of values and culture of integrity.

Aspects related to the recognition of achievements and potential, both with regard to compensation and career paths (vertical and horizontal), could also incorporate indicators or ad hoc tests – in the case of professional advancement – that incorporate a scope that applies and clearly refers to the promotion of integrity.

The subsystem of training and learning is where most initiatives to generate awareness and dissemination practices associated with the fight against corruption are to be found. However, it would also be a good idea to study more deeply the types of dynamics currently associated with the highest levels of knowledge transfer like those that propose greater involvement on the part of professionals, encouraging them to play a more active role that is more in line with their respective organ-

isational situations. Creating working groups, communities of practice and other actions associated with knowledge management could be good examples of this.

Finally, it would be a good idea to continue investing in internal communication, taking advantage of the diversity of channels to reach all professional groups in order to generate the cultural change proposed to continue fostering integrity in the civil service.

But beyond these open proposals in terms of personnel management, with regard to people management it would be a good idea to assess both the knowledge and, especially, the effective involvement of managers who have professionals under their responsibility. Their active participation in the transformation is essential and, although the resources they have to manage their human team are often in question, they can be counted on to play the key role of transmitting messages (and values) within the organisation.

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Although the promotion of integrity in the civil service is the responsibility of every civil servant, the role assigned to the upper echelons of management in is facilitation is especially important.

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Although the promotion of integrity in the civil service is the responsibility of every civil servant, the role assigned to the upper echelons of management in is facilitation is especially important. But the role of professional public managers is also very important.

The definitions (and deployment proposals) of professional public management are numerous (such as that formulated by the Catalan Association of Public Management (ACGP) and the Forum of Entities for Administrative Reform (FERA), [http://www.fera.cat/wp-content/uploads/2014/02/estatut\\_direccio\\_publica.pdf](http://www.fera.cat/wp-content/uploads/2014/02/estatut_direccio_publica.pdf)), but they all agree in their understanding of it as an intermediate space of public action between

the spheres of politics and administration. A space commissioned to translate the political mandate into operational activities, to which resources are assigned to achieve the objectives and be responsible for the results. The deployment of this space clearly defines the rules to govern its access and permanence, in addition to the conditions for its exercise. Given that these jobs are especially sensitive to pressure (internal or external) contrary to the values of ethical culture and susceptible to giving rise to corruption, the aforementioned rules should very clearly form part of the frameworks of integrity that guide public action.

The promotion of a culture of ethics and the prevention of corruption by professional public management does not only affect the mechanisms to access and remain in this organisational space, but also provides the people who occupy it with a key platform to promote it. Because in the exercise of functions, based on a political commission and with room to manoeuvre and apply resources, professional public managers can make key contributions to the transformation of a culture of ethics that sets how the administration will operate. And they should contribute both with their behaviour and through responsible management that takes great care with public resources and the public interest and pays attention not only to the achievement of results but also to how they are achieved – with the implications in terms of ethics and the fight against corruption that this entails. It is a process that should be constant and form part of the assessment and accountability of these managers.

The scopes of transformation of both the personnel function (personnel management and people management) and professional public management seek only to create spaces with an emphasis on the facilitation of new rules of the game, which should include, necessarily and in a pre-eminent position, corruption prevention and the fight against corruption and the strengthening of integrity in the civil service.

The activities undertaken to fight corruption must necessarily affect (as they have been doing) civil servants. Moreover, initiatives, essentially in the field of awareness and training, although essential, need to be complemented with a more comprehensive intervention strategy that



has an effect on specific areas of personnel management and people management in public organisations. And this strategy requires the configuration and consolidation of a professional management function that is motivated and invested in implementing new rules in public employment. But rather than trying to open multiple fronts, which often prove too complicated to tackle simultaneously, it would be a good idea to focus attention on the critical ones that, potentially, may propitiate a viable and sustained institutional change in the fight against corruption.

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## Open contracting and the fight against corruption

Agustí Cerrillo\*

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### Open contracting

The objectives of open contracting are to allow the public to understand the contractual activity of public administrations and to allow public administrations to take the public's preferences into account and include the participation of the public in public contracting. Open contracting strengthens the dialogue between public administrations and the public in the design, implementation and monitoring of public contracting policies. Moreover, open contracting also contributes to strengthening public integrity and the prevention of conflicts of interest and the fight against corruption in public contracting.

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The objectives of open contracting are to allow the public to understand the contractual activity of public administrations and to allow public administrations to take the public's preferences into account and include the participation of the public in public contracting.

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Open contracting increases the transparency of public contracting in such a way that everyone can see the contracts tendered and awarded by public administrations and how they are executed. At the same time,

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contracting bodies can be accountable to the public by explaining how these public contracts are awarded and executed.

Additionally, open contracting fosters the participation of the public in the life cycle of contracts and facilitates the control of the development of public contracting activity beyond the intervention of the bidders in the award procedures or in the execution of contracts. The public can also actively collaborate with public administrations in the dissemination of information about public contracts and in the analysis and supervision of contracting in order to inform the competent authorities of any irregularities, conflicts of interest or cases of corruption they may encounter so they can be investigated and, where applicable, penalised.

Open contracting is clearly the application in public contracting of the principles of open government that have been proliferating in the last decade among public administrations with the aim of promoting transparency, empowering the public, innovating public administration procedures, using information technology to improve public governance and, in the final analysis, fighting corruption. The extension of open contracting has been fostered by various jurisdictions and, significantly, by the Open Contracting Partnership.

Through open contracting, public administrations can bring public contracting closer to the public and contribute in this way to improving public trust in relation to one of the public administration activities that involves the largest volume of public resources and spending. Moreover, open contracting contributes to equality and free competition in public contracting and increases the efficiency and economy of contractual activity.

## **Transparency in public contracting**

Transparency allows the public to know what is contracted by public administrations and with whom, why they do it and how many resources they apply to it.

Transparency has an impact on preventing and fighting corruption, as it transforms the public administration into a “house of glass” (as indicated by the politician Filippo Turati in 1908) and disinfects it like sunlight (as the US Supreme Court Judge Louis Brandeis said in 1914), allowing the public to not only understand, but also control the contractual activity of public administrations and identify any irregularities or cases of corruption it may contain.

Transparency is channelled through different instruments, like the dissemination of information about public contracts or access to this information at the request of the public. Public contracting transparency can also be channelled through the reuse of contractual information by the public. Moreover, public contracting transparency may be increased through the use of open award procedures and the justification of the reasons for decisions adopted by the contracting bodies during the development of the contractual cycle.

Contracting bodies use the dissemination of contractual information to proactively place information related to public contracts at the disposal of the public. The dissemination of contractual information provides knowledge about a long list of information such as contracting projects, the decisions made in the area of public contracting and the reasons for them, the resources allocated and how and to whom contracts are awarded. This information is disseminated through transparency portals.

Additionally, contracting bodies also place at the disposal of the bidders and contractors more specific information about the contracts that are tendered and awarded in order to guarantee the transparency and publicity of these processes and to foster the equality and competitiveness of bidders in tender procedures. This information is disseminated through contractor profiles.

In addition to seeing the information disseminated by public administrations via the transparency portals and contractor profiles, the public, in general, and the bidders, in particular, can request access to con-

tractual information that is not available in a proactive manner. Access to information is defined as a subjective right of all persons, regardless of whether they are bidders or contractors, and, therefore, does not require the accreditation of a specific interest. In addition to this general right, the bidders in a procedure have the right to access the specifications and additional documentation and information related to the awarded contract. The right to access must be exercised in accordance with the established procedures, which is generally through electronic channels specifically provided for this purpose in the transparency portal or contractor profile.

Finally, the public can reuse the contractual information. The information can be reused by civil society or the media, for example, to expand its dissemination in formats that facilitate its understanding or analysis by the public. To facilitate the reuse of contractual information, it is necessary for public administrations to disseminate it in open, reusable formats under the legal conditions that facilitate it. Reuse enables the detection of irregularities, conflicts of interests or cases of corruption in public contracting. As recognised by the G20 Anti-Corruption Open Data Principles, open data can contribute to preventing, detecting, investigating and reducing corruption.

Despite the benefits that transparency may have in public contracting and its impact as an instrument to prevent and combat corruption, sometimes it must be limited. This may occur when knowledge of the contractual information may be harmful to certain rights, goods or interests such as public safety; the prevention, investigation and penalisation of illegal criminal, administrative or disciplinary acts; administrative surveillance, inspection and control functions; economic and commercial interests; professional secrecy and intellectual and industrial property; non-disclosure or secrecy guarantees required in decision-making processes; the protection of the environment or the protection of personal data. Moreover, transparency in public contracting may also be limited when it is necessary to protect the confidentiality of information when public knowledge of it may affect the competitiveness of the bidders or their participation in public contracting.

In any case, the application of the limits is not automatic, but must be justified and proportional to the objective and purpose of protection in accordance with the circumstances of the specific case. For this reason, public administrations must assess the damage, harm or risk to which the good or interest protected by the limitation may be subjected and its justified application in proportion to its object and purpose. Moreover, they must assess whether there is a higher public or private interest that justifies access. The suitable application of the limits to public transparency may be supervised by bodies created for this purpose like the Commission for the Guarantee of the Right of Access to Public Information (GAIP) and the Council for Transparency and Good Governance.

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Public administrations are now disseminating a large volume of information about public contracts, although there is a still a long way to go.

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As the interpretation of the various available indicators shows, public administrations are now disseminating a large volume of information about public contracts, although there is a still a long way to go, in particular to make this information more accessible and reusable and thereby better contribute to the fight against corruption.

**Participation in public contracting**

Participation consists of the intervention of the public in the design, execution, monitoring and control of public contracting.

Moreover, participation enables public collaboration in the strengthening of public integrity and the prevention of conflicts of interests and the fight against corruption through the analysis, monitoring and supervision of contractual activity.

Participation can be manifested in the various phases of the contractual cycle through various mechanisms. For example, in the design of public contracting policies through the creation of professional bodies

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Participation enables public collaboration in the strengthening of public integrity and the prevention of conflicts of interests and the fight against corruption through the analysis, monitoring and supervision of contractual activity.

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for this purpose; in the awarding of contracts through the participation of the public or experts in the contracting boards; or in the execution of contracts through the establishment of civil observers to ensure the fitness of the contracts to the purpose defined in the

specifications. In addition to contributing the vision and interests of the public in the preparation, awarding and execution of contracts, participation may specifically ensure integrity in contracting through the supervision of compliance with the integrity clauses, codes or agreements included in the contract, for example.

Moreover, participation may also consist of reporting any irregular situations discovered or detected by the public. To encourage reporting and prevent reprisals against whistle-blowers, public administrations must guarantee their protection as provided for in the Directive of the European Parliament and of the Council on the protection of persons reporting on breaches of Union law, approved in April 2019.

Despite the positive impact that public participation may have on the fight against public corruption and, in general, on public contracting policies, public collaboration in public contracting has not yet been generalised.



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## Special interest groups and democratic quality

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Special interest groups are essential political actors to guarantee the quality of democracy. Generally speaking, special interest groups are organisations formed by people (e.g. non-governmental organisations) or organisations (e.g. business organisations) that voluntarily come together to influence the public policymaking process, without formally participating in the electoral process. In general, this union is formally specified in statutes that adopt various legal forms, depending on the type of organisation (professional associations, trade unions, foundations, etc.). Some of these organisations have the aim of influencing highly specific areas (e.g. representing victims of terrorism, companies in the winemaking sector), whereas others have a much boarder scope covering different political areas or sectors of activity. This would be the case of large trade unions like *Unión General de Trabajadores* (UGT, General Union of Workers) or *Comisiones Obreras* (CCOO, Workers' Commissions), which represent workers regardless of their sector of activity, or major business organisations like *CEOE* or *Foment del Treball Nacional*, whose members belong to a wide array of business sectors.

The differences are also important in accordance with the type of members. In some cases, they are organisations with thousands of members (Amnesty International), while in other cases they are made up of just a few members. This would be the case of business organisations that represent sectors of activity with a very high degree of economic

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concentration like the telecommunications sector or organisations that defend the rights of highly specific groups. There are also major differences in terms of the economic, human and information resources of special interest groups. In some cases, they are organisations that handle thousands of euros, with a very high degree of professionalisation, whereas in other cases they are organisations that are basically maintained thanks to the voluntary work of their members.

To conclude, there are also differences in terms of the degree to which they monopolise the representation of interests in sectors of specific activity. In some cases, this representation is concentrated in a single organisation (e.g. *Farmaindustria*, the national trade association of Spanish pharmaceutical companies), whereas in other cases it is fragmented, consisting of a number of different groups representing the various visions and perspectives of a particular problem. A single organisation may represent the interests of an entire economic sector or social problem because there is no conflict in relation to this problem (the degree of social consensus is very high) or because only some of the interests have been capable of mobilising to form an organisation. Olson (1965) identifies this problem in the collective action approach, where he argues how and why there are interests that do not manage to mobilise and create organisations that represent them.

The fact that there are interests that are organised and others that are not is problematic mainly because it implies inequality in the political representation of certain groups. Special interest groups play a special

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We need special interest groups because they provide different visions and ways of presenting problems to public authorities.

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role in democracy, that of aggregating public preferences with respect to specific problems. Given that in the majority of cases there is no single way of interpreting problems,

such as refugees, euthanasia and the environment, to cite just a few from the headlines, we need special interest groups because they pro-

vide different visions and ways of presenting problems to public authorities. Their participation contributes to simplifying political debate and to guaranteeing that decisions made by politicians respond more directly and plurally to public preferences. The fact that there are unorganised groups means that some preferences are not voiced at all, and some interests are voiced more than others.

Special interest groups are necessary not only to guarantee equality in political representation, but also for reasons of efficiency. Trade unions, business associations, professional associations and NGOs are an important source of information for political representatives and the general public. First, a significant number of special interest groups are dedicated to creating information about specific problems through the preparation of indicators, reports and in-depth studies. The non-governmental organisation Transparency International (TI) is a good example of this. This group was created in the early 1990s with the aim of generating information about the problem of corruption. Its founders were people who had worked for the World Bank advising governments and companies in less developed countries. These experts knew first-hand the problem of corruption and its impact on the economic and social development of these countries. Despite this, no public or private organisation was dedicated to measuring and monitoring the importance and scope of corruption. TI is now one of the leading organisations in the study of corruption and its indicators are taken into account by politicians and leaders in many countries to make decisions related to the fight against corruption and institutional transparency.

Additionally, special interest groups are essential to determine the evolution of specific problems and the impact of the implementation of specific policies. In order to identify the objectives and strategies of the educational policy for the coming years, it is essential for political representatives to interact with the interest groups that represent the various groups in the sector – from teachers to associations that represent parents, students and managers and other professionals who work for or at schools. In the same way, if the government wants to implement a change in the regulation of the banking industry, it is essential to talk

with the various associations that represent the affected groups. This allows politicians and leaders to ascertain the opinion of experts in the sector (businesspeople, workers or consumers) and determine the viability of the reform and the degree of conflict it may generate.

Special interest groups are an essential actor to guarantee the quality of democracy because they aggregate preferences and represent them before public authorities, because they provide information and expertise about specific problems, and because they reduce the social conflict of the implementation of specific policies. The problem is that in the majority of countries the degree of concentration in the participation of interests is very high. This inequality is explained by numerous factors. First, there are interest groups that have been formally legitimised as valid interlocutors in the public policymaking process through a regulation. This is the case of governmental commissions or committees that include the participation of members of the government and interest groups to discuss specific subjects, like the Catalan Business Council or the Taules Agràries (Agricultural Boards). It would also be the case of organisations included on consultation bodies like the Economic and Social Council. There are also organisations that participate more in the policymaking process because they represent interests similar to those of political parties. Studies like the one conducted by Baumgartner (2019) in the United States or the results of the Quality of Democracy research group ([www.q-dem.com](http://www.q-dem.com)) in Spain show that the participation of interest groups in the parliamentary and governmental sphere is biased in favour of a few groups, which generally represent positions similar to those of the majority political parties. These studies also show that the monopoly of representation is cumulative and is subject to a feedback loop through the various political scenarios. The groups that are predominant in the governmental sphere also predominate in the parliamentary and media spheres.

To conclude, inequality in access could also be explained by the lack of information on the part of politicians and leaders with respect to

which interest groups represent different visions and perspectives with regard to the various social problems. The development of public participation instruments and the registration of interest groups may reduce this problem. The registration of interest groups is a tool that allows all groups to manifest their desire to participate in the policy-making process, using different strategies, such as the organisation of events to discuss legislative reforms to which members of the government are invited to meet directly with political leaders. Registration also allows the groups to be better informed about the policymaking process and especially regulatory change proposals, e.g. alerts about the organisation of public consultations. In the same way, registration provides members of the government with a tool that allows them to identify the groups that have a particular interest in the subjects under their responsibility.

The development of other public participation tools, like consultations and public hearings, may also contribute to increasing the participation of interest groups

in a more plural and inclusive manner and, in short, reduce bias in the representation of interests in the political process. To be able to enjoy the benefits that interest groups contribute to the democratic process it is necessary to continue creating

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It is necessary to continue creating and improving communication channels between politicians and leaders and interest groups, and especially to change the way that the role of political organisations in democracy is perceived.

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and improving communication channels between politicians and leaders and interest groups, and especially to change the way that the role of political organisations in democracy is perceived. The continued active involvement of interest groups in the political process should not be a problem if this participation is transparent and is guaranteed for all on an equal footing in terms of representation.

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## The importance of institutional quality

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For a long time, people have discussed whether good public institutions are the “chicken” of a good society, that is, the result of a socio-economically developed society, or, on the contrary, the “egg”, the cause, and not the consequence, of development. Traditionally, those who considered good institutions to be a luxury only available to countries that had achieved a certain level of wealth won the argument. In fact, there was a generalised suspicion, and often an explicit thesis, that, in order to shore up an economy it was necessary for there to be a certain level of institutional deterioration, allowing powerful economic agents to bribe or influence public authorities. If bribes are prohibited, if politicians cannot be bought, then how can the important business of a developing country be carried out? If there is no corruption, major investors will not come.

This belief, known as the “grease the wheels” argument, was shattered once it was submitted to empirical study. Everyone can bring to mind examples of this theory, from the most terrible dictatorships to the most accommodating democracies, like the Marbella of Jesús Gil. Low institutional quality, the bending of public authorities to the will of

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economic interests, may not be elegant, but it is a way of generating wealth, above all in the territory. “Steal, but get things done” has been the secular slogan of many Brazilian politicians. But the emergence of data measuring the effects of low/high institutional quality on development towards the end of the 20th century and the beginning of this century has thrown this perception into disarray. We now know that low institutional quality – in the sense of institutions that do not treat everyone equally and benefit those with the right contacts or resources – does *not* contribute to economic development but in fact contributes to economic *reversal*.

This is the “sand in the wheels” theory. Corruption does not grease the wheels of society. Corruption impedes progress. Researchers from different disciplines of the social sciences have investigated the negative consequences of corruption and the positive consequences of institutional quality in relation to a wide range of issues. At this point

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Institutional quality is impartiality in the exercise of power or “ethical universalism”. This impartiality is broken if the public authorities accept bribes or any type of privileged influence.

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we need to determine exactly what we mean by institutional quality. There are many definitions, but, due to its simplicity, the definition that considers institutional quality to be the idea that a government should treat all its cit-

izens in the same way is gaining ground. In other words, institutional quality is impartiality in the exercise of power (Rothstein & Teorell, 2008) or “ethical universalism” (Mungiu-Pippidi, 2013). This impartiality is broken if the public authorities accept bribes or any type of privileged influence. Corruption, favouritism, cronyism and nepotism are therefore the opposite of institutional quality. They are examples of “ethical particularism” rather than ethical universalism.

Firstly, numerous studies have found that corruption objectively deteriorates social progress, and it does so not only by slowing down

economic development, but also by undermining social cohesion, given that corruption increases the gap between the rich and the poor (Rose-Ackerman & Palifka, 2016). Institutions with low quality favour the most powerful to the detriment of the rest. There are other pernicious effects of corruption on objective indicators of the quality of life in a country. For example, territories where public institutions are sold to the highest bidder have worse results in all environmental indicators. Corruption and contamination go hand in hand.

Secondly, the literature on the effects of institutional quality has undergone a revolution thanks to the numerous findings that corruption, beyond the effects on objective variables, also seems to have a notable impact on various intangibles. For example, it is not only that corruption makes the citizens of a region have objectively worse health, measured, for example, by people's healthy life years, but also that it adversely affects the subjective wellbeing of citizens and their perception of happiness. The explanation is that the psychological wellbeing of individuals depends, in addition to material factors, on perceptions of social justice. If citizens consider themselves to be second-rate citizens and their neighbours, either because they have political friends or because they can afford to bribe public agents, to be privileged citizens, there will be a feeling of discontent. And indignation. It is no coincidence then that in places like Catalonia, and Southern Europe in general, there have been movements of "indignant citizens". Here the perception is that public institutions, above all those that guarantee impartiality, such as the legal system and the political representation system (parliament and government), are biased towards specific interests.

In the same way, the factor that best explains the regional differences in "social trust" in Europe is institutional quality. "Social trust" is one of the most important variables for the development of a society. It is measured with questions to citizens about the extent to which they trust strangers. And in places, like the majority of regions in the Nordic countries, the Netherlands, Germany and the United Kingdom, where citizens trust each other more, social, personal and professional interactions are much more fluid than in other regions, like in the majority

of Eastern Europe, but also in Italy, Greece and even here in Catalonia, where we do not trust each other as much. So why do the citizens of Stockholm trust strangers more than the citizens of Catalonia (and much more than those of Calabria)? Studies are starting to provide a clear response: institutional quality. Public bodies are a kind of mirror in which society feels it is reflected. If the image offered by institutions is that there are no moral rules and this is the law of jungle, citizens will act accordingly. That is, institutional quality is important not only in and of itself, but also because it sets an example.

Some critics have commented that, in terms of institutional quality, correlation (for example, between corruption and lower economic development or lower levels of social trust) does not imply causality. On the contrary, it may be that more prosperous societies can build better institutions. And, it is true that the richer a community, the more taxes it can assign to having model institutions. But it is also true that if there

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Corruption has moved from being the elephant in the room that nobody dared mention to becoming a “ghost” that seems to pursue all Western democracies.

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is a generalised perception of corruption, citizens are not willing to contribute to the common good: “Why should I empty my pockets if the money isn’t going to schools or hospitals, but to pay

for politicians’ private parties?” In any case, the fact that “correlation does not mean causality” has been taken very seriously by those who research corruption. For this reason they have subjected the effects of corruption – in relation to any variable of social wellbeing – to all types of controls, including natural, economic and social resources and cultural values. And although we take into account all the factors that explain economic development (or inequality), from the level of initial wealth to the type of majority religion in the country – because, for example, the percentage of protestants in a society has a positive effect on the level of income – the studies find that corruption has a negative impact.

Since the 2008 financial crisis and the parallel political representation crisis that we are still suffering now with the rise of all types of populist movements, corruption has moved from being the elephant in the room that nobody dared mention to becoming a “ghost” that seems to pursue all Western democracies. In the last decade, and breaking with the historic trend of improvement, there has been a drop in trust in all public institutions in many European countries, particularly in Spain and Catalonia.

The generalised perception is that Catalan public institutions are, in the best case scenario, of very low quality and, in the worst, corrupt. This is borne out by the data from the latest European Quality of Government Index (EQI), a survey of 78,000 citizens in 193 regions of 21 EU countries (Annoni, Charron & Lapuente, 2019). The EQI, which asks about the quality of governance and corruption perceived by Europeans in three aspects (health, education and the police-justice system) is the largest study conducted on perceptions of regional institutional quality. Perceptions are not the same as reality, but, as we have seen above, institutional quality perceptions do determine the behaviour of individuals. Accordingly, to a certain extent, it does not matter whether perceptions are well founded or not.

And Catalan institutions do not come out of this well. There is currently no difference between the perceptions of Catalan citizens and those of the inhabitants of Portuguese regions in relation to the quality of their corresponding institutions. Not only are we light years from the (good) perceptions of German, Dutch and Danish citizens, but we are clearly way below those of the regions in our environment, such as the Basque Country and Navarre and other Spanish autonomous regions, and the majority of French regions. At the same time, Catalan citizens have very little direct experience with corruption and few citizens have encountered instances of corruption in their interactions with teaching or healthcare personnel, in contrast to many other regions in Southern or Eastern Europe. Catalan citizens experience corruption as sporadically as Dutch citizens, but their perception of corruption is on a par with that of the Greeks and Italians.

How could we improve institutional quality or, at least, the perception of institutional quality in Catalonia? Years of research have shown that there are no magic answers to reconstruct perceptions of quality governance. But there are some lessons that could be applied to the

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The first lesson is that corruption is not fought with anti-corruption measures. For example, the Nordic countries became democracies with low levels of corruption without applying any of the anti-corruption reforms proposed by international organisations. And the second lesson is that quality is achieved in governance by introducing control mechanisms in administrations.

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Catalan case, which we should not forget is somewhat peculiar: here, although public administrations act with relative quality when providing public services, the generalised vision is that public institutions, whether local, autonomous or state, are inherently corrupt and of low quality. The first lesson is that corruption is not fought with anti-corruption measures. For

example, the Nordic countries became democracies with low levels of corruption without applying any of the anti-corruption reforms proposed by international organisations. And the second lesson is that quality is achieved in governance by introducing control mechanisms in administrations. However, these are not legal controls, not papers to be signed by inspectors, but “living” controls: people, public employees, who control the politicians. And, to control politicians (and, to be controlled by politicians), the workers must enjoy professional autonomy.

The depoliticization of administrations, prohibiting the appointment by politicians of an army of advisors, cronies and public managers, is, in accordance with the available international evidence, the most effective mechanism to achieve quality institutions (Dahlström and Lapuente, 2018). The depoliticization of administrations is an effective and financially cheap measure, but it is politically expensive: how many politicians

are willing to sacrifice their “right” to control the administration today in exchange for better institutional quality tomorrow?

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## **The gender perspective in anti-corruption policies: some recommendations**

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and feminist activist

### **Introduction**

The agenda of anti-corruption policies and the agenda of equality policies mutually benefit each other, because gender equality and corruption reinforce each other (UN Women, 2018; Stensöta, 2018). To break this vicious cycle it is necessary to study the conceptual and operational link between Sustainable Development Goal 5 on achieving gender equality and the anti-corruption component of Sustainable Development Goal 16 on the promotion of peace, justice and strong institutions.

The process to include the experiences, expectations, attitudes, behaviours and needs of both women and men in all phases and on all levels of public policies is known as gender mainstreaming. It is, moreover, a guiding principle of the public authorities included in the Statute of Autonomy of Catalonia and in Law 17/2015, of 21 July, on the effective equality of women and men. This strategy to make progress in gender equality includes a set of public policy tools to use when analysing, planning, designing, implementing and assessing policies. The main international recommendations on anti-corruption policies with a gender perspective are presented below.

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## Analysis of the problem

A key element for the analysis of the problem from a gender perspective is having data broken down by sex about subjects like corruption perceptions, the frequency of corruption situations and involvement in the various types of practices. Anti-corruption policies have mainly focused on bribery, money laundering and other financial crimes, but when they incorporate the gender perspective the spectrum is much broader (Thiteux-Altschul, 2010). For example, “sextortion”, a corrupt practice that consists of demanding sexual favours in exchange for a service, such as access to water or food (which frequently occurs with refugees and, more exceptionally, in social care) or a favourable decision (such as a job promotion). The website of the International Association of Women Judges provides numerous resources related to sexual extortion. Sexual violence against women committed by police officers in arrests or their participation in the trafficking of people for the purposes of sexual exploitation are also a form of corruption (Sample, 2018: 28-29; see UNDP, 2012).

Moreover, the indicators used must be sensitive to gender and be able to measure social roles, expectations and behaviours based on femininity and masculinity in addition to access to resources, recognition and the influence capacity of men and women (UNDOC, 2013: 29; UNDP, 2006). Accordingly, while the evidence on whether women participate less than men in corruption in the political arena is mixed, a common trait on the global level is that men are over-represented in both formal decision-making spaces (parliaments, governments, party leadership) and, especially, informal spaces and networks (restaurants, football stadiums, saunas and golf courses). The latter, which are more opaque and exclusive, are constructed based on the masculine homosocial capital created by men to benefit (mainly) other men, which provides expressive resources (trust, agreeableness based on shared traits) and instrumental resources (access to opportunities, influence, etc.). That is, corruption is constructed by and benefits those that are already in a privileged position (Bjarnegård, 2018).

## Planning and design

Gender power relations and their associated problems must be clearly stated in the objectives of the programme or project, explaining which areas will cover gender (in)equality and defining the corresponding specific indicators (Merkle, 2018: 6-8). It is a question, in short, of preparing a gender impact report that identifies whether the needs and expectations of both men and women have been included, as well as the gender composition of the decision-making spaces of the programme and the opportunities provided for the participation of organisations that defend women's rights. It is also necessary to take into account the various aspects of inequality that intersect with gender, especially social class, origin and race/ethnicity (Sample, 2018: 16; ICD, 2015; EIGE, 2016). This gender impact analysis must also be applied to the budget allocated to anti-corruption policies in order to ensure that there are sufficient resources to achieve gender equality (UNODC, 2013: 34-36).

By way of example, in the formulation of the legal mechanisms for whistleblowing it is necessary to provide for different effects and results, not only in accordance with the type of bad behaviour that is reported, but also in accordance with the characteristics of the people who report it, depending on their position and the hierarchies, rules and dynamics in place, which often push women to the outside. Women place more value than men on guarantees of confidentiality and not suffering reprisals, a difference that is closely related to the asymmetry of power and resources between the two sexes (Tilton, 2018). In fact, women whistle-blowers manifest having suffered more reprisals than men, even when they occupy a higher position in the company's hierarchy: their social status as women invalidates the power they have within the organisation (Rehg et al., 2008). Therefore, in order to ensure that whistleblowing mechanisms are fair, it is necessary to strengthen their protection measures (Sample, 2018: 14).

## Implementation and assessment

The gender perspective must also be mainstreamed in the implementation phase of anti-corruption policies. The main recommendations include: (i) the preparation of corruption risk maps with a gender focus and data broken down by sex; (ii) the creation of case law and jurisprudence databases on the differentiated impacts of corruption on women and men; (iii) the provision of training on the gender perspective for police and judicial forces; and (iv) the drafting of codes of ethics that include manifestations of corruption that specifically affect women (UN Women, 2018). With regard to the assessment phase, the strengths and weaknesses of the impact of the programmes must be identified with respect to gender equality, the validity of assumptions related to gender must be checked, and improvements based on the lessons learnt must be proposed (UNOCD, 2013: 40-43).

Finally, it is necessary to implement awareness campaigns in relation to the various effects of corruption on the everyday lives of men and women using a wide range of communication tools with the aim of ensuring that the information reaches everyone, taking into account the digital gender gap and establishing collaborations with organisations that defend the rights of women in the design and management of campaigns (UNDP, 2012).

For example, in Argentina, the Women in Equality Foundation (MEI) has fostered the Network of Women on the Verge of Information, which creates focal points in the territory to strengthen the right to access information as a tool to control the management of provincial and municipal governments in terms of gender violence, the trafficking of women, health, security and urban planning (UNDP–UNIFEM, 2010: 29). Similarly, using the law on transparency and access to public information, in Mexico the NGO platform Fundar uncovered the diversion of federal funds to arbitrarily finance pro-life conservative organisations, which do not adhere to the care parameters of the country's official health policy (UNDP–UNIFEM, 2010: 31).

## Conclusions

Dialogue between actors and organisations dedicated to the effective equality of women and men and those that combat corruption must be constant. In Mexico, for example, the National Institute of Women (Inmujeres) and the Executive Secretariat of the National Anti-Corruption System (SESNA) have signed a general collaboration agreement to integrate the gender perspective in anti-corruption policies. And the fact is, as highlighted by all the international recommendations presented here, the gender mainstreaming approach not only improves the effectiveness of anti-corruption policies, but also makes them more socially just.

To conclude, it is necessary to emphasise that stereotypical approaches that characterise women as more honest and more risk averse cannot be used to combat the causes and effects of corruption, given that they do not take into account the dynamics of power that produce and reproduce gender inequality and obviate the incentives and legal loopholes that facilitate corruption. For this reason, it is necessary to also avoid justifying parity in decision-making in companies or in politics as a “magic” solution to end corruption. Gender equality is a prerequisite of the quality of democracy and of political powers and affects the most basic human rights; it does not need any other justification.

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## **The role of the media in the fight against corruption**

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Various research papers and reports produced by international organisations like the World Bank have highlighted the role of the media in the control of corruption. First, the media act as “guard dogs” (Knobel, 2019). They contribute through their investigative journalism to revealing cases of corruption, bringing to light unethical behaviour and dysfunctions in the operation of public institutions and organisations. In this way, the media promote transparency, act as a counterweight to power and facilitate accountability. For this reason, the recognition of the freedom of the press is fundamental in limiting corruption in political systems (Stapenhurst, 2000).

Second, the media have the responsibility of acting as mobilisers. According to Norris (2000), they fulfil this function if they contribute to creating an informed public that is aware of public problems, facilitating their participation and involvement in the political process. The media have the responsibility of not only informing the public about public problems, but also of sparking debate on them. The more news stories that appear in the media about corruption, the more the perception of corruption as a public problem increases (Palau & Davesa, 2013). However, it is important to focus not only on the extent to which the media cover corruption, but how they cover it. The media frame public problems, select aspects of reality and make them more visible in communicative processes, putting forward a specific definition of a particular problem (Entman & Usher, 2018). By means of this framing process, they contribute to the social construction of the problem of corruption.

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The media, when they report corruption, usually focus on scandals, inevitability associated with a certain amount of drama, and for the most part promote what is known as an individual (or episodic) framing of the problem, which places the emphasis on people, rather than on

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To comply with their function as mobilisers, it is important for the media to promote a substantive framing of the problem and contribute to an in-depth debate on its causes, consequences and possible solutions.

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processes and institutions. People appear in the news as the main parties responsible for corruption, decontextualising the problem and promoting the illusion that it will disappear once these people are arrested and, where applicable,

sentenced. The predomination of this framing places little emphasis on variables of a more structural nature, such as the need to make changes to the regulatory framework or the institutions responsible for corruption control. To comply with their function as mobilisers, it is important for the media to promote a substantive framing of the problem and contribute to an in-depth debate on its causes, consequences and possible solutions. Not doing so may strengthen the incentives structure that enables corrupt activities to be carried out. Participating in an act of corruption is not only the result of an individual decision, related to that individual's ethics, but it is also influenced by cultural factors and, among other things, the communicative frameworks promoted by the media.

Despite its importance, substantive framing is highly unlikely to be used due to the dynamics imposed by the media market and journalistic practices. The media usually personalise the news, given that scandals and personal stories make the news more attractive. Ideas that are too abstract, too deep or too difficult to understand do not interest audiences and readers (Just & Crigler, 2019). Many media, then, mainly transmit news stories that provide more entertainment than information and do not often act as platforms that filter reality in a critical manner



or analyse matters that affect the community in depth. This process is also related to the investigative journalism and content homogenisation crisis imposed by the global media market (Berglez, 2008).

Promoting an extensive and intense debate on the problem also contributes to the fact that the media play another important role within the framework of a democracy: acting as civic forums. According to Norris (2000), this function consists of fostering plural debate on public affairs that contributes to horizontal communication, between political actors, and vertical communication, between these actors and the electorate. As different actors may have different interests and therefore may be interested in promoting a different vision of the problems, this function is only fulfilled if the media give a voice to a plurality of actors in public debates and cover them equally or proportionally. Various research studies have shown how important it is for the debate on corruption to especially give a voice to actors of civil society. Civil society can be defined as the set of informal networks and organisations between families, the state and the market that carry out activities to promote specific interests. Some examples of civil society actors are trade unions, academic institutions and non-governmental organisations (NGOs).

The impact of civil society on the control of corruption has been the subject of academic discussion. It is true that civil society may contribute to promoting corruption if it acts as an agent or client of corrupt practices. There have been more than a few scandals that have affected, for example, NGOs, in which anomalies in their functions or fund management have been detected, due to a lack of transparency. Notwithstanding, the literature defends that these actors play a major role in the control of corruption, in such a way that strengthening civil society should be one of the pillars of policies to fight corruption. These organisations are usually actors with credibility that give a voice to the victims of corruption and coordinate actions and protests against corruption. The activities they carry out include the creation of information about the problem, in such a way that they can contribute to designing and implementing more effective public policies.

Civil society contributes to the control of corruption because it fosters public debate about the problem, promotes the dissemination of universalist values, and highlights the risks of corruption to the wellbeing of society and economic development. It is important, however, for these actors to transparently carry out these activities in full view of public opinion. It is therefore the combination of a strong civil society and the existence of a free press that acts as an effective corruption control mechanism (Themudo, 2013). In countries where there is no freedom of the press or freedom of expression, and where civil society does not have the option of generating public pressure, the existence of these actors is not significantly associated with low levels of corruption. Their effectiveness, therefore, depends on their ability to make their activities visible through the media. For this reason, it is important for news about corruption to not be monopolised by institutional actors, political parties and members of the government. However, the news usually centres on the political elite, given that they are the main generators of news. The so-called indexing theories consider that what the media do is index the opinions predominant among the elite, transferring to public opinion the main political debates and the positions of the leading actors in the political system (Bennett, 2011). Therefore, it is also important to study the politicisation processes of the problem of corruption, see to what extent there is conflict, different points of view, between the elite on how to tackle it or, mainly, how they use corruption as an electoral weapon, without promoting a substantive framing of the problem.

The characteristics of the media systems also influence how the media report on corruption, and the functions they carry out in a democracy. In countries with polarised pluralism (or Mediterranean) media systems, political parallelism patterns predominate in the media (Hallin & Mancini, 2004). The political parallelism of the media is manifested in different ways, from a low level of professionalisation (autonomy and orientation to public service) to the existence of links between the media and the parties or political organisations (in terms of funding or ideological affinity, for example) and the bias of the consumer (when people only buy newspapers that have an editorial line in accordance

with their ideological orientation). In these systems the role of the media as guard dogs is compromised because, for example, they tend to give less visibility to the scandals of the parties that are their political allies and they use scandal to attack their opposition parties (Palau & Davesa, 2013). The tendency of the media to use political scandal as an electoral tool results in political parties and government members being the main news subjects, compromising the media’s function as civic forums.

In short, in a democracy the media carry out major functions that contribute to the control of corruption, but various factors make it difficult for them to do so effectively. In a context in which the media systems have been completely transformed by the internet and the explosion of social media networks,

it is also necessary to consider their effect on the media system and news consumption. Some authors argue that this change may have a positive effect, breaking the dynamics of selective exposure to information, given that

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In a context in which the media systems have been completely transformed by the internet and the explosion of social media networks, it is also necessary to consider their effect on the media system and news consumption.

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it allows actors and interests that normally play a secondary role in the traditional communication media to have a voice in public debates, challenging traditional or official perspectives on problems (Masip et al., 2017). Other authors argue the opposite case, that networks feed the publication of sensationalist news, focusing on personal information and radical perspectives about problems, and that they do so superficially, due to the limitations placed on characters in some platforms in which short messages and audiovisual effects predominate (Tumber & Waisbord, 2019).

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## **Social capital and corruption. Civil society as the antidote?**

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There is a broad social and academic consensus that corruption has negative effects, both economically and socially. The evidence is clear: corruption limits economic growth, favours inflation and strengthens socioeconomic inequalities. But corruption also has adverse effects on the political system, because it erodes public trust in government and institutions, and negatively affects the legitimacy of the democratic system.

The general consensus on the negative effects of corruption has led research to focus on understanding which institutional mechanisms can contribute to mitigating it. We know that competitive elections, a free press and an independent judiciary can contribute to controlling corruption. There is also evidence that certain administrative or electoral system reforms may be useful to combat it.

But beyond what institutions can do, it is necessary to ask to what extent civil society can contribute to reducing corruption. This does not only concern public initiatives specifically oriented to the fight against corruption – campaigning, legislative initiatives, private prosecution, among others – but also the everyday role that the public plays as a corruption prevention mechanism. An active public that is well

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An active public that is well connected in dense cooperation networks built on trust may potentially be key to the prevention and control of political corruption.

It is what we call social capital, and social science research has for some time analysed its political and institutional effects.

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connected in dense cooperation networks built on trust may potentially be key to the prevention and control of political corruption. It is what we call social capital, and social science research has for some time analysed its political and institutional effects.

## **What is social capital?**

Before analysing the relationship between social capital and corruption, it is necessary to precisely define what social capital is. The most used definition is that proposed by the American political scientist Robert Putnam (1993), author of an influential study that explains the operational differences of institutions in northern and southern Italy based on social capital, which is much more consistent in the north than in the south. Putnam considers social capital to be all the characteristics of the organisation of society that facilitate people's coordination and cooperation to achieve a collective benefit, such as public networks and civil associations, social cooperation norms and trust in others.

A closer look reveals that the concept of social capital has two dimensions that should be differentiated. The first are the connection networks that exist in a given society, which are related to the coordinated behaviour of people, and the second, social cooperation norms and social trust, which refer to individual behaviour.

The complexity of the concept makes it difficult to measure. How can we determine the social capital level of a society? How can we compare

the social capital of one place with that of another? Over time, researchers have used various different indicators to measure social capital. The one most commonly used is association density. It is understood that the denser a society's volume of voluntary associations, the more social capital it has. With regard to the individual dimension, the indicator most used to measure social capital is social trust, based on surveys. People are asked whether they believe that, in general, the majority of people can be trusted or not. The societies with the most social capital show the highest levels of trust. Social trust is, in fact, a key factor because it facilitates cooperation. More recently, some researchers have started to approach social capital based on other indicators, linked to altruistic social behaviours, such as blood donations, financial contributions to social organisations, and even collaboration in recycling.

## **The positive effects of social capital**

The majority of academic studies, in addition to the media, tend to emphasise the positive effects of social capital. With regard to the control of corruption, there is evidence that social capital can help improve the accountability of politicians through elections, and therefore encourage good behaviour. If politicians know they are controlled by the public and are subject to the threat of suffering at the polls, they will tend to behave more honestly and transparently.

A recent study conducted in Italy shows that unsuitable behaviour by politicians (absenteeism in votes, behaviours resulting in criminal investigations) is more frequent in the regions with the lowest levels of blood donations per inhabitant (Nannicini, Stella, Tabellini & Troiano, 2013). This study also shows how the electoral penalisation of politicians who behave badly is higher in the Italian provinces with the most social capital. In fact, the authors find that the politicians who have behaved badly lose votes in the subsequent elections only in regions with a higher-than-average social capital, while in regions with a lower-than-average social capital they do not suffer any electoral penalisation.

Why does social capital seem to strengthen the public accountability of politicians? There are various mechanisms that can explain it. First, when voters share social values and norms that facilitate cooperation, they tend to base their vote on criteria oriented to the collective wellbeing, rather than on their own private interests. Participation in networks and associations facilitates this cooperation and reinforces these values. Moreover, high association density also facilitates the circulation of information by local networks, and this is also very important in increasing the public's control over politicians' behaviour.

Moreover, social capital can also improve the quality of the politicians in a given territory. Firstly, this is because the dissemination of norms favourable to social cooperation and participation in associations makes potential candidates tend to be oriented more to social wellbeing and less to their own private interests. Secondly, individuals who look for opportunities to be corrupt in politics will have less incentive to stand as candidates if they know their behaviour will be controlled and penalised by the electorate.

## **Does social capital have a dark side?**

Despite the abundant evidence of the positive effects of social capital, in recent years research papers have been published on the potential negative effects of social capital in certain contexts.

For example, a study that uses data from 229 cities in Germany shows that the spread of the Nazi party from 1925 to 1933 and its electoral success were higher in cities with the most associations per inhabitant (Satyanath, Voigtländer & Voth, 2017), excluding religious and expressly political associations. The authors argue that the members of the Nazi party used associations to disseminate their ideas and convince other people to become party members. Personal connections and interpersonal trust are the main causes of this effect. However, this happened only in the regions of Germany that had



an unstable political environment. In regions with strong and stable governments, associations did not contribute to the success of the Nazi party.

Along the same lines, there is a study on towns in Sierra Leone (Acemoglu, Reed & Robinson, 2014). This study shows that towns and communities with low political competition also have low socio-economic development (based on educational results, health indicators and economic indicators). This is not surprising. However, it turns out that in these communities there are also high levels of social capital: people attend more community meetings and participate more in social groups and collective decisions. The explanation provided by the authors is related to the capacity of local leaders to take over organisations of civil society. In fact, the authors argue that local leaders construct and model social capital as a means of controlling society.

In both cases, networks and associations are responsible for these negative effects of social capital. This may be due to two factors. The first is that associations may be taken over and controlled by politicians using a variety of formal and informal influence mechanisms. If this is the case, then these associations no longer act as an element used by society to control politicians, but rather as a transmission belt and, paradoxically, as political control of society.

There are also authors who highlight a distinction between two types of social capital. The first is cooperation between people who are very similar to each other, coordinated to maximise the benefits of their group (bonding social capital), and the second consists of associations that group diverse people and have the capacity to build bridges (bridging social capital) between them to collaborate with the aim of maximising social wellbeing. Only in a context of great cooperation of the second type will politicians have strong incentives to favour collective benefits, while in the first case they can opt to please certain groups through client politics, for example.

What determines whether in a certain context social capital strengthens or weakens the public control of politics? We may think, *a priori*, that in

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In places where there is the greatest electoral competition and in municipalities in which politicians have the least capacity to influence the public, for reasons of size or type, we can expect social capital to be a factor that controls and prevents corruption.

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places in which a certain party has a very solid political hegemony and where the politicians have the most personal and direct control and influence over the public, associations may be more easily taken over. Therefore, in places where there is

the greatest electoral competition and in municipalities in which politicians have the least capacity to influence the public, for reasons of size or type, we can expect social capital to be a factor that controls and prevents corruption.

## The LIMCOR project

Within the framework of the Limits to Political Corruption project funded by the RecerCaixa programme, at the University of Barcelona we are developing an in-depth study on the relationship between social capital and the prevalence and electoral punishment of corruption.

In particular we have data on all cases of urban planning corruption in the Spanish State, and we have collected information about the associations registered in each municipality, about blood donations at the blood banks in each territory and about donations to non-profit entities registered in income tax returns. We are currently collecting information about cooperation in recycling and about the social trust expressed in Centre for Sociological Research (CIS) surveys over time.

With all this information, and other socioeconomic and political data pertaining to the municipalities, we are investigating the extent to which the various aspects of social capital have positive or negative effects on the behaviour of local politicians, and whether they affect the electoral punishment of corruption. The provisional results indicate that in municipalities with more social capital it is less likely for there to be cases of corruption. This is especially true for blood donations and similar behaviours. In the case of associations, we find that the effects depend to a great extent on the type of municipality. In the smallest and most rural municipalities and those with the highest absolute majority of a single party, associations do not seem to play this corruption control and prevention role, whereas in all other municipalities the expected positive effect is observed.

## Conclusions

In summary, beyond any legal, institutional or administrative reforms that may be implemented, it is also important in any anti-corruption strategy to pay attention to the role of civil society. In places where there are well-structured, autonomous cooperation networks and where social norms and attitudes of trust and reciprocity are more prevalent, corruption is less probable. However, it is necessary to pay attention to the possibility of the political takeover of civil society, because this may weaken or even disable public associations and networks as a means of preventing and controlling corruption.

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## **The Xnet whistle-blower protection experience and its practical application in public administration**

Simona Levi\*

Xnet founder

Miriam Carles\*\*

Lawyer and Xnet member

Xnet is an activist group that works, among other places, in the legal, technical and communication fields to defend the use of the internet as a tool to improve democracy and fight abuse and corruption.

In the development of its activities, Xnet is a member of the Whistleblowing International Network (WIN), an international coalition of organisations with experience in advising whistle-blowers and offering them protection against the courts, the press and national legislators.

Whistle-blowers are understood to be people who discover and report abuses that affect the general interest. They are, then, people who stand up to powerful public or private structures. It is a case of Davids against Goliaths.

In 2012, Xnet launched the “15MpaRato” campaign, a project that became the public accusation that led to the Bankia case being brought before the National Court of Spain and the recent sentencing of 65 politicians and bankers in relation to the “black credit cards” scandal.

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\* Simona Levi is a theatre director and a trained actress and dancer. As a founding member of Xnet, she proposes alternatives to the traditional models of cultural dissemination, copyright management and democracy in the digital era.

\*\* Miriam Carles is a jurist.

This was achieved because in 2012 Xnet informed the public of what the press termed the “Blesa emails”, thousands of the former Caja

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Madrid chairman’s corporate emails to which it had access thanks to an anonymous source that sent them to Xnet’s also anonymous email account. This account preserves the anonymity of all sources, even for Xnet members.

For years, Xnet has operated its own anonymous email account through which it receives leaks that reveal more cases of corruption, protecting whistle-blowers from possible reprisals.

Reproducing the model it uses, Xnet has created another account for Barcelona City Council that whistle-blowers can use to safely and anonymously report cases of abuse and corruption. It is the first time that a public institution has recommended its citizens use encrypted and anonymous tools like Tor and GlobalLeaks as a means of protecting themselves if they want to report abuses. This experience is being replicated by many other institutions, such as the Catalan Anti-Fraud Office, the Community of Valencia Anti-Fraud Office and the Government of Catalonia.

In 2015, Xnet prepared a list of recommendations for the protection of whistle-blowers reporting irregularities that includes proposals for changes to be made to Spanish legislation to legally protect them. It is proactively working to ensure these changes are made and to directly create legislation and contribute to recent European regulations.

**Legislative procedures: preparation of a legislative proposal than can be replicated anywhere**

The reporting of systemic abuse, irregularities and corruption is essential to protect the public interest and preserve accountability and integrity in the public and private sectors, and it should not be seen as a heroic act. It should form

part of the everyday normality – normality assumed to the extent that its dissuasive effect makes it almost unnecessary. However, 70% of corruption cases are disclosed by people who subsequently suffer reprisals and persecution. Repris-

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als may take the form of constant legal actions for alleged libel or slander or the protection of the personal data of the defrauders, harassment, dismissal and even physical attacks on the person. These types of persecution dissuade the majority from reporting or revealing systemic abuse.

This shows a clear situation of asymmetry of forces between whistle-blowers and institutions or corporations capable of crimes against the public good.

In this context and with its experience helping other whistle-blowers, Xnet drafted a law for their comprehensive protection, taking into account the most demanding international standards on the matter and based on the most effective or relevant legislation in other countries, such as Ukraine (2014), Ireland (2014), and the Netherlands (2016). Also considered were the recommendations of the Whistleblowing International Network, the European Center for Whistleblower Rights,

Public Concern at Work, ExposeFacts, various rulings of the European Court of Human Rights, and Organic Law 1/2004, on comprehensive measures against gender violence, among others.

This bill was introduced in the Parliament of Catalonia in June 2018 by members from ERC, JuntsxCat, CUP, PSC and En Comú Podem parties. At the same time, Xnet created a template for its replication in other places, which has been used in the Basque Country. Both bills are currently awaiting processing.

Meanwhile, thanks mainly to the impetus of Greens–European Free Alliance, the European Parliament adopted a resolution in favour of the creation of a European directive on the protection of whistle-blowers in order to unite criteria and ensure that all Member States have one. During the procedure for the preparation of this directive, Xnet, in conjunction with other European networks like WIN, contributed amendments to the text.

The Directive was approved in 2019 with a broad consensus from all groups in the European Parliament (591 votes in favour, 29 against, 33 abstentions).

The approved Directive includes many of the amendments put forward during the drafting stage and shows the importance of contributions made by international networks of activist organisations. Some of these contributions are: the broad definition of the concept of whistle-blower, closely related to the public interest; the recognition of the possibility of anonymity; the freedom to choose the means to report the crime.

By the spring of 2019, two months after the approval of the Directive, Xnet had transposed it and registered it with the Congress of Deputies of the Spanish State, in accordance with its usual do-it-yourself approach. The principle behind this methodology is that true democracy is achieved through the collaboration – not the subordination – of civil society, organised with representatives of the public in the institutions.



The bill was introduced by the only deputies who supported the initiative: those from ERC and Coalició Compromís in Valencia.

With these actions, Spain could be the first state to transpose the Directive – if more parliamentary groups support it, and Catalonia – with the adaptation to the transposition of the Directive that Xnet offered to the parliamentary groups – will probably be the first place in Europe where it is approved.

The Directive and, consequently, the aforementioned bills, constitute an inflection point in the recognition and legal protection of whistle-blowers in Europe. From now on they will be equipped with solid transversal legislation, which benefits not only the fight against fraud and corruption, but also the fight against abuses in all scopes of the public interest.

## **Main aspects to take into account for the protection of whistle-blowers**

Corruption and institutional abuse cannot be solved with the institutions policing themselves. Civil society must play a central and constant role. Corruption and bad governance can only be corrected under public scrutiny, never “from within”.

Anonymisation, that is, the use of tools like Tor that prevent the tracking of the computer from which the information is disclosed, redresses the asymmetry

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between institutions and multinationals, which have the capacity to monitor and pursue, and civil society, whose members can suffer reprisals when they participate in the governance of the common good.

First, it is necessary to clarify that anonymous sources are not new. The press has always acted this way: using sources that remain anonymous because they are vulnerable. It is the responsibility of the party receiving the information, which has the means to do so (the journalist or in this case the government), to investigate it in order to build a solid case or discard it.

We should remember that in other countries whistleblowing of this type is protected. In the English-speaking world, the first legislation that protected whistle-blowers dates back to 1776.

The difference between anonymity and confidentiality is that the former allows the source to control the use made of their identity and information. Trusting in confidentiality “guaranteed” by institutions – just on their say so – is nothing more than an exercise in faith. Experiences like the De Alfonso Anti-Fraud Office scandal, and the success of anonymous leaks against corruption around the world in recent years, make confidentiality “guaranteed” by institutions indefensible when compared to anonymity controlled by the whistle-blower. This, moreover, prevents the centralisation of all the power (the information) in the hands of a few people (executives, administrators, etc.) who become all-powerful and a threat to everyone.

According to the UN special rapporteur, anonymity is the most solid protection that can be offered to people who blow the whistle on irregularities. It is also important to inform possible whistle-blowers whether the channel they intend to use is actually anonymous, because only this way can they make an informed decision before using it. In this sense, Xnet has warned of the proliferation of channels that are presented as “anonymous” but do not comply with the requirements to be so, scamming and endangering the people who use them. The legislation designed by Xnet includes the provision that lying in this definition leads to serious penalties.

Moreover, whistle-blowers must not be required to use internal whistleblowing channels or accounts as a prerequisite to use other channels

outside of the entity. Although it is completely legitimate to discourage the imposition of damage to an entity’s reputation, the use of internal whistleblowing mechanisms is not always the most suitable method and whistle-blowers must be able to choose the most effective and safest course of action. To foster the use of these internal channels, it is better to introduce aspects that guarantee their effectiveness so they are easy to use. In fact, in the vast majority of cases, the whistle-blower first uses the internal channel and the most famous cases have only come to light through the use of external channels like organisations and journalists (Snowden and LuxLeaks, among others).

This is why another aspect to take into account is that it is necessary to also protect intermediaries and facilitators. The people who disseminate information provided

by whistle-blowers (for example, directly to the public through web platforms or social media, or to the media, elected officials, citizen platforms, civil society organisations, trade unions or professional or business associations) are essential and necessary to help whistle-blowers and, in the vast majority of cases, they also suffer serious reprisals. An example of this is the LuxLeaks case, in which the journalist who released the revelations was also on trial with the whistle-blowers.

Given the value of the role played by intermediaries and facilitators, they should receive the same protection against reprisals as the whistle-blowers in order to safeguard the media’s freedom of expression and freedom of information.

To conclude, the legally abusive use of other rights and freedoms that seek to undermine the protection of the whistle-blower must be imped-

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Given the value of the role played by intermediaries and facilitators, they should receive the same protection against reprisals as the whistle-blowers in order to safeguard the media’s freedom of expression and freedom of information.

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ed. Clear provisions are necessary to ensure that rights and freedoms are not used as an excuse to prevent whistle-blowers from reporting illegal acts and abuses, given that it is not unusual for those implicated by the information disclosed by the whistle-blower to take legal action for slander or violation of data protection rights, intellectual property or trade secret rights to try to invalidate the evidence against them. Xnet actively works to promote and protect the fundamental rights to privacy and data protection, but they cannot and should not be used to dissuade people from reporting illegal activities. In our experience, they can and should be reconciled.

### **Further information:**

<https://15mparato.wordpress.com/>

<http://correosdeblesa.com/in/inbox/>

<https://xnet-x.net/en/xnetleaks/>

“Xnet instal·la una Bústia de Denúncies Anònimes contra la Corrupció per a la Ciutat de Barcelona basat en GlobaLeaks i usable amb Tor”: <https://xnet-x.net/ca/bustia-etica-denuncies-anonimes-ciutat-barcelona/>

“Xnet registra al Parlament de Catalunya una Proposició de Llei de Protecció Integral dels Alertadors”: <https://xnet-x.net/ca/xnet-parlament-catalunya-proposicio-llei-proteccio-alertadors/>

“Hazlo tú mismo: Propositiones de Ley en el Congreso #DIY – nuevo modo de colaboración entre ciudadanía y Congreso”: <https://xnet-x.net/hazlo-tu-proposiciones-ley-congreso/>

