

EXPANDED ABSTRACT

Public Economy and Corruption. An ordering of anti-corruption proposals

Corruption is one of the most worrying problems currently in Spain. Its damage to the public economy has become visible and unquestionable. Moreover, there is a sense of impunity for the corrupt that de-legitimizes the democratic system and is provoking the political disaffection of many Spaniards. However, there has been some civic response that calls for reforms and there is a proliferation of proposals for measures to combat corruption. These are measures of very diverse nature and scope. This generates a sense of chaos and improvisation. We consider that it is only apparent chaos, that behind these proposals there is a logic that arises from the particular perspective and concern of the one who proposes it.

The object of study is the Spanish case of public corruption, although we do not have a precise definition nor with universal validity. It is logical because the phenomena of corruption are complex, multidimensional, with a strong moral burden and each one approaches them in their own way according to their analytical interest. Here we do not propose another one of definition, we are enough with the definition umbrella habitual: "abuse of power in private benefit". In the Spanish case, although corruption itself is not typified, there are crimes of "corrupt type". However, we have expanded the subject of study beyond the crimes of corruption typified in the law, incorporating other forms of "abuse of power (public) in private benefit" that may even they be legal. They are not crimes that a court can judge, but they are "bad manners" of doing things that citizens can punish with their vote, if they want.

The approach taken to deal with this issue is based on the fact that the relationship between the citizen and the politician is of "principal-agent" and that is developed in a market of "lemons". The Agency Theory, although developed for the private sector, serves to address the issue of delegated responsibility in the field of public policies. In an advanced democracy, each voter decides who has her trust to management their priority interests from public institutions. From that moment on, the citizen (principal) is in the hands of the politician (agent) until the next elections (electoral cycle), during which the agent has to account for his management to the principal. Then the citizen can reaffirm his confidence in a certain politician, his questioning or his withdrawal. But it is not easy to make that decision because the information is asymmetric: the politician knows what's really behind his story, but the voter not, he only has signals. This refers us to the market of "lemons". The voter knows that he participates in a political market of lemons, in which the candidates, to win, promise beyond their pos-

sibilities and hide their limitations, even lie. The voter's responses to a politician he distrusts may be mainly: give him another chance (loyalty), claim him to do better (voice) or trust another politician (exit). When he does not trust any politician the reactions are the same but the consequences not; in this case the exit is of the whole political market (disaffection), the voice calls for changes but not in the political one but in the functioning of the whole system (for example, transparency). We are especially interested in the voice, particularly the one that claims less public corruption (both typified and para-corruption).

The objective of this work is to order the different proposals in some way that allows us to obtain an overview. To this end we have considered that public corruption is a crime, albeit with specific traits, and we have resorted to Criminology. In particular, we have integrated the Theory of Rational Expectations (TRE) and the Routine Activity Theory (RAT) as working hypothesis. The first allows us to make explicit the rationality of the corrupt. The second allows us to incorporate three key elements: victims, guardians and crime scene. We have adapted TRE+RAT to our object of study: crime is corruption, criminals are corrupt, guardians are those who face corruption, victims are citizens in general and change of routines or lifestyle is, in the Spanish case, the political-institutional reform initiated with the Transition. Combining both theories we have four basic elements (delinquent, victim, guardian and scene) that explain the most recommended criminal (preventive) policy measures: discourage potential criminals (motivated offenders), more trained guardians (capable guardianship), restructure crime scenarios to reduce exposure to the risk of crime and educate potential victims to be more careful.

Starting from a review (not exhaustive) of the proposals made both for the particular situation of Spain and for this phenomenon in general, has analyzed the nature of each of them. This analysis has allowed to classify them according to which of the previous elements is affected. In the case of the corrupt (criminals) four types of proposals have been identified: those that increase the opportunity cost of performing a corrupt act, those that reduce the income obtained with it, those that increase their costs and those that increase the sanctions. With regard to the guardians, four main types have been identified: those proposing more/new guardians and those seeking to increase their effectiveness both police and judicial and deterrent. Regarding the crime scenario, the cycle of public policy, three types have been identified: those that aim to improve this scenario, but also to improve political procedures and actors involved in the cycle. Finally, with regard to the victims, measures have been identified which seek to increase their knowledge of the crime, their ability to fight it and their willingness to act against it.

The result obtained is a kind of map that allows to locate the anti-corruption proposals in fourteen different territories, articulated around the cycle of public policies. This map can be a useful tool for the analysis of anti-corruption policies, in particular it facilitates:

- discovering territories that are left out of the anti-corruption measures (unprotected) and others that are overloaded with measures;

- identify inconsistencies and incompatibilities between different proposals;
- detect vicious circles of corruption (more harmful) and virtuous circles of corruption reduction (more effective in the fight against this crime);
- assess which territories are the most appropriate to concentrate the resources aimed at combating corruption and in which may have an excess;
- to use a common language in the interdisciplinary discussion, since proposing a map that integrates the political, economic, juridical and sociological visions;
- improve synchronization between measures that have different maturing times, that is, the political times

KEYWORDS: Public corruption, public economy, public policy cycle, obedience regime, anti-corruption measures, method of ordering anti-corruption measures.