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## **A national culture of corruption?**

### **Chapter 13**

## **A national culture of corruption?**

### **Spain in transnational perspective (18th and 19th centuries)<sup>1</sup>**

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Both stereotypical representations of Spain and academic texts have insisted on the notion of secular backwardness (a kind of Spanish Sonderweg), systemic abuse and political decadence. This chapter seeks to examine the Spanish national culture of corruption. Starting from early Iberian political Modernity, we will review the historical crossroads at which the transformations of the state and power relations in Spain were situated. This involves assessing the conceptual mutations, practices and discourses of good and bad governance, together with the configuration of public opinion, the cultures of power, secrecy and transparency, the capture of the state and public resources, as well as the impact that corruption cases had on citizens' distrust of institutions and anti-politics. In order to overcome the stigmas that projected the image of a corrupt society, the "sacralisation" of the state and the administration was a functional response of the monarchy and hegemonic liberalism to shield their legitimacy. However, the limits to freedom of the press, the fragile mechanisms of oversight, the excessive weight of the executive power – including the precarious division of powers – and the caciquist system deepened the ill-impression on corruption. In short, addressing the distinctive elements of "national cultures of corruption" will help us to recognise the modalities of the exercise of power, and to examine the nuances of the process of political modernisation from a comparative and transnational perspective, overcoming the myth of a supposedly unpolluted North as opposed to a corrupt South.

## **Modernity and corruption**

In accordance with the intellectual challenges proposed in this book, our aim is to reason on the role played in Spain by the discourses and practices of corruption in the transition and rupture that the scientific community has called Modernity. Ours is an initial analysis that identifies the debates and

experiences of corruption as one of the cursors of Modernity and counter-Modernity, which intervened to correct the conduct of the rulers and the ruled. There is a basic agreement that conceives Modernity as the emergence of a state of individual and collective consciousness that anticipates a new world far removed from the *Ancien Régime* and open to the new liberal national states, with its epicenter in the revolutionary crises of 1780 and 1820. These transformations invite us to think about the mutations undergone by the hegemonic political concepts and cultural practices of these societies. Nevertheless, historiography has warned of the inadequacies of establishing a simplified model of change. The stereotypical image of virtuous citizens and clean elections does not hold because the transformations were neither monolithic nor linear, but full of adjustments, crossovers and overlaps.<sup>2</sup>

The history of modernisation is certainly enriched by the perspective of the analysis of corruption and its antonym, which over the years built up an ideology that presented itself as modern in the face of the blemishes of the past. Contemporary society required an awareness of its place, and narratives capable of describing profound changes. Following the suggestions made by Jens Ivo Engels – based on Christof Dipper – the history of corruption should benefit from bringing the structural changes that took place in the 18th and 19th centuries into contact with the patterns of ordering that made it possible to represent and interpret them. In our case, part of our contemporary history has hinged on the so-called “problem of Spain”, the overcoming of the stigma of its decadence.<sup>3</sup>

Both stereotypical representations of Spain and various academic texts have insisted on the notion of secular backwardness (a kind of Spanish *Sonderweg*), systemic abuse and political decadence. A Hispanist such as Paul Preston has condensed Spanish history into the incompetence of its governments in the management of public affairs. In turn, the leading expert on fiscal history, Francisco Comín, has described the drama of the two Spains, the legal and the real, as “permanent corruption”.<sup>4</sup> From picaresque literature to the solutions of the *arbitrista* economists in the 17th century, via responses to the European black legend, the image of Catholic fanaticism and the alleged inveterate incompetence of rulers formed part of a battle of discourses, in which the corruption of the body politic formed a substantial part. These themes re-emerged with the loss of the colonies in 1898 when the “political literature of disaster” labelled corruption as a blight on the national political culture.

Accessing full Modernity meant, in these terms, overcoming the stigmas that conditioned the “corrupt nature of Spain”. The shielding and “sacralisation” of the State and the Administration was a functional response of the monarchy and hegemonic liberalism, the so-called “Estado Grande” of the moderates or conservative liberals, to the fear generated by plebeian participation and federal

tendencies. These included limits on the freedom of the press, weak control mechanisms, the excessive weight of the cabinet – including the precarious division of powers, and the guardianship of suffrage. In short, establishing the distinctive elements of “national cultures of corruption” – far from any essentialist and clichéd view of Culture – would serve to recognise local modalities of the exercise of power, political habits, and customs, and to examine the nuances of the process of political modernisation from a transnational perspective. The collective European and American imagination has always tended to emphasise the internal division between modern and backward nations, between a supposedly pristine North and a corrupt South, or between an impeccable Western Europe and a less than exemplary Eastern Europe.

Spanish historians have not offered a concrete proposal concerning the place that corruption might have had in the great conceptual mutation of early Modernity known, thanks to Reinhart Koselleck, as *Sattelzeit*. His book *Vergangene Zukunft* (1979) was not translated and published in Barcelona and Buenos Aires until 1993, while the history of concepts was not officially incorporated in Spain until twenty years later, with the publication in 2002 of the first *Diccionario político y social del siglo XIX español*, by the historians Javier Fernández Sebastián and Juan Francisco Fuentes, and the “Congreso de Historia de los Conceptos” held in Vitoria in 2003. The incorporation of these and other authors into the *History of Political and Social Concepts Group* was not only indebted to the theoretical approaches of Begriffsgeschichte, but also to the Anglo-Saxon New History of Political Thought and, subsidiarily, to the hermeneutics of Hans-Georg Gadamer or the French Lexicologie. Later, these professors, in conjunction with Malvin Richter and other members of the network, promoted the publication of two other major dictionaries. One corresponding to the 20th century (2008), together with the *Diccionario político y social del mundo iberoamericano, Iberconceptos*, which covers the second half of the 18th century to 1870 (in two volumes published in 2009 and 2014). This latter work focused its interest on Atlantic, Ibero-American Modernity, after the failed attempt to produce a “European dictionary of concepts”, a goal that Koselleck himself deemed extraordinarily difficult in an interview he gave to Fernández Sebastián and Francisco Fuentes in April 2005. In brief, these works include the words Administration, Despotism, Employee, Civil Servant, Public Opinion, and others such as Regeneration. Only the volume devoted to the 20th century includes the word “Corruption”, but it is still linked to the rhetoric of regenerationist criticism against *caciquismo*, which triumphed after the loss of the colonies. Similarly, in Javier Fernández Sebastián’s more recent work *Historia conceptual en el Atlántico ibérico. Lenguajes, tiempos, revoluciones* (2021), does not pay sufficient attention to corruption, but rather to the conceptual transformations of terms such as citizen, freedom, nation, public opinion, and republic.

Other proposals have been made by philosophers and sociologists. The philosopher José Luis Villacañas has highlighted the lack of charismatic forces that could serve as the driving force behind the processes of Hispanic Modernity. Neither the nation, nor industrialisation, nor sovereignty, nor revolution was able to convert the various “plurals” into singulars of Modernity; they were not agents with sufficient binding capacity. It was, in a way, a failed *Sattelzeit*. On the other hand, this author did include among the conceptual pairs that of “upright/corrupt”, although he did not develop them. A third, more recent approach (2020) is that of Chilean sociologist Aldo Mascareño (trained at the University of Bielefeld), who argues – following Walter Mignolo and many other critics of Eurocentrism – that there were many other regional modernities as a consequence of the adaptation of these processes of conceptual mutation to the social structures of each geographical area. From the epistemology of the South, European semantics were recombined with regional expectations. For Aldo Mascareño, Latin America received its *Sattelzeit* between 1810 and 1860, the period of the formation of the republics, but what defined it was its “incompleteness”, the sense of being in a permanent, never-ending transition, which would extend over a wider chronological span from 1808 to 1931. According to the author, therefore, there were different rhythms of adaptation of enlightened Modernity, although, we add, this should also be the case for Southern and Eastern Europe. A fourth and final attempt is that of the philosopher Hans Schelkshorn of the University of Vienna. In dialogue with the Latin American epistemological rupture (Enrique Dussel), the author insists on two key aspects: the existence of a modern project prior to the Enlightenment, and the vindication of all modern projects that were not European in nature. Another novelty of this author is that he incorporates diverse analytical perspectives, both Jürgen Habermas’ model, Michael Foucault’s theories of power and the cultural theories of Modernity.<sup>5</sup>

On the other hand, counter-Modernity, defined by Eduardo Brüner, proposes an examination of the internal conflicts of Modernity and its tragic limits. It is an internal contradiction of Modernity, a fracture. This making conscious the unconscious that was the uprooting of Modernity did not include processes such as the Corsican revolution during the 18th century and the most radical rebellion of all, the first anti-slavery and independence revolution in Saint-Domingue, between 1791 and 1804. Following Raewyn Connell, it has been between North and South, East and West, center and periphery, an “*erasure of the historical experience*”<sup>6</sup>.

We argue that multiple modernisation projects coexisted in Spain, depending on three major political worldviews: Catholic, liberal and democratic-republican, each with particular accents and views on the semantic uses of corruption and on the moral criteria in dispute. These worldviews underwent three other major processes: the reformist policies of the absolute monarchy in the second half of the

18th century (including its colonial American prolongation), the emergence of the constitutional nation in Cadiz in 1810 and the subsequent consolidation of the imperial nation and the “*Estado Grande*” of moderate liberalism in the mid-19th century. We place the study of these modernising projects chronologically between 1759 – embodied in the “enlightened” reigns of Charles III and Charles IV – and the revolution of 1868, as a corollary to the fall of the Bourbons, accused of corruption and personified in Queen Isabella II.

During those years, old concepts were modulated and new ones were consolidated (honour, honesty, probity, integrity...), subject to the resignification of syntagms such as national sovereignty, public opinion, the moral body, the sacredness of the monarchy and the state, among others. But not all political cultures shared the same relationship between the past and the future. While the liberal and republican tradition generally accepted the horizon of the expectation of progress, the anti-liberal Catholic tradition was not utopian, but eschatological. Catholic illiberalism had its own project of transition to capitalist Modernity, its own special way of understanding time and history, as has been shown by studies of the counter-revolution and Carlist legitimism in Spain.<sup>7</sup>

## The space of experience (“Erfahrungsraum”) of Spanish Modernity

Spanish historiography has been conditioned by the thesis of the backwardness of its industrial revolution, the supposed weakness of its bourgeois revolution or its process of political nationalisation. In contrast, in recent decades there has been a pendulum swing that underlines the normality and convergence of Spanish history with respect to European history. Our working hypothesis adheres to a more balanced thesis, which considers the similarities, but also the singularities, in relation to our environment. These old debates on supposedly missing the train of Modernity have been largely sterile. The analysis of corruption in liberal Spain is situated within historical coordinates characterised by vulnerability, by collapse, because at the time of its *Sattelzeit* Spain lost a large part of its colonial empire, was subjected to one of the longest cycles of civil strife in Europe, and to centrifugal tension.

It is essential to understand, at least minimally, the structural characteristics of Spanish politics and society during the *Sattelzeit* in order to situate the conceptual transformations with greater precision. From the point of view of its political architecture, we would highlight the continuity of the sacredness of the Crown – which it later shared with that of the liberal state itself – the absence of true political responsibility, the weight of the Catholic and holistic worldview of society, and the deficit of individualism. On a different note, the abuse of political exceptionality as a way of exercising power and social control; a tutelary and repressive state that did not generate confidence among citizens, whom it continued to protect. All of this led to a breakdown in the credibility of state

institutions, with a strong executive power that controlled opinion and elections, and militarised public order. The “administration” of justice was also subordinated to the administration of the state, with no real judicial independence. The confusion between politics and administration encouraged clientelism among public employees. The discordance between different modernisation projects and the fragmented and local character of politics contributed to Spain becoming one of the most civil-warring countries in Europe, comparable to Colombia and the Río de la Plata. It produced a civic culture in which dissent was difficult to integrate and citizen distrust was the order of the day, in turn undermining the legitimacy of the state. Finally, another aspect of its vulnerability was reflected in the permanent bankruptcy of the Treasury, dependence on foreign capital for economic transformation, persistent tax fraud, and an early capture of the state by “crony capitalism”, in which the Crown played a central role.

### “Corruptio optimi pessima”. Corruption during Enlightenment reformism

One of the main ideas of this section is that during the *Spanish Sattelzeit* a “navigation chart” was being drawn up, an unspoken road map, first Enlightenment and then liberal-conservative, which focused on the need to instruct the individual in his duties towards the King and the Nation, and on other no lesser aspects such as the new rules of social behaviour proper to civility, decorum and good manners. At the heart of the matter was the question of how to make claims without disturbing social peace. It should not be forgotten that these moral evaluations were not the only ones and that they coexisted with those of other political cultures. With the expression “*corruptio optimi pessimal*” (corruption of the best is the worst of all), the most prominent thinker and politician of the Enlightenment, Gaspar Melchor de Jovellanos, represented all those who aspired to the core of the reforms being led by the nobility and high officials.<sup>8</sup>

The Weberian ideal of a disinterested, merit-based imperial bureaucracy was not the fruit of a linear process. It was contingent on the political, religious, and legal context. The Spanish empire, as Bartolomé Yun has recalled, was seen at the time as the classic and extreme example of corruption, which delayed capitalism and hindered state reform. A type of imperial and mercantilist system based on kinship, where corruption was the lubricant of bargaining between the motherland and the colony, a process that at times hampered the agenda of the central power. All these competing systems had functional needs to centralise the state; in the case of the Hispanic monarchy, to clean up its finances through a more efficient fiscal administration. This fact produced fissures in the colonial pact between the local elites and the Crown so that the fight against dishonest practices was much more about the financial interests of the monarchs than about a hypothetical separation between the

public and private spheres, between the interests of the kingdom and those of private individuals. In the transition from a composite to a mercantilist empire, the mutation of concepts of corruption such as bribery, observed by Christoph Rosenmüller for the viceroyalty of New Spain in 1750, was perhaps more a consequence of these tensions than an expression of a consummated *Sattelzeit*. Another thing is, as Bartolomé Yun rightly points out, that imperial Modernity was characterised by the conflict between personal rules and the formal institutions of the state, and that in the Spanish case – think of Cuba and the Philippines throughout the 19th century – the former were imposed on the latter, contravening the linear model.<sup>9</sup>

In contrast to what happened in the American territories, in the Iberian Peninsula, studies on the establishment of the new *planta borbónica* in Catalonia invite us to use the concept of counter-Modernity. Here we understand it as the involution and loss of Catalan constitutional practices that contributed to administering its corruption. In this sense, the Bourbon regime began to be less modernising, favouring nepotism and the impunity of new officials, using corruption as a mechanism for political loyalty.<sup>10</sup> The protagonists of the *Spanish Tour*, along with numerous testimonies of the country's enlightened citizens, coincided in identifying the Catalan model as the most populous, industrious, commercial, and active region in all of Spain. They were described as the “Dutch of Midday” or “the Dutch of Spain”, who were only driven by interest, making money, and selling cheaply, outside of the guild standards. It was both religiously fanatical and businesslike, an aspect that disoriented French visitors. Despite the stifling militarisation, it was a modern region in terms of economics and private interest, and where the Catholic Church and religion participated in this dynamic without contradiction. What scholars called an “applied” is a practical enlightenment. Once again, excessively rigid models of Modernity do not work, even within Southern Europe.<sup>11</sup>

However, the development of the commercial society could – according to one of the predominant criticisms of corruption in all models of Modernity – lead to an excess of money and luxury that would alter the boundaries between private and public interests. Corruption could endanger the coexistence of commercial societies as the sense of the public good was lost. As Isabel Wences, Paloma de la Nuez and Julio Seoane have pointed out, in practice, an amalgam of traditional and modern conceptions could be produced. Depending on the context, corruption could take on a new meaning and a plurality of meanings. Let us not forget that in certain experiences, such as the Dutch, British and North American, Modernity emerged more from religion than against it. One of the crucial issues, then, was the coupling of the new commercial morality with Catholic culture. As Julio Viejo indicates, although the Spanish “*ilustrados*” were aware of the debates in the *republic of letters*, the responses were given from a Catholic worldview. For this author, a Catholic discourse

was introduced in Spain that tended to moderate and incorporate the a priori negative view of self-interest and self-love. If morality was not heeded, corruption would spread.

In the assessment of corruption, the analysis of morality plays a fundamental role. Baron d'Holbach, in his well-known work, defined morality as the set of rules and duties to which all were subject, guiding the actions of individuals and institutions. In that context, the problem lay in the uncontrolled passions existing in commercial countries, which could annihilate the love of the public good, destroy customs and probity, and ultimately lead to the end of empires. Sovereigns were supposed to set an example of virtue and equity, but if they granted graces or favours for free, morality would cease to be useful, and the people would be corrupted. The absence of morality among the people was understood as the inadequacy of the duties of individuals towards the common good. From above, corruption was an expression of tyranny and bad government; from below, it was an expression of the omission of the duties of the commoners towards the kingdom. It is symptomatic that it was not until 1812, in Madrid occupied by Napoleon's troops, that his work was translated and published.<sup>12</sup>

Two other aspects that affected Good Government and Virtue – and its flipside, corruption – were those of political economy and instruction. For Javier Usoz, the publicity of the enlightened rulers was aimed at “modulating the opinion of the politically relevant classes”, including those in the Administration, but not so much at making the reforms effective. One could insist on the discursive claim to the “public good” as an indispensable means of providing legitimacy and promoting reforms, but in practice the Crown's policy was oriented towards war, the maintenance of a military fiscal state and tipping the balance from the public to the private sphere. In short, as Usoz writes, in order for the principle of trade to replace the principle of conquest, what was needed was a public sphere educated in the value of public happiness.

In this respect, we return to the Enlightenment thinker, economist, and politician Gaspar Melchor de Jovellanos, a good representative of the central place occupied by public education. A position he shared with authors such as Montesquieu and the republic of letters in general, for whom education was the means par excellence of spreading virtue among citizens and establishing the common good. The fight against the various forms of corruption, abuse of power, bribery of judges and embezzlement depended on it. Before the death of Charles III (1788), he aspired to the existence of a nobility that would take care of its intellectual and economic activities, the driving force of the Enlightenment. In his writings he recognised that education should also be devoted to morality, which he identified with opinion. What was to be achieved, then, was a type of interest compatible with morality, an educated society capable of endowing itself with stable and qualified political

institutions and economic institutions to achieve public prosperity. It was a question of transforming the body politic into a moral body, which, let us not forget, marginalised women, slaves, and commoners. Without morality, inequalities between rich and poor would be enormous, there could be no sustained growth, and institutions could lose all legitimacy along the way. Excessive corruption would lead to backwardness and endanger social stability and institutions. Luxury, the “disorderly” desire for goods or command, could corrupt people and institutions, and promote fraud, usurpation, infidelity, bribery, and bribery. Basically, reforms had to be made to return Spain to imperial leadership and avoid revolutionary contagion.

Another decisive conceptual pair was that of honour and honesty, which did not undergo a linear development either, from the collective to the individual, but produced a new and mutual resignification. Pablo Ortega has examined literary works, press, philosophical treatises and moralistic writings, demonstrating that the changes produced in these concepts were linked to variations in the meaning of virtue, which gradually abandoned its meaning as a social inheritance for a more personal, moral and utilitarian one. In the 18th century, honour was a basic element of distinction and social structuring, which gradually came to require reputation and social fame. At the turn of the century, the concept of honesty triumphed as a criterion of social esteem.<sup>13</sup>

## Corruption and the constitutional revolution of Cadiz

The Peninsular War (1808–1814) and the Constitution of Cadiz (1812) brought about a major political and conceptual revolution. The need to mobilise troops and obtain economic resources was not unrelated to the emergence of liberal public opinion and the obligation to increase political participation and representation. All this was in a context aggravated by imperial decline, the bankruptcy of the treasury and the impoverishment of the popular classes, a process that culminated in the summer of 1808 in a veritable collapse of the state and the unwanted prominence of the plebs.

As Javier Fernández Sebastián explained, the constitutional revolution of Cadiz was both a point of arrival and a point of departure. The *vacatio regis* of the Spanish Bourbons entailed a double crisis, dynastic and political, which facilitated the assumption of sovereignty by the American peoples and the Spanish provinces represented in the juntas. There was a real acceleration of historical time, the emergence of new subjects (the people, not just the patricians) and new concepts. Returning to the context prior to the war and revolution, for another of the great historians of the period, José María Portillo, the Enlightenment governments wanted to impose an “imperial morality” that assimilated the king as a tutelary father, as opposed to the corporate self-government of the people. An absolutist conception that met with resistance both on the peninsula and in America. It was not a kingdom, but a monarchy composed of its king, peoples and corporations. The logic was not that of the *roi et le*

*royaume*, nor that of the king in parliament, but that of the Catholic monarchy. Thus, during the constitutional revolution of Cadiz, a metamorphosis took place, breaking with the past, but without renouncing fundamental parts. A model of a “Catholic nation” was instituted.<sup>14</sup>

Such was the seriousness of the crisis that the constituent process opened in 1810 brought with it an institutional design in which parliamentary supremacy predominated, subordinating the executive power. Nevertheless, at the level of ideas, liberal writers and deputies combined a language derived from Neo-Scholasticism, rationalist contractualism and historicist constitutionalism with Castilian roots. In their attempt to inscribe reformism in the long historical process of affirming freedom in the face of despotism, what they did was to legitimise their actions under the protection of the Catholic worldview. Religious beliefs played a structural role in that they broadened the semantic field of constitutional concepts. The hegemony of the Catholic confession, enshrined in Article 12, meant that opinion could not enter the spheres of religion, which shows a development of the Enlightenment different from that of France or Italy, because Spain was a Catholic monarchy “by constitution”. To paraphrase the ecclesiastical publicist and legal historian Francisco Martínez Marina: “Politics (was) morality applied to the government of states”. A lack of virtue could lead to the corruption of morals, which could lead to the destruction of society. Again, for all these authors, the role of education was decisive as an antidote to corruption. Liberalism in Cadiz continued to have a strong political connotation informed by morality, much more than a simple substitution of morality for modern politics.<sup>15</sup>

One of the causes of the fall of the monarchy of Charles IV, which served as a rallying point for the deputies, was the criticism of ministerial despotism, personified in the figure of Manuel de Godoy, the main statesman who held power between 1797 and 1808, accused of abuse of power and corruption. One of his most trusted men, Cayetano Soler, Secretary of State and of the Universal Office of Finance, who was responsible for preventing the economic bankruptcy of the kingdom, was prosecuted for embezzlement of public funds. In this climate, the constituents in Cadiz were careful to determine ministerial responsibility, not to save the royal figure, but to assert the power of the legislature. In 1813 the *Cortes Generales* enacted a decree to render effective the responsibility of magistrates and judges, as well as other public employees. This text served as a reference for the first penal code of 1822.

At this point, to what extent were the conceptual transitions and the new legal measures implying an epistemological rupture and the awareness of a new historical horizon? Without going into detail, the Cortes de Cádiz approved a regime of incompatibility of deputies to avoid the seductions of power and the corruption of the chambers. However, after the triumph of absolutism in 1814, this regime

was not recovered until 1933 during the Second Republic. Another measure was that of parliamentary inviolability and immunity, which was maintained over time with erratic application depending on the political situation. There was also stricter control of the amounts allocated to the Regency for secret expenses, another inveterate source of corruption in all countries.

The fact that around 1800, at least for Europe, old and new discourses and practices of corruption coexisted, does not invalidate the existence of a *Sattelzeit* in the concepts of corruption at different rates. Even if the revolution of representation showed successes and failures, and evident signs of the perpetuation of traditional mechanisms of control and social order in the new electoral processes, this does not mean that a revolutionary shake-up in political representation did not occur. These political ruptures, together with the economic ones, accompanied social mobility and the mutation of concepts in response to the challenges of the new governance. Something similar happened with the use of corruption as a political weapon, with the cross-denunciation between the opposing political currents during the liberal revolutions.

The contemporary liberal narrative that understood corruption as decadence, intrinsic to the *Ancien Régime*, responded more to its claim to legitimisation than to the veracity of the facts. The struggle against immorality made contemporary societies unique and, as Jens Ivo Engels perceptively pointed out, the accusation of corruption was used not only by revolutionaries but also by counter-revolutionaries. Liberals used the anti-corruption discourse as the right to run a moral government as opposed to the previous ones; absolutists, on the other hand, insisted on the consequences of the corruption of morals due to the revolt of man against God, led by philosophers, Jansenists, and Freemasons. Spanish history abounds with lessons from it. Some, the progressive liberals, considered themselves to be honest, selfless, the only moral beings in the face of the selfishness of the “servile”. They used republican, natural law language, while the conservative liberals emphasised utility and respect for the law, drawing on Jeremy Bentham’s criticisms of demagogy and the doctrines of Guizot and Royer-Collard. Since when was corruption in Spain understood to be the abuse of public office for private gain? The following two examples provide an attempt at an answer. One of the most important in the Cadiz Cortes was the accusation of corruption and subsequent defence that Gaspar Melchor de Jovellanos had to make in order to restore his honour. He justified the conduct of the members of the Junta Central, the institution that led the fight against Napoleon between 1808 and 1809, of which he was a member. In a printed memoir addressed to the court of opinion and to the Cortes – a modern feature of the period – he asserted that the slanderous charges of usurpation and abuse of supreme power, embezzlement of public funds and the crime of infidelity to the motherland were untrue. He added, as if that were not enough, that these charges were an instrument

to oust them from the government. Thus, we have all the modern elements of the concept: abuse of office for private interest, and use of the imputation for political ends.

The second case comes from an article attributed to the liberal Isidoro Antillón, published in *El Tribuno del Pueblo Español*, which saw the light of day in Cadiz at the end of 1812. While recognising that jobs should be given by virtue of the probity and knowledge of the candidates, this was not enough because they had to have public opinion in their favour. Otherwise, the voluntary respect and trust from which the moral strength of governments was derived would be endangered. If in a time of peace even the King could have problems, at such a time, the letter continued, it could be worse:

even the roughest countryman knows that nothing should be arranged that is not directed to the good of the community; the risk is much greater, and the Government is much more exposed, if it does not respect the public opinion for the choice of the Employees.

From the liberal's ideas, therefore, it is clear that the cost of corruption in revolutionary phases may or may not influence the loss of moral force, because it ceases to be legitimate if it does not contribute to the good of society.<sup>16</sup>

## Corruption and the consolidation of the bourgeois liberal state

Not only in Spain, but also in various Latin American countries, the discourse of the “moralisation” of citizens endured as a means of educating them, becoming a necessary and prior stage of learning order and the new bourgeois liberal virtues. This occurred because, in the transition to Latin American Modernity, a gulf opened up between the expectations entailed by democratic semantics and the resistance of social structures. These expectations were contained by means of state power devices (sacralisation of states and monarchies, extraordinary measures of exception, among others), which were the general rule in the Ibero-American space, while they were not sustainable, to varying degrees, in the rest of the European *Sattelzeit*.

In Spain, there was an attempt to close off hopes of change with the consolidation of a hierarchically organised and centralised state. This was the Moderates' “Estado Grande”, which began in 1838 and culminated during the Moderate Decade (1845–1854). It was a vast project that sought to avert two major threats: the problems of public order and the revolutionary potential of the citizens on the one hand, and the fragmentation of the sovereignty of the town councils and provincial federal tendencies on the other. Secondly, it was felt that public opinion, far from acting independently and counteracting the actions of the rulers, had to be moulded in the image of the ruling elite. For this

reason, there was a tendency to control the press by means of very restrictive printing laws and to subsidise certain newspapers, as was denounced in 1813, 1822 and the great scandal of 1840, which very quickly undermined confidence in the court of public opinion.

Unlike other European countries, what was unique in Spain was the maintenance of the culture of patronage from the *Ancien Régime*, and the patrimonial conception of political power. The executive power tended to control the judiciary by means of procedural instruments such as privileges, the persistence of special courts to the detriment of jurisdictional unity, the use of prior administrative authorisation and the contentious court to the detriment of the autonomy of the judiciary.<sup>17</sup> The executive power and the Crown directed liberal Modernity through other devices such as ministerial responsibility, partisan administration, and the “moral influence” of the cabinets that allowed the construction of parliamentary majorities with the complicity of local notables.

The narrative that justified the new moderate political architecture emerged largely from the work of the founders of the science of administration and the activity of institutions such as the Academy of Moral and Political Sciences, created in 1857. In this doctrinal corpus, the state and its rulers saw themselves as having sufficient legitimacy to moralise the body politic. For one of the most influential administrativists, Manuel Colmeiro, morality was the influence of good manners and the exemplary power of doctrine. Education had to be both moral and religious at the same time. The characteristics of all good government continued to be morality – superior and prior to politics for Colmeiro – in its task of repressing the passions that were enemies of social order. The state was a body politic, a moral person with rights and duties vis-à-vis the community and individuals. A position in line with the wishes of Enlightenment reformism.

Consequently, it was important to reinforce the political and social values derived from the moral behaviour expected of the authorities with the institutions, whether they were public officials or employees, as well as what was expected of the citizenry in general. Between 1750 and 1850 there was a reversal in social values, with the emergence of new guidelines for social structuring that theoretically prioritised the individual, but which in practice were combined with the predominant Catholic values. This ethos comprised qualities such as firmness of conviction, honesty, purity of spirit and the coherence and integrity of the person. The politician had to be a man of integrity because a degenerate government was one that exhibited improper conduct far removed from the common good.<sup>18</sup>

For one of the most conspicuous representatives of moderate liberalism, Antonio Alcalá Galiano, probity was a type of virtue that avoided harming others, a type of rectitude contrary to corrupt conduct. Since the 18th century, the honour to which it referred had been defined as “honour with splendour and publicity”. It was associated with words such as dignity, merit, reputation, position or pre-eminence. Honour furthermore impelled the fulfilment of the social duties of one’s own opinion and that of the common people. Integrity, on the other hand, had to do with disinterestedness in the way one proceeded and judged. A person of integrity was an incorruptible person, closed to bribery. In the dominant values, what was decisive was therefore the public credit that was received from pundonor and that had to be preserved in order to fulfil one’s obligations. For Spanish doctrinaire liberalism, virtue and integrity were more part of the rhetoric of the old politics than of the new, when the liberal order could be better guaranteed by legality, security and the reputation and recognition that came with public fame.

That is why one had to have a good reputation and public esteem. Acquiring honour at a time when the matrix of honour was no longer the monarch but public opinion. In fact, honesty ended up subsuming this sense of honour, its model being the “good man”. As honesty was recognised by merit, the idea of equity was strengthened, allowing for more fluid changes in social position. An 1843 dictionary defined probity as the quality of a man who respected the rights of others, while integrity was the virtue of one who abhorred corruption. Honesty united and surpassed the two because with more affable manners men were made to fulfil their duties.<sup>19</sup>

From the assessment of the historical characteristics of the transition to Modernity in Spain, the violation of the principles of political liberalism and the extraordinary Hispanic extension of exceptionality, we can infer the extraordinary impact that corruption in Spain had on the culture of trust. Corruption was seen by doctrinaire liberalism as a lesser evil and was justified as legitimate. The distrust of the political currents that built the liberal state towards the citizens turned into their distrust towards liberal institutions, the administration, and the parties. These relations affected the particular Spanish “regime of truth” and the weakening of public opinion. A disenchantment parallel to the irruption of anti-parliamentarism, of anti-politics, on the one hand, and to the criticism of the bourgeois capitalist state apparatuses for their endemic corrupt condition, on the other.

On the road to liberal society, several fractures coexisted: the political one, which pitted despotism against liberty. The social one, which divided the owners from the excluded. And the moral one, which qualified the honesty or otherwise of public representatives. The interpretation that Spaniards as a whole made of Good Government was carried out by means of moral evaluations. The great political changes that took place in the 19th and early 20th centuries can be understood as “moral

revolutions”. Driven first by progressive liberalism (1854, 1868) and continued by the project of cultural and ethical renewal inspired by Karl Christian Friedrich Krause, and adapted in the late 19th and early 20th centuries, which influenced liberals, republicans and socialists. For its part, the “regenerationist” intellectual current also affected conservatives and illiberals, as expressed in the “moral campaign” of Primo de Rivera’s dictatorship between 1923 and 1924, and in the policy of violent extirpation of the “free-thinking corruption” of the Spanish body politic, practised by General Franco’s dictatorship from 1936 onwards. In summary, we propose the conceptual pair “morality/immorality” as one of the defining terms of the nature of corruption in contemporary Spain. It is used transversally in books on civility, in parliamentary sessions, in revolutionary manifestos, in government programmes and in journalistic denunciation.

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<sup>2</sup> One of the first critics, Annino, Antonio, *Silencios y disputas en la Historia de Hispanoamérica*, Bogotá: Taurus, 2014. Javier Fernández Sebastián, “Política antigua – política moderna. Una perspectiva histórico-conceptual”, in *Mélanges de la Casa de Velázquez*, Dossier dedicated to “La naissance de la politique moderne en Espagne”, 35-1, 2005, pp 165-181. Open to new fields of study: Pierre Géral; Sebastián Martínez, Graziano Palamara, Daniel E. Rojas (eds.), *Una modernidad política iberoamericana. Siglo XIX. Formación, relaciones internacionales y representaciones de la nación* (Madrid: Marcial Pons, 2023).

<sup>3</sup> Christof, Dipper, “Moderne, Version 1.0“ in *Docupedia-Zeitgeschichte*, 2010, URL: [http:// docupedia.de/zg/Moderne](http://docupedia.de/zg/Moderne) Jens Ivo Engels, “La nueva historia de la corrupción. Algunas reflexiones sobre la historiografía de la corrupción política en los siglos XIX y XX”, in *Ayer* 115, nº 3, 2019: 23-49.

<sup>4</sup> Significantly, a recent work on the link between politics and money is entitled: “Is Spain Different? A History of Political Corruption,” in *Money, Politics and Corruption in Modern Spain*, ed. Borja de Riquer, Maria Gemma Rubí and Lluís Ferran Toledano (Eastbourne: Sussex Academic Press, 2021), 148-185.

<sup>5</sup> Aldo Mascareño, *Die Moderne Lateinamerikas. Weltgesellschaft, Region und funktionale Differenzierung* (Bielefeld: Transcript Verlag, 2012); Hans Schelkshorn, “Modernity as a Process of De-Limitations,” *Interdisciplinary Journal for Religion and Transformation in Contemporary Society* 5 (2019): 413-446.

<sup>6</sup> Eduardo Brüner, *La oscuridad y las luces. Capitalismo, cultura y revolución* (Buenos Aires: Edhasa, 2010). Raewyn Connell, *Southern Theory: The Global Dynamics of Knowledge in Social Science* (Cambridge: Polity Press, 2007).

<sup>7</sup> Maria Gemma Rubí and Lluís Ferran Toledano, “Representación política y modernidades múltiples. Los diputados catalanes en las Cortes de Cádiz (1808-1814)”, in *Historia Constitucional* 19 (2018): 159-176. Samuel N. Eisenstadt

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<sup>8</sup> *Obras Completas del Excmo. Sr. D. Gaspar Melchor de Jovellanos*, tomo IV (Barcelona: Lib. Anticuaria, 1865), 22. The text was part of a plan on public education submitted to the Junta Central in 1809.

<sup>9</sup> Christoph Rosenmüller and Stephan Ruderer (eds.), *Dádivas, dones y dineros. Aportes a una nueva historia de la corrupción en América Latina desde el imperio español a la modernidad* (Madrid: Iberoamericana-Vervuert, 2016). Bartolomé Yun, “El imperio español en la época moderna y la historia reciente de la corrupción en el siglo XIX,” in *Bajo el velo del bien público: estudios en Homenaje a Guillermo Pérez Sarrión*, (coord.) Jesús Astigarraga and Javier Usoz (Zaragoza: Institución Fernando el Católico, 2020), 171-182. Xavier Huetz, *L’Archipel des épices. La corruption de l’administration espagnole aux Philippines (fins XVIII-fin XIX siècle)* (Madrid: Casa de Velázquez, 2006).

<sup>10</sup> Ricard Torra, *Anticorrupció i pactisme. La visita del General de Catalunya (1431-1714)* (Barcelona: Afers, 2020). Josep M. Torras, *Misèria, poder i corrupció a la Catalunya borbònica (1714-1808)* (Barcelona: Rafael Dalmau, 2020). Josep M. Delgado, “La corrupción como mecanismo de fidelización: el caso de la Cataluña borbónica (1714-1770),” *Illes i Imperis* 16 (2014): 71-88.

<sup>11</sup> Joaquín Ocampo, “Los catalanes en España y la economía política de la Ilustración: ¿“Conquista pacífica” o Españas vencidas?,” *Revista de Historia Moderna* 29 (2011): 185-203; the thesis of the Enlightenment as applied in Ernest Lluch, *Las Españas vencidas del siglo XVIII. Claroscuros de la Ilustración* (Barcelona: Crítica, 1999); Lluís Ferran Toledano, “Modernidades múltiples: los proyectos económicos de Ramón Lázaro de Dou y Bassols y los cambios en los circuitos de opinión erudita (1742-1832), in *L’Économie politique et la sphère publique dans le débat des Lumières*, (dir.) Jesús Astigarraga and Javier Usoz (Madrid: Casa de Velázquez, 2013), 187-210.

<sup>12</sup> Barón d’Holbach, *Moral Universal o los deberes del hombre fundados en su naturaleza*. 3 vols. (Madrid: Imp José Collado, 1812).

<sup>13</sup> Pablo Ortega-del-Cerro, “Del honor a la honradez: un recorrido por el cambio de valores sociales en la España de los siglos XVIII y XIX,” *Cuadernos de Ilustración y Romanticismo* 24 (2018): 597-618.

<sup>14</sup> José M. Portillo, *Una historia atlántica de los orígenes de la nación y el Estado. España y las Españas en el siglo XIX* (Madrid: Alianza Editorial, 2022), 18-19.

<sup>15</sup> Ana Isabel González, “Sentimientos religiosos y morales en los conceptos políticos del primer liberalismo español,” *Revista de Derecho Político*, 82 (2011): 431-456. Taken from the author, the quotation of Francisco Martínez Marina, *Principios naturales de la moral, de la política y de la legislación* (Madrid: Academia de Ciencias Morales y Políticas, 1933), 133.

<sup>16</sup> Isidoro Antillón, “Política-Moral. De los empleados que no tienen en su favor la opinión pública”, *El Tribuno del Pueblo Español*, 3 and 10 November 1812, 29.

<sup>17</sup> Maria Gemma Rubí and Lluís Ferran Toledano, “Gobierno fuerte, justicia débil. El marco penal de la corrupción política en la España liberal,” in *Corrupción política y liberalismo en el largo siglo XIX*, (ed.) Antonia M. Peña and Diejo J. Feria (Granada: Comares, 2020), 37-52.

<sup>18</sup> Maria Gemma Rubí and Lluís Ferran Toledano, “La corrupción general del siglo. Palabras y discursos sobre la corrupción política en la España del siglo XIX,” *Ayer* 115 (2019): 131-157.

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<sup>19</sup> Pedro María Olive and Santos López-Peigrín Zabala, *Diccionario de sinónimos de la lengua castellana* (París: Impr. Madame Lacombe, 1852), 2ª ed. (1ª ed. 1843), 139-141, 306-307. María Dolores Gimeno, “Sobre las virtudes y los vicios en las utopías ilustradas en España: El “Hombre de Bien,” *Dieciocho* 39, no. 2 (2016): 255-274.