Interest Groups in Spain:
Still fragmented, politicized, and opaque?

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Abstract
The classic literature on interest groups in Spain identifies a number of critical issues that somehow downplays the potential contribution of organized interests to the policy process. To name a few, Spanish interest groups are charted by low membership; the preeminence of socioeconomic groups over cause-seeking ones; a somewhat weak institutionalization of political exchange; flawed neocorporatist structures; government-driven policy initiative; as well as poor organizational transparency. Amidst the agenda of institutional reforms and the activation of civil mobilization lately, can we identify any substantial transformations in the field of interest groups in Spain as a result of the many changes occurred over the last decade? This paper offers empirical evidence of some relevant changes in the field of interest groups (i.e. establishment of lobbying registers; increase of internal transparency; regionalization of neocorporatist structures), as well as confirms the permanence of few traditional trends (i.e. low membership; government-driven policy initiative in key policy arenas).

Keywords: Interest Groups; Lobby; Spain; Lobbying Registers; Civil society

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1. Introduction

The language of ‘political regeneration’ has been present in Spanish politics since the transition to democracy in the late 70s. Different waves of policy reforms have affected Spanish politics since then, such as the privatization of public companies in the nineties. Lately, the socialist Zapatero’s and conservative Rajoy’s governments have traced a reform agenda in areas such as banking, public services, collective bargaining, pensions, municipalities, education, among many others. These reforms have taken place in an exceptional political moment: a new party system has emerged with two new parties (Podemos and Ciudadanos), new languages (casta política, populism) have become popular, and there is a new public agenda (independence, crisis, corruption) (Medina and Correa, 2016).

The aim of this paper is to analyze the scope, and lights and shadows, of the various institutional reforms affecting interest groups and, in turn, to discuss whether groups have adapted to the current political scenario.

In so doing, this paper aims to discuss whether the historical characteristics indicated by Juan Linz (1981) on Spanish interest groups still remain. Linz said that the configuration of organized interests in Spain was marked by the lack of institutional stability, as well as by the lack of social development. Interest groups in Spain were characterized at the beginning of the transition to democracy by a relatively weak, fragmented, and politicized system. Although the study of Linz was based on an early analysis of the new Spanish democracy, these characteristics were still in force in the mid-1990s (Molins, 1997). The main difference after two decades of democracy was the emergence of new discourses: while in the 80s the question referred to the concern about to which extent Spain could have a pluralistic system of interest groups (due to the development of corporatist model that let unchangeable some of the historical privileges of economic groups while normalizing the institutionalization of unions); in the 90s the debate focused on the links between corruption, private interests, and an opaque administration. At present, the general idea is that Spanish interest groups are charted by a twofold premise: on the one hand, the system of interest groups follows the old Spanish tradition of polarization and, on the other hand, that relations between interest groups and administrations occur behind closed doors.

To do so, the paper is structured according to the three arguments mentioned in the literature: First, we discuss the validity of the hypothesis about the lack of pluralism (or rather modernization.) This argument considers that institutional and social constraints continue to shape an uneven map of interests groups, leading to, for instance, social sectors lacking associations, or an erratic presence of Spanish groups before Multi-level institutions. Second, we discuss the argument about the politicization of interest groups in two ways: on the one hand, the discussion about the subordination of interest groups to public administrations and, on the other hand, the discussion about the subordination of interest groups to political parties. The idea of ‘subordination’ considers that interest groups are actors with few resources and, therefore, their strategies are conditioned by other actors’ preferences. Finally, we discuss the argument about the lack of transparency. Although it is not a new issue, until recently the debate has been always linked to corruption and the malfunctioning of the political process. Recently the debate has been open to widen how transparency is understood and the importance to bring interest groups own transparency into the debate. In general, organizations are considered as opaque as other political actors thus they neither provide information on their internal activities, nor on the relationship with other actors). In this sense, the discussion considers the emerging initiative to create lobbyist registers and its consequences.
2. The ‘Lack of Pluralism’ Argument

Juan Linz began his seminal work on Spanish interest groups by noting that ideological cleavages between political parties were more important than conflicts of interest and, as a result, the articulation of interests by interest groups did not succeed. The Spanish political history has been characterized by violent clashes between two sides: republicans against monarchists; Unitarians against federalists; clericals against anticlerical; socialists against anarchists. This led towards permanent popular demonstrations that frequently did not leave much room for the defense of more concrete and specific interests, for formal negotiations between government actors and interest groups, and for the stable development of organizations. The meaning of this, according to Linz, was that the institutionalization and the legitimation of interest groups in Spain have historically been less successful than in other Western countries. The mechanism of conflict resolution in Spain has not been the free competition between social interests but, otherwise, the Army or the state.

The articulation of political preferences in Spain has always tended towards polarization, and towards the denial of the political system controlled by elites. Peripheral nationalists contributed to the fragmentation of the political alignments of the Spaniards, causing the weakening of national organizations. Class conflicts in industrial areas and in agricultural areas were organized around workers’ organizations with a high inclination towards revolutionary acts. This affected the institutionalization of unions, and benefited the ideological fragmentation of the workers (socialists, communists, anarchists, Catholics). Similarly, workers were largely excluded from the institutions as they were denied the extension of universal male suffrage, and the legalization of the Socialist Party. Moreover, the Church did not contribute to the promotion of social organizations until the Second Republic insofar as the bishops were an important element in legitimizing the authoritarian practices of the state (and also during the Francoist Dictatorship, 1939-1975).

Therefore, political instability in Spain limited political freedoms for citizens to organize themselves and trust in political actors. The constant regime changes concentrated power in the hands of government actors, many of them with authoritarian attitudes over time. The lack of institutional stability affected negatively the definition of interest groups to the extent that they have been subject to intense cycles of formation and disappearance. For instance, the coming to power of Franco caused the disappearance of almost all organizations of the republican period, including those who supported the revolt of the military. The state sought to control interest associations, so their political contribution has been rather limited until the consolidation of the current democratic period. Nonetheless, Linz also stated the after transition to democracy Spain experienced a short pluralistic explosion that later gave pass to a corporatist model. The associative pluralism of interest groups in Spain has growth and in some policy sector has been consolidated in recent years, multiplying their number and their interest in influencing public policy. In some cases, the appearance of interest groups related to the emergence of new sectors (renewable energies; foreign trade promotion; Internet), but also with specific needs of social collectives (minority religions; women; immigrants; researchers; mortgages conflicts) (Peña-Ramos, 2012; Chou and Real-Dato, 2014; Navarro, 2014). Growing regulation of all economic and welfare issues as well as the consolidation of new public policies (environmental, development cooperation, ‘free culture’), and the emergence of new social rights has led to the consolidation of a new type of groups with a specific structure (NGOs) and in some cases with strong connections to social movements (Morell Fuster,
The number of NGOs increased significantly during the nineties, nonprofit organizations were seen and recognized as democratization vehicles but also as a favorable trend to reduce state intervention in social policies (Muñoz, 2016b). For example, local governments were in favor of outsourcing the management of public services during the 1990s and, thus, the number of NGOs intensified locally. Molins and Casademunt (1998) summarized clearly the connection between the formation of interest groups and the ‘logic of subsidies’ that marked the development of associative pluralism in Spain until roughly a decade ago:

‘The development of public policy at all levels has favoured the development of pressure groups, within diverse social sectors, ranging from the traditional, such as agricultural organisations or the Catholic Church, to emergent sectors with new social demands, especially in the environmental field. Their affiliation numbers, however, are very low. It seems there is a certain lack of public confidence in an individual’s ability to influence public policy through joining organised groups. This has been associated with a political culture of delegated participation, in which general confidence in the organisations representative of interest groups co-exists with a minimal level of connection to them. For their part, governments prefer privileged relations with certain groups to whom they offer a series of benefits.’ (Molins and Casademunt, 1998: 144-45)

As in other countries, in Spain the growth of pluralism has been accompanied by interest groups’ fragmentation. It is difficult to find a sector in which there is a single association representing all interests, so the use of the ‘most representative organization’ is a common ambiguous argument that the government uses to grant formal access to certain organizations so the number of interlocutors remains low. The Confederación Española de Organizaciones Empresariales (CEOE) is the ‘most representative business association’ in Spain, but there are a large number of alternate business associations (i.e. Instituto de Empresa Familiar, Chambers of Commerce, COPYME, CIAE, CEPES, ATA, ANESPA). The same applies to trade unions. Although UGT and CCOO are the ‘main trade unions’, other unions operate at the state (Unión Sindical Obrera, Confederación General del Trabajo) or regional level (ELA-STV in the Basque Country, SNG in Galicia). The number of consumer associations entitled to dialogue with the government rises up to ten (ADICAE, ASGECO, AUC, CEACCU, CECU, FACUA, FUCI, HISPACOOP, OCU, and UNAE). Regarding groups linked to agriculture, the traditional divide between large landowners (Asociación Agraria de Jóvenes Agricultores), smallholders (Unión de Pequeños Agricultores), and farm workers (Coordinadora de Asociaciones de Agricultores y Ganaderos) remains (Palau, 2016). Associative fragmentation in the agricultural sector is partly conditional on the Europeanization of Spanish policy, which is a strong element of modernization to Spanish interest groups.

Fragmentation, though is not only related to state increasing regulation and emergence of new types of interest groups but also to institutional factors, a crucial one is the development of a multilevel system of governance that implies the delegation of competences downwards to the regional governments and upwards to the European Union (EU) (Molins and Morata, 1994; Chaqués-Bonafont et al., 2015).

The incorporation of Spain to the EU was a challenge for national groups insofar as this occurred at a time of organizational consolidation at the state level. In the mid-1980s, Spanish interest groups lacked the resources (and territorial presence) to ensure a proper intermediation to national institutions, something that somehow conditioned the massive arrival of Spanish groups to the European arena (Molins and Morata, 1994). Business groups were able to meet the organizational requirements demanded by the EU, but
advocacy groups such as human rights NGOs had worse luck, and still suffer a certain imbalance in numerical terms as compared to business groups.

Although such an imbalance is observed in EU transparency data (European interest groups register), it is also true that the presence of Spanish groups in the European institutions resembles that of other countries (Berkhout and Lowery, 2010). The greater presence of economic groups is also a feature of the European political system itself in which the representation of sectoral interests is favored (Rassmussen and Caroll, 2014). Overall, Spain is part of the group of South Europe countries that are still underrepresented in terms of impact on European governance as compared to North European organizations (Bouza García, 2016). While being present in Brussels is costly for such a weak civil society as the Spaniards, the Spanish groups have used ways other than direct lobbying to get their demands before the European institutions. Spanish groups tend to form alliances with the Spanish government on a large number of issues (so that private demands become part of the public agenda); they also contact the many Spanish political parties in the European parliament (sending them vote suggestions and law amendments), and even promote themselves in European policy networks (Greenwood, 2011).

Also regarding Multi-level politics, it is also important the development of the subnational level politics that leads to transfer more policy competences to the Autonomous Communities. The creation and consolidation of new regional authorities was an opportunity for national groups to increase their resources. Regional governments encouraged the creation of regional systems of interest groups, and interestingly interest groups demonstrate greater regionalization in regions with greater powers (Medina and Molins, 2014). The region was never relevant for the organization of interests (except in exceptional cases in Catalonia and the Basque Country where economic and cultural sectors linked to regionalist parties help articulate pro-liberal movements) until the end of the Francoist regime. Following the adoption of the first Statutes of Autonomy in the early 1980s, regional governments set up as many self-governing institutions as possible, including Social and Economic Councils, Labor Relations Institutes, and so on. In general, the Autonomous Communities copied the structures of political exchange that were previously created statewide, thus political exchange was institutionalized through the establishment of advisory councils across a vast amount of policy arenas, and through the political promotion of representative groups.

National interest groups were gradually strengthening their regional structures in order to dialogue with regional administrations. Regional governments contributed to this to the extent that regional governments allocated public resources for citizens to form associations at local and regional levels, funded institutional representation tasks, and also endorsed the management of public services to associations (for instance, international cooperation programs to NGOs, or training formation to trade unions) (see for example Muñoz, 2011). Lately, some regional governments have passed institutional participation laws (leyes de representación institucional) to ensure the formal inclusion of (economic and trade union) groups in regional policy-making (Medina and Nonell, 2016).

Another trait of the Spanish interest groups that condition the evolution of certain pluralism is politicization. The political dynamics in Spain has encouraged the government to be the main actor in the definition of the agenda, which closely links the general interest with the interest of the party that controls the government at a given time. The politicization of the agenda places great institutional role to political parties, and forces interest groups towards partisan alignment. For example, some religious (Catholic Church) and agricultural groups (ASAJA) are linked to the Partido Popular; groups linked to social
rights and trade unions (UGT) are linked to the PSOE; cultural associations (Òmnium Cultural) and pro-independence platforms (ANC; Súmate) are linked to nationalist parties; and so on. Currently, the formation of new political parties benefits greatly from citizens’ and intellectuals’ platforms. This is the case of Podemos and other parties of the so-called ‘new left,’ whose formation was promoted by such social organizations involved in the 15M Movement as Democracia Real Ya, Plataforma de Afectados por la Hipoteca, and Juventud sin Futuro. This indicates that certain social associations have seen an opportunity to get their demands directly to institutions by forming their own political party due to the crisis of legitimacy of the old parties.¹

3. The ‘Government Subordination’ Argument

Studies on interest groups in Spain share the argument that successive governments have always tried to ‘colonize’ the associations² or otherwise establish stable mechanisms to control key economic sectors and more recently also social sectors such as welfare policies for the handicapped or foreign aid (Linz, 1981; Perez-Diaz and Rojo, 1983; Pérez-Díaz, 1987). Until the entry of Spain into the European Union in 1986, and its consequent institutional opening, an uneven corporatist model characterized the government-interest groups’ relations, although this is not comparable to other consolidated European examples (Roca, 1987; Pérez Yruela and Giner, 1988; Garvía, 1995). Social concertation was an intense practice, although quite irregular and unstable, for two main reasons: a) the organizational difficulties of groups, and b) the poor institutionalization of policy exchange. The government played a key role in the consolidation of such a corporatist model, so negotiations followed flexible, changing formulas. The actors involved in the negotiations maintained high levels of autonomy; therefore negotiations were not subject to pressures other than the willingness of the participants.

But the question is: Is this interaction model still valid? Does it have any impact on the way interest groups shape policy-making? Recent studies indicate that interest groups in Spain have acquired higher levels of autonomy, although access to government and political parties is rather small as compared to other European countries. Dürr and Mateo (2013, 2016) point out that Spanish interest groups access to the government and the administration is substantially lower than in Germany, Austria, and Ireland. Moreover, German and Austrian interest groups have significantly easier access to parliament and political parties than that of Spanish interest groups. Also between Spanish interest groups consulted by the authors there is the perception that the difficulty of access to politicians and institutions is very high, regardless of their organizational condition.

¹ It is too early to draw strong conclusions about the scope of this new trend. To date, the dynamics of relationship between parties and interest groups is summarized in that the relationship is very intense when parties are in opposition, while it is weakened when the parties are in government. In addition, it has yet to confirm whether social platforms will be able to maintain their activity or, otherwise, the new parties will become the preferred actors.

² Linz (1981) said that the unequal economic and territorial structure of Spain was the cause of associative imbalance in the time when Spain sought to be a modern state in the period known as the Restauración (1874-1923). Social inequality between the industrial area (Catalonia, and the Basque Country) and the agricultural area made a huge difference in the emergence of ‘pro-modernization’ forces as compared to those areas where ‘clientelism’ was the rule. Thus, the first organizations formed in Spain, such as Chambers of Commerce, suffered the displeasure of state officials who regarded them as means of controlling emerging business sectors.
In this regard, Spanish interest groups are able to adapt their logic of influence to the political reality of the moment; this means interest groups are fully aware of both the significance of forming alliances with political parties, and the institutional impact of belonging to advisory committees. Similarly, the government knows what the impact of interest groups is in terms of media coverage of the public agenda. Chaqués-Bonafont and Muñoz (2016) argue that parliamentary hearings (of interest groups) to discuss the contents of legislative proposals are conditional on a logic of confrontation, that is ‘governments with an absolute majority impose their power of veto to avoid the organisation of hearings that may negatively affect their chances of re-election’ (Chaqués-Bonafont and Muñoz, 2016: 17). Thus, the government cannot always control the activity of interest groups, thus it gears towards greater interaction between political parties and interest groups to build winning coalitions.

The contribution of these studies suggest that the alleged ‘subordination of interest groups’ is not especially due to organizational problems of interest groups, but to the fact that political power concentrates in the hands of government actors and the political parties. Interest groups are seen as secondary actors in many occasions. In this regard, specific studies on sectoral interest groups suggest that such a treatment (of ‘secondary actors’) is not a serious problem to the extent that groups can manage to set the agenda in their specific field. This assumes that groups have the complicity of the government to not alter the number of participants in the policy area through institutional mechanisms.

Regarding employers, business organizations (CEOE, CEPYME) have long been inclined to reach agreements (social pacts) with the unions and the government, especially in macroeconomic policy (Nonell and Medina, 2016). Entrepreneurs have accepted wage increases constantly, even in adverse situations (for instance, in 2008 when the crisis was already evident in the Spanish economy), in exchange for reforms in the labor market, and also in exchange for more liberalization of economic sectors. The CEOE has developed a logic of ‘political legitimacy’ with which show a predisposition to institutional dialogue, and thus strengthen its privilege as the ‘most representative’ business organization before public administrations (Nonell et al., 2011).

This favorable attitude towards social pacts is, however, very different from the competitive attitude when it comes to labor relations. The Spanish industrial relations system is based on bipartite negotiations between employers and unions; that is the government does not intercede in the negotiations despite continued attempts to facilitate the decentralization of collective bargaining structures. The renewal of collective agreements in recent years has been extremely difficult, partly because of the existence of ultra-activity clauses, but also because the CEOE has defended big steps towards the liberalization in the labor market while the unions addressed wider protection for workers and subsidies for the unemployed (Medina et al., 2013).

Entrepreneurs also take advantage of the hardships of the most representative unions (UGT, CCOO). There is a growing loss of confidence in the Spanish unions as observed in the decline in membership (Jordana, 1996). Official surveys show an increase of the negative assessment of unions since 2008 onwards.

There is a growing loss of impact of general strikes and the social leadership of the unions; they were excluded from the recent social mobilizations as they were considered part of the political ‘establishment’ (Molina, 2016). The protests were the main trade union response to governmental decisions to streamline the Welfare State, and of course a response to the erosion of collective bargaining (Molina, 2014), but the limited impact showed that the role of trade unions during the crisis was to be very limited (not only in Spain but in other
European countries (see Culpepper and Regan, 2014). However, unions have never shown a strong institutional leadership. Unions have been keen to support social pacts; but their involvement has been rather reactive: the role of trade unions has been subject to partisan opportunism.

In some strategic sectors, institutionalization favors the relevant groups as the government is forced to negotiate any legal reform with them (to the threat of economic blockade.) In the pharmaceutical sector, Farmaindustria is a typical example of ‘regulatory lobbying’ (Chaqués-Bonafront, 2001). This powerful group maintains high institutional involvement at all levels (aimed at venue shopping) in order to avoid regulatory changes that could affect patents, or undue government’s control over pharmaceutical expenditure (Chaqués-Bonafront and Palau, 2009). Farmaindustria’s strategy focuses on seeking legal counterparts to the government’s requirements. The same dynamic is observed in the electricity sector (Latonda, 2016). UNESA employs low-profile strategies that lead to permanent litigation against government decisions to boost renewable energy. UNESA seeks to restrict the market for renewable energy and, in turn, give voice to new actors in a highly institutionalized sector.

In other sectors the institutionalization of interest representation does not prevent groups from seeking alliances with political parties at the parliamentary level to expand the range of lobbying resources. Representative associations of judges (Asociación Profesional de la Magistratura, Jueces para la Democracia, Asociación Franciscana de Vitoria) are highly politicized (Nieto, 2010) but, at the same time, their main function is the protection of judicial independence from government interference. To do so, these associations aim at occupying the majority of seats at the Consejo General del Poder Judicial, which is the institution responsible for governing judges’ professional career. Although they rarely position themselves publicly in far-reaching debates, judges are well aware that associations are political parties’ judicial arms (APM is linked to the Partido Popular; JpD is linked to the PSOE) (Castillo and Medina, 2015). By the same token, the associations involved in the insurance sector also develop their lobbying activity in a quite institutionalized context around the Junta Consultiva de Seguros. All representative groups involved in the definition of insurance regulations meet at this advisory board (i.e. Unión Española de Entidades Aseguradoras y Reaseguradoras, Asociación de Peritos de Seguros y Comisarios de Averías, Instituto de Actuarios Españoles, Confederación Española de Entidades de Previsión Social, Consejo General de Colegios de Mediadores de Seguros de España, Unión de Consumidores de España, ADICAE), so it is useful to identify alliances and conflicts. However, Fernández Sánchez (2016) points out that lobbying strategies in this field take place beyond the Board, as there is a high parliamentary activity between the main groups and political parties.

Interest groups’ autonomy increases as the government raises the conflict on the public agenda. The higher perception of conflict, the greater mobilization of groups (regardless of the level of institutionalization). Two examples are relevant in this regard: the Catholic Church (represented by the Conferencia Episcopal), and the associations and unions in the education sector. The Conferencia Episcopal has always considered intense mobilization and conflict against socialist governments (Aguilar, 2012). As the Catholic Church opposes the secular agenda on moral issues, funding and education policy, the Conferencia Episcopal always expresses its political preferences in all electoral calls. However, the Conferencia Episcopal seeks to give an image of neutrality, and then it hinges on its allies (Foro de la Familia, Hazte Oír, Profesionales por la Ética) to carry out social mobilization and protests in Catholic schools (Aguilar, 2011). Regarding the education policy, the Consejo Escolar del Estado is the institution that brings together the main associations of parents, students, teachers, unions, and employers (Bonal, 2000). The activity of this council is intense
because educational policy is highly controlled by the education authorities. The public authorities are the central actors in the definition of policies, relegating other private actors to follow reactive strategies. This council has the ability to evaluate government projects, but it does not have the ability to veto education reforms. The role of government makes it difficult for other players to mark their own agenda, which generates strong appeals to identity as a measure of unity (Medir, 2016). In times of conflict, groups opt for mobilization strategies, especially teachers’ associations and unions. So do parent’s associations.

4. The ‘Lack of Transparency’ Argument

One of the current debates in Spanish politics addresses the transparency of the political process. Since the beginning of the crisis, many corruption scandals have received massive media attention. The main parties and administrations have gone through judicial investigation, which has caused the resignation of numerous relevant politicians, hundreds of accusations of money laundering, a handful of politicians in jail, and so on. Also, interest groups were discredited following recent scandals in the CEOE, whose former president has been jailed, and in the trade unions for their involvement in judicial proceedings related to misappropriation of EU funds in Andalusia. This all has generated a rapid growth of political disaffection. Boosted by international trend towards transparency, also the government of Mariano Rajoy (Partido Popular) tackled the rise of tension over this issue with the adoption of a Law on Transparency in 2013; but nevertheless the impact of this law is still very modest in institutional and social terms.

Amidst the debate on transparency, many voices insist on the need to pass lobbying registers, after a couple of failed past attempts in this regard during the 1990s. Amnesty International has for some years discussed the need of establishing such registers at all administrative levels, with the support of a project funded by the European Union. At the moment, the Catalan government has created a lobbying register of voluntary registration for all associations and political platforms seeking to influence the decisions of the Catalan government. Also, recently the national agency responsible for ensuring competition in the markets CNMC (Comisión Nacional de los Mercados y la Competencia) set up a lobbying register with which ‘prevent abusive and illegitimate pressures or privileged access to both information and those responsible for decision-making.’ These two initiatives show that only recently interest groups are seen as an issue to be tackled when it comes to institutional renewal, previous attempts did not catch enough attention by governments and political parties leading to no change in interest groups activities regulation. Table 1 shows the number of interest groups registered in the CNMC and the Catalan registers that give us a very preliminary idea -since both are not still more than one year old- of the interest groups attracted by the idea of being recognized as interlocutors independently of authority willingness to give them formal access.

**Table 1 about here**

Why do interest groups in Spain have become a problem for Spanish democracy if, as noted, they tend to be secondary actors? Why is it so important to pass specific lobbying regulation? The answer is that the most visible groups have reproduced some of the bad habits of other organizations and administrations because, as already mentioned, the groups have been traditionally weak in terms of both organizational autonomy and internal
democracy. Molins and Medina (2016) argue that interest representation in Spain is greatly associated with the social and institutional definition of the ‘public sphere.’ Since the law considers the Spanish public administration to be responsible for the general interest, the state is meant to defend the ‘public will’ against the hostile, private interests of individuals. So interest groups were familiar with ‘political clientelism’ practices until de 1980s (Gunther, 1992) causing, according to Molins and Casademunt (2001: 473), a willingness to contact the government following obscure lobbying practices. Hence, voices favorable to regulate interest groups are so powerful because a bunch of groups have been involved in political scandals, which is the main element for government actors to activate such initiatives (Chari et al., 2007).

In the mid-90s, Molins (1996) warned that public debate was little insistent regarding the recognition of lobbying activity and, above all, to distinguish democratic interest intermediation from corrupt practices. By then, the Spanish law was not sufficiently clear about the rules regarding relationships between private groups and administrations. Nor the law on influence peddling (Díaz-Maroto, 2010, 2015). There were ambiguities and contradictions in the legislation that caused barriers of access when administrations required the collaboration of private groups for the development of different public policies. However, to be honest, it is important to note that there are currently some 640 regulations governing the principles of interest groups access to advisory councils across policy areas statewide (Chaqués-Bonafont et al., 2013). It is unfair to claim that groups are currently inclined to maintain ‘clientelar’ interactions with the public administration beyond the standard practices in parliamentary democracies. The regulation lacking in Spain is that of a general rule on interest groups access to Parliament, following the regulations in the United States or in the European Union. Political parties have never prioritized regulations to identify the actors involved in the discussion of public affairs (and their subsequent scrutiny and accountability); otherwise, government actors have chosen to encourage the participation of groups in the policy decision-making.

The debate on corruption has paralleled the emergence of a discourse favorable to transparency of structures and finances of the major actors in Spanish politics. Some opinion polls have identified the permanence of a negative assessment of the role of interest groups in the political process, which is strongly associated with corruption and influence peddling (Molins and Medina, 2016). In recent years the discussion on the need to reduce public subsidies to interest groups has intensified, as also happens with respect to political parties. This is closely related to the financial support that the state provides to certain groups, which has allowed them to hold oversized structures. As a result of the economic crisis, subsidies to all type of interest groups have been greatly reduced, which has generated strong readjustments of personnel and services. For example, the CEOE has downsized from 220 to 110 workers statewide.

The emergence of the debate on transparency -coupled with the critical evolution of the crisis- has put interest groups under pressure. As organizations, interest groups were not used to meet a number of transparency requirements that often involved a series of radical internal changes. The usual practice in many Spanish interest groups was an associative culture characterized by durable mandates of sometimes more than thirty years; the opacity in the budgets; the lack of public funds audits; a strong associative hierarchy; the existence of very restrictive electoral rules; and the tendency to claim public status. The commitment to transparency implies that many groups have had to break with their very own past in a very traumatic way. To name a few examples, CEOE has made huge progress in transparency. Any citizen, being member of the association or not, has access to extensive information about the organization (annual budgets, annual reports, internal codes of
conduct, press releases) online. Unions have also made progress in this respect while they now publish annual accounts and make available annual reports. The case of CEOE and trade unions is exceptional because they are required by the 2013 Transparency law to provide corporate information as well as contracts signed with the administration. Other relevant interest groups to Spanish politics appear to meet the requirements of transparency slowly. The Conferencia Episcopal provides budget information, but still does not provide access to activity reports or other institutional information. The same applies to the Organización de Consumidores y Usuarios (OCU), which is the main consumers’ association. Farmers’ associations such as COAG (Coordinadora de Organizaciones de Agricultores y Ganaderos) are still reluctant to provide information about its budget, internal regulations, and institutional presence.

Difference between interest groups in terms of the degree of transparency is generalized within all types of interests groups. Though, it is important to highlight that advocacy groups have been since the nineties developing autoregulatory rules of transparency and accountability towards citizens that support them financially. For instance since 2001 Fundación Lealtad publishes a series of transparency and accountability indicators for Spanish NGOs. The main interest group representing foreign aid NGOs—the Confederación Española de ONG de España (CONGE)—also publishes annually a report containing information about public and private funding of all the organization affiliated, and individually several NGOs such as Intermón Oxfam or Greenpeace (to mention two of the most well known) publish a financial and activities annual report. Additionally, sectoral regulation related to public funding also demands NGOs to publish an annual report in order to get the funding, in other words governmental intervention has also paved the way for more transparency within this type of interest groups (Muñoz, 2016b).

Further, the transparency wave can be seen as an opportunity for interest groups in a context of general decline in membership in associations and the decline of public funds, which put in to risk their survival. More transparency could mean also having a more protagonist role for interest groups and the revalorization of its role for the functioning of the democracy. This is crucial in a country were, in general, people see interest groups not as an active of democracy but as an obstacle. A more professionalized interest groups system may emerge of this changing context. An indicator of this is the public emergence of new actors specialized in the representation of interests. Law firms (Llorente y Cuenca, PwC) and other companies (Political Intelligence, erre&co, 1990 MSC, Vinces) are claiming the value of professional lobbyists in recent years. For this purpose the Asociación de Profesionales de las Relaciones Institucionales (APRI) was created recently, whose main activity has focused on campaigning for the regulation of lobbying in Spain to normalize their profession. In Spain, professional lobbyists have never received a singular treatment in a system in which personal relationships were characteristic among government actors and interest groups leaders.

In sum, the debate on transparency has positively contributed to making interest groups more open to citizens. Groups have found an external stimulus to renew their structures. Regarding the negative aspects, the transparency law opened a false debate on the fight against corruption. The major scandals have occurred around political parties, and only a few had interest groups involved. Government actors have been likely to generalize the fight against corruption, so they have launched a global message of eradication of malpractices. This has damaged the image of interest groups since the vast majority of citizens insist on seeing them as a threat to the proper functioning of Spanish democracy.
The government has not bothered much on improving dialogue with interest groups in terms of facilitating access to the institutions; otherwise, the government has opened a false debate on the regulation of lobbyists. Those who advocate for the establishment of lobbying registers argue that these contribute to improving the transparency of the political process and to reduce corruption, however comparative experience indicates that such registers do not impinge directly on reducing corruption in a country (Holman and Luneburg, 2012). There have been many mistakes, for example, government actors have not understood that a lobbying register is hardly compatible with current regulations (for a similar discussion on Germany see Ronit and Schneider, 1998). Lobbying registers are used in pluralistic systems where there is neither the public recognition of representative groups nor the dialogue with groups is institutionalized. Registers are intended to know which groups contact with administrations. However, interactions between the government and interest groups in Spain are institutionalized through governmental advisory committees (most of them pending of a particular ministry). Governmental actors know the groups to talk to across policy areas. The problem is that these committees have little political power, so groups have incentives to escape the agreements reached at them.

5. Conclusions

The aim of this paper was to present the current situation of interest groups in Spain. The discussion followed the findings of previous studies on interest groups that stood out mainly three characteristics: a) interest groups show difficulties to channel social demands, especially by a lack of economic resources, but also by a weak associative culture; b) interest groups are subordinated to the government, especially the groups show difficulties in introducing issues on the public agenda; and c) interest groups show little sign of transparency both in organizational terms and in their interactions with the administration.

Some of these claims are still in force, while others have lost their explanatory value. Studies on interest groups in Spain confirm the existence of a large number of associations across all policy arenas. Plurality is now a key feature of Spanish interest groups. The emergence of new sectors of economic activity leads to the birth of new interest groups. Too, associations have played a prominent role in social mobilization against the economic crisis within the so-called 15M Movement.

However, such an increasing associative capacity of Spaniards is marked by fragmentation and politicization. These traits are innate to interest groups, but it is largely explained by the very dynamics of the political process. Government actors and political parties are still holding the lead role in defining the political agenda. In addition, low institutionalization of political exchange has weakened the formal capacity of influence of interest groups on public decisions. This does not mean that interest groups lack capacity to influence. There are very powerful interest groups in strategic policy areas. There are groups with the power to determine government policy in highly-regulated sectors. In these cases, the government seeks to expand the number of interlocutors, but this movement is extremely difficult.

In parallel to this, a large number of groups continue to show a high dependency on public resources. This is certainly an element that restricts their autonomy. The so-called ‘government subordination’ continues because the government controls the agenda and a large part of the economic resources that allow the organizational survival of interest groups. This happens with respect to NGOs to the extent that on average public funds are equivalent to 70% of their annual income. Also, business organizations and trade unions’
annual budgets include large public funds in both direct grants and in the management of public services.

The economic crisis has drastically reduced public funds, which has led to strong tensions in the associative realm. Interest groups have been forced to follow a number of minimum standards in line with the 'regeneration thesis.' The new wave of transparency has helped to modernize the structures of interest groups. In this regard, the debate has also focused on the regulation of lobbying. This point is controversial. The few existing registers are seemingly not focused on the functioning of policy-making, but to create a voluntary register with little corporate information. It seems that current registers favor the normalization of lobbyists rather than improve the actual transparency of the decision-making, especially because there is no willingness to adapt the legislative process to registers by indicating which groups—and other actors—have been involved.

References


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Table 1

Number of interest groups in the Spanish Market Competition Agency and in the Catalan regional government register

<table>
<thead>
<tr>
<th>Type of group</th>
<th>Market Competition Regulatory Agency</th>
<th>Catalan Government</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business organizations and unions</td>
<td>175</td>
<td>107</td>
</tr>
<tr>
<td>NGOs</td>
<td>56</td>
<td>104</td>
</tr>
<tr>
<td>Professional Lobbies</td>
<td>69</td>
<td>23</td>
</tr>
<tr>
<td>(consultancy agencies and law firms)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Think tanks</td>
<td>10</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td><strong>310</strong></td>
<td><strong>239</strong></td>
</tr>
</tbody>
</table>