BUSINESS ETHICS IN SPAIN

Abstract

This article is a survey of the development of the social, political, cultural and economic background of business in Spain since 1940, and aims to show how the ethical values, attitudes and problems of Spanish managers have changed in these years. First, the global evolution of this background is explained, and then several relevant problems are discussed, namely the attitudes of business towards the State and the law (with an aside on the attitudes of society towards profit and wealth), corruption and the grey economy, and taxes and irregular labour. The article concludes with a survey of the development of the science of business ethics in Spain.
BUSINESS ETHICS IN SPAIN

Introduction (1)

In this monographic issue of the Journal of Business Ethics, the reader will find a collection of articles that have two features in common: they deal with specific problems of business ethics in Spain, and they have been written by Spaniards. The following is intended as an introduction to these articles.

But –the reader may be wondering– is business ethics in Spain different in some way?

On the one hand, it would seem not. The world of business is essentially the same in all western countries. Spain is now an open, multicultural, democratic economy, fully integrated in the European Economic Union (EU). A large number of multinational companies from around the world have established themselves on Spanish soil, and Spanish businesses are doing their best to increase their presence in other countries, not only through trade and capital movements, but also through direct investment and alliances. The management models prevailing in Spanish companies are no different from those prevailing in other western countries. Consequently, the ethical problems and solutions found in Spain are not significantly different from those to be found in other western countries.

And yet there are at least three reasons for considering business ethics in Spain as worthy of separate study. The first is that every country has certain distinctive cultural and historical traits which give rise to different problems, or to special sensitivities towards these problems, or that foster the search for individual solutions to common problems. And Spain’s culture and history undoubtedly influence its approach to and valuation of business ethics. An acquaintance with Spanish contributions to the field can therefore surely enrich the studies carried out in other countries.

Secondly, the transition to a modern economy and society, which in Spain did not take place until the middle of the 20th century, has accelerated sharply in recent decades, in the area of ethics, too, and this deserves consideration. And finally, because the study of ethics in its application to business has developed considerably in recent years as a result of the encounter between the rich Spanish cultural tradition and the latest trends in management science.

The aim of this article is to provide an overview of the recent history and current state of business ethics in Spain, in both its dimensions: as a reflection (following a

(1) I thank Domèneç Melé and Juan Carlos Vázquez-Dodero for their useful comments.
sociological rather than a strictly ethical approach) on the development and current state of ethics in the business environment in Spain, and as a social science (1). I should point out that my analysis is subjective and impressionistic, as there are no systematic or reliable studies of attitudes and values among Spanish business people (2). Also, I shall make no distinction between personal ethics in business, ethics in the company as an organization, and the ethics of the system of free enterprise, as these are basically different—not necessarily successive but somehow simultaneous—stages of one and the same process of developing moral responsibility in the world of business (3).

Changes in the social, political and economic framework

From a traditional society...

The social, economic, political and cultural changes that most western countries underwent in the 19th and 20th centuries came late to Spain. Although Spain escaped the first and second world wars, it suffered major upheavals in the first half of the 20th century: the loss of what remained of its colonial empire in America and Asia (1898), wars in Morocco, a dictatorship (1923-1930), the fall of the monarchy (1931), and serious economic, political and social disorders (what has been dubbed the “ethics of violence”: Andrés et al., 1996), culminating in the civil war (1936-1939) and a period of international isolation during the forties.

At the end of the war, Spain was a traditional, Catholic society. Catholic because that was what it had been historically, and because the majority of its population was Catholic, although the country’s ethical education was fairly superficial, and its moral convictions, rarely questioned, were accepted uncritically rather than understood and taken to heart. And traditional insofar as the way people lived was something that was handed down (“tradition”, “our way of doing things”) but not necessarily fully accepted and embraced (“my way of doing things”), and so was not always coherent. The (extended) family and the local community or village (as birthplace and as place of residence) were solid values; they were the locus of solidarity (4). In a country at that time still isolated from the exterior for political reasons, there was patriotism, but no sense of belonging to a larger group, nor the consequent social responsibility, nor a full awareness of a national common good, still less an international common good.

The State, authoritarian and officially Catholic, imposed a politicized version of the common good, represented by General Franco’s regime, which came to dominate social, economic and cultural life. Many political freedoms were suppressed or made ineffective, and the economy was subjected to minute regulation and control. Public and private life was expected to conform to the canons of a strict morality that the State made obligatory and that was defined in terms of the “traditional” values of the Spanish people. This might give the impression of a solid moral framework, both private and public, but in fact it was full of cracks. Furthermore, this situation fostered an “individualistic” conception of ethics and warped many people’s conscience, limiting it to external observance of certain socially accepted stereotypes.

(1) For an earlier approach to this subject, see Argandoña (1996).
(2) These studies are not to be relied on, as they tend to be highly sensitive to a variety of factors such as the way the questions are formulated, the rank of the individual concerned, the timing and nature of the survey, the selection of the sample, etc.
(3) Lozano (1992) explains these stages in the development of business ethics.
(4) As in any traditional society, the extended family provided a form of insurance against illness, old age, invalidity, unemployment, etc.
The Spanish economy in the nineteen forties was backward, and the standard of living, low. Never puritanical where economics was concerned, Spaniards adapted their ethical imperatives to the difficult material conditions, cheating a little on tax payments, the use of public services, the quality of goods, punctuality and effort at work, etc., while basking in the solidarity mentioned earlier.

... to a modern society

As the years went by, the social, political, cultural and economic landscape underwent great changes. The autarkic, protectionist, highly regulated economy gradually became more open, more liberal, more dynamic. The sixties saw high rates of growth and a rapid rise in the general standard of living, together with far-reaching social changes –urbanization, industrialization, demographic change, the growth of education, the influence of foreign cultural models, the rise of the media, etc.– which left their mark on the values, attitudes and behaviour of Spanish citizens. The political regime was slow to change, but after Franco’s death (1975) there was a swift and bloodless transition to a western-style democracy, to the surprise of Spaniards and foreigners alike, in view of the country’s violent, strife-torn past. This transition revealed that some of the values held by Spaniards had changed over the previous decades.

But the changes were not always smooth. In the sixties and early seventies there were fierce ideological and political struggles, encouraged by hopes of a change of regime and by the debate – along Marxist lines – on the “social question”, and accompanied by outbursts of terrorist activity. In these years, the critical awareness of the limitations of the process of growth, above all because of the unequal distribution of the benefits of progress, gave rise to demands that ended up questioning the very legality of the capitalist model. We learned then that the size of the pie is important, but that the way it is divided up is important too; and this was reflected in a considerable expansion of the welfare state, which was later to enter a crisis. This was also a period of serious economic crisis, with rising unemployment, destruction of the country’s industrial fabric, and great uncertainty.

Finally, the 1978 Constitution established Spain as a non-confessional, democratic, pluralist State in a society in which the diversity of values and opinions was no longer a threat to the unity and physiognomy of the fatherland but, rather, something to be valued. The Constitution gave explicit recognition to the role of free enterprise (which earlier years’ ideological debate had questioned). For Spain, the important thing was to regain lost time in the effort to create the best possible living conditions for all: redressing inequalities, establishing equality of opportunity, developing important, higher-order human rights such as the right to education, decent housing, an adequate pension, etc., again coming up against the harsh reality of limited resources. Companies, too, began to take up positions with regard to their responsibilities towards society, with an attitude that often led to confrontation.

The country thus entered the eighties facing new economic and social challenges: accession to the European Economic Community (1986), the definitive adaptation of society and the economy to the rules of a deregulated, liberalized, free market economy, the need to strengthen Spain’s role in the international economy and in international politics, the crisis of the welfare state, chronic high unemployment (the highest in Europe), the need to protect the environment, and a wide range of particular interests, which were no longer presented in the guise of the common good but as what they were, private interests. The eighties was the decade of the “me generation”, the selfish generation that conceived of social relations as a zero-sum game, and fought mainly to protect its own interests. In those years we also came to
understand that the State can be an agent that is not only inefficient but also cold and remote from the citizens. They were years of a certain disenchantment: every solution creates new problems, and the capacity of the body called upon to resolve them—the State—is almost always limited. This effectively puts the initiative back in the hands of the individual, who faces the challenge of acting not necessarily against his or her own interests but rather in the interests of society. This is the call of solidarity and the common good, a call which we do not now necessarily find in activist groups.

The ethical framework of Spanish society underwent major changes. Urbanization reduced the importance of the local community and the extended family. The latter lost part of its supporting function, in which it was replaced by social security, and suffered the effects of an increase in marriage breakdowns and a decline in the birth rate. This could only serve to reinforce individualistic values and undermine the framework of solidarity (1), leading to changes, for example, in the pattern of savings (given smaller families, social safeguards, and uncertainty regarding their sustainability in the future, etc.). Nevertheless, the family is still an important uniting factor, partly because children still continue to share their parents’ home well into adulthood, owing to later marriages and the effect of youth unemployment.

At the same time, this more individualistic trend, together with the spread of democratic values, has fostered the tendency to affirm individual rights and personal freedom towards others and the State, and ultimately has created a greater awareness of human rights in general, although many citizens do not know what the basis for these rights might be. We can therefore expect to see an attempt to discover the deeper reasons for these rights, linked, probably, to a clearer awareness of the dignity of the person, which is a subject on which society’s feelings have changed significantly in recent years.

However, will this lead to a new sense of community? If the family has lost part of its socializing function, and if the place of residence has changed its role as a channel for the individual to participate in the common good, what institutions will take their place? The company or the market? There is an economic common good, there is no doubt about that, but it does not seem likely to act as an agent of social cohesion. The welfare state? Spain has adopted the continental European tradition that gives the State an important role in establishing an economic safety net for citizens, in redistributing income, in protecting people from certain aspects of labour relations, etc. But the welfare state has been in a crisis for years, partly because of the harmful effects it has (harmful to efficiency, but also to any honest conception of solidarity) and partly because it is not economically viable in the long term. In any case, the public social security mechanisms are impersonal and remote, which is an advantage when it comes to protecting the dignity of those who receive benefits, but a disadvantage when it comes to channeling the sense of community; they also offer scope for opportunistic behaviour (benefits fraud) (2).

(1) New forms of geographical “belonging” have developed since, with the rise of nationalist sentiment, but the content is different, and it remains unclear whether they are enduring forms of solidarity.
(2) The state of the labour market in Spain, with the highest unemployment rate in Europe, affecting mainly the young, women, and unskilled workers, illustrates another dimension of this lack of solidarity. The pattern of labour organization that has prevailed since the early eighties has led to a segmentation of the labour market, between, on the one hand, mature, skilled, unionized workers with bargaining power (above all, in large, especially state-owned, industrial companies), who enjoy a high rate of employment, job security and high wages (the “insiders”); and, on the other, unskilled, young, female workers in small and medium-sized companies, with precarious employment contracts and low pay (the “outsiders”). This amounts to a major breach of the principle of solidarity, which Spanish society (and European society in general) will have to face up to sooner or later.
For similar reasons, it does not seem likely that the State, as we have known it in recent decades, will be capable of restoring to citizens the idea of the common good and a sense of participation in a collective enterprise. In any case, the ethical attitude of the citizens towards the State remains ambiguous: on the one hand, they try to offload onto the State a large part of their responsibilities, and on the other, they doubt the State’s effectiveness and are suspicious of its excessive power. The proliferation of public authorities, from municipal to provincial, regional and national level, has heightened the sense of belonging to a community, but has blurred others, and has introduced a political component into what in principle seems more a natural bond.

Will politics be the factor that holds society together? No, because citizens tend to have a narrow conception of the political common good, limited to satisfying civic duties (voting, being informed, etc.). And politics has often been a dividing rather than a uniting factor. Civil society? In Spain, civil society is less well developed than in other countries, as is evidenced by the low membership of political parties and trade unions, and the relatively underdeveloped network of associations, clubs and societies of all kinds. Will civil society blossom in the future? In recent years, we have witnessed a rapid growth of non-governmental organizations and charitable associations providing assistance both in Spain (aid for the deprived, the ill, the disabled and the old, immigrants, drug addicts, etc.) and abroad (mainly in the Third World). Are these to be seen as new ways for individuals, the family and companies to interiorize social responsibility? Often, they seem more like isolated attempts to “do something” in the social arena, but focused on the young and basically transitory (from one to three years), without any lasting commitment (except, at most, a financial contribution). This is not to say that this civil society might not in the future become a far more highly developed channel for socialization and participation in the common good.

In any case, political and ideological pluralism now occupies a more important place in the Spanish scale of values, and with it the virtues of peaceful coexistence, tolerance and dialogue. The society that in the forties and fifties professed a unitary morality (albeit only in outward behaviour), now, in the nineties, displays the characteristics of other western societies: a plurality of behaviours, moral and immoral, and a variety of conceptions of what is ethical. It is not surprising, therefore, that for many Spaniards these last few years should have been a period of moral confusion, both in behaviour and in ideas. However, that does not seem to be exclusive to Spain.

The growth of economic activity has also led to the development of labour values (order, initiative, care for quality, participation, etc.) and economic values (consumerism, the quest for security, etc.). In this respect, the development in Spain has run parallel to that of other countries, and has been affected by similar factors: opportunism, declining loyalty owing to the precarious nature of labour relations, less sense of belonging to a labour or business community, etc. One of the problems may be that formal education, and much on-the-job education, lays the emphasis on technical issues (developing knowledge and skills), rather than on values, attitudes and virtues. The process of adapting to the world of work therefore leaves important ethical issues unresolved, and it does not seem that primary and secondary education, or the family or any other institution, will be capable of filling this gap.

All this should not blind us to the unquestionable achievements of companies in Spain. They have been important agents of socio-economic change, and have performed their social functions fairly successfully, from producing and distributing goods and services that have greatly improved Spaniards’ quality of life, to efficiently generating economic added value and wealth (although they have not created enough jobs), introducing technological, organizational and managerial innovations, opening up new markets, training workers, and so
on. The challenge they face in the future is to grasp the fact that society is not a lifeless framework for their ends, nor an enemy to be overcome in order to achieve their ends. Companies must play a role as agents of social change: not an activist role, but an active one, articulating society: once again, the idea of the common good and solidarity is the challenge facing us today. And this has to be seen not as a luxury, or as an “extra” social responsibility, but as a prerequisite for the company to achieve its ends and fulfil its social responsibility.

**Conclusions**

These changes in the social, economic, political and cultural framework are not exclusive to Spain, but they have acquired a distinctive character in this country, perhaps because the change has been faster or because the contrast with the ideas and practices of a few decades ago is greater.

The characteristics of the change that we feel are most important for an understanding of the ethical framework of business in Spain are as follows:

1) Greater weight of individual values: autonomy, responsibility, awareness of one’s own rights and willingness to stand up for them, etc.

2) A certain loss of the community dimension: less prominent role of the family (although still very important), growing acceptance of the values of peaceful coexistence, democracy and dialogue, depersonalization of relationships (particularly in aid: welfare state), and a search for new channels of socialization and new means of exercising personal responsibility with respect to the common good. This process is still not complete.

3) Ambiguity in the relationship between citizens and companies, on the one hand, and the State on the other, the latter having ceased to be the supreme arbiter and now occupying a less clearly defined position on the map of social relations. Citizens still expect help from the State, but are increasingly aware that it is pointless to do so. And yet, despite everything, they still expect to benefit from the State (which may indicate a certain amount of opportunism, even cynicism).

4) Economic, professional and labour values on the rise, as in other western cultures. But lack of institutionalized mechanisms for developing them, beyond mere training in knowledge and skills.

The end result of all this seems to be a plural society, in which certain elements of a traditional ethic remain in force, alongside other more recent ones; and a somewhat ambiguous ethical conscience which is not puritanical (at least not in the field of the economy, work, social relations and civic duties), not yet fully integrated in the legal and institutional framework (perhaps because this framework has changed a good deal in recent years), fairly insensitive to the moral demands of the economy and the market, and indulgent towards behaviours in which individual interest is set up in opposition to a common good, because the demands of this common good are not fully appreciated (for example, in matters such as travelling without a ticket, not paying taxes, or claiming social benefits that one is not entitled to).
In any case, the change seems to have been towards a greater objectification of behaviours, giving greater importance to the legal and institutional framework, and therefore greater freedom of personal action within this framework (which is highly attractive from an ethical point of view). The idea is above all to avoid immoral behaviours, in that they are illegal as well as immoral, and can be pursued by legal means, although it is not reasonable (nor even desirable) to expect to be able to avoid all unethical acts.

The objectification of the moral environment is also evidenced by the increased respect for the rights and dignity of the person (in general, and in his or her specific manifestations as taxpayer, worker, user, etc.). Whether this recognition of the rights of others remains on a juridical level or advances onto an ethical plane (that is to say, whether it is internalized and starts to govern personal and organizational conduct, moving beyond the idea of not causing harm to that of attempting to do good) is a different matter (1).

The framework I have described, in an imprecise and impressionistic fashion, indicates that there are certain challenges that civic, economic and business ethics needs to assume (and that are essentially much the same as those facing social, economic, civic and business ethics all over the world):

1) The challenge of laying solid foundations: every ethical concept has a philosophical and anthropological foundation, since underlying every ethical theory there is a conception of the person and of human and social life in general.

2) The need for deeply held convictions: ethics is, above all, a process of learning, based on individual actions and behaviour and subject to social and institutional conditions (and this is true of business ethics, too); it is impossible to raise a society’s moral level without an effort of self-discipline in developing its virtues.

3) The interdependence between the individual and society, harmonizing individual rights and the rights of society, the role of the individual and the company and the role of society and the State.

Three ethical problems

Against the background of the changing social, economic, political and ethical framework described above, I shall now look at three areas in which the international business community seems to detect a lack of ethics in Spanish companies, and which undoubtedly reflect in some way the changes mentioned earlier. The three areas are: attitudes towards the State and the law (with an aside on attitudes towards profit and wealth); corruption; and the payment of taxes and the grey economy. These lead on to some conclusions.

(1) In this sense, it seems likely that, in the past, many businessmen were moved to act ethically out of personal conviction, even though some of their outward behaviour would now surprise us because it does not happen to coincide with today’s (social rather than ethical) standards; and also that now, in contrast, we would be inclined to describe as ethically correct behaviours dictated not by an intention to do good to others but simply by outward compliance with legal or social norms. We cannot provide any evidence for this, however.
Attitudes towards the State and the law

The international cliché—at least as far as the Anglo-Saxon or central and north European countries are concerned—has it that in the countries of southern Europe the general attitude of citizens and companies towards the State and the law is one of contempt or distrust. Is that true?

Traditionally, Spaniards’ attitude towards the State has been a blend of trust and distrust. Trust when it was a matter of asking the State to attend to a good number of their needs and interests; and distrust when these same citizens grew suspicious of the State’s capacity (or impartiality, or swiftness, etc.) to carry out the task expected of it, as a consequence of the obvious limitations of its bureaucratic organization.

These attitudes seem to have roots that go back a long way in Spanish history. Indeed, until well into the 20th century, free enterprise, entrepreneurship and faith in market mechanisms were very limited; governments were often interventionist and authoritarian, and civil society fairly squalid. The years before the civil war were marked by social, ideological and political confrontation in an atmosphere of serious economic depression. In the early postwar years the economy was tightly regulated and controlled, without regard for economic rationality or market discipline. And despite the first steps towards liberalization and deregulation (from 1959 on), this remained the pattern of economic policy during the years of sustained growth (the sixties). It is natural, therefore, that the Spaniards (including business people) should have developed a sense of dependency on the State (with exceptions, obviously), even though the role of private enterprise grew steadily.

Attitudes evidently started to change in the sixties (when there was an unprecedented growth in economic activity) and seventies (when the ideological conflicts that questioned the economic model were overcome). The overcoming of this conflict was due, firstly, to the clarification of the political scene (particularly after the first democratic elections in 1977), which made it clear that the ideological debate reflected minority criticisms; and secondly, to the measures adopted by the first democratic governments, which were aimed at restoring the internal and external balance of the Spanish economy and implementing the necessary structural reforms within the framework of a general consensus among all the political forces represented in the parliament (the “Moncloa Pacts” of October 1977); and thirdly, to the widespread agreement among experts in Spain and abroad that the market economy was the best form of economic organization, and that free enterprise and competition were the drivers of economic change. In addition, the failure of the policies adopted during the crisis of the nineteen seventies had demonstrated that the State was incapable of performing some of the tasks assigned to it at that time.

In the eighties and nineties, the deregulatory and liberalizing efforts were intensified, and attempts were made to reduce the public deficit. First the experts, then governments and public opinion, accepted that growth in public spending should be limited, that macroeconomic policies should give priority to stability and avoid “social engineering” (manipulation of the objective conditions of the economy and society), that the rights of individuals should act as a check on public power, and that the economic model should be based on free enterprise and the market economy as engines of growth and wealth and job creation. This set of factors, which constituted the so-called “Washington consensus” (Argandoña, 1998), is what led Spain to become part of the European Economic and Monetary Union (EMU) in May 1998.
All this has served to clarify the role of the State, which is to create a stable legal and institutional framework in which economic activity can develop freely; to create and sustain welfare and income redistribution mechanisms; to provide a wide range of public services (health care, education, housing, social services, etc.); to maintain infrastructures; and, of course, to perform the traditional functions of administration, defence, justice, foreign relations, etc.

All of the above suggests that, until well into the seventies, the State was for most citizens the ultimate authority in many areas of social and economic life, both by right (because the law made it so) and in practice (owing to the predominance of political power). This inevitably inhibited civic initiative and responsibility, and led to the establishment of ethical rules based more on observance of social and political conventions than on economic rationality and ethical principles. In contrast, the social and political framework existing today favours an ethical model that requires the acceptance of responsibility, confidence in private initiative, and equitable sharing of benefits and burdens.

In this context, the tendency, still in evidence among Spaniards, to turn to the State for help could be a legacy of the past (explainable in terms of personal advantage). But it could also be a reflection of the pragmatic and opportunistic mentality of those who claim State aid in order to obtain benefits with the least possible effort. But then, it is only natural that the State should refuse to accept these responsibilities, if they are not in fact its responsibilities, and it must do so not only for reasons of efficiency but also for reasons of distributive justice: justice towards those who make legitimate claims (who claim a pension to which they are entitled, for example), and towards the rest of the citizens (who have the obligation to pay fair taxes when the expenditure is justified, and the right to refuse to pay unnecessary taxes when the expenditure is not justified). In any case, leaving ethical considerations to one side, this tussle between the citizens and the State is part of the free play of interests in a pluralistic democracy, and is something that Spanish society is increasingly willing to accept.

An issue close to the one we have been discussing is that of respect for the law. In Spain, the law is not a prestigious institution, and observance of the law is due more to coercion than to civic enthusiasm, probably for the same reasons that citizens do not greatly trust the State; or perhaps because the laws are often confused and difficult to comply with (they are drawn up more as a means of controlling the citizens and protecting the State than as a means of guiding social behaviour); or because laws are shaped more by political criteria than by criteria of effectiveness (1). In any case, the arguments are no different from those used in other countries in our environment. And yet, the law is part of the framework within which personal and business activity is conducted, and adherence to this framework is important, in part for ethical reasons to do with (distributive) justice, the common good and solidarity, although it can also make these imperatives colder and more impersonal.

Today, beyond these ethical considerations, there is in Spain a growing conviction that the law is also sustained by the balance of interests and political power in a democracy. This opens the way to opportunistic behaviour and attempts to manipulate the legislature; but it can also lead to new forms of civic responsibility, which can take many different forms: for

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(1) It may be for this reason that in certain areas (such as labour relations, construction, health and safety at work, environmental protection, product safety, etc.), it is often taken for granted that it is simply "not possible" to obey the law always and everywhere; and this same argument ends up being used to justify illegal and immoral conduct.
example, the recent declarations of support for the Constitution on its twentieth anniversary, or the growing use of self-regulation (that is, a form of personal or social discipline within the law), or the voicing by citizens of all generations of a certain democratic “pride” (above all, in the new areas that the law has still to regulate: not so much to do with private life as with the protection of public goods, such as health care and the environment), etc. The underlying ethical problem, however, remains.

An appendix on attitudes towards profit and wealth

If, as we have said, Spanish society has not always properly valued the social function of business, it is not surprising that attitudes towards profit should often have been grudging.

In the forties, the planned economy, highly regulated and closed to competition, offered a small number of people great opportunities to acquire wealth in dubious ways. Popular opinion rejected this new, unjust wealth, which it saw as the cause of certain social problems (shortages, food rationing, the black market), although the true causes of these problems lay more in mistaken policies than in the immoral actions ("speculation", “hoarding”, “black market”, smuggling, etc.) denounced at the time. Anyway, such denunciations often went side by side with a certain admiration and envy of those capable of amassing large fortunes in a short period of time.

With the advent of democracy and economic recovery in the eighties, respect for business and its social function, and thus also for profit, grew. Yet the eighties and nineties witnessed events that shook the citizens’ confidence. On the one hand, the volume of economic activity grew rapidly, and the media were full of news of mergers, takeovers, foreign investments in Spain and Spanish investments abroad, etc., which the man in the street did not always fully understand; and this gave him the feeling that great economic changes were taking place in which he had no part and which could well be to his detriment (because of the loss of job security, for example). On the other hand, the great expansion in the second half of the eighties, the boom in stock market investment and the increase in property prices provided great scope for making money (the “cultura del pelotazo” or fast buck culture) (1), which Spanish society viewed at times with suspicion (above all when illegal or immoral conduct was involved) and at other times with admiration and envy.

The fact that a large number of Spaniards were able to share in the boom, through the stock market and mutual funds, probably boosted their admiration for and desire to emulate the new rich, despite all the criticism. That may be why the stock market crash of 1987, the overheating of the economy in the following years and the recession of 1992-1993 were a cause more of economic concern than of ethical censure, even though these developments were often attributed to the greed and imprudence of many investors. In any case, Spanish society continued to reject criminal behaviour (fraud, embezzlement, tax evasion, misrepresentation, etc.), which also occurred during this period (2).

(1) According to a remark attributed to the then Minister of the Economy, Carlos Solchaga, in the second half of the eighties, Spain was the country where it was easiest to make money.
(2) Among the most prominent cases were Ibercorp (see the article by Argandoña in this issue); the closure of BCCI (a subsidiary of the Bank of Credit and Commerce International) on the grounds of money laundering; the takeover of Banco Español de Crédito by the Bank of Spain at the end of 1993 due to fraudulent operations that left the bank in danger of insolvency; the businesses of the KIO (Kuwait Investment Office) group in Spain, which ended with the suspension of payments by Grupo Torras; and various other cases of fraud (Brokerval, Intelhorce, etc.).
In any case, in recent years Spanish households have considerably increased their financial wealth, alongside the growth in house ownership and ownership of consumer durables that has been in progress for some decades. The consequence has been a significant rise in the standard of living, accompanied by a more open attitude towards wealth and a change in moral values (a desire to own more and consume more, a desire for security, etc.). The effects this may have in the long term on the ethical framework of the Spanish economy (individualism, materialism, consumerism, etc.) are still unclear.

**Corruption**

According to a survey of European managers carried out in February 1996, Spain held joint second place (with Belgium and behind Italy) among nine EU countries and the United States in perceptions of the payment of bribes (Jeurissen and van Luijk, 1998) (1). This result probably reflects the subjective perceptions of the managers interviewed rather than any objective factors (2). And yet, corruption is another common cliché in Spain.

It is nothing new. There is no need to go far back in history; the autarkic, interventionist economic model of the fifties gave wide margins of discretion in government action and, despite the show of public morality, lent itself to numerous forms of corruption in areas as diverse as the awarding of import licences or industrial permits, the allocation of land for building purposes, contracts for public works and services, etc.

In recent decades, the process of liberalization, deregulation and privatization has at least partly limited the opportunities for bribery and extortion, above all in open and highly competitive environments, but not the incentives (3). An additional factor, since the end of the seventies, has been the financing of political parties: the inadequacy of the ordinary sources provided for by law led to contracts and public works being used to demand contributions to the (central, regional or local) governing party that made the award (which, in turn, paved the way for other forms of extortion and bribery, for exclusively private benefit).

The attitude of Spanish companies towards corruption has tended to be ambiguous, as in other countries. On the one hand, they strongly object to the payment of commissions; at the same time, many accept such payments as inevitable while admitting that they cause them ethical and legal headaches. There is scarcely the same ambiguity among the citizens, who are firmly opposed to the payment of bribes and extortion. This has generated strong

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(1) The results are unreliable because of the low response rate, because the questions were open to different interpretations, and because the survey was conducted in January and February 1996, when the international press was full of stories of corruption scandals in Spain.

(2) In fact, it is pointed out in the study that, when it came to people’s experiences (rather than their expectations) regarding the behaviours covered by the survey, the moral quality of business in Spain was ranked higher than in Germany, Italy or France.

(3) Corruption is found mainly in town planning, housing and land (especially in local government), the subcontracting of infrastructures, and the contracting of purchasing and consultancy services to public administrations and state-owned companies. In fact, all levels of the administration have been tainted with at least the suspicion of corruption, from local councils (with higher frequency) and autonomous communities to central government (with lower frequency but greater impact).
social pressure—exerted above all in relation to the cases that have come to light in the media—to find a solution to the problem (1).

It seems logical to conclude that there is corruption in Spain, possibly more than in other western countries (2). The solutions that have been adopted have focused mainly on reducing the expected profits (privatization of public enterprises, reduction of regulation and intervention in the markets, less discretion, etc.), and increasing the likelihood of discovery (democratic control, freedom of the press, judicial freedom) and the cost (sanctions). However, the need for a clearer ethical stance remains.

The grey economy, taxes and irregular labour

The grey economy, which encompasses activities or transactions conducted outside the legal and institutional framework of society, represents a high percentage of the Spanish GDP. The European Commission put Spain in third place among the Fifteen according to the size of its grey economy (between 10% and 23% of the GDP, according to estimates), behind Greece (29% to 35%) and Italy (20% to 26%) (Expansión, March 31, 1998) (3).

A large part of the grey economy in the Mediterranean countries consists of tax evasion, concealment and fraud. Until the sixties, tax fraud was widespread, owing to a combination of high returns, opportunity, low likelihood of detection and the low cost of being detected. The advent of democracy (1978) and the ensuing tax reform gave the tax system greater legitimacy, and the degree of compliance with tax obligations increased considerably, above all in the growth phase of the business cycle. And yet the degree of fulfilment of tax duties remains low compared with other countries (4).

Hiring workers without paying social security contributions was a common practice until the sixties as a means of cutting labour costs (the workers accepted it, sometimes willingly, because it effectively boosted their take-home pay). The labour law reform, the lengthening of the period for which a person has to contribute in order to qualify for a pension, and more frequent inspections have helped reduce undeclared labour. At present, exceptions can still be found, mainly in agriculture, textile and shoe manufacturing, and in some services such as tourism, catering, cleaning and personal services (5).

(1) Private-to-private corruption is also important. According to a study by the Instituto Internacional para la Dirección Estratégica del Aprovisionamiento (IIDEA, 1996), 32% of the companies surveyed admitted engaging in unethical practices in order to sell (21% paid commissions and 30% made gifts). Fifty-four percent of those surveyed declared that these practices were common in their industry; 49% said that they found themselves obliged to adopt practices that while not obviously immoral, nevertheless entailed a cost for their company; 22% expressed doubts about the morality of their subordinates in selling (28% in purchasing); and 9% declared that their subordinates did not act honestly in selling (6% in purchasing).
(2) Spain lies in 23rd place out of 85 countries in the Transparency International ranking (1998), ahead of Belgium, Greece and Italy among the EU countries.
(3) A recent study by the Confederación Regional de Empresarios de Aragón and Instituto Aragonés de Fomento (1998) put the figure at 14% of the GDP.
(4) According to a survey conducted in 1997, 57% of Spaniards considered the practice of not declaring all one’s income in one’s tax return to be “common”, while 55% thought it was “fairly common” to pay for things “under the counter”, without an invoice, so as not to have to pay VAT (La Vanguardia, December 2, 1997). One famous case of fraud, in 1993, involved more than 1300 companies, which had purchased false invoices so as to be able to evade the tax on profits.
(5) Confederación Regional de Empresarios de Aragón and Instituto Aragonés de Fomento (1998) puts hidden employment at 18-20% of total employment in Spain.
But the concept of irregular labour is wider than this; it covers all situations in which what is declared does not coincide with reality, such as unemployed or retired people who work on a more or less regular basis while (wrongfully) in receipt of unemployment benefit (without paying the corresponding contribution), those who receive disability (illness or accident) benefits to which they are not entitled, self-employed workers who are registered as salaried employees, salaried employees who are registered as self-employed, immigrants working without work permits, workers with a second job that remains undeclared, unemployed workers who are registered as invalids so as to obtain pensions, concealment of income so as to obtain non-contributory pensions, etc. (1).

Society’s attitude towards some of these behaviours is ambiguous: often, the fact that an unemployed person has an undeclared job, or that an employer fakes an unfair dismissal so that the employee can claim unemployment benefit, is accepted. And much the same applies to fraud in the health care system.

All of the above suggests that the ethical principles of distributive justice (the sharing of burdens and benefits) and solidarity (sharing in the common good) are not prominent among the values held by Spaniards. This may be due to a number of factors. Thus, in relation to specific exchanges (for example, when social security contributions or taxes are compared with social security benefits or the quality of public services), people feel that they give more than they get. It may be that they perceive a lack of equity in the system as a whole, taking into account factors such as income levels, the quality of public services, the geographical distribution of services, etc., plus the impression they have of the incidence of fraud and the efforts made to combat it, and also their assessment of the morality of politicians and public leaders (the publicity given to a number of cases of public corruption in the late eighties had an unfortunate effect on the ethical attitude of society). Or it may be that there is little sense of belonging to a national community. Or perhaps the socialization process is at fault, so that people give less importance to civic values than to personal advantage. It may also be that the kind of life people lead fosters individualism, conflict or competition, or that the citizens do not feel involved in collective decision making, or are unaware of the damage that their own behaviour may cause to others, etc. (de Juan, 1995).

**Conclusion**

We have briefly discussed three clichés about supposed comparative ethical deficiencies in Spanish society, in the areas of obedience to the law, payment of taxes, equitable distribution of the burdens, and fair shares in public goods and services. Behind these behaviours it is possible to discern certain significant attitudes, which coincide, at least in part, with those pointed out above:

1) Undervaluation of the institutional and legal framework within which society operates (State, law, taxes, etc.), probably linked to an individualistic conception of ethics.

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(1) A detailed 1986 study gave figures of 18% for irregular employees, made up of undeclared workers (12%), salaried employees who contributed as self-employed (1.6%), self-employed workers who contributed as salaried employees (0.9%), declared workers who did not pay contributions (2.8%), and people claiming unemployment benefit while in employment (0.9%) (Secretaría General de Economía y Planificación y Centro de Investigaciones Sociológicas, 1986).


2) Confidence (and self-affirmation) of the person vis-à-vis the State and authority. This fosters the values of autonomy and freedom, but also of personal responsibility, which needs to be exercised consistently.

3) A tendency to give in to opportunistic temptations when there is sufficient incentive (high level of possible gains, low likelihood of being found out, moderate sanctions, etc.), in areas such as disregard for the law (walking on the grass, travelling without a ticket), corruption, tax fraud and irregular labour. Again, this seems to be due to the predominance of individualistic ethics over social ethics, or of commutative justice over distributive justice, or of considerations of personal duty over questions of the common good and solidarity.

Scientific business ethics in Spain

In this section we shall review the history of business ethics in Spain as a science that is studied, researched, taught, discussed and disseminated. It seems to us that this history also justifies our paying attention to recent developments.

Ethics applied to business did not suddenly appear in Spain in the nineteen eighties but goes back at least to the “Salamanca School” (1). This is the name given to the group of theologians, philosophers and scholastic canonists who wrote in Spain (above all in Salamanca, although some also worked in Alcalá de Henares and in other universities) in the sixteenth and seventeenth centuries, continuing the tradition started by the Church Fathers, consolidated by Saint Thomas Aquinas (1126-1274), and extended to economic matters by Saint Bernard of Sienna (1380-1444), Saint Anthony of Florence (1389-1459) and others.

The School of Salamanca, with authors such as Francisco de Vitoria (c. 1495-1560), Domingo de Soto (1495-1560), Martín de Azpilcueta (1493-1586), Domingo Báñez (1528-1604), Tomás de Mercado (c. 1500-1575) and many others, is a clear forerunner of modern economic and business ethics. Although its members were mainly theologians and canonists, they developed a distinctive practical knowledge of the problems faced by merchants and traders, money changers and monarchs; they provided a moral theory inspired in the teachings of the Catholic Church and in natural law; they established a body of applied ethical doctrine, and put it into practice through their work as confessors and advisers to businessmen, lawmakers and rulers.

The influence of the Salamanca School in Spain endured throughout the following centuries. It is not surprising, therefore, that with the rise of the Church’s social doctrine, above all after the publication of the encyclical “Rerum Novarum” of Pope Leo XIII (1891), a wealth of manuals, monographs and articles inspired in the teachings of the Catholic Church should have been written on subjects relating to economic, social, political and business ethics. But there were no outstanding theologians or philosophers in Spain who left their mark on anthropology and ethics, so Spanish “social thought” tended to be derived from that of other countries, mainly Germany, Italy, France and Belgium.

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(1) Indispensable references are Grice-Hutchinson (1975), Chafuén (1986) and the articles by Melé and Gómez-Rivas included in this monographic issue.
The ethic contained in the Church’s social doctrine produced, on the one hand, a professional morality and, on the other, a set of reflections on “macro” issues such as the relationship between capital and labour or the role of the State. But its influence on the theory of the firm was limited (1), firstly because it was by nature a general theory, and secondly, because there were no fully worked out models of the firm (above all, none with which the moralists could feel at ease) (2). As far as the practical relevance of the doctrine is concerned, some business people with deep moral convictions attempted to put it into practice (and there are some fine examples), but its influence on Spanish business circles as a whole was undoubtedly limited.

The interest in the Church’s social doctrine continued after the civil war, in the context of the intellectual movement that set out to moralize management practice (3). But because of the lack of suitable theoretical models, it was not until the first business schools were set up at the end of the fifties that there were any direct encounters between management theory and the science of ethics, revolving mainly around continental (French, Belgian, Italian, Spanish, etc.) models such as that of “business reform” (based on the company conceived as a community of people, theories of social responsibility, criteria of justice in the distribution of economic added value, the notion of participation, etc.).

In the years that followed, the management education offering in Spain grew both in quantity and in quality, at a rapid rate dictated by demand, while the social and political environment and economic and business structures evolved as described above. Starting in the seventies, the economy began the process of internationalization, and Anglo-Saxon management models came to dominate the western world, and thus also Spain. However, ethics was not a part of these models, and positivism and pragmatism left little scope for humanistic theories; at best, they allowed a merely subjective, “private” conception of ethics. Hence what appears to be an interruption in the development of business ethics in Spain, although the tradition of the social doctrine of the Church was kept alive with greater or lesser vigour in Christian-inspired schools and universities (4).

Then, in the seventies and eighties, business ethics “came back into fashion” in the Anglo-Saxon world and continental Europe (5), leading to a “second wave” of business ethics in Spain. But the traditional Anglo-Saxon models (represented, for example, by the most

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(1) Except on issues such as fair wages, working conditions and human relations.
(2) As I have pointed out elsewhere (Argandoña, 1996), this line of ethical thought also lacked any open exchange of ideas with other ethical theories, which was understandable at the time.
(3) We should also mention here institutions such as Acción Social Patronal (later Acción Social Empresarial) and the Semanas Sociales de España, and the development of management and business ethics under the influence of P. Azpiazu and the Fomento Social group in Madrid (to which we should add other names, such as Gorosquieta, Higuera, Peinador, Sánchez-Gil, etc.). In recent years, we should also mention the work of the Pastoral Social Committee of the Spanish Bishops’ Conference, the Paul VI Foundation, the Leo XIII Faculty of Political Science and Sociology at the Pontifical University of Salamanca, the Faculty of Theology at the University of Navarra, Acción Social Empresarial (ASE), AEDOS (Asociación para el Estudio de la Doctrina Social de la Iglesia), the Instituto Social Empresarial (ISE), etc.
(4) The philosophers that entered the field of business ethics in the United States in the seventies pointed to these years as the origins of this subject. But they missed out many predecessors, specially Business and Society courses (Bowie, 1998).
(5) The causes of this renaissance were varied. They include: 1) A more “liberal” trend in economic theory (open to deregulation, liberalization and competition), which required a sharper definition of the legal, institutional and ethical framework of the market economy. 2) The appearance of new economic problems with serious moral implications: pollution, unemployment, protectionism, the crisis of the welfare state, etc. (and, in general, a greater awareness of “external effects”). 3) Critical events that forced a reconsideration of the ethical dimension of political, economic and business activity: abroad, there was...
widely used textbooks in the United States, which generally adopted an eclectic approach, without propounding any one theory in particular) had had limited acceptance in Spain, perhaps because those responsible for developing business ethics in this country in recent years have tended to have a sound philosophical or theological background, and have not felt it right to give equal validity to different theories; or perhaps because, as is often the case among European philosophers, they have had firm convictions, so that while remaining open to the ideas of others, they have expounded and argued their own ideas, without relativism.

This plurality of origins can also be seen in the current state of business ethics in Spain (although with a clear preference for cooperation): for example, in the duality of schools and universities, new and old, with their diverse traditions, and in the pluralism of prevailing ethical theories. It can also be seen in the variety of Spanish initiatives for the teaching, research and dissemination of business ethics (1).

The challenges facing business ethics in Spain are many, and they are no different from those found in the rest of the world. I shall name six (in no particular order):

1) Improving cooperation between schools and universities. The number of people working in business ethics in Spain is limited, so cooperation is vital (2). How can we disseminate ethical ideas more effectively?

2) Creating closer links between companies and schools (a challenge apparently shared by other European environments).

(1) Etica, Economía y Dirección. Asociación Española de Etica de la Economía y de las Organizaciones (EBEN-España) was created in 1992 as a network for the promotion and dissemination of business ethics. In 1998 it had 134 members; it holds an annual conference and publishes a four-monthly newsletter, Noticias, as well as a collection entitled Papeles, reproducing the papers presented at its conferences. Other centres of study and exchange of ideas include ETNOR, Fundación para la Etica de los Negocios y de las Organizaciones, in Valencia, which publishes Cuadernos and various other works; and the Instituto Empresa y Humanismo at the University of Navarra, which publishes Cuadernos and a collection of books. There are endowed Chairs of Business Ethics at IESE (International Graduate School of Management, University of Navarra), which holds a “Business Ethics and Economics Colloquium” each year (the results of which it publishes) and an “International Meeting of Professors in Business Ethics and Management”; the Instituto de Empresa (Madrid); and the Nebrijsensis University (Madrid). Other centres of activity include the Jaume I University of Castelló and the University of Valencia (both in collaboration with ETNOR), Esade (Barcelona), Icade (Pontifical University Comillas, Madrid), Etea (Córdoba), Instituto Social Empresarial (ISE) in Valencia, the Deusto University, the University of Alcalá de Henares, etc.

(2) International cooperation is also vital, although the need is perhaps felt less strongly in Spain at present. Examples of this kind of cooperation are: the links between Etica, Economía y Dirección (EBEN-Spain) and EBEN (European Business Ethics Network), the participation of Spanish schools and researchers in the European Ethics Network, and the business ethics groups sponsored by CEMS (Community of European Management Schools) and the BSN (Business School Network).
3) Clarifying the issue of foundations; in other words, building an ethical science on solid philosophical foundations (1). I feel that we need to be capable of resisting the temptation of relativism.

4) Bringing ethical theories into contact with the specific problems of companies in Spain (and in Europe and in the rest of the world, because business ethics is increasingly a global discipline on national or local bases). Ethics needs to join the fray and to make its voice heard when it comes to making diagnoses and looking for solutions to real problems. And this applies equally to other forms of ethics, such as social or political ethics, which are closely related to business ethics.

5) Linking ethics to scientific and technical disciplines, above all economics and management science (this is a problem that the international scientific community has yet to resolve). Ethics cannot be simply “mixed” with other disciplines, but should develop alongside them, growing from inside their problems.

6) Enhancing the impact of ethics on companies’ day-to-day activities, because the end purpose of the study of ethics is not to explain morality but to change behaviour.

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(1) In Spain, business ethics has developed far from general ethics (with significant exceptions), perhaps because it has been pursued above all by scholars with a general philosophical training who have joined business schools, or by economists and business experts who have decided to specialize in the field of ethics. On the other hand, the fact that business ethics is dealt with mainly in management schools or in close connection with such schools has given the discipline a markedly practical orientation.
Appendix

The following is an ordered list of the main works published in the nineties in Spain on business ethics and related topics (1).

Textbooks and monographs on business ethics in Spain in the nineties

Bermejo, F. (ed.): 1996, Ética y trabajo social (Universidad Pontificia Comillas, Madrid).
Cortina, A. (ed.): 1997b, Rentabilidad de la ética para la empresa (Fundación Argentaria and Visor, Madrid).
García Marzá, D.: 1997, La ética como instrumento de la gestión empresarial (Universitat Jaume I, Castellón).

(1) It does not include works on the Church’s social doctrine. The reader will find a more extensive (but not updated) bibliography of these subjects in Argandoña (1996).
Appendix (continued)


**Other monographs on social, economic and public ethics**

Appendix (continued)

References


