

Peer Review

Review of: "Exposing Regional Disparities in Spain's Judiciary Civil Service Exams"

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The article researches a relevant topic arising from Spain's decentralized public administration structure: regional variations in public exam scores for the position of public Legal Manager (*Gestor Procesal*).

This problem is particularly pertinent to the Spanish territorial decentralized model, which is founded on the idea of guaranteeing social and economic equality across Spain's seventeen autonomous regions in addition to enhancing pluralism.

A primary contribution of the article is to identify the scoring differences across Spanish regions and clarify their consequences. Despite the unified framework of rules and processes guiding public admittance to the Spanish public employment scheme, this article reveals disparate standards in the grading of public tests for the *Gestor Procesal* post.

With broader implications for regional disparities in public service delivery, the article discusses the effects on labor market segmentation and citizens' trust in public institutions. In short, the article raises questions associated with the fairness, efficacy, and reliability of the outcomes of the entrance examination for public servants.

The study is important because it elucidates issues in Spanish public administration examinations, especially regarding the judiciary. First, it shows that the meritocratic norms in the admission exam are problematic in an already unstable institutional system where 31% of judicial officials are appointed on an interim basis. Second, the article challenges us to consider the structural factors—namely, regional political autonomy and decentralization—that contribute to these discrepancies.

RESULTS OF THE STATISTICAL ANALYSIS

The following findings are revealed by the article's statistical analyses:

- Candidates' probability of passing the exam depended on the region in which their exam was taken.
- The variability in the exam grades existed at both ends, among the highest and lowest grades.
- When it came to Exam 3 scores, the Basque Country and Galicia had the lowest normality distribution.
- The mean score of the applicants who failed the examinations showed important regional variations throughout Spain.
- Madrid has the highest number of examinees per employment vacancy, showing a higher number of candidates reaching a cut-off score zone. Therefore, it appears that the most competitive candidates are in Madrid.

CRITICISMS

- The article presents two theoretical lines of argumentation based on the Human Capital Theory (HCT) and the Organizational Justice Theory (OJT). While both help to understand the attitudes of individuals, one is a sociologically based theory (OJT) while the other (HCT) is driven by economically determined factors. As such, the relationship between both theories is not so clear in the article: how are they related and jointly used in the article? The authors appear to primarily draw their analysis from the OJT's fundamental prediction, which holds that treating employees unfairly may lead to a negative attitude in the workplace (Yean and Yusof 2016). However, it is difficult to comprehend how the HCT, which forecasts how educational policies add to a person's knowledge base and how that knowledge affects his or her productivity, relates to the debate over exam correction practices and public work attitude. Furthermore, HCT has evolved into a theory that is more influenced by endogenous factors (training methodology, school quality) than by exogenous ones (Tan 2014), as the authors of the article seem to suggest in the Spanish case.
- The article should put into perspective the state of public employment in Spain considering the proportion of central versus subnational public employment. According to the CEOE (2011), the central government hired only 20% of the total public employment in Spain. This is one of the lowest proportions of central hiring of public employees as a percentage of total public employment in the OECD countries.
- The authors proposed few possibilities/measures to minimize the consequences of the scoring variation across Spain, among them the elimination of the written exam and leaving only multiple choices. Could the authors possibly ventilate additional policy alternatives? The authors should try to enlarge the discussions considering these two topics: (i) there is a possibility to mitigate the problem of public employment performance across regions by increasing the mobility of public employees

through the creation of incentives in regions with lower levels of efficiency, as recommended in the OECD (2023) report; (ii) consider the centralization trend in Spain since the 2000s in several dimensions of de/centralization (Do Vale, 2021), and engage in discussions concerning the possibility of centralizing the scoring/correction procedures of public exams in Madrid.

OTHER TASKS TO BE ACCOMPLISHED:

- Revise the concept of “injustice” in the conclusion. It might be too strong of a word.
- Explain better the role and attribution of *Gestor Procesal* in the Spanish judicial system. Take the opportunity to explain more systematically why it is a good case study to be used as a representative case of the entire employment process of public employment in Spain.
- In relation to the previous point, another element to consider in the contextualization of *Gestor Procesal*'s public employment exam is the proportion of the judicial system employment in relation to total employment, which is minimal. Based on information provided by Pin (2012, p. 13), the judicial administration has proportionally an infimal participation in the total central public employment in Spain.
- There is repetitive information on the 31% of interim employees in Spain on pages 3 and 4.

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Declarations

Potential competing interests: No potential competing interests to declare.