

‘Lawfare’ in Spain: the cases against the Sánchez family

Socialist premier suggests judges colluded with rightwing politicians to go after his wife and brother

Barney Jopson in Madrid

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Pedro Sánchez has championed the independence of judges and the sanctity of the rule of law in Spain during his nearly seven years in power. But the Socialist prime minister’s words have come back to haunt him as his wife and brother are pursued over corruption allegations.

Sánchez has said his family is the victim of a rightwing “harassment and bullying operation” — a phrase he used last year when he took five days off to ponder [whether to resign](#) over the preliminary probe launched against his wife, Begoña Gómez.

He later said he wanted to believe the case against her was not an example of “lawfare” — the explicit use of the legal system as a weapon to achieve political goals. But more recently he has all but acknowledged that lawfare is what he faces.

The final outcome for Gómez and Sánchez’s brother David is uncertain. Both deny wrongdoing. And in both cases, investigating judges decided to pick up complaints from a group with far-right links based partly on clippings from the rightwing press.

As the corruption investigations grind on, the resulting furore has turned Spain into an emblem of politicised justice.

In December, the premier alleged collusion between judges and the rightwing opposition. Politicians from the rightwing People's party (PP) were playing “with marked cards”, Sánchez told journalists, because they seemed to have privileged access to his family's case files. “This worries me.”

Sánchez's Socialist party has since proposed to curb the practice of private complaints that triggered the investigations against his wife and brother. The initiative would prevent political parties from backing such complaints and ban any litigation based on “mere hypotheses without a minimum of credibility”.



Demonstrators protest against the prime minister's wife Begoña Gómez, who has been accused of corruption © Diego Radames/Europa Press/Getty Images

The premier's party said it wanted to protect against “harassment arising from abusive legal actions” and bring Spain into line with other European countries, where legal complaints are usually filed by people directly affected by the alleged crime.

But opposition leader Alberto Núñez Feijóo called the measure an attempt to “muzzle” judges that he said was worthy of Latin American regimes or Spain’s erstwhile dictator Francisco Franco. The Socialists were trying to orchestrate a “preventive amnesty” that would halt legal action against Sánchez’s family, Feijóo said.

The proposal is unlikely to become law because the government will struggle to muster the votes to get it through parliament, but it has added to a sense that Spanish justice is increasingly malleable.

Miriam González Duránte, an international lawyer, said the Socialists and the PP had been trying to influence the judiciary since the 1980s because there were insufficient checks and balances on the political system.

“It is actually a miracle that we still have any neutral judges because they have spent almost half a century trying to politicise them,” said González Duránte, who is founder of España Mejor, a non-partisan group seeking to counteract political polarisation.

Sánchez and his team have been accused of waging their own political battles via the legal system.

His attorney-general Álvaro García Ortiz has been under investigation over the leak of confidential material regarding alleged tax fraud by the partner of Isabel Díaz Ayuso, president of the Madrid region and a Sánchez foe from the PP. Ortiz denies leaking anything and the probe continues.

Sánchez has also come under fire for appointing both his former justice minister and a former senior aide to the constitutional court, which consists of 12 judges.



Attorney-general Álvaro García Ortiz is under investigation over the alleged leaking of material likely to damage a political foe © Fernando Sanchez/Europa Press/Getty Images

The premier has brushed off criticism of himself and his allies, telling foreign investors earlier this year that they could trust the rule of law in Spain, which he said was one of the safest countries in Europe for “legal security”.

Spain’s main business lobby, the CEOE, “emphasised the importance of the separation of powers and the rule of law as the foundation of democracy in Spain and its essential role in guaranteeing a favourable climate for business activity”, it said.

Sánchez’s allies note that he has raised no objections to the probe into José Luis Ábalos, his former transport minister, who is being investigated over an alleged kickback scheme related to Covid-19 medical contracts.

But the case against Sánchez’s wife has dominated the debate. It began in April 2024 when judge Juan Carlos Peinado launched a preliminary probe based on a complaint filed by Manos Limpias — a group with a history of politically tinged litigation. Manos Limpias accused Gómez of corruption and influence-peddling linked to her work at two Spanish universities.

A seething Sánchez described the move as the culmination of a decade-long smear campaign against him — and announced he would take time off to consider whether to resign. In the end he vowed to stay on and fight.

Peinado then upgraded the probe into a formal investigation and at one point took the extraordinary step of visiting Sánchez at his residence, the Moncloa palace, to question the premier, who [declined to testify](#).

State lawyers representing the prime minister sued the judge for “perversion of justice”, but their lawsuit was dismissed by a Madrid court. In April Peinado returned to Moncloa, which doubles as government headquarters, to question justice minister Félix Bolaños.

Gómez has appeared three times in front of the judge and has attended a hearing with regional lawmakers in Madrid at which she refused to answer any questions, in proceedings she said had “an obvious political objective”.

The case against the premier’s brother, David Sánchez, who is suspected of influence peddling and other crimes, also began with complaints from Manos Limpias and other groups. A different judge, Beatriz Biedma, is leading the probe into how he secured a post in charge of music conservatories in a provincial government in western Spain.

For many on the left, the cases reinforce a perception that Spanish judges lean more right than left — and do not ringfence their politics from their work. Catalan and Basque nationalists, who say pro-independence movements have long been victims of rightwing “lawfare”, make the same claim.

The PP and Socialists struck a rare deal last year to reform the body that governs and appoints judges — the 20-strong general council of the judiciary — by agreeing that each would choose 10 members. No other party gets a say.

Sergio Oliva Parrilla, a judge and spokesperson of the Francisco de Vitoria judges’ association, said Spain had thousands of “independent and impartial” justices. But the way the “higher echelon” is chosen by the general council “sends a message to citizens that the ideology of a particular judge can matter”, he said.

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Hundreds of judges are members of labour associations that are openly ideological. The Asociación Profesional de la Magistratura is conservative and has 1,400 members; Judges for Democracy (JJpD), a left-leaning group, has 440. But both insist that the political beliefs of their judges have no impact on their application of the law.

María Jesús del Barco, chair of the magistrates association, said judges have an obligation “to investigate those facts in their jurisdiction that they believe may constitute a crime”, which she said was what the judge in the Gómez case was doing.

However, Edmundo Rodríguez, JJpD spokesperson and a judge, said the courts had been “weaponised”. He blamed that on the actions of several groups: the general council of the judiciary, political parties that file legal complaints, and judges who then endorse them.

“It seems that going to court has become one more instrument of political warfare.”

Additional reporting by Carmen Muela and David Sharrock

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