Corruption and the Lava Jato Scandal in Latin America

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and Jan Svejnar**

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15 Lava Jato's lessons, leaks, and lasting impacts

Karla Y. Ganley and Paul Lagunes

Introduction

In 2014, not one person could have predicted that Lava Jato would unfold in the way that it has. Not even the prosecutor who led the Operation or the judge who oversaw the majority of its resulting cases could have foreseen Lava Jato's impacts in Brazil, Latin America, and the global community. Efforts to “follow the money” revealed a complex bribery scheme that amounted to hundreds of millions of dollars. High-level government officials, including former presidents from multiple countries, have been implicated. Hundreds have been convicted. One of Latin America's largest firms, the construction conglomerate Odebrecht, has been made to pay a multi-billion dollar fine. Headline after headline has been printed about this multi-year news story.

Many celebrate Lava Jato for disrupting the impunity long enjoyed by some of the world's political and economic elite. What began in a relatively quiet state in Brazil has had profound implications in a number of countries in Latin America and even Africa. Lava Jato now shares a space alongside Italy's *Mani Pulite*¹ as a corruption scandal of historic proportions. However, it is yet to be seen whether Lava Jato will eventually be remembered as a painful, if necessary, step in the path toward heightened government integrity.

The question about Lava Jato's legacy is particularly relevant considering the amount of controversy that has surrounded the Operation since it first came to light. In this concluding chapter, we revisit some of the sources of controversy, however, we mainly use this space to spotlight the key insights contained in this volume. These insights, while not the last word on the subject, should contribute to informing our collective understanding about Lava Jato.

Lava Jato as a break with impunity

With accountability in mind, one of the main takeaways from this volume might be what Bullock and Stephenson describe in their chapter as the need to keep the “Lava Jato Spirit” alive as the Operation winds down.² What they mean by this is that systemic corruption is not inevitable—greater accountability is both necessary and possible. Some may react with skepticism to such a hopeful

notion. In fact, the Brazilians that we have interacted with are often surprised to learn that they are ranked only fourth from the top among Latin America's least corrupt countries (TI, 2018). Few seem to consider that the other three countries ahead of Brazil in the ranking—Uruguay, Chile, and Costa Rica—used to be caught in a somewhat similar corruption trap (Buquet Corleto & Piñeiro, 2017; Navia, Mungiu-Pippidi, & Martini, 2017; Wilson & Villarreal, 2017).³ However, over time and as a result of institutional reforms, these three countries managed the transition to a higher state of government integrity (Lagunes, Yang, & Castro, 2019). And now Brazil could do the same.

It is understandably difficult for Brazilians to envision improvement after the discovery of substantial and pervasive graft.⁴ But the flood of successful corruption probes indicates that elements of the country's system of accountability are working. Before Lava Jato, a frequent concern in Brazil was that corruption cases dragged on for years and few people faced actual punishment (Taylor & Buranelli, 2007). The euphemism "*acabar em pizza*" or, in English, "end in pizza" was commonly used in reference to corruption inquiries that led nowhere; criminal charges could seemingly be settled in the same way that interpersonal differences are resolved over a meal, such as a pizza (Anonymous, 2012).⁵ However, Lava Jato has seemingly changed this. To echo one of the claims made by Deltan Dallagnol in Chapter 8, the level of impunity in Brazil is no longer where it was before the beginning of the Operation (Leahy & Schipani, 2018; O'Shaughnessy, n.d.).

Still, a few of the authors contributing to this volume are less sanguine about the current state of affairs. This is understandable considering that public sentiment against corruption may have contributed to the political rise of Jair Bolsonaro, a military veteran and right-wing populist who, at one point, even threatened to jail his opponents (Boadle & Stargardter, 2018; Leahy & Schipani, 2018; Phillips, 2018). Thus, while emphasizing the value of Bullock and Stephenson's "Spirit of Lava Jato," we also find merit in what Aranha refers to as the "Madisonian Spirit."

The "Madisonian Spirit," a guiding principle invoked decades earlier by Guillermo O'Donnell (1999), invites observers to question the democratic intentions of those claiming to promote accountability. Perhaps compatible with this general call for caution are the following recommendations, both of which are closely related and neither of which is presented as original:

- That the members of a country's web of accountability, including prosecutors and judges, should avoid political bias and political meddling. The reason for this is obvious enough: a regime's judicial system rests on the principle of fairness.
- That the members of a country's web of accountability should be extraordinarily careful in how they conduct themselves. This is especially true considering that their statements and actions—including the statements and actions that they make in private—could be scrutinized and eventually used to undermine their efforts, however noble these might be.

On a somewhat related note, thinking further about caution as it relates to the fight against corruption, Aranha suggests at different points in her chapter that Lava Jato may have opened the door for the return to military rule.⁶ If she is correct, then the following question gains considerable urgency: In the event that controlling corruption requires a suspension of democratic rights, should democracy take the back seat?

Democracy threatened?

The idea that breaking with democracy could serve to promote corruption control should strike everyone as somewhat strange. After all, there is research to suggest that the opposite is true: corruption is often in tension with democracy (Treisman, 2007). Corrupt officials, by definition, abuse the trust that the public bestows on them (Nye, 1967). Surveys consistently find that the vast majority of citizens around the world oppose corruption (Dong, Dulleck, & Torgler, 2012; Gatti, Paternostro, & Jamele, 2003; Simpser, 2015; Torgler & Valev, 2010). Cross-country analysis reveals evidence that high levels of corruption are generally associated with lower levels of foreign direct investment and economic growth (Lagunes et al., 2019, p. 5). Thus, one can see why corruption revelations often erode citizen trust in their democratic political systems (Anderson & Tverdova, 2003; Seligson, 2002). But does this erosion of citizen trust, then, serve to embolden those who favor dictatorship? This is a complicated question and one that we are not in a position to address—or, at least, not address thoroughly in this space; however, an abridged review of Brazil's history from 1951 through 1964 suggests that the answer is “Maybe.”

During the presidency of Getúlio Vargas (1951–1954), corruption became a general concern (Power & Taylor, 2011, p. 250; Skidmore, 1988, pp. 5–6; Skidmore & Smith, 2001, p. 164; Soares, 1979, pp. 106–108). Aware of this problem, Jânio Quadros campaigned for the presidency in 1961 on an anticorruption platform. His campaign symbol, a broom, indicated his intent to “clean house” (Fried, 2011, p. 13; Skidmore, 1988, p. 8; Soares, 1979, p. 105). But on August 25, 1961, only seven months into his administration, Quadros resigned for reasons that are still not fully understood (Skidmore & Smith, 2001, p. 166). A three-year political crisis ensued. A poll taken during this interval showed that a significant portion of the population favored doing away with the country's system of representation (Soares, 1979, p. 106). As if in response to this preference—though also prompted by a set of social, political, and economic factors—the crisis ended with a military coup (Fleischer, 1997, p. 298; Skidmore & Smith, 2001, p. 168). In other words, though the main reasons for the military takeover is thought to have been the fear of communism and the wish to carry out aggressive economic reforms, there was also the mission to eliminate corruption from the political system (Fleischer, 1982, p. 307; Skidmore, 1988, p. 18; Stepan, 1971, pp. 217 and 220). Fast forward several decades to 2016, arguably the height of the Lava Jato scandal, when dozens of protesters stormed Congress to

denounce corruption and call for the return of military rule (“Brazil: Protesters Storm Congress Seeking Military Rule,” 2016).

At this point, a clarifying note is in order. Our argument is not that Brazil is reliving a military coup. In fact, we join Rose-Ackerman and de Mattos Pimenta (see Chapter 13) in recognizing that Bolsonaro won the presidency in a legitimate and democratic manner.⁷ Those openly favoring a return of military dictatorship have been described as nothing more than a “small but visible far-right fringe” (Hunter & Power, 2019, p. 72). To this we add that Bolsonaro’s government appears to be working within the bounds set by the 1988 Constitution. At the same time, however, we take note of the fact that the current administration is populated by more current or former military officers than any previous civilian government (Margolis, 2019).⁸ We also notice that nearly 60 percent of Brazilians are not satisfied with their democratic system, and that approximately 30 percent admit to favoring military takeover in the event of excessive corruption (Faria, 2019). So, with all this in mind, our worry can be stated in the following terms: by exposing corruption in Brazil’s democratic system, Lava Jato has contributed to a chain of events that makes the threat of authoritarianism greater today than it was before 2014.⁹ This is not to suggest that, given the high political stakes, the Lava Jato Task Force should have avoided pursuing corruption. As long as the Task Force directed its investigations based on the existence of credible evidence and nothing more, then their work has undeniable merits. At the same time, it is necessary to recognize that the work of the Task Force was never intended to fully solve what is essentially a deep-seated institutional problem.

The role of institutions and the media

Corruption control must not depend solely on criminal prosecutions and better enforcement of existing laws. Anticorruption trailblazers, such as those described in Rodriguez’s chapter, contribute to breaking with impunity and ushering in change. Often motivated by high ideals, such as love of nation and the rule of law, these reformers take risks in environments that are accustomed to a corrupt status quo. However, across Latin America, structural reforms are needed in order to achieve that which reactive measures cannot deliver. Demonstrating that corruption will not go unpunished sends a credible signal that can inhibit future criminality; however, as long as there are strong institutional incentives that favor corruption, members of the law enforcement community will only be able to do so much.

By the same token, the chapter by Rose-Ackerman and De Mattos focuses on the ways in which Brazil’s electoral system—specifically, proportional election rules that result in excessive party fragmentation—coupled with its rules for public financing, incentivizes corruption. Similarly, Bullock and Stephenson describe how political slush funds—known as *caixa dois* in Brazil—have become well-institutionalized, despite being illegal. The authors of both chapters recommend political finance reforms, with Rose-Ackerman and de Mattos

Pimenta boldly suggesting that Brazil move from a system of coalitional presidentialism to parliamentarism—or some alternative system that similarly encourages formation of stable coalitions within Congress.

Another takeaway from this volume relates to the media's coverage of Lava Jato. Various contributors to this volume have pointed out that reporting of Lava Jato was not perfect. While Bulla and Newell highlight the unprecedented role played by the media in keeping the public informed and holding officials accountable by combing through and reporting on vast amounts of publicly available data, some authors in this volume are concerned about evidence of possible failings on the part of news organizations. In their chapter, Campello, Schiffrin, Belarmino, and Thome reflect on what they perceive as reporters' hasty reliance on leaked information, as well as bias against left-leaning politicians, particularly those from the Workers' Party (*PT*).

In Chapter 12, Glenn Greenwald of the online news publication *The Intercept* also argues that the media in Brazil failed to live up to the responsibility of reporting accurately and impartially on Lava Jato. This is a concern that Bulla and Newell examine in some detail; however, as these two authors point out, *The Intercept* itself is part of Brazil's media environment. Bulla and Newell further delve into the discussion about media coverage of Lava Jato when they highlight that various news outlets have recognized and tried to make up for their mistakes. For instance, *Folha* and *Veja*, two of the largest media outlets in Brazil, have partnered with *The Intercept* in reporting on information that, before 2019, was unavailable. This is information that, as we discuss at a later point in this chapter, raises some questions about the work of the prosecutors and the lead judge behind Lava Jato.

Lava Jato in comparative perspective

Moving on to countries' differential responses to Lava Jato, this volume focuses on Peru and Mexico. Rodriguez-Olivari details in Chapter 11 how, despite various obstacles, Peru's Special Prosecution Team has made progress in carrying out criminal prosecutions, particularly through the use of legal tools such as pre-trial detention and plea agreements. In our assessment, the Rodriguez-Olivari chapter helps make up for the scant attention that the international media has given to Peru's Special Prosecution Team. However, to fully measure Peru's progress in the midst of Lava Jato, a point of comparison is needed. De Mattos Pimenta and Greene provide that comparison.

In Chapter 10, de Mattos Pimenta and Greene note that Odebrecht, the company at the center of the corruption scandal, had greater market—and, therefore, political—power in Peru as compared with Mexico. The chapter's authors also note that the legal framework favoring corruption control seemed stronger in Mexico than in Peru. So, which of the two countries has made greater progress in response to Lava Jato? Against what could have been predicted, as of this writing, the answer is Peru. Investigations in Mexico have had limited results. Meanwhile, in Peru, high-profile individuals are facing pre-trial

detentions, the country's authorities have reached a settlement with Odebrecht, and there have been efforts to pass legal reforms that are relevant to the case.

In Chapter 3, Wahrman broadens the comparison with cross-country statistical analysis. Somewhat reminiscent of Hochstetler (2017), he compares the Latin American countries in which Odebrecht invested, and which were subsequently implicated in Lava Jato, with the other regional countries in which Odebrecht had no investment. What drives this analysis is the possibility that Odebrecht may have chosen countries in which to conduct business based on their governments' corruptibility. In the end, Wahrman *does* find evidence that Odebrecht favored countries that were more permeable to bribes. For instance, he points to the fact that, among the countries included in his analysis, the nine that had ongoing projects with Odebrecht scored worse in a cross-country corruption indicator than the eight that did not. Embracing transparency in research, Wahrman concludes his chapter with information that will allow others to replicate and extend his data analysis.¹⁰

Another chapter in the volume that is centered around the analysis of data is the one by Sanzovo and Ganley (Chapter 4). These two authors examine the lack of accountability surrounding urban improvement projects undertaken in preparation for the 2016 Rio Olympic Games. Ganley and Sanzovo examine 9.3 billion dollars that were initially budgeted for infrastructure development, and, using publicly available information, attempt to determine whether the government delivered on what was promised. The authors find that access to high-quality transportation improved and that transit speed on some of Rio's main roadways increased. At the same time, however, the authors communicate their disappointment at the lack of publicly available information about the relevant infrastructure investments and the fact that less than half of the projects have been fully completed at the time of writing.

Sanzovo and Ganley also carefully report on the allegations of bribery and overbilling surrounding the 2016 Rio Olympics. And this is worth highlighting for a particularly important reason. As the next section discusses, there are questions regarding some of the actors who led the Lava Jato Operation. In spite of this and the other points of controversy surrounding Lava Jato, the stubborn fact is that Latin America is a region that struggles with accountability—and the Operation stands to remind us of this.

Vaza Jato

While this volume's focus is on Lava Jato, we want to at least touch on *The Intercept's* reporting on what Brazilians refer to as "Vaza Jato." As mentioned briefly in previous chapters, *The Intercept's* reports—based primarily on text messages exchanged privately between prosecutors and then-Judge Moro—first appeared online on June 9, 2019 (Greenwald, Demori, & Reed, 2019). The reports have raised questions about Moro's and the prosecutors' conduct.

To date, reporting efforts at *The Intercept* have been led by Glenn Greenwald, an American lawyer and journalist living in Brazil, who is perhaps most famously

known for his *Guardian* reports on Edward Snowden and the National Security Agency (NSA) document leaks (Pilkington, 2014; Reitman, 2013). As we discuss at greater length in our introduction to Chapter 12, Greenwald is often categorized as an adversarial journalist (Reitman, 2013), and it is from this position of nonconformity that he cofounded *The Intercept* (Cosman, 2014; “Glenn Greenwald,”).

Greenwald and his collaborators have given some access to *The Intercept*'s archive of materials to the media outlets *Veja*, *Folha de S. Paulo*, and *Grupo Folha's Universo Online (UOL)*. These outlets, in turn, have begun to publish their own findings. From the perspective of *The Intercept*, the reports demonstrate an overly close collaboration between then-Judge, and now Bolsonaro's Justice Minister, Sérgio Moro and Lava Jato prosecutors, as well as apparent bias against President Lula during his trial (Fishman, Moro Martins, Demori, de Santi, & Greenwald, 2019; Fishman, Moro Martins, Demori, Greenwald, & Audi, 2019). With regards to the former issue, text messages show that Judge Moro and Task Force Chief Prosecutor Deltan Dallagnol discussed developments in the investigation and strategies for engaging the media. Whether these exchanges show bias, unethical conduct, or legal violations, is something that legal experts who specialize on Brazilian law will need to determine. Whether these sorts of exchanges are common between judges and prosecutors in Brazil is also something that we are not in a position to accurately evaluate. What we can comment on, however, are the institutional reforms that would help address and prevent this sort of issue.

In Brazil, the judge that is responsible for overseeing a given criminal investigation is the same judge who eventually presides over the resulting criminal trials (Moro, 2016).¹¹ This institutional arrangement fosters close collaboration between the judge and public prosecutors before any trial has even begun. Given this setup, it is difficult to imagine how the judge could maintain perfect neutrality. In order to address this, we recommend reforms that include assigning two separate judges for the investigative and prosecutorial phases of a case and further clarifying the rules regarding judge-prosecutor communications.

The second concerning aspect of the text exchanges is when Moro refers to President Lula's defense proceedings as “their little show” (“*showzinho*” in the original Portuguese version) (Fishman, Moro Martins, Demori, Greenwald, et al., 2019; Moro Martins, Demori, Greenwald, & Audi, 2019). Moro's use of the demeaning phrase “*showzinho*” is undeniably problematic. Whatever may have prompted the then-Judge to use such a phrase, it is difficult to learn about this exchange and not perceive a bias in this instance against Lula. As Greenwald says in Chapter 12: “[I]magine if you were convicted and sentenced to a decade in prison by a judge who behind your back was mocking you....” Thus, one reform that would help mitigate this sort of issue, is greater use of trial by jury. In Brazil, except for cases of homicide, it is the trial judge alone who decides the case verdict (Borges de Mendonça, n.d.).

One last point of concern is the revelation that Dallagnol gave speeches at private events in exchange for compensation (Fishman, Demori, Audi, & Moro Martins, 2019). As noted in Chapter 8, the paid speeches were legal and much of

the funding that Dallagnol received from the speeches was apparently donated. Still, considering that such paid speeches can be perceived by some as a breach of ethics, we recommend that engagements of this sort require prior approval by the relevant public authorities. Moreover, paid speeches by active prosecutors and judges should be immediately disclosed to the public.

The aforementioned issues raised by Vaza Jato have provoked strong reactions. Academics, lawyers, jurists, former ministers of justice, and supreme court judges from various countries have signed an open letter claiming President Lula was “the victim of political persecution” and calling for the nullification of his convictions (Bergamo, 2019). The Brazilian Bar Association has even called upon Justice Minister Moro to resign from his post (Jean Kaiser & Jeantet, 2019; Pearson & Magalhaes, 2019). By contrast, some legal scholars have questioned whether the leaks really show seriously wrongful conduct (Borges de Sousa Filho & Benetti Timm; Stephenson, 2019).

As alluded to earlier, we will refrain from making any fixed judgements about Vaza Jato—a topic that is still too new and underdeveloped to accurately assess. However, we do think the leaks are sufficiently important and raise enough concerns to recommend further study. Toward this end, we favor additional and continuous reporting about the leaks, and we oppose efforts to censor anyone reporting on these leaks. We say this considering that President Bolsonaro said that “[Greenwald] may take a cane here in Brazil,” meaning that Greenwald may be jailed (CPJ, 2019). Some politicians in Brazil’s Congress have also called for Greenwald’s deportation (McCoy, 2019).

An early and partial criticism of *The Intercept’s* reporting on Vaza Jato

Having made clear our position on censorship, we do have some concerns with *The Intercept’s* reports. Namely, there are instances where *The Intercept’s* characterization of the leaked information is not necessarily supported by the information itself. For example, Part 2 of *The Intercept’s* Report on Vaza Jato advances the following thesis:

An enormous trove of secret documents reveals that Brazil’s most powerful prosecutors, who have spent years insisting they are apolitical, instead plotted to prevent the Workers’ Party, or PT, from winning the 2018 presidential election by blocking or weakening a pre-election interview with former President Luiz Inácio Lula da Silva with the explicit purpose of affecting the outcome of the election.

As readers will notice, this thesis is made up of smaller claims. The first of these claims (Claim #1) is that members of the Lava Jato Task Force presented themselves as being independent and above politics. To support this particular claim, *The Intercept’s* Portuguese version of the report provides readers with an image of a social media message authored by Dallagnol in which he refers to his work

and that of his colleagues as apolitical. All in all, we find that Claim #1 is supported by sufficient evidence.

The next claim embedded in *The Intercept's* thesis (Claim #2) is that members of the Lava Jato Task Force were interested in “blocking or weakening” an interview with former President Luiz Inácio Lula da Silva. To support this claim, *The Intercept* cites text messages from two members of the Lava Jato Task Force: Athayde Ribeiro Costa and Januário Paludo. These text messages clearly invoke strategies to prevent and limit the impact of a Lula interview. However, no evidence is provided that Dallagnol, who heads the Task Force, explicitly endorsed the proposed strategies. The closest piece of evidence to this effect is a type of “lol” (meaning, “laugh out loud”) statement that Dallagnol writes when he apparently learns that the authorization to interview Lula was ultimately stayed by the court.

So, with regards to Claim #2 we perceive sufficient evidence to conclude that, at least, two members of the Task Force were interested in preventing Lula's interview. That being said, statements by two members of a group of ten or so do not necessarily reflect the views of all members of that group. With regards to Dallagnol, he seems to have preferred that Lula not be interviewed; however, again, the report does not provide evidence that he was willing to act to block or weaken the interview. This is important considering that neither prosecutors quoted by *The Intercept* would likely have taken action to block or weaken Lula's interview without Dallagnol's explicit consent.

The third and final claim we want to home in on (Claim #3) builds on the previously discussed claim. This third claim is that members of the Lava Jato Task Force were interested in blocking or weakening a pre-election interview with former President Luiz Inácio Lula da Silva with the explicit purpose of affecting the outcome of the 2018 presidential election. To support this claim, *The Intercept* quotes Laura Tessler, a member of the Task Force. Tessler is quoted as saying the following about Lula:

- “What a joke!!! Revolting!!! There he goes hold a rally in prison. A true circus. After Mônica Bergamo, based on the principle of equal treatment, I'm sure many other journalists will also be coming ... and we're left here, made to act like clowns with a supreme court like that....”
- “Who knows ... but an interview before the second round of voting could help elect Haddad.”

But again, our sense is that statements by one prosecutor does not necessarily reflect the views of all members of the Task Force. Moreover, given the partial view of the text messages, it is hard to tell if the second of the two statements was made with much certainty or whether it was a case of thinking out loud.

To be perfectly clear, we are not justifying any of the leaked statements quoted above. As per two of the recommendations we raised toward the beginning of this chapter, the members of a country's web of accountability need to avoid meddling in politics and need to be extra careful in what they say and

what they do, including what they say and do in private arenas. Still, even as we disapprove of what three of the Task Force's members are quoted as having stated, we are not convinced by the evidence presented that the Task Force as a whole plotted to prevent the Workers' Party from winning the 2018 presidential election. But, again, the main point with regards to Vaza Jato is that it requires closer review before any definitive conclusions can be drawn. The next section highlights other related topics for future research, while also moving to conclude.

Conclusion

Lava Jato is a vast research subject that the fifteen chapters contained in this volume cannot fully encompass. There are additional topics that we consider especially deserving of future scholarly attention. For instance, organized civil society has played a non-trivial role in supporting the Lava Jato investigations in a number of countries, including Brazil and Peru. These civil society organizations (CSOs) can play an important role in defending prosecutors against efforts to curtail their independence and impede their work. CSOs can also push for the adoption of new and well-calibrated anticorruption policies. Thus, the actual and potential contributions of CSOs merit closer analysis. In a similar vein, the contribution of international actors also deserves a closer look. For example, it would be worth understanding the extent to which authorities from countries with more robust institutions played a constructive role in advising the Brazilian authorities involved in Lava Jato. Our interest in this particular subject is motivated by the fact that the collaboration with US and Swiss authorities is what ultimately allowed for Petrobras, Brazil's state-owned oil company, to recover a considerable amount of what was lost because of the corruption scheme at the center of Lava Jato (DOJ, 2016).

Additionally, an apolitical study dedicated to understanding the supposed role of Luiz Inácio Lula da Silva in corruption could help bring clarity to an especially delicate subject. In his many years as a crucial—and even inspirational—leader of the Brazilian left, Lula frequently spoke against corruption. Then, in 2005, three years into his two-term presidency, the Workers' Party that he formed in the early 1980s was caught in the Mensalão scandal that Albert Fishlow discusses in Chapter 2. As is mentioned in the introduction to the volume, politicians close to Lula were found guilty of corruption in the Mensalão case. Lula himself now faces allegations of corruption for bribes received as part of Lava Jato (Darlington, 2019). In the face of these allegations, there are people who are convinced that Lula is innocent, as well as those who are convinced of the opposite.¹² Thus, a detailed and objective analysis of the available evidence about this case seems worthwhile.

But beyond these or other related topics that are worth exploring, what this volume has sought to offer is a collection of essays on Lava Jato. Many of these fill gaps that existed in our collective knowledge. Perhaps these gaps existed because the media inexplicably gravitated toward the allegations of corruption in

the 2014 FIFA World Cup instead of those pertaining to the 2016 Rio Olympics. Or, perhaps, the reason for the gaps is that international advocacy groups have generally proven more interested in the work of Brazil's Lava Jato Task Force as compared with, say, the work of Peru's Lava Jato Special Prosecution Team.

The essays that make up this volume also feed the ongoing debate on Lava Jato. However, they are careful to feed that debate with substance. This is important considering how emotionally charged the subject has become. Feelings of shared resignation following the scandal, and its seemingly unceasing revelations of corruption, have led some to feel genuinely disheartened. Our hope and our aim is that, by studying the problem, new knowledge will help replace that sense of loss with a new sense of purpose and direction. Citizens of Latin America deserve a democratic government that has corruption under control.

Notes

- 1 Mani Pulite began in 1992 and was a nationwide investigation into an extensive public works corruption scheme that involved numerous businesspeople, politicians, and public officials (Spilimbergo & Srinivasan, 2019; Vannucci, 2009). By 1994, six former prime ministers and 500 members of parliament had been implicated, and five of Italy's political parties, including the Christian Democrats—the majority party—had dissolved (Spilimbergo & Srinivasan, 2019; Vannucci, 2009).
- 2 The newspaper *Folha* translates “Spirit of Lava Jato” as “*espírito da Lava Jato*” (Albuquerque, 2019).
- 3 The term “corruption trap” is used in reference to countries or regions that are caught in an equilibrium of high-corruption (Klašnja, Little, & Tucker, 2016).
- 4 As of this writing, the Lava Jato Operation in Brazil is on its 70th phase (MPF, 2019).
- 5 A historical search for the use of “*acabar em pizza*” confirms that the phrase is less popular now than it was some years ago (Google Trends, 2019).
- 6 As evidence that Aranha is not alone in raising concerns about the fate of Brazil's political order in the wake of Lava Jato, there is Petra Costa's haunting documentary “The Edge of Democracy.” For a review of the documentary we suggest reading: Scott, A.O. “Review: ‘Edge of Democracy’ Looks at Brazil with Outrage and Heartbreak.” *New York times* June 18, 2019, sec. Critic's Pick.
- 7 On October 28, 2018, Jair Bolsonaro of the Social Liberal Party (or *PSL*, given the political group's acronym in Portuguese) defeated Fernando Haddad of the Workers' Party (or *PT*) in the second round of presidential elections by 10.2 percentage points (Anonymous, 2018). The final results were: 55.1% Bolsonaro; 44.9% Haddad (Anonymous, 2018).
- 8 Though it is worth highlighting that, for the most part, the people with military experience in Bolsonaro's cabinet are arguably serving as a moderating force (Winter, 2019).
- 9 On a related note, in a study that contributes to explaining the political rise of Jair Bolsonaro, Wendy Hunter and Timothy Power write (*italics added for emphasis*):

[V]iewed in the context of the multiple crises afflicting Brazil since 2013, travails for which Brazilians widely blame the establishment parties, the Bolsonaro backlash begins to make sense. The once-formidable PT, which had won four consecutive presidential contests, was blamed for the serious downturn in the economy after 2013; *the massive corruption scheme uncovered since 2014 by the Lava Jato investigation*; and the unprecedented levels of crime on the streets of Brazil.

(Hunter & Power, 2019, p. 69)

- 10 Concretely, those who read Connor Wahrman's chapter will see that he makes his codebook, dataset, and R code available online.
- 11 As Deltan Dallagnol highlights at the end of Chapter 8, there are proposals to modify the system so that, "After the investigation, another judge who was not involved in the investigative phase would try the case." News about this proposal to include a "juiz das garantias" was being generated as we were in the process of writing this concluding chapter (Mori, 2019).
- 12 A sampling of the debate is available on The Global Anticorruption Blog. The debate is spread across the following two posts: (1) Silvestrin Guedes, Adriano Augusto, et al. "A Group of International Jurists and Scholars Condemns the Conviction of Former Brazilian President Lula as Unfair and Politically Motivated. A Group of Brazilian Prosecutors Defend Their Conduct, and the Conviction. Read Their Dueling Open Letters Here!". Global Anticorruption Blog 2019. Available via: < <https://globalanticorruptionblog.com/2019/09/12/a-group-of-international-jurists-and-scholars-condemns-the-conviction-of-former-brazilian-president-lula-as-unfair-and-politically-motivated-a-group-of-brazilian-prosecutors-defend-their-conduct-and/>. (2) Martins, Valeska T.Z., and Cristiano Zanin. "Lula's Lawyers Respond to the Lava Jato Prosecutors' Letter." Global Anticorruption Blog 2019. Available via: <https://globalanticorruptionblog.com/2019/09/20/lulas-lawyers-respond-to-the-lava-jato-prosecutors-letter/>.

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