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978-1-009-32980-4 — Prosecutors, Voters and the Criminalization of Corruption  
in Latin America

Ezequiel A. Gonzalez-Ocantos , Paula Muñoz Chirinos , Nara Pavão , Viviana Baraybar Hidalgo  
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## Prosecutors, Voters, and the Criminalisation of Corruption in Latin America

*Lava Jato*, a transnational bribery case that started in Brazil and spread throughout Latin America, upended elections and collapsed governments. Why did the investigation gain momentum in some countries but not others? The book traces reforms that enhanced prosecutors' capacity to combat white-collar crime and shows that *Lava Jato* became a full-blown anti-corruption crusade where reforms were coupled with the creation of aggressive taskforces. For some, prosecutors' unconventional methods were necessary and justified. Others saw dangerous affronts to due process and democracy. Given these controversies, how did voters react to a once-in-a-generation attempt to clean politics? Can prosecutors trigger hope, conveying a message of possible regeneration? Or does aggressive prosecution erode the tacit consensus around the merits of anti-corruption? *Prosecutors, Voters, and the Criminalisation of Corruption in Latin America* is a study of the impact of accountability through criminalisation, one that dissects the drivers and dilemmas of resolute transparency efforts.

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# Prosecutors, Voters, and the Criminalisation of Corruption in Latin America

*The Case of Lava Jato*

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## Acknowledgements

This project started with a casual conversation between Nara and Ezequiel during a conference at Oxford in 2017. They wondered how they could finally realise their graduate school dream of working together. Given Nara's interest in corruption and public opinion and Ezequiel's interest in judges and prosecutors, an obvious starting point would be to field a short survey to examine the impact of *Lava Jato* on voters' attitudes towards corruption and politicians. At the time, the *Lava Jato* (or Car Wash) Operation, the largest anti-corruption push in Brazilian history, was in full swing and ravaging politics. Both soon realised that given the complexity of the phenomenon, it would not be possible to explore the relationship between judges, prosecutors, and voters rigorously in a one-off survey or experiment; they needed to dig deeper into citizens' attitudes and emotional reactions to *Lava Jato*. This would require multiple studies and a multi-method approach. It was also becoming increasingly clear that *Lava Jato* would not remain a strictly Brazilian phenomenon. Indeed, throughout 2017 the investigation gained traction in other countries too, most notably in Peru, where it wreaked havoc on the political establishment, and would quickly become the largest foreign bribery case in history. Discussions with Paula, who was already investigating attitudes towards corruption in Peru, and Viviana, who was starting her graduate studies at Oxford, suggested the project had to expand its geographical and substantive scope.

This is how the four of us came together to address a series of questions about one of the most significant shocks to Latin American politics in recent times. What made an investigation like *Lava Jato* possible in a part of the world where impunity for grand corruption used to be the norm? Why did it expand beyond Brazil and why did prosecutors prove effective in some countries but not in others? For some members of the elite, the aggressive and unconventional methods deployed to uncover grand corruption were necessary and perfectly justified. Others instead saw dangerous affronts to the rule of law and

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democracy. Given these controversies, how did voters in contexts with different levels of partisan polarisation and aversion to politicians react to a once-in-a-generation attempt to clean politics? Did they instinctively back anti-corruption or did this zealous and unorthodox form of anti-corruption prove too difficult to support despite the longstanding and majoritarian yearning for a different kind of politics? Are anti-corruption crusades like *Lava Jato* capable of building strong and durable anti-corruption coalitions, or do the methods and outcomes of anti-corruption sooner or later become fatally contested?

We presented the book's main findings at Stanford University, Harvard University, MIT, Universidad de Barcelona, Universidad Carlos III de Madrid, University of Utah, McGill University, Sciences Po, Universidad del Rosario, University of Oxford, Columbia University, and King's College London, as well as at meetings of the American and Brazilian Political Science Associations. We are grateful to all present at these seminars and conferences for their excellent feedback. Manuel Balan, Santiago Basabe, Alisha Holland, Melis Laebens, Marcelo Leiras, Matthew Taylor, Pablo Valdivieso, and Laurence Whitehead deserve special thanks for their feedback on different parts of the manuscript. Isabella Cantoni, Mats-Philip Ahrenshop, Moshe Ben Hamo Yager, Maria Bahia, Diego Quesada, Andrea Tafur, and Wendy Adrianzen provided invaluable research assistance at different stages. Finally, we are indebted to the journalists, prosecutors, judges, civil society activists, politicians, and lawyers, who agreed to be interviewed for this project and shared their insights on the ins and outs of corruption prosecutions.

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