The Criminalization of Corruption in Latin America: Prosecutors, Politicians and Voters

Chapter 1
The Criminalization of Corruption in Latin America

Introduction

News of multinational companies bribing foreign public officials in order to secure market access sometimes breaks out and leads to scandal. In the mid-2000s, Siemens was forced to overhaul its management board and pay millions in fines in the United States and Germany after prosecutors discovered that it had been engaging in corrupt practices for years (Berhoff 2018). In 2012, a series of *New York Times* articles revealed that Walmart executives had similarly bribed officials in Mexico, Brazil, China and India. Following a long investigation in the United States, the company settled the case with a US$282 million fine.[1] When it comes to the judicial and political repercussions of this kind of revelations, however, no scandal comes close to the one that engulfed Brazilian construction giant Odebrecht starting in 2014. This book analyses how a relatively minor inquiry that began in Curitiba, a city in the south of Brazil, evolved into an investigation of continental proportions that upended politics throughout Latin America. The pages to come explain why prosecutors successfully criminalized Odebrecht's corruption in some countries but not others, and explore how voters reacted to these shocking allegations. In so doing, we contribute to broader debates about the determinants and merits of judicial anti-corruption efforts, as well as those regarding the complicated relationship between horizontal accountability and public opinion in contemporary democracies.

A group of Brazilian prosecutors and federal police officers launched Operation *Lava Jato* in March 2014. Within months they were able to map the contours of a prolific corruption scheme at the heart of Petrobras, the state-owned oil company. Petrobras executives had allegedly received bribes in exchange for contracts. They then used intermediaries to launder the money so that it could reach their political bosses, who would in turn use it to finance electoral campaigns. By November 2014 it was clear that at least 11 of the country's largest companies, including Odebrecht, were involved in Petrobras's fraudulent bidding processes. Between 2014 and 2020, prosecutors and judges in the cities of Curitiba, Rio de Janeiro and São Paulo signed 278 leniency and plea bargain agreements with individuals and corporations; arrested at least 546 suspects; conducted 1864 searches and seizures throughout the country; issued 195 indictments; imposed millions of dollars in fines; and convicted 219 defendants. Among those implicated in the scandal was former President Luiz Inácio "Lula" Da Silva from the Workers' Party (hereafter, PT), and congressional leaders, former ministers, and advisors belonging to 28 political parties. Lava Jato thus helped catalyse a political crisis that had been brewing since the protests of June 2013, when citizens took to the streets to repudiate corruption and demand better public services (Alonso and Mische 2016). The investigation complicated, but did not thwart, President Dilma Rousseff's (PT) re-election bid in the second half of 2014. As the case snowballed, it did however contribute to her downfall two years later. Most dramatically, Lula's arrest and conviction transformed the 2018 race and facilitated the rise to power of far-right populist Jair Bolsonaro, whose party went from obtaining a single congressional seat in 2014 to winning 52 seats and the presidency (Hunter and Power 2019).

[1] Nandita Rose, "Warmart to pay $282 million to settle seven-year global corruption probe," *Reuters* (June 20, 2019)

Lava Jato is not only unique in terms of its scope within Brazil; it is also unprecedented in terms of its regional implications. According to the BBC, it amounts to "the largest foreign bribery case in history."[2] The turning point for the internationalization of Lava Jato came in December 2016, when Odebrecht struck a deal with authorities in the United States. It emerged that the company had offered kickbacks to public officials all over the world in exchange for preferential treatment in the allocation of large infrastructure projects. According to U.S. Department of Justice documentation, between 2001 and 2016 Odebrecht "paid approximately $788 million in bribes in association with more than 100 projects in 12 countries, including Angola, Argentina, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Mexico, Mozambique, Panama, Peru and Venezuela" (United States Department of Justice 2016: 7). The company "funded an elaborate, secret financial structure that operated to account for and disburse corrupt bribe payments to, and for the benefit of foreign officials, foreign political parties, foreign political party officials and foreign political candidates" (ibid: 7-8). At the heart of the scheme was the Divisions of Structured Operations, a special unit within Odebrecht responsible for bribe payments and money-laundering. U.S. authorities estimate the company spent approximately $439 million outside Brazil, securing a return of around $1.4 billion (ibid: 16). Table 1.1 shows the figures for Latin America.

Table 1.1 Estimated Cost of Bribes per Country and Returns on Investment

Country	**Total bribes (millions of US$)**	**Return to the company (millions of US$)**	**Return per 1 US$ in bribes**
Argentina	35	278	7.94
Colombia	11	50	4.54
Dominican Republic	92	163	1.77
Ecuador	33.5	116	3.46
Mexico	10.5	39	3.71
Panama	59	175	2.97
Peru	29	143	4.93
Venezuela	98	N/A	N/A

Source: United States Department of Justice, DOCKET NO. 16-CR-643 (2016), https://www.justice.gov/criminal-fraud/fcpa/cases/odebrecht-sa (accessed Novemeber 1, 2018).

Given the source of the allegations, judges and prosecutors outside Brazil were immediately forced to open local chapters of Lava Jato. This event therefore worked as an exogenous shock. However, in countries like Argentina and Mexico, investigators made little or no progress, while in others, such as Ecuador and Peru, the legal and political repercussions have been far-reaching. In Peru, for example, the investigation started with a narrow focus on bribes paid to secure three public works projects, but quickly expanded its remit and wreaked havoc on the political class. Four former presidents, as well as leading opposition figures, capital city mayors and regional governors, have been investigated and ordered to spend time in detention. Most tragically, former president Alan García committed suicide the morning the police arrived in his house ready to arrest him. If one looks carefully, it is not hard to see how Lava Jato also contributed to a presidential resignation in 2018, the

[2] Linda Pressly, "The Largest Foreign Bribery Case in History," *BBC* (April 20, 2018).

shut-down of Congress in 2019, the repudiation of the establishment in the legislative elections of January 2020, and the impeachment of yet another president a few months later.

That corruption around large infrastructure projects is rampant in Latin America is little surprising. If we take Transparency International's Corruption Perception Index for 2015, the year before the internationalization of Lava Jato, only three countries, Uruguay, Chile and Costa Rica, scored above 50%.[3] The rest ranked rather poorly in a list of 167 nations (Table 1.2). What is indeed surprising is that prosecutors in some of these countries were able to launch ambitious investigative efforts with unprecedented zeal and effectiveness. This is all the more remarkable if we take into account that the kind of corruption at the heart of the Odebrecht scandal is incredibly hard to prove, even for the most politically independent and professional prosecution services (Hilti 2021). Crimes orchestrated at the highest levels of government leave behind opaque evidence trails. Criminals exploit their institutional prerogatives to mount sophisticated coverups and deploy intricate mechanisms to camouflage and launder the proceeds of corruption (Della Porta 2001; Bertossa 2003; Joly 2003; Klinkhammer 2013; Martini 2015). We therefore ask: *what explains why Lava Jato gained momentum and delivered results in some contexts and stalled in others?* Our answer looks at the legacy of the reforms to criminal justice institutions that swept Latin America during the 1990s and 2000s. These reforms, however, were not adopted to the same degree across the board, leading to important cross-country differences in the autonomy and organizational structure of the prosecution services, as well as in the legal framework governing corruption investigations. But the explanation advanced here is not purely institutional; it also emphasises prosecutorial agency. We argue that short-term, tactical organizational factors associated with how investigations were planned and executed further determined whether the initial allegations snowballed into a bigger affair.

Table 1.2 Ranking of Latin American countries in Transparency International's 2015 Corruption Perceptions Index

Country	Ranking (out of 167 countries)	Country	Ranking (out of 167 countries)
Uruguay	21	Dominican Republic	102
Chile	23	Argentina	106
Costa Rica	40	Ecuador	106
Cuba	56	Honduras	111
El Salvador	72	Mexico	111
Panama	72	Guatemala	123
Brazil	76	Nicaragua	130
Colombia	83	Paraguay	130
Peru	88	Haiti	158
Bolivia	98	Venezuela	158

Source: Transparency International, https://www.transparency.org/en/cpi/2015/index/ven (accessed 19 February 2021)

For many observers, Lava Jato anticipates a new era of accountability and may even serve as a strong deterrent for those who would otherwise not think twice before engaging in corruption. Critics, by contrast, think that the criminalization of politics during these anti-corruption crusades is a devil in disguise. For example, by casting doubt on the integrity

[3] The CPI uses a standardized scale of 0-100 where 0 equals the highest level of perceived corruption and 100 equals the lowest level of perceived corruption.

of politicians, or putting them in jail (sometimes preventively), courts introduce problematic distortions to the normal course of democratic processes. Moreover, even when inquiries gain momentum like in Brazil or Peru, success on the criminal legal front always remains uncertain and precarious, and therefore generalized disappointment in accountability institutions, and establishment backlash against them, are latent possibilities throughout. Finally, and perhaps more importantly, prosecutorial zeal usually comes at the expense of strict respect for the due process rights of defendants. As we shall discuss at length in this book, investigators deploy aggressive, unorthodox and creative prosecutorial strategies in order to succeed. Without them, it is hard to imagine how transnational corruption networks could ever be uncovered or punished. The problem is that this same toolkit provides the perfect ammunition for defendants and their allies to cry foul. Denouncing "lawfare"[4] while experiencing the wrath of daring prosecutors is obviously an attractive proposition, one that can also make less impassioned observers question the merits of the enterprise. As a result, what in principle is a noble cause can in practice become extremely controversial.

We expect similar nuances at the level of public opinion. Very few voters approve of corruption. In fact, Latin American voters are generally quite concerned about this issue (Table 1.3). For example, in Transparency International's most recent Global Corruption Barometer, 86% of respondents considered that corruption was "quite a big" or "a very big" problem. But because of Lava Jato's ambiguous relationship with democracy and the rule of law, how the public processes these shocks to the system is by no means obvious. The book therefore asks a second set of questions. Does the criminalization of grand corruption by these zealous prosecutors convey a message of further political and institutional decay or one of system satisfaction and possible political regeneration? More specifically: *what kind of emotions and attitudes towards corruption and politics do voters experience when exposed to anti-corruption crusades? Does Lava Jato reinforce or curb political cynicism? Are all Lava Jatos created equal, or does the way in which different investigations unfold shape emotional, attitudinal and electoral responses?*

Table 1.3. How Serious is the Problem of Corruption for Latin Americans? (2019)

Country	No problem at all	Fairly small	Quite big	A very big problem	Don't know
Argentina	1%	5%	41%	52%	1%
Brazil	1%	2%	32%	58%	7%
Chile	2%	12%	48%	37%	1%
Colombia	1%	4%	43%	51%	1%
Costa Rica	12%	5%	34%	48%	0%
Dominican Rep	1%	6%	54%	39%	1%
El Salvador	1%	5%	46%	47%	0%
Guatemala	3%	7%	49%	41%	0%
Honduras	3%	5%	44%	46%	1%
Jamaica	5%	13%	28%	50%	4%
Mexico	3%	5%	49%	41%	1%

[4] "Lawfare" is the strategic use of courts and the law to delegitimize, weaken or neutralize political opponents. According to Comaroff and Comaroff (2006: 30) it refers to "the resort to legal instruments, to the violence inherent in the law, to commit acts of political coercion, even erasure."

Panama	5%	4%	48%	42%	0%
Peru	0%	3%	40%	56%	1%
Trinidad & Tobago	2%	10%	24%	62%	3%
Venezuela	2%	4%	26%	68%	2%
Guyana	8%	28%	21%	38%	5%
Barbados	11%	27%	28%	25%	9%
Bahamas	5%	12%	23%	57%	3%
Average	*4%*	*9%*	*38%*	*48%*	*2%*

Source: Transparency International, https://www.transparency.org/en/gcb/latin-america/latin-america-and-the-caribbean-x-edition-2019 (accessed 9 March 2021)

Anti-Corruption Judicial Crusades

If you spend some time among corruption experts, you will not be surprised to find that one key question drives their advocacy and research: what is the best way to curb the (mis)use of public office for private or political gain?[5] Or to paraphrase Alina Mungiu-Pippidi (2015), how does a society get to Denmark? Not everyone, however, agrees on what the central focus of anti-corruption efforts should be. There are in this regard two competing paradigms, one that emphasizes prevention and gradual norm-building, and another that highlights the need for eradication via targeted law enforcement (Rothstein 2011; Mungiu-Pippidi 2015; Fisman and Golden 2017; Rotberg 2017; Taylor 2018). These paradigms are, of course, not mutually exclusive, but the differences in emphasis are important. While the former camp puts a premium on long-term processes of holistic institutional and cultural overhaul that make both society and state "self-restraining" (Schedler, Diamond and Plattner 1999), the latter prioritizes the strengthening of *ex post* punishment mechanisms, usually those associated with criminal justice systems. In this book we intervene in the normative and policy debate about the merits and complementarities of prevention and enforcement approaches. We do so by studying what one might think of as enforcement "on steroids:" *anti-corruption judicial crusades*.

Anti-corruption judicial crusades consist of sustained and widespread efforts by judges and prosecutors to investigate, prosecute, and punish corruption through the courts. We borrow the term "crusades" from Matthew Taylor (2018: 65). It is used here in its more general acceptation to refer to a big push or offensive against corruption, in the form of an "organized campaign concerning a political, social, or religious issue, typically motivated by a fervent desire for change".[6] The focus is on white-collar crimes involving high-level public officials and businessmen. [7] These crimes are often listed in penal codes as crimes "against

[5] This is the definition of corruption initially proposed by the World Bank (1997) and later adopted in most academic work on the topic. For a discussion of the difference between grand and petty corruption, see Uslaner (2008).

[6] This definition comes from the *New Oxford American Dictionary*, available at https://www.oxfordreference.com/view/10.1093/acref/9780195392883.001.0001/acref-9780195392883

[7] The term "white-collar crime" was famously coined by Sutherland in the 1930s. He defined it as "crime committed by a person of respectability and high social status in the course of his occupation" (Sutherland 1983: 7).

the public administration," and include graft, the supply and receipt of bribes, influence-peddling, embezzlement, illicit enrichment, and money-laundering, among others.

Four characteristics set these crusades apart from routine judicial anti-corruption cases. The first and most important of these is the sheer ***zeal*** with which judges and prosecutors approach the investigation. The courts and prosecution services cease to behave in a reactive fashion. No longer do they merely respond to the odd media exposé or accusation against a member of the political class. Instead, judges and prosecutors become much more proactive anti-corruption agents. This zeal is on display on a variety of fronts. One is the frenzy of investigative and (preventive and definitive) punitive measures adopted during the course of the inquiry. Judicial actors engage in waves of evidence gathering activities, often in a spectacular fashion. For example, they execute search warrants in party headquarters or politicians' homes, and stage televised depositions and plea bargain negotiations with high-profile informants. The crusades also consist of waves of indictments and convictions targeting a variety of establishment figures, many previously considered "untouchable," such as powerful businessmen, elected officials in prominent executive and legislative posts, and high-ranking ministers, advisors and civil servants. Another area in which zeal is on display is the creative interpretation of the legal framework with the goal of easing procedural and evidentiary constraints. This includes the unorthodox use of criminal definitions; the redefinition (some might say, relaxation) of evidentiary standards via unconventional theories of criminal liability; and heavy reliance on plea bargains and leniency agreements. Finally, zeal manifests itself in the rhetoric of moral certainty and virtue often used to justify these aggressive and unorthodox decisions. Judges and prosecutors present themselves as custodians of integrity, who have been called upon to fight against a class of "evil" public officials. They argue for the need to go above and beyond formal terms of reference because the crimes in question are simply too elusive and hard to prove, rendering traditional uses of the law ineffective. In so doing, crusaders declare no room for compromise, although, as we shall see, compromise and punitive selectivity are in practice the keys to success (usually in the form of plea bargain agreements).

Second, is the high level of ***coordination*** between and within various law enforcement agencies, including the courts, the police, and prosecution services (Da Ros 2014). Most notably, anti-corruption crusades tend to be driven by teams of prosecutors, sometimes even special *ad hoc* prosecutorial task forces set up to investigate specific allegations. Team members pool resources to facilitate the attribution of criminal responsibility and the recovery of stolen assets, release troves of information to the public, force a large number of witnesses to parade through the courts, and jealously guard the case. As we will argue extensively in Part I of the book, task forces are uniquely suited to unleash the forces of innovation and mutual protection that help crusades gain and maintain momentum.

Third, anti-corruption crusades consist of a bundle of sequenced prosecutorial and judicial decisions that trigger a ***snowball effect***. Cases usually start with a narrow focus on minor or highly targeted allegations, but quickly grow in scope, producing multiple spinoffs. In this regard, they are rather different from other instances of judicialization of interest to political scientists, which tend to be more discrete phenomena (e.g., rulings on the constitutionality of a law). As a result, we are challenged to think differently about the determinants of judicial and prosecutorial decision-making. In addition to antecedent conditions external to the judicial process – the relative power of defendants, formal institutional arrangements or the ideational make-up of the courts, – we ought to take

seriously more endogenous factors, especially the internal dynamics of the investigation. For this is crucial to understanding what enables or thwarts the snowballing process (Bakiner 2020). A related implication is that the protracted nature of these affairs means there is ample room for contingency and error. And as the stakes rise, those who are threatened by criminalization have incentives to deploy their many resources to orchestrate backlash against the investigators and the entire justice system. The process therefore looks more like a battle and its resolution is invariably uncertain. This high level of uncertainty underscores a key puzzle. Why would investigators embark in such an ambitious and risky enterprise? And when they do so, how do they deal with obstructionist shenanigans? It also raises normative questions. If effectiveness is so elusive and the courts can be compromised, is this the best way to fight corruption?

Finally, the zeal, scope, visibility and subject matter of anti-corruption judicial crusades give them ***eventful*** qualities (Meierhenrich and Pendas 2017). William Sewell conceptualizes "events" as historical occurrences that are "remarkable in some way" and "have momentous consequences" (Sewell 1996: 841-842). Events can be deeply disruptive and transformative of political processes, social structures, and mass attitudes. The various national chapters of Lava Jato are interesting precisely because of this kind of impact beyond the courtroom. The political implications are the most obvious: political careers destroyed, presidential races rebooted, governments collapsed, publics polarized. In some contexts, the investigations also had economic ramifications. For instance, they produced a complete paralysis of the construction sector, a key engine of growth in Latin America. This was because major infrastructure projects were put on hold, and banks became wary of lending to local companies for fear they could also end up implicated in the scandal. Finally, in line with the aforementioned rhetoric of virtue, judges and prosecutors sometimes launched campaigns with the explicit goal of transforming institutions. These campaigns galvanized the agenda of the media and other actors. For example, in addition to multiple other public relations initiatives, Lava Jato prosecutors in Brazil collected over 2 million signatures in support of a legislative package designed to tackle the problem of corruption.

Until recently, the canonical example of anti-corruption judicial crusades was the "Clean Hands" operation, which overhauled the Italian political system in the 1990s. A handful of magistrates had investigated a non-trivial percentage of parliamentarians during each parliamentary period since the 1940s. The number of corruption investigations and prison sentences, however, soared between 1992 and 1994 (Della Porta 2001; Fisman and Golden 2017: 217). As a result, the issue salience of corruption skyrocketed, re-election rates plummeted, and old political parties collapsed. This debacle subsequently led to the rise of anti-establishment sentiments and outsider politicians. Today there are more examples of anti-corruption crusades. One is the work of Nigeria's Economic and Financial Crimes Commission (EFCC) during the 2000s. Created to fend-off international demands for greater transparency, the commission quickly became a nightmare for the local establishment. Between 2003 and 2008, under its first and most autonomous chief prosecutor to date, the EFCC convicted over 250 individuals and recovered billions of dollars (Adebanwi & Obadare 2011). Also established in response to international pressures and sponsored by the UN, the Commission Against Impunity in Guatemala (CICIG) worked closely with a handful of local prosecutors to punish systemic corruption. Until it was dismantled in 2019, the CICIG identified 70 criminal organizations and judicialized dozens of cases. This resulted in

more than 400 convictions, including some against extremely high-profile defendants.[8] A fourth example is the work of Colombia's Supreme Court in the so-called "parapolitics" case. While involving a different kind of corruption – illegal connections between legislators and paramilitary groups rather than big business, – it followed a similar snowballing trajectory and had a seismic effect on local politics. According to Bakiner (2020: 620, ft. 1), "37 of the 102 senators who were elected for the term 2006–2010 were under investigation for parapolitics […] As of March 2014, there were 41 sentences, 18 ongoing trials, 126 preliminary investigations, and 5 acquittals."

This book deepens our understanding of this kind of phenomena by integrating in one study an analysis of both the drivers, impact and merits of anti-corruption enforcement "on steroids." We focus on a spectacular crusade that transcended national borders to upend the politics of an entire region: Operation Lava Jato.

Causes and Consequences of Anti-Corruption Crusades

Part I: Causes

Why do some anti-corruption investigations gain momentum and become crusades, but others stall? Part I of the book tackles this question. In Chapter 2 we introduce a framework that helps us think more systematically about the nature and dynamics of these inquiries. Chapters 3 and 4 use the framework to account for the success and failure of Lava Jato in four Latin American countries.

Some scholars and many politicians (especially those subject to exacting corruption probes), endorse the view that the criminalization of corruption is nothing but "politics by other means." In other words, the criminal legal process is not autonomous from the political dynamics that unfold outside the courtroom. At best, judges and prosecutors respond to indirect political signals to know when they can act and against which groups. At worst, those in power directly weaponize prosecutions to attack their rivals. We begin Chapter 2 with a discussion of why we consider that this perspective is not entirely satisfactory when it comes to explaining anti-corruption judicial crusades, and why we need an account that puts investigators centre stage. Three reasons stand out.

First, seeing judicial actors as purely reactive and cautious, or as mere puppets, does not square well with reality. The investigations are in fact full of twists and turns that result from the decisions of those immediately in charge, sometimes to the benefit and sometimes in detriment of the overall effort. This defies the notion of a perfect principal/agent relationship, or of top-down planning from behind the scenes. Moreover, crusades are defined by widespread targeting, including of powerful establishment figures. In so doing, judges and prosecutors expose themselves to retaliation, not only from defendants but also from their superiors, who may favour impunity or disagree with the theory of the case. Second, crusades do not always reinforce or crystalize the existing balance of power between political forces in the system; they often alter it in quite radical ways. This is because during corruption probes judges and prosecutors have high autonomous damage potential and defensive capabilities that enable them to challenge the dictates of *realpolitik*. As a result, the criminalization

[8] For the CICG's Final Report, visit: https://www.cicig.org/cicig/informes_cicig/informe-de-labores/informe-final-de-labores/ (Accessed February 25 2021).

process need not respond to the preferences and warnings of powerful political elites. Third, even when investigators go after weak actors or pursue lines of inquiry that favour the interests of those in office, criminalizing grand corruption is hard. Voluntaristic accounts are therefore problematic. Overcoming the many obstacles that emerge along the way requires the development of law enforcement agencies with very specific legal and non-legal skills. On the one hand, the crimes leave behind very opaque evidence trails. For example, proving intent is notoriously difficult when corruption is systemic. On the other, the targets of these investigations are never passive bystanders who let prosecutors collapse their businesses or political careers. And as the investigation escalates into much a bigger affair, even those who are not directly threatened by it are likely to join this backlash out of an abundance of caution.

Going back to our characterization of anti-corruption crusades, a more satisfactory framework is one that understands these crusades as an open-ended battle between, on the one hand, a handful of daring rank-and-file investigators, and on the other, politicians and their allies in senior judicial and prosecutorial roles. In particular, the framework ought to locate the origins of the zeal and skills that fuel successful investigations and explain how an inquiry comes to exhibit snowballing dynamics that defy or expand limits of political possibility. To this end, Chapter 2 engages in what Michael Coppedge calls "stylized induction" (2012: 96). We combine general theoretical intuitions with an analysis of well-documented cases (in particular, Italy's Mani Pulite, Brazil's Lava Jato and Nigeria's EFCC), to induce a model of crusades that we then probe in other cases in Chapters 3 and 4. The argument specifies the motives and incentives guiding small groups of prosecutors, with attention to the structure of rules, procedures and organizations within which they are trained and selected (and within which they operate), and also to their agency (and the place of contingency) in the unfolding of specific inquiries. The story consists of a long-term *process* of institutional and organizational change, and three *moments*.

The figure of the prosecutor-hero, which is deep-rooted in the US legal tradition, and is a proven route to power and prestige in that country, is less established in many parts of the globe, including Latin America. This is because the tools and professional role conceptions that enable and predispose prosecutors to play that role (control over the criminal investigation, prosecutorial selectivity, plea bargains, etc.) are recent transplants. What led, then, to the emergence of the hyper-active prosecutors responsible for various national chapters of Lava Jato? How did these individuals come to defy bureaucratic routines, embracing aggressive prosecutorial tactics, innovating with creative interpretations of the law, and nurturing informal relations with witnesses, foreign judicial authorities and the media to tigger productive evidentiary flows and build defensive shields? Our answer starts by identifying three streams of **institutional and organizational change** since the 1980s: the removal of prosecution services from the orbit of executive branches; overhauls to criminal justice systems, in particular, the transition from inquisitorial to prosecutor-cantered accusatorial models; and the legal translation of fledging international anti-corruption norms. These reforms created the necessary space for the emergence of the maverick prosecutors that engineer crusades. They provided minimum levels of political insulation and fostered greater internal independence for the rank-and-file. Furthermore, the reforms made available a better legal framework to tackle macro-criminality, including more precise criminal definitions, the introduction of plea bargains, and the formalization of channels for international penal cooperation. Finally, and more importantly, the reforms led to bureaucratic differentiation within the prosecution services via the creation of units specialized in white-collar crime.

Specialization nurtured expertise, a certain *espirit de corps*, and functional autonomy vis-à-vis senior members of the organization.

Where these reforms were more fully implemented, the likelihood of observing anti-corruption judicial crusades became much higher. Institutions, however, did not overdetermine the emergence of, or the momentum behind, Lava Jato. Reforms never fully eliminated slackers within prosecutorial bureaucracies, insulated the zealous from undue pressures, or broke ties between politicians and senior law enforcement agents. A lot could therefore still go wrong after the various inquiries started, both in terms of evidence-gathering and obstructionist shenanigans. To understand how seemingly minor revelations snowballed into crusades, we must get closer to the events in question. Here is where we introduce our three "moments." The goal is to recognize the role of contingency and prosecutorial agency in the story.

First is the **moment of serendipity**, during which chance discoveries are responsible for igniting the investigative fire. One can easily imagine counterfactual worlds in which the inquiry never happens. Second is the **moment of agency** during which prosecutors make strategic choices to unravel complex criminal networks in information-poor environments and operationalize the potential created by institutional change. The key at this stage, we argue, is the deployment of aggressive investigative strategies on a variety of fronts: pretrial detentions, plea bargains, international cooperation, and the use of criminal definitions. This involves plenty of risky choices, so prosecutors need to proceed with great care. A lot hinges on the knowledge endowments and professional role conceptions nurtured by the aforementioned reforms, as well as on individuals' predisposition to accept risk. But one central factor that facilitates the kind of agency that sets in motion the snowball effect is the extent to which investigators operate under the umbrella of a *task force*. We draw from theories of small group dynamics in economics and psychology to explain why this kind of teamwork is likely to lead to more adequate conceptualizations of the criminal phenomenon, evidentiary economies of scale, innovation, a strong sense of purpose, and the building of protective shields. Task forces trigger positive feedback loops, optimizing investigative strategies, cementing a commitment to the case, and increasing leverage vis-à-vis powerful defendants. Finally, is the **moment of backlash**. We note that establishment actors almost invariably react to the prosecutorial threat and often do so successfully. Including this phase in the model is not only important to achieve descriptive completeness, but also because it helps underscore the precarity of victories on the criminal legal front. Furthermore, the regularity of backlash and the fact that prosecutors fully expect it, puts into sharper focus the puzzling nature of the initial decision to launch a serious investigative effort.

In sum, we argue that a combination of greater institutional autonomy, expertise attained via processes of organizational specialization, and strategic cooperation in small investigative task forces, allowed some prosecutors to decisively challenge the political establishment. This challenge, however, triggered fierce resistance, and containment efforts often proved quite effective.

Empirical strategy

One of the innovations of this book is to compare cases of crusades with cases of investigative failure. This allows us to better understand the conditions under which the synergies responsible for the snowball effect flourish, and where exactly things can go

terribly wrong. To do so, we leverage important similarities between the national chapters of Lava Jato outside Brazil, including the fact that they all started simultaneously as a result of the same exogenous shock in December 2016. Chapter 3 relies on official documentation and elite interviews to process trace Peru's Lava Jato, arguably the most ambitious and consequential branch of the inquiry after the Brazilian one. We show that a sequence of institutional and organizational changes consistent with those discussed in Chapter 2, created a more hospitable environment for proficient and innovative anti-corruption investigations. In particular, we identify a process of bureaucratic differentiation within the prosecution services that created autonomous spaces for the development of investigative capabilities, despite the persistence of corruption and political obsequiousness at the top of the institution. Crucially, however, Lava Jato struggled to take off until all lines of inquiry were placed under the purview of a unified task force. We thus exploit within case variation in this key aspect of the prosecutorial strategy to show the benefits of teamwork on the evidentiary and defensive fronts. One important consequence of the decision to pool together investigative resources was the signing of a comprehensive cooperation agreement with Brazilian authorities and Odebrecht, which made available the evidence necessary to crack the case.

Some might argue that the destructive force of Lava Jato in Peru had little to do with institutions or prosecutorial agency and is more parsimoniously explained with reference to the structural weakness of Peruvian parties.[9] In other words, investigators were hunting lions in the zoo. Chapter 4, which similarly relies on secondary sources, official documentation and elite interviews, takes us further afield to explore how Lava Jato unfolded under different political conditions. Ecuador, another positive case, allows us to show the heuristic value of our explanation when defendants are much stronger than those in Peru. We document how institutional change nurtured bureaucratic capacity to investigate corruption, and further demonstrate the critical role that task force creation plays in engineering crusades. For example, the Ecuadorian task force displayed great dexterity in securing international penal cooperation, a cornerstone of punitive success. Mexico and Argentina are our negative cases. They both lack the type of autonomy-enhancing and capacity-building reforms we see in other countries. We show that one consequence of a partial or deficient reform process is that corruption investigations rarely fall in expert hands and easily fall prey to political shenanigans. Furthermore, the Argentine case allows us to clearly see that without the synergies associated with teamwork inside a task force, prosecutors were unable to break the walls of silence that haunt anti-corruption inquiries. As a result, the moment of agency never materialized, and the case failed to gain momentum despite initially benefiting from a generous window of political opportunity.

Part II: Consequences

One of the key lessons from Part I is that the prosecutorial tactics that propel crusades forward also make them controversial, creating tensions between accountability, democracy and the rule of law. What do voters make of crusades? In Part II we shift gears and focus on the public opinion impact of anti-corruption judicial crusades. Crusades are "eventful" in part because they subject politics to a supply shock: they sully the reputations of political elites and sometimes even lead to the exclusion of candidates from key races. In this book, however, we are interested in the impact they have on the demand side of politics. But rather than focusing narrowly on the impact of corruption on voting behaviour, we are interested in

[9] On Peru's democracy "without parties," see Cameron and Levitsky (2003) and Muñoz (2019)

how crusades shape more general dispositions at the heart of accountability choices. Do crusades signal political regeneration or further political decay? Do they make voters more politically cynical or more trusting in the possibility of changing politics? We posit that the road to cynicism (or a more productive engagement with politics) is paved with emotions, as well as complex interactions between pre-judicialization attitudes – e.g., partisanship and trust in (judicial) institutions – and the spectacle that unfolds in the courts.

While voters generally dislike corruption and should in principle welcome its criminalization, the message that the crusades project is likely more ambiguous. Chapter 5 begins by identifying two possible stories. On the one hand, citizens can plausibly interpret the criminalization of corruption as a sign of the system's ability to disrupt "business as usual." These efforts dramatize a country's potential for political regeneration. Courts are well positioned to convey such messages because their rituals and procedures endow them with symbolic capital, what some scholars call "the myth of legality" (Scheb and Lyons 2000). Anti-corruption crusades can therefore elicit feelings of system satisfaction that generate hope and enthusiasm, undermining cynical attitudes towards politics and leading to a virtuous cycle of critical engagement. One the other hand, by disclosing authoritative evidence of wrongdoing on a grand scale, judges and prosecutors may actually reinforce political cynicism. A system shown to be rotten at its core inspires emotions such as anger, fear or worry, and the generalized feeling that little can be done to change reality. This cynicism could ultimately lead to greater tolerance for corruption or political withdrawal. In addition, optimists are perhaps too naïve in believing citizens will buy into the "myth of legality." Even if judicial actors are above good and evil, so to speak, some voters will repudiate any measure taken against politicians they support. Among other groups, the selectivity at the heart of these inquiries (e.g., plea bargains, leniency agreements), coupled with the uncertainty of the legal process, may quickly produce disillusionment. Finally, courts are not always above good and evil precisely because the zeal that fuels the crusade is extremely controversial and in tension with the rule of law. This inevitably undermines the "myth of legality."

Our argument in Chapter 5 indicates that the optimistic narrative can indeed materialize, but under a limited set of conditions. First, it depends on whether the public conversation is strongly dominated by a discussion of the crimes (i.e., what prosecutors reveal about the nature of politics). A crime-focused conversation becomes a negative information shock and a breeding ground for cynicism. If, by contrast, voters also pay attention to the investigative effort (i.e., the judicial attempt to solve these problems), it is possible to see the activation of the mechanisms of system satisfaction associated with the optimistic account. We posit that this first condition is likely a function of the media environment, but also of voters' baseline attitudes, including their pre-existing levels of cynicism and trust in the judiciary. Second, when citizens discuss the investigative effort, how do they evaluate it in terms of its fairness and effectiveness? Perceptions of fairness and effectiveness are critical because they support the construction of the myth of legality, determining whether attention to the judicial effort elicits hope and system satisfaction or diametric reactions. These evaluations are complicated by objective features of controversial prosecutorial tactics, but also by existing biases, including partisanship. When voters see procedural failures, for whatever reason, the space for optimism narrows and they revert to cynicism.

Empirical Strategy

Anti-corruption judicial crusades are messy and protracted sagas. Their effects are also likely conditional and heterogenous. This means there are no silver bullets to assess impact. We therefore adopt a multipronged empirical strategy that subjects the argument to various partial tests based on original focus group and (experimental) survey data from Brazil and Peru. These cases allow us to probe how crusades play out in very different contexts: Brazil features polarization and Peru generalized disaffection. The main takeaway is that even if crusades mount a fight against a phenomenon that most would like to see eradicated, the effect is not straightforwardly positive. What we see, rather, is an exacerbation of existing trends towards more division or disenchantment.

In Chapter 6 we rely on focus groups conducted in Brazil and Peru to map the contours of the public conversation elicited by Lava Jato. First, the focus group protocols included questions and activities (emotion mapping and personification games) to explore whether voters associate the Lava Jato "brand" with the problem of corruption (the crimes) or its solution (the judicial effort), and how those associations are linked to emotional and attitudinal reactions. We find that Peruvians focus mainly on the crimes, what some of them called the "cockroaches." Brazilians, however, are more evenly divided between both orientations, with some seeing "superheroes." This is accompanied by a contrast in emotions and attitudes: Peruvians overwhelmingly voice negative emotions and cynicism; reactions in Brazil are more mixed. Text analysis of newspapers and surveys suggest these differences may be due to contrasting media environments and baseline attitudes towards judicial institutions. Second, the chapter dives deep into voters' fairness and effectiveness evaluations. The debate about these issues is more intense in Brazil due to higher levels of political polarization (Samuels and Zucco 2018). Supporters of the PT feel victimized by Lava Jato; their rivals passionately defend it. Diverging assessments thus separate those who find reasons for hope from those who derive little satisfaction from criminalization. This shows that opening a space for optimism comes at the expense of nasty feuds. By contrast, Peru features no partisan fervour and universal political distrust. As no one feels particularly victimized, Peruvians talk little about judicial bias; instead, they focus on the crimes. When prompted to do so, participants do not see prosecutorial efforts through partisan lenses. They cannot, however, get past their cynicism, and are deeply sceptical of the merits and potential of Lava Jato. In particular, voters are critical of the trade-offs at the heart of the prosecutorial strategy. Peruvians smell the scent of betrayal. In the end, a citizenry that is hopelessly cynical to begin is prone to stick to its priors about the irredeemably crass nature of politics.

In Chapter 7 we use extensive observational and experimental survey data from Brazil to continue probing our argument. The effects of Lava Jato are unlikely to be straightforward or uniform. They rather depend on perceptions of fairness and effectiveness, which are in turn shaped by dispositions toward institutions such as political parties and the courts. We begin the chapter by further documenting Brazilians' divided attitudes toward Lava Jato with survey data that measures public support for the operation and perceptions of its fairness and effectiveness. Regression analyses shed light on these rifts and identify their correlates. As expected, attitudes toward the crusade are largely determined by partisan preferences and levels of trust in courts. Second, we turn to a series of experiments that allow us to study more directly the impact of different aspects of Lava Jato on public opinion. A vignette experiment conducted in 2017 manipulates competing frames that attribute the strike against corruption to different actors. We investigate whether the centrality of judicial institutions in an anti-corruption campaign elicits emotions and attitudes in a more optimistic direction. Another vignette experiment also conducted in 2017 manipulates perceptions of Lava-Jato's

impartiality and efficiency. We use this study to assess whether the positive effects of anti-corruption crusades are more likely when courts are able to clearly project the myth of legality. Finally, a question-order experiment explores whether thinking about the problem of corruption with reference only to criminal activity or to the judicial effort mounted against it (and its procedural failures), has consequences for emotional and attitudinal reactions.

Finally, Chapter 8 takes us back to Peru to subject the argument to a final set of empirical tests. The first part of the chapter assesses whether attitudes towards the prosecutorial task force and related emotions alter the accountability equation. We use original observational survey data to probe whether levels of satisfaction with the Lava Jato task force correlate with positive/negative emotions as well as with more or less optimistic prognoses about the future of corruption. We also study if emotional reactions are associated with voters' varying propensities to tolerate corruption, finding that positive emotions are indeed linked to severity and negative ones to leniency or resignation. A conjoint experiment then allows us to directly assess whether the task force, by virtue of its visibility and reputation, indeed induces voters to impose greater penalties on politicians than other sources of corruption allegations. Optimists maintain that crusaders have special qualities that impact voters in ways that other anti-corruption agents cannot. If optimists are right in thinking that large-scale criminalization efforts undermine cynicism or lead voters to engage proactively with the system, accusations that benefit from the Lava Jato brand should elicit tougher sanctions. The experiment shows that at least in Peru, this seems to be the case. The second part of the chapter leverages another conjoint experiment to document how voters respond to the trade-offs at the heart of the prosecutorial effort, and thus better understand why these investigative choices complicate citizens' relationship with the crusade. Given the characteristics of corruption crimes, obtaining incriminating evidence requires deals with those who participated in the criminal enterprise. In Peru, the case gained momentum precisely when the prosecutors negotiated an information-sharing agreement with Odebrecht. The cost of the deal was quite high: immunity for executives, a cap on the fines imposed on the company, and the green light to continue contracting with the state. The conjoint reveals that Peruvians are quite reluctant to endorse such concessions. Together with our findings in Chapter 6, this result underscores how hard it is for prosecutors to effectively dramatize the "myth of legality."

All three empirical chapters support a broader point we make in Chapter 5, namely that during crusades, corruption ceases to be a valence issue. Citizens interpret these institutional efforts in quite different ways, depending on their attitudinal and political priors as well as on the kind of behaviour they see in the courtroom. Ultimately, the kind of judicial and prosecutorial tactics that made these crusades possible prove much more controversial in the eyes of voters than many naïve observers initially expected.

This last point, together with the virulent political battles over criminalization we describe in the first part of the book, suggest that crusades are likely to scar politics and society. Importantly, they also trigger debates about where to place the limits of the legal mechanisms available to combat corruption. One key question that ensues is how much corruption we should tolerate in the name of democracy and the rule of law. After discussing the implications of the book for theories about the sources and effects of weak institutions, as well as for political behaviour models, Chapter 9 engages directly with these normative issues. The goal is to identify the (de)merits of criminalization of as a pro-transparency tool, zeroing in on the challenges we face to strike a balance between accountability, on one hand, and political stability, due process and competitive elections, on the other. A comparison with

human rights prosecutions, an area that in Latin America was once marred by similar politico-legal debates, points to the importance of engaging in efforts to "norm" criminalization initiatives in order to render prosecutions less polarizing and their outcomes less precarious, and ultimately lower their political voltage.

Contributions

We conclude this Introduction with a discussion of the book's broader contributions to three areas of academic inquiry.

First, our analysis of the drivers and impact of Lava Jato in Latin America contributes to debates about best practices in the struggle against corruption. While a consensus exists that corruption is a serious threat to economic well-being and democratic quality, scholars often disagree in their conceptualization of the problem and its solutions (Rothstein and Varraich 2017). Democratic theory, for example, expects that elections will serve as an effective antidote, simply because voters seek to maximize government efficacy over time (Fearon 1999). Unfortunately, however, a large body of research shows that electoral accountability for corruption is weak and inconsistent (see below). In light of this disappointing evidence, most commentators have come to favour more comprehensive fixes, in part because they see corruption not as a problem of individual agents overriding their principals, but one of collective action. Systemic corruption generates norms and incentives that reinforce perverse equilibria (Rose-Ackerman and Palifka 2016; Fisman and Golden 2017). For some, changing the course of history therefore requires exogenous shocks that radically modify elite behaviour and preferences for reform, such as severe economic crises or military defeats (Rothstein 2011). This recipe is unsatisfactory from a policy-making perspective because shocks of this kind are not only costly, but also extremely rare and fortuitous. Others place their hopes in enlightened leadership, but once again, societies could just end up "waiting for Godot" or simply embracing highly precarious transformations (Rotberg 2017). Finally, yet another group points to the importance of incremental reforms that strengthen oversight capacity and reduce both motives and opportunities for corruption (Gingerich 2013; Mungiu-Pippidi 2015; Taylor 2018). While this approach has the potential to deliver holistic transformations, the piecemeal introduction of institutional change can be incoherent and quickly lose steam in contexts of systemic corruption.

We examine one additional fix that combines characteristics of the aforementioned approaches. Anti-corruption crusades, a strategy of radical enforcement, are fuelled by an unorthodox prosecutorial *modus operandi* that gives bite to institutional reforms. Importantly, investigators succeed when they cease to see corruption as the result of circumstantial moral failure and conceptualize it as a systemic deficit. Moreover, the snowball effect gives crusades the shock-like qualities that some analysts prefer. The shock, however, is not dependent on rare historical junctures like military defeats or on exceptional personalities. Instead, it is firmly anchored in pre-existing horizonal accountability institutions.

Unlike other country-specific studies of anti-corruption crusades (Della Porta 2001; Della Porta and Vanucci 2007; Chang et al. 2020; Manzi 2018; Taylor 2018; Lagunes and Vejnar 2020; Mota Prado and Rodriguez Machado forthcoming), ours is explicitly comparative. This allows us to provide a more comprehensive conceptualization of the nature and dynamics of the phenomenon, identifying what needs to obtain for a crusade to happen and realize its potential as a remedy for corruption. We do this with a one eye on the

evidentiary and political challenges that make these inquiries so difficult, and another on the conditions that favour the human and institutional capital required to overcome them. We conclude that the organizational autonomy of the prosecution services, as well bureaucratic differentiation and specialization within them, are central pre-conditions for success. So are certain short-term decisions, such as the creation of task forces or the activation of formal and informal channels of international cooperation. In addition, the book provides new insight into the shortcomings of anti-corruption crusades. We accomplish this through a careful reconstruction of the process in a small number of cases, as well as through original public opinion data. This allows us to shed light on their precariousness and the complicated relationship between prosecutorial zeal, the rule of law, and democracy. With this in mind, our conclusions in Chapter 9 compare corruption prosecutions to other controversial instances of judicialization, including human rights prosecutions, to draw policy lessons about the ways in which these proceedings could be improved. We focus on how investigators could still make the rules bite without simultaneously compromising the kind of political order they seek to strengthen.

Second, the book contributes to the comparative judicial politics literature. As Julio Rios-Figueroa eloquently put it, "the bulk of social science research on judicial institutions focuses on courts and judges forgetting the prosecutorial organ and the prosecutors – as if scholars working on these topics had never watched *Law & Order*" (2015: 196). Colleagues may be forgiven for this oversight. After all, hyperactive and involved *Law & Order*-type prosecutors are quite new to many legal cultures, including those of Latin American countries. But as the role of these actors is gradually redefined, and their behaviour becomes more consequential and disruptive, unpacking the make-up and dynamics of the prosecutions services is all the more relevant. That prosecutors are now the protagonists of some spectacular dramas associated with judicial politics, foreshadows an era of intense battles over their autonomy, including struggles over resources as well as over who they are and how they think. This book equips us for the analysis of these likely developments.

We build on existing work (notably, Langer 2004; Tonry 2012; Michel 2018a) to locate the institutional roots of prosecutorial empowerment, with a substantive focus on corruption investigations in Latin America. We trace how constitutional autonomy from the executive and the judiciary, the introduction of adversarial proceedings, and the adoption of new criminal definitions and procedural tools inspired by international law, crystalized and sharpened the institutional lens through which some rank-and-file prosecutors understand, plan and execute their horizontal accountability functions. Scholars who've turned their attention to prosecutorial organs, put forward explanations for empowerment and greater effectiveness that emphasize formal independence, international pressure and assistance, and synergies with civil society organizations (Brinks 2008; Michel and Sikkink 2013; Burt 2016; Gonzalez-Ocantos 2016a; Gallagher 2017; Michel 2018a). A lot of this research is on human rights violations, hence the central role of civil society. As we explore in more detail in Chapter 9, corruption cases are different in that there are no "victims," narrowly defined, that can jolt prosecutors into action. Our account is therefore more similar to those that concentrate heavily on institutional overhaul. But rather than reducing change to improvements in formal independence, we explore the endogenous mechanisms of empowerment that follow these reforms. We are particularly interested in understanding how gains in formal independence translate into effectiveness (or what Hilbink (2012) calls "positive independence"). The focus is then on organizational changes, mainly the kind of bureaucratic differentiation, specialization, and teamwork that boost investigative capacity.

In so doing, we also engage broader theories of judicial behaviour, taking them for a spin in the realm of prosecutors. We join those who argue that we cannot understand the interactions between judicial actors and politicians, including the dramas surrounding anti-corruption crusades, without considering the production and reproduction of professional ideologies and role-conceptions (Hilbink 2007, 2012; Woods and Hilbink 2009; Couso 2010; Arantes 2011; Ingram 2015; Gonzalez-Ocantos 2016). In other words, the politics around judicial and prosecutorial decision-making are not just a game between rational, utility-maximizing actors; they are also a function of organizationally embedded individuals who develop, and abide by, institutional norms, standards and missions (Gilman 1999; cf. Segal and Spaeth 1993; Epstein and Knight 1998; Helmke 2005). This helps explain why relatively weaker players, such as judges and prosecutors, sometimes "irrationally" enter into collision course with the establishment. Specifically, we trace changes to prosecutorial institutions in Latin America with attention to the ways in which those changes altered the professional outlook of a new generation of law enforcement actors and made available the tools required for them to live up to those expectations. Unlike most accounts of judicial decision-making, however, we go beyond factors that are purely external and temporally prior to the court proceedings of interest, including judicial ideologies, formal rules, the incentives induced by the relative power of defendants, or the inputs of litigation. As recent work suggests, judicial power to decide certain things, or the professional/personal predisposition to do so, may actually be a function of experiences and developments *during* the course of a legal battle (Bakiner 2020). Specifically, judicial or prosecutorial agency, can, in the short term, transform the conditions of political possibility for certain outcomes. This could be the consequence of evidence-gathering, penal or public relations efforts that weaken adversaries or reinforce investigators' resolve to obtain particular results. The book thus contributes to the literature by adding a layer of complexity and contingency to our understanding of the conditions that favour the effective exercise of judicial and prosecutorial power.

Third, the pages to come intervene in debates among political behaviour scholars about the relationship between corruption and public opinion. Over the last decade or so, political scientists have increasingly deployed sophisticated methods of causal inference to explore whether voters punish corruption or acquiesce. The results suggest that the electoral punishment of corruption is inconsistent at best and non-existent at worst (for a review, see De Vries and Solaz 2017; for a metanalysis, see Dunning et al. 2019). Accountability chains involve a number of complicated steps, from information acquisition to blame attribution, so a lot can go wrong in the process. But these disappointing results could also conceal the more worrying sign that citizens in many parts of the world have simply come to normalize corruption (Pavão 2018). To think systematically about this possibility, we recover the concept of "political cynicism," which used to be central to debates about disaffection and trust in American politics (Agger et al. 1961; Citrin 1974; Miller 1974). Daily exposure to systemic corruption may turn voters into cynics who conclude that the exercise of accountability functions is futile. A resolute drive to enforce anti-corruption norms, we speculate, may unleash forces that counter this vicious cycle. This is especially true in the new era of social media. In contrast to previous crusades, for example, Italy's Mani Pulite, the active use of social media during daily citizen interactions, magnified the salience of Lava Jato's sweeping horizontal accountability push.

The book constitutes the first attempt to study the conditions under which this might be the case. Rather than offering yet another test of the limits of vertical accountability for corruption, we look at how criminalization efforts impact the relationship between voters and

corruption, as well as the attitudinal foundations of existing channels of political representation. In so doing, we integrate various methodological tools, and crucially, incorporate the role of emotions, exploring how voters feel about these shocks and whether those feelings are associated with more or less cynical perspectives. This is in line with recent work that sees attitudes as shaped not only by resources and socialization, but also by more immediate, emotion-driven forms of cognition (Valentino et al. 2011; Albertson and Kushner Gadarian 2015; Webster 2020). The conclusion is that cynicism most likely deepens when voters experience crusades, either because crusades confirm negative priors about politics or because judicial efforts prove less than credible attempts to eradicate corruption. This offers new perspectives on the vexing puzzle of why corruption does not seem to carry much weight in voting decisions.