



[Unpublished articles]

The 'othering' mechanisms in the fight against political corruption

Os mecanismos de othering no combate à corrupção política

Amélia Coelho Rodrigues Maciel¹

¹ Universidade Estadual do Piauí (UESPI), Teresina, Piauí, Brasil. Centro Universitário Doutor Leão Sampaio (UNILEÃO), Juazeiro do Norte, Ceará, Brazil. E-mail: ameliacoelho@ymail.com. ORCID: <https://orcid.org/0000-0002-5396-4255>.

Article received on 21/05/2022 and accepted on 24/02/2023.



This is an open access article distributed under the terms of the Creative Commons Attribution 4.0 International License.



Abstract

This article analyzes corruption as a new version of othering. Based on theoretical research, the objective is to investigate the linguistic-discursive dimension of constructing the corrupt other given the neoliberal interests of capital accumulation. First, a study is carried out on the concept of othering, based on the theoretical framework of Spivak (1985) and Said (1995), among others complementary, such as the literature that discusses Latin Americanism. Then, the mechanisms and versions of othering are analyzed, such as the humanitarian, civilizing, Human Rights, degraded land, and development mission, based on studies by Backhouse (2013), Chimni (2003), Costa and Gonçalves (2016; 2011) and Gonçalves (2017; 2015; 2012). Afterward, corruption is studied as a new version of othering, based on Bratsis (2014) and Hindess (2005), among others. Finally, the Lava Jato operation is analyzed as an othering experience in recent Brazilian political history, based on research by Ramina (2020 and 2021), Proner (2019), Romano (2021), Koheler (2015), in addition to other Latin American authors.

Keywords: Corruption; Othering; Neoliberalism.

Resumo

Este artigo analisa a corrupção como uma nova versão de *othering*. O objetivo é distinguir, com base em pesquisa teórica, a dimensão linguístico-discursiva da construção do *outro corrupto*, tendo em vista os interesses neoliberais de acumulação de capital. Primeiro é realizado um estudo sobre o conceito de *othering*, com base no referencial teórico central de Spivak (1985) e Said (1995), além de outros complementares, como a literatura que discute o *latino-americanismo*. Em seguida, são analisados os mecanismos e as versões do *othering*, como a missão humanitária, civilizatória, dos Direitos Humanos, da terra degradada e do desenvolvimento, a partir dos estudos de Backhouse (2013), Chimni (2003), Gonçalves (2017; 2015; 2012) e outros. Posteriormente, a corrupção é estudada enquanto nova versão de *othering*, com base em Bratsis (2014), Hindess (2005), dentre outros. Por fim, é analisada a operação Lava Jato enquanto experiência de *othering* na história política brasileira recente, com base nas pesquisas de Ramina (2020 e 2021), Proner (2019), Romano (2021), Koheler (2015), dentre outras autoras e autores latino-americanos.

Palavras-chave: Corrupção; Othering; Neoliberalismo.



Introduction

It is not new that the issue of state political corruption has occupied a central place in political discussions, among international organizations, and in academic research (BRATSIK, 2014, 2006, and 2003; JOHNSTON, 2005). Generally, analyses of corruption are limited to linking it to the central cause of economic and social problems, especially in developing countries (BRATSIK, 2014, p. 106; WEI, 1999, p. 25). By blaming the corruption of governments for all the economic, social, and political problems in Latin American countries, especially governments that are more focused on national social concerns, they hide the responsibilities of the asymmetrical international system, as well as the injustices caused by the expansion of capitalism to the global peripheries (ROMANO, 2020, p. 22). This is why Bratsis (2014, p. 108) notes that the "this internationalization of the question of corruption also functions as the most recent repetition of the colonialist point of view". It also functions as another "White Man's Burden" (BRATSIK, 2014, p. 118), in which the central capitalist countries, through their international organizations, have to confront the lack of administrative probity in the peripheral countries with the apparent idyllic intention of developing democracy, good use of public goods and development in these states.

For a long time, each nation's corruption problem was a fundamentally internal concern. States' political corruption became an international concern with the end of the Cold War, the deepening of neoliberal policies, and the pressure to overcome national barriers to global capitalism's strategy (TANZI, 1998). In this sense, Miranda notes a change in attitude in the literature on corruption in the 1980s and 1990s, where the theme of state reform took shape due to the substantive support of international multilateral agencies (MIRANDA, 2018, p. 241). Bukovansky (2006) examines in detail the recent role played by agents and representatives of transnational capitalism, such as USAID, the World Bank, the Open Society Institute, the United Nations, the IMF, and the OECD, in combating political corruption in developing states. During this same period, in 1993, Transparency International, an important international anti-corruption organization, was founded. If corruption was previously seen as a grease "necessary to make an inevitable and ineffective state bureaucracy work" (MIRANDA, 2018, p. 241), in this new conjuncture, authors such as Lambsdorff (2007) come to perceive corruption as a factor that restricts the contractual space available to agents and prevents them from committing to honest



negotiations. This corruption, classified in the literature as bureaucratic corruption (JAIN, 2001; BRATSI, 2014), is an obstacle to transparency in transactions and the impartiality of public officials. According to Bratsis (2014, p. 111), "Transparency International, Exxon, Shell, and the IMF do not seem particularly concerned about the role of private interests, especially their own, within the policy-making process and certainly are not out to challenge the influence of the economically powerful within politics.". The concern is with corruption that undermines the predictability and calculability fundamental to developing the private sector, especially the transnational sector.

Among the various studies on political corruption, few investigate its function and meaning in capitalist societies in a critical analysis of the state, investigating the speculative constructions around it.¹ Few studies investigate the militancy of international organizations in the fight against political corruption in undeveloped countries, relating it to the *othering* mechanisms in view of the interests of transnational capital in the current neoliberal context. This is the aim of this article. Undeniably, corruption has a devastating impact, especially on maintaining public social policies, severely impacting the most vulnerable social strata². Without a doubt, it must be fought. On the other hand, it is equally important to problematize the work of anti-corruption organizations, especially international ones. Are there any parallels between the concomitant rise of neoliberal theory and policies and the anti-corruption programs of international organizations? Why did corruption suddenly come into the spotlight after 1996? Is it possible to see any relationship with *othering* mechanisms?

¹ Like Kaarl von Holdt (2019), who, in his research on the political economy of corruption in South Africa, recognizes that "Corruption is a mechanism of class formation, rather than primarily a moral or criminal issue" (HOLDT, 2019, p. 03).

² In the state of Rio de Janeiro alone there are a variety of corruption scandals, involving different political groups, in which six former governors have already been charged with the crime (as of this writing). In public health alone, from 2007 to 2020, corruption and fraud schemes in health management diverted at least R\$1.8 billion from the state's public coffers (COELHO; BRITO, 2020 / COELHO, Henrique; BRITO, Carlos. Corruption schemes have siphoned off almost R\$1.8 billion from Rio de Janeiro's health system since 2007; the amount exceeds spending on the pandemic. G1 Rio de Janeiro, 2020. Available at: <<https://g1.globo.com/rj/rio-de-janeiro/noticia/2020/09/29/esquemas-de-corrupcao-desviaram-quase-r-18-bilhao-da-saude-do-rj-desde-2007-valor-supera-gastos-com-a-pandemia.ghtml>>. Accessed at: 30, Dec 2022). On a national level, President Bolsonaro and his family have traded 107 properties in the last three decades, 51 of which were acquired totally or partially using cash, according to their own statements (HERDY; PIVA, 2022 / HERDY, Thiago; PIVA, Juliana Dal. Half of the Bolsonaro clan's assets were bought in cash. UOL Política, 2022. Available at: <<https://noticias.uol.com.br/politica/ultimas-noticias/2022/08/30/patrimonio-familia-jair-bolsonaro-dinheiro-vivo.htm?cmpid=copiaecola>>. Accessed at: 30, Dec 2022). In the current moment of transition from the end of the Bolsonaro government to the beginning of the new Lula government, there is discussion about how to reverse R\$20 billion from the rapporteur's amendments, known as the secret budget, used to buy votes from parliamentarians, declared unconstitutional by the Federal Supreme Court.



Based on theoretical research, we first study the othering concept to achieve the objective of distinguishing the linguistic-discursive dimension of the construction of the corrupt other, given the neoliberal interests of capital accumulation. This part has as its central theoretical basis Spivak (1985) and Said (1995), as well as other complementary ones, all focused on the analysis of *othering*, such as the literature that discusses *Latin Americanism* (MENDIETA, 2005; CORONIL, 1996; MIGNOLO, 2003; CASTRO-GÓMEZ, 1996; CAMAYD-FREIXAS, 2013; LÓPEZ-CALVO, 2012; NAGY-ZEKMI, 2008; CIVANTOS, 2013; RAMOS, 2012). Next, the *othering* mechanisms and their versions are studied, such as the humanitarian or civilizing mission, human rights, degraded land, and development. The theoretical references for this moment are Anghie (2005), Backhouse (2013), Chimni (2003) and Gonçalves (2017; 2015; 2012). With these assumptions, I analyze the *othering* process through the anti-corruption discourse, that is, the formation of the *corrupt other* and its consequences, such as the discourse of development, good governance, and the presentation of the neoliberal agenda³ as a solution. Here, the study takes as its theoretical reference the analyses of Bratsis (2014), Dowbor (2012), and Hindess (2005). Before the final considerations, Operation Car Wash is analyzed as an *othering* experience in recent Brazilian political history, based on research by Ramina (2020 and 2021), Proner (2019), Romano (2021), Koheler (2015), among other Latin American authors.

What is othering

The inequality established through imperialist expropriation is rationally justified through the linguistic-discursive dimension of the other as inferior, prejudiced, backward, and corrupt. The elaboration of the idea of an *Other* is an instrument used to create "the representation of a different person by resorting to stereotyped figures to establish positive values for one's own cultural identity" (GONÇALVES, 2017, p. 1055). *Othering can be translated into Portuguese by the neologisms "outremização", "outramento", or "outerização", i.e., the process of constructing another.* Ashcroft et al. (2007, p. 156) state

³ Generally and briefly, neoliberalism relates to the variety of government projects aimed at privatizing public sector institutions, with the intention of incorporating this space that was outside the circuits of capital, expanding the sphere of competition, heating up the market and promoting individualism and competition in place of public provision.



that the term refers to how imperial discourse creates its *other* and describes how colonial discourse produces its subjects. "In Spivak's explanation, the other is a dialectical process because the colonizing Other is established at the same time as its colonized others are produced as subjects" (ASHCROFT *et al.* 2007, p. 156). It was used as a theoretical concept systematized by G.C. Spivak in his 1985 article *The Rani of Sirmur: An Essay in Reading the Archive* (1985). However, it is based on various philosophical and theoretical traditions, primarily Hegel⁴, Beauvoir⁵, and Lacan⁶ (JENSEN, 2009, p.7-9) and the post-colonial approach of Edward Said (1995). Currently, this concept is studied based on Spivak and Said and other complementary ones, including Latin American literature.

The hierarchical relationship between *Other* - theorized by Hegel (1992) in the dialectic of master and slave, expanded by Beauvoir (2009) to the gender relationship and used by Lacan (1979) to explain the formation of subjectivity - is transposed to post-colonial studies. The colonizer is perceived as the *Other*, while the colonized is the *other*. The classic book *Orientalism* by Palestinian literary critic Edward Said (1995) is recognized as the "founding manifesto" of postcolonialism (CONRAD; RANDERIA, 2002, p. 22). Filipa Lowndes Vicente (2009) highlights Said's merit in constructing political knowledge about the *other*⁷. *Orientalism* contributes to the critique of the congratulatory European historiography of studies on the cultures of the colonies. He develops a peculiar perception of modern history, starting from the a priori establishing a binary distinction between West and East. In this relationship, what is self-represented as the West has the role of substantiating what is meant by the East. Said (1995) notes that Orientalism is a

⁴ In Hegel (1992), in Chapter IV of the *Phenomenology of Spirit* (1807), he unfolds *Self-Consciousness* in the dialectic of master and slave. This self-consciousness, in the relationship between master and slave, is developed through the exclusion of the Other: I am not the Other (CHAGAS, 2008). Hegel works through this dialectic of recognition until, through the mediation of labor, consciousness-of-itself becomes consciousness-for-itself.

⁵ Beauvoir transports this reading of the movement of Hegel's dialectic of recognition into the relationship between the understanding of man and woman in *The Second Sex* (2009), expanding the theory of the *self* and the *other* to the relationship of gender and *other* social differences.

⁶ Lacanian theory also uses the concept of the *other* to explain the formation of subjectivity. He makes a distinction between the *Other* and the *other*, in which the first, with a capital "O", also called by Lacan the *grande-autre* (the great other), is the I, the subject, the parameter of subjectivity, the man, the father, the colonizer, the master, etc. The *other*, with a lower case "o", is the object, the imperfect, the foreigner, the woman, the slave, the settler. The *Other* plays a fundamental role in the formation of the subjectivity of the *other*, since "the subject depends on the signifier and the signifier is first in the field of the Other" (LACAN, 1979, p. 196). Identity is formed by the gaze of this powerful *Other*, who can be the father, another close subject or even the unconscious self.

⁷The criticisms of Said's *Orientalism* are the limitation of his attention to the Orientalist experience of France and England, the reduction of his Orient to the territorial portion located east and south of the Mediterranean Sea, that is, the Middle East (LEWIS 1982; IRWIN 2007).



style of thought based on an ontological and epistemological distinction between East and West. In this way, the construction of Orientalism corresponds to the production of a way of understanding the world and, at the same time, is historically consolidated through the production of knowledge based on the original binary distinction. It characterizes Orientalism as a form of production of representation about a region of the world established in an institutionalized way. This production is fed back, confirmed, and updated by the images and the knowledge they create and recreate. Even though it vaguely refers to a geographical place, the Orient in *Orientalism* exposes a cultural border that defines the meaning between *us* and an *other*. This border is established based on a relationship that produces and reproduces the other as inferior, caricatured, and stereotyped. At the same time, it defines the *we*, in opposition to this *other*, who synthesizes and brings together all the characteristics opposite to those of the *we*, in other words, everything that the *we* is not and does not want to be. This is how the border between the West - civilized, advanced, developed, good - and the East - savage, backward, underdeveloped, bad - is formed. What is close to this *other* oriental is reduced, incomplete, and defective. The West has developed a system where:

For the Orient ("out there" towards the East) is corrected, even penalized, for lying outside the boundaries of European society, "our" world; the Orient is thus *Orientalized*, a process that not only marks the Orient as the province of the Orientalist but also forces the un-initiated Western reader to accept Orientalist codifications (like d'Herbelot's alphabetized *Bibliothèque*) as the *true* Orient. Truth, in short, becomes a function of learned judgment, not of the material itself, which in time seems to owe even its existence to the Orientalist. (SAID, 1995, p. 67).

The European discourse of the creation of the East helped with colonial and imperialist desires, justifying the invasion of territories and peoples considered inferior, legitimizing their subjugation. In this way, the relationship between the West and the East is marked by the former's power, domination, hegemony, and oppression over the latter. This relationship, the product of a European construction to legitimize its domination in the East, cannot be stable.

Said's thesis was important for the development of the discourse known today as *Latin Americanism*, as analyzed by Eduardo Mendieta (2005), developed by authors such as Fernando Coronil (1996), Walter Mignolo (2003) and Santiago Castro-Gómez (1996)⁸.

⁸ For an overview of the works of this group of intellectuals, see POBLETE, Juan (ed). *Critical Latinamerican and Latino Studies*. Minneapolis: University of Minnesota Press, 2003.



More recently, there has been a plurality of critical Latin American perspectives on Said's Orientalism, such as the volumes edited by Camayd-Freixas (2013), López-Calvo (2012), Nagy-Zekmi (2008), Christina Civantos (2013), among others. In Brazil, the anthropologist Alcinda Rita Ramos (2012) related the orientalism described by Said to indigenism, noting that "just as 'the Orient is orientalized', according to Said, the Indian is also indianized" (RAMOS, 2012. p, 28). In this way, "Indigenism can be seen as an elaborate ideological construction of alterity and sameness in ethnic and national contexts" (RAMOS, 2012, p. 29). There is also the research carried out by Adriano Mafra and Christiane Stalleart (2016) on *Creole orientalism*, discussing the mechanisms that governed the insertion of Second Empire Brazil into the European orientalist movement during the 19th century.

The notion of othering was systematically developed with the postcolonial Gayatri Chakravorty Spivak. In pertinent dialogue with Said, the distinction between *Other* and *other* is established through the imposition of the colonizer's superiority over the colonized, in which the relationship between the parties is hierarchical. The colonized subject is inferiorized and suffers the process of *othering*. Spivak exemplifies the three ways this production of the other can be perceived. The first is through territorial expansion, i.e., the expropriation of *other* people's land, at which point the colonizing *Other* produces the subjectivity of *others*, using its parameter, the European Self. The second example is the use of the debasement process. She cites General Ochterlony's comments as an example: "I see them only possessing all the brutality and purfidity [sic] of the rudest times without the courage and all the depravity and treachery of the modern days without the knowledge or refinement." (SPIVAK, 1985, p. 224-5). For this reason, he considers it a duty to hand over the lands of these *others* to the crown, making them objects of imperialism. The third example is the segregation between native states and the empire's government, between non-Europeans and Europeans.

Othering, therefore, involves hierarchical position through imperial discourse. Among the strategies, such as colonial imposition through force and the European language in the colonies, ideological strategies are the most effective. They are used through a discourse that belittles the colonized *other*, creating stereotypes to make them inferior to the colonizing *Other*. In general, they aim to legitimize imperialist expropriations; they are subterfuges of the colonizer for the maximum accumulation of



capital⁹. This process of legitimization and justification can instill in the consciousness of the *other*, to the point where they agree with the *Other's* superiority and accept their intervention to be a better *other*. For example:

Even many Greeks now perceive themselves as incapable of properly organizing and managing their economy. Germans, after all, are much more diligent, organized, and self-controlled. Such is the line many took when it came to understanding the 2004 Greek victory in the European Cup. It seems that Greece always had some talented players but it took a German manager to provide the necessary discipline and organization for success. (BRATSIKIS, 2014, p. 124).

As another example, in defense of the fight against corruption, the then president of the United States, George W. Bush, signed the anti-corruption proclamation in January 2004, in which, as reported by the *Associated Press*, one of his measures was to prevent Latin American public officials accused of corruption from entering the US. More clearly, to prevent the contamination of the corrupt Latin people. Why hasn't it been extended to all foreign civil servants? Are only Latin Americans capable of corruption? The next few pages of this article will analyze the moralizing stance of the international anti-corruption movement as a new version of *othering*.

The *othering* and their versions

This linguistic-discursive dimension to legitimize and justify capitalist expropriation and the consequent establishment or deepening of economic inequality has been used for many years and in various ways. As Chimni (2006, p. 16) reminds us, "It is therefore worth reminding ourselves that colonialism was justified on the basis of humanitarian arguments (the civilizing mission). It is no different today". Modern Western capitalist rationality has been presented as superior to other forms of organizing society. This argument was widely used in the European colonial invasions of the 19th century, known as the "Age of Empire"¹⁰. The universalization of modern legal rationality resulted from the imperial expansion from this period onwards (GONÇALVES, 2015, p. 21; ANGHIE, 2005, p. 32). This

⁹ Involving the primitive accumulation of capital, set out by Karl Marx (2013) in Chapter XXIV of *Capital I*, and the other aspect of capital accumulation that takes place between capital and non-capitalist forms of production, as Rosa Luxemburg (1970) works on in *The Accumulation of Capital*.

¹⁰ See: Hobsbawm, Eric. *The Age of Empire, 1875 -1914*. New York: Pantheon Books, 1987.



rationality, seen as the bulwark of civilization and progress, needs to be brought to the uncivilized, backward, and corrupt peoples, the *others*. It was thus "the civilizing mission, the grand project that has justified colonialism as a means of redeeming the backward, aberrant, violent, oppressed, undeveloped people of the non-European world by incorporating them into the universal civilization of Europe." (ANGHIE, 2005, p. 3).

The legal culture of the capitalist powers is considered a paradigm of human development, morality, and modernity. She is one of the versions of *othering*. The legal security of transactions is guaranteed through a rational institutional arrangement drawn up according to the scientific method, following logical structures of deduction and induction, enabling the generalization of rules to be applied in specific cases. It then appears neutral, purely rational, fair, endowed with an ethical or moral quality, and therefore defended as superior and universally applicable. Nations that don't reproduce this rationality are considered corrupt, backward, and needing development. In this way, "a field of comparison is constructed in which the socio-legal development of the North is considered to be the only valid one, to generate a supposed superiority that becomes a criterion for judging and excluding legal practices from the rest of the world" (GONÇALVES, 2015, p. 288). The legal culture of the developed world has become an "ideological onslaught which declares that the internationalization of property rights is the surest way to bring welfare to third world peoples." (CHIMNI, 2006, p. 18). In this way, the image of colonization as a process of spreading modern civility and promoting the development of backward peoples is created and nurtured. The violent and unjust exploitation of colonization is hidden.

Paradoxically, the defense of human rights can be used in another version of *othering* for neoliberal purposes. The discourse in defense of human rights can be used to hide the reality of capitalist appropriation. Gonçalves (2017, p. 1062) identifies human rights as a classic instrument used by *othering* to legitimize expropriation by opening up new investment markets, especially in the financial sector. Gonçalves (2017, p. 1062) explains that "with regard to the creation of the non-capitalist *outside* through *othering*, human rights are a classic instrument, the use of which can be widely seen from the beginning of European colonialism to contemporary processes of financialization." Through the discourse of Human Rights, the original peoples of Africa, Asia, and America were characterized as irrational, their nature as savage, aiming to motivate conquests and colonizations for primitive accumulation (GONÇALVES, 2018, p. 120). The focus on the



human rights mantra allows the neoliberal agenda to be pursued by prioritizing private rights over social and economic rights (CHIMNI, 2006, p. 17). The failure to apply them to the welfare of the poor and the success in securing property rights shows that the language of civil and political rights mystifies power relations and strengthens private rights. Thus,

This belief is strengthened by the fact that official international human rights discourse eschews any discussion of the accountability of international institutions such as the IMF/ World Bank combine or the WTO which promote policies with grave implications for both the civil and political rights as well as the social and economic rights of the poor. (CHIMNI, 2006, p. 17).

Another example is the ecological mission in *other* degraded areas. Capital's need to incorporate spaces that were previously outside its value circuits comes up against, among other things, the current environmental defense movement. To overcome this problem, it is possible to see the use of the linguistic-discursive dimension to legitimize the appropriation of natural resources. Maria Backhouse's research (2013) demonstrates the processes of land appropriation driven by climate and environmental protection strategies. She notes that, with accusations that the industrial production of agrofuels leads to the destruction of forests, increases carbon emissions, and forces the displacement of local communities¹¹, European governments are faced with the rejection of state funding for this type of production. The effects of the criticism had an impact on governments and led them to dress up expropriation with the idea of sustainability, i.e., the production of agrofuels in areas considered degraded with the inclusion of local communities in the production chain (DEININGER *et al.* 2011; EMBRAPA, MAPA, 2010). Backhouse (2013) notes that this strategy is being used to produce palm oil in Brazil, justifying the Brazilian federal government's funding for expanding the sector. The World Bank praises the Brazilian government's initiative to encourage this cultivation, given the

¹¹ See: DUDLEY, Nigel. The Year the World Caught Fire. Available at: <<http://www.equilibriumconsultants.com/upload/document/theyeartheworldcaughtfire.pdf>>; HOOIJER, Aljosja; SILVIUS, Marcel; WÖSTEN, Henk; PAGE, Susan. PEAT-CO2. Assessment of CO2 emissions from drained peatlands in SE Asia. MH Delft, 2006. 41 p; FRIENDS OF THE EARTH. Briefing: The use of palm oil for biofuel and as biomass for energy. Friends of the Earth's position. London, 2006; GREENPEACE. How Unilever palm oil suppliers are Burning up Borneo. 2007. Available at: <<http://www.greenpeace.org/international/Global/international/planet-2/report/2009/10/how-unilever-palm-oil-supplier.pdf>> and GREENPEACE. The hidden Carbon Liability of Indonesian Palm Oil. 2008. Available at: <<http://www.greenpeace.org/international/Global/international/planet-2/report/2008/5/hidden-carbon-liability-of-palm-oil.pdf>> All accessed on: May 06, 2021.



"potential of palm oil to benefit poor farmers"¹² (WORLD BANK, 2011, p. 15) on "abandoned, degraded and long-deforested land"¹³ (WORLD BANK, 2011, p. 18). Backhouse (2013), through fieldwork carried out in the state of Pará, realized that in practice, this program has been "intensifying a phenomenon that has been taking place in the region for decades: control over access to and use of land by transnational agribusiness" (BACKHOUSE, 2013, p. 6). According to her, in the 1980s, this process was used through explicit violence. Still, nowadays, it is dressed up in the discourse of ecological sustainability through the development of deforested areas, freeing agribusiness from public questioning. In the name of the ecological mission through the sustainability of the local community, new alliances are established between transnational companies, the state, local elites, and, in some cases, environmental NGOs, legitimizing the agro-industrial exploitation of supposedly degraded areas. Gonçalves (2017, p. 1055) summarizes:

The introduction of the rhetorical figure of degraded areas (*degradierte Flächen*) in environmental protection legislation was essential to justify the transfer of rural property from small landowners to large companies. This is a symbolic process in which the social group and space to be expropriated are rhetorically and discursively established as a prejudiced, inferior, and backward *Other*. In this process, the legal discourse is not the only one but a fundamental factor in the conception of this *Other*.

Another *othering* mechanism is the development discourse. Chimni (2006, p. 18) points out that, in recent years, development has been considered a *trojan horse* in the form of an ideology that hides imperialist desires within it, causing peoples and states on the periphery of capitalism to be voluntarily drawn into expropriation and exploitation.¹⁴ Development is offered as a gift from the rich countries to be implemented in the poor world. The real objective is to shift the aspirations of the peoples of this world to reduce this development to tolerable levels (CHIMNI, 2006, p. 18). It is also possible to prevent the discourse of sustainable development from reaching the countries of the North, maintaining their high consumption patterns without resistance.

¹² Complete text: "In the case of Brazil, the potential of palm oil to benefit poor farmers has been well established beginning in 2002, when the Agropalma company and the state government of Pará introduced a new program for poor rural farmers, many of them women."

¹³ Complete text: "Brazil's experience in providing additional incentives to restrict oil palm cultivation to abandoned, degraded and long deforested lands demonstrates the potential of these approaches."

¹⁴ See: BLANEY D.L.; INAYATULLAH, N. *The Third World and a Problem with Borders*. In DENHAM, Mark E.; LOMBARDI, Mark Owen (Orgs.). *Perspectives on Third World Sovereignty: The Postmodern Paradox*. (1996), and SCHRIJVER, N. *Sovereignty over Natural Resources: Balancing Rights and Duties* (1997).



The development offered to the poor countries, the *Others*, is not the same as that offered to the rich countries, the *Others*, much less does it correspond to the needs of the *other* peoples. For *other* nations, it is through structural adjustment programs or neoliberal policies leading to the withdrawal of social, labor, and pension rights, privatizations, and the expropriation of common goods and services to increase the remittance of profits to the countries of central capitalism. "If only third world countries would choose non-development (of any local variety), their people would be spared much of the misery they have suffered in the post-colonial era" (CHIMNI, 2006, p. 18). Thus, the problem is not development itself but the development offered to *other* nations. It is legitimate for them to want to raise their standard of living to enjoy it more comfortably and with more choice. However, in the name of development, the post-colonial era witnessed the massive violation of the social human rights of people on the periphery of global capitalism.

The production of corrupt other

Today, it is possible to see the use of these *othering* mechanisms in the internationalization of the fight against political corruption in countries considered to be undeveloped, in *other* words, the construction of what I call the *other corrupt*. The use of *othering* mechanisms can be seen in the actions of developed, cultured, civilized, and upright *Others* against *corrupt*, underdeveloped *Others* who lack civility and culture. The construction of the *corrupt other* can be observed through a process that develops in three stages. Firstly, by setting the European and North American standard of transparent management and efficient laws; secondly, by confronting this standard with the *other corrupt* countries; and thirdly, through the idea that the government of the *other corrupt* countries needs to be managed by the *other* countries. These three moments are analyzed in the following pages.

At this point in the article, the internationalization of the fight against corruption from the 1990s onwards will be discussed. Are there any parallels between the rise of neoliberal theory and policies and the anti-corruption programs of international organizations? The linguistic-discursive dimensions that use corruption to explain global differences in wealth and development are also questioned.



To use *othering* in anti-corruption speeches, changing the approach to corruption was necessary. Until the 1990s, the problem of corruption was mostly restricted to the domestic sphere (BRATSI, 2014; COOLEY; SHARMAN, 2015; WARE; NOONE, 2005; WILLIAMS; BEARE, 1999), i.e., there was little international concern and interference in this issue. "Previously, the corruption issue was strictly local, or at least its importance was much more significant for national political regimes and their populations than for anyone outside that context" (BRATSI, 2014, p. 109). Another interesting factor is the role played by capital agents. For example, Bratsis (2014) points out that the creation of Transparency International was sponsored¹⁵ by Exxon, Shell, Wal-Mart, Procter & Gamble, and its founder, a former World Bank employee, had the initial capital of his former institution. Private organizations, such as USAID, the IMF, the OECD, the World Bank, etc., have led the internationalization of the fight against corruption. Still, they conceive of it very narrowly, reducing it to bribery (JOHNSTON, 2000). "The bulk of anti-corruption efforts put forward by the international community have involved the question of 'transparency' and 'governance'; that is, how rule-bound, predictable and consistent the implementation of laws and policies are." (BRATSI, 2014, p. 110). The concern focuses on bureaucratic corruption¹⁶. However, campaign financing is perceived by Dowbor (2012) as "the big corruption, the really big one, the one that is so big that it becomes legal". According to Dowbor, a federal deputy seat costs an average of 2.5 million reais. The company that finances a candidate will collect the bill, which consists of policies to be approved in its private interest, which are generally opposed to the people's legitimate interests. "The appropriation of decision-making mechanisms on the allocation of public resources is at the heart of corruption processes, involving large corporate groups, in turn, anchored in the private financing of campaigns" (DOWBOR, 2017). The attention of international organizations in the fight against corruption is not focused on reducing the economic influence of the big capitalists in political decision-making. Transnational capital wants to

¹⁵ Luis Nassif observes the lack of transparency of the organization Transparency International - Secretariat (TI-S) and Transparency International - Brazil. Especially TI-Brasil, which does not disclose any financial information. See more: NASSIF, Luis. Transparency International's lack of transparency. GGN, 2019. Available at: <<https://jornalggn.com.br/justica/compliance/a-pouca-transparencia-da-transparencia-internacional/>>. Accessed at: 11, jan 2023.

¹⁶ According to Jain's (2001) classification, there are three types of corruption, depending on the relationship between the population and the public office involved. He calls grand corruption that involves acts by the political elite who abuse their power in order to create economic policies that benefit them. Legislative corruption occurs through the illegal influence of the vote, such as vote-buying, in order to pass certain legislation for the political or economic benefit of a particular group in society. Bureaucratic corruption involves the bureaucracy's dealings with the political elite or the public, as in bribery.



provide predictability and calculability for its investments involving relations with states, so it needs to predict the economic impact of corruption "fees". The internationalization of corruption "Thus, it also functions as part of the normative justification for the political and economic domination enjoyed by the 'advanced' nations of the capitalist global heartland." (BRATSIK, 2014, p. 108). It is important to note Miranda's observation that, until the 1980s and 1990s, that is, before the internationalization and change of approach to corruption:

The "first generation" authors believed that some corruption was necessary to make an inevitable and inefficient state bureaucracy work. Corruption was, therefore, seen as "grease". After the consolidation of the theme of state reform, sealed in the Washington Consensus, corruption came to be seen as a total enemy of a good democratic regime. Corruption is seen as "sand" (MIRANDA, 2018, p. 241).

As Bratsis (2014, p. 118) notes, another change brought about by the internationalization of the fight against political corruption is the idea that this means promoting economic and political development globally. Political corruption in undeveloped countries has come to be seen as a central obstacle to human development, distorting competitive markets, leading to inefficient allocation of resources, and placing an excessive burden on the world's poorest and most vulnerable. In this sense, Peter Eigen, chairman of Transparency International, states that "Corruption makes a mockery of rights, breeds cultures of secrecy, deprives the neediest of vital public services, deepens poverty, and undermines hope." (EIGEN, 2008, p.19).

The idea of fighting political corruption to foster development is the *other* side of *othering*. In this respect, Hindess (2005) makes an interesting critical analysis of Transparency International's *Source Book* (POPER, 2000), which offers a systematic account of the problems posed by corruption and what can be done to solve them. Peter Eigen, thanking the Ford Foundation for sponsoring the creation of this manual, points out that the *Source Book* "This is an invaluable tool to build controls against corruption by strengthening the integrity system of societies as a whole, rather than focusing on individual laws or institutions in isolation. We are grateful for the support of the Ford Foundation for the creation of this sourcebook" (POPE, 1997). The *Source Book* stresses that corruption is responsible for deepening extreme poverty and hurts the heart of the market economy, with negative consequences for the country's economic growth. For this reason, Transparency International proposes replacing the state with the private sector to carry out tasks that the private sector can perform more efficiently to promote a future



for the developing world. In this way, the discourse of combating corruption and promoting development in *other* countries are brought together, forming a new version of *othering* to legitimize the replacement of the state by the private sector.

Ladislau Dowbor (2017, p. 61) shows that corruption in large private-sector corporations is much higher than in the public sector. He also denounces that when these companies are caught in criminal acts, they are rewarded by the financial market and are one of the main causes of hunger, inequality, and economic crises worldwide (DOWBOR, 2017, p. 72). According to Dowbor, financial institutions are directly linked to these large corporations. However, liberals who profit from the financial market spread the idea that the public sector is extremely corrupt and inefficient.

This conception of political corruption as the culprit for social and economic problems has become hegemonic in scientific research. According to Wei (1999, p.25), "Systemic research conducted recently by a number of authors finds that the more corrupt a country, the slower it grows." Susan Rose-Ackerman (1999) and Paolo Mauro (1995) provide the basic arguments for this conception.

However, there are enough cases of economic growth in corrupt countries to disprove this relationship between corruption and economic development. Bratsis (2014) exemplifies this through a comparative analysis of three countries with very bad corruption indices, i.e., China, India, and Greece, and their Gross Domestic Products (GDPs) over ten years. It found that "all three countries enjoyed economic growth in the previous decade that by far belies any predictive or explanatory power for measures of corruption" (my translation);ⁱⁿ two of them, "growth rates were well above those of all economies assessed as relatively corruption-free" (BRATSI, 2014, p, 120-1). This suggests that this relationship is less direct than supposed by the studies pointed out by Transparency International.

Hegemonic studies characterize corruption as an unofficial investment tax, provoking reactions from foreign investors. Thus, according to *Source Book*, for a country to attract foreign investment, it must minimize corruption and its illicit extra tax on investors. However, it is possible to question the real incidence of corruption, given that those involved have no interest in coming clean about their corrupt practices. Furthermore, the research carried out by international agencies fails to consider the companies' role in bribing public officials to gain an advantage in the competition.



These corruption incidence measures are based on the opinion of businessmen and sectors focused on market interests. These surveys "reflect the impact of corruption in the public sector as perceived by private companies and tend to neglect its impact on other areas of society" (HINDESS, 2005, p. 1395). According to foreign companies, countries with difficulty attracting foreign investment are tautologically considered bad places to do business. Hindess (2005, p. 1395) supposes that the solution to the problem of corruption should perhaps be dealt with in similar terms by influencing the views of international investors so that they can perceive in developing countries an institutional environment in which they can feel able to do business. It is also important to consider the self-determination of peoples and respect for the sovereignty of any nation that does not choose to attract foreign investment.

Gayatri Spivak realizes power is more strongly present in discourse than in action or physical violence. In this discourse, the authorized discourse, the discourse of authority, stands out, among them the academic discourse. Like Said in *Orientalism* (1995), Spivak denounces the problems of imposed knowledge, such as that clothed in scientificity, because it appears to be apolitical and impartial since it is the most effective means of oppression by the intellectual elite. Through the Western intellectual or academic, the political voice of authority shapes the other. "The clearest available example of such epistemic violence is the remotely orchestrated, far-flung, and heterogeneous project to constitute the colonial subject as Other." (SPIVAK, 1988, p. 25). Spivak (1990, p. 108-9) recognizes that silence is one of the conditions of the subaltern, relating this condition to the *Vertretung* and *Darstellung* used by Karl Marx in *Louis Bonaparte's Eighteenth Brumaire*. *Vertretung* refers to representation in the power of attorney in which powers are transferred to another person, in the same sense as the political representation of minorities before the state. *Darstellung* refers to the representation in the portrayal of the subjects by their spokesperson, who, faced with this condition, must simultaneously represent himself as the subject of this process, identifying himself as part of the generic category of those he represents. *Vertretung* portrays the need for the oppressed layers to need mediators for their demands to be considered, just like the subaltern, given their condition of silencing. Consequently, the subaltern becomes the object of their proxy in capitalist exploitation and the spheres of power, making it impossible for them to be fully subjective. Under these conditions, the *Other* person confers their legitimacy; they play their place in the public space, making this the place of the *Other* of power (CARVALHO,



2001).¹⁷ These resources are widely used in the construction of the *corrupt other*. The researchers who have the authority to give hegemony to the conclusions of their research are those who coincide with the interests of international capital, especially those written in English.

The other corrupt unable to govern itself and neoliberal good governance.

Based on these hegemonic studies, two conditions are pointed out that make it possible for the phenomenon of political corruption to develop. One of them is the one that recognizes a people's lack of civility as responsible for their propensity to corruption. International agencies generally promote this idea to the point of building programs aimed at teaching ethical behavior and self-control. "For example, Transparency International's *Anti-Corruption Tool Kit* contains lesson plans for teachers to instruct their students on ethical behavior, sample cartoons, and so on." (BRATSIK, 2014, p. 120). Another condition is the lack of efficient laws and political institutions. Rose-Ackerman (1999) also relates the issue of economic growth to the harmful effect of politics, i.e., the negative impact of politics on the economy. This idea in the new economic literature on corruption encourages a preference for technocratic management or "*governance*" over politics. From this perspective, politics is more subject to pressure from national interest groups. This can be seen as an obstacle to the advance of transnational capital. In general, they indicate that politics provides space for corruption. Given the pressures from local interest groups, this space provides advantages for national companies close to state agents. From this perspective, the characterization of the *corrupt other* as incapable of governing is constructed, a theme developed at this point in the article.

As Chimni (2006, p. 16) shows, the countries of the global North seek to occupy a moral high ground about *other* countries. "The inability to govern is projected as the root cause of frequent internal conflicts and the accompanying violation of human rights necessitating humanitarian assistance and intervention by the North." (CHIMNI, 2006, p.

¹⁷ Carvalho (2001) stresses the need to "capture the moment when re-presentation merges with a-presentation, because it is especially conducive to the emergence of processes of insurrection and non-co-opted, revolutionary social movements, insofar as the subaltern classes will try to control how they are represented".



16). By hiding the global circuits of capitalism, with its history of accumulation through colonial war and imperialist power, other countries' corruption, underdevelopment, and poverty are seen as stemming from their inability to govern. The good government is that of developed countries. Political corruption is treated as a symptom of the lack of efficient laws and institutions to combat it.

To build good governance capable of curbing the corruption problem, Transparency International's *Source Book* presents the idea of a National Integrity System (NIS) as a solution. Hindess (2005, p. 1391) realizes that the idea is based on the traditional sources of Western culture, both classical and modern. A social organization that does not conform to Western institutional organization's structure is considered not an alternative social organization but chaos itself. The institutional standardization proposed by the World Monetary Fund (IMF) for the Asian financial crisis, for example, has been criticized by various studies for having displaced Asian standards of business organization and finance in favor of an Anglo-American model.¹⁸ The pillars of the proposed structure are the private sector and international actors. The location of the private sector, as fundamental in the proposed structure, rather than being subject to supervision, reflects the imagination of many international agencies that it, properly organized, has an innate capacity for self-regulation. Regarding the involvement of international actors, Hindess (2005, p. 1392) observes that Western states react negatively to any suggestion that their integrity requires the tutelary intrusion of international agencies. Hindess (2005, p. 1392) questions the relationship between the different stages of this argument, realizing that it is misleading both to consider corruption as responsible for all economic development problems, the relationship of these problems with the drastic solutions pointed out, and there is no reason to assume that the development of the proposed National Integrity System will have a significant impact on the problem. According to Hindess, it is an idealized and distinctly neoliberal representation of the Western institutional structure.

TI Book Source advocates building coalitions between government agencies, NGOs, and the private sector to prevent corruption. Hindess (2005, p. 1392) observes that this tactic cannot combat corruption sponsored by ruling class members, powerful

¹⁸See: CHANG, H-J; PALMA, G; et al. *The Asian crisis: introduction*. Cambridge Journal of Economics. 22 (6), 1998, pp 649 - 652; VESTERGAARD, J. *The Asian crisis and the shaping of "proper" economies*. Cambridge Journal of Economics, 28, 2004, pp 809 - 827; and WADE, R; VENEROSO, F. *The Asian crisis: the high debt model versus the Wall Street - Treasury - IMF complex*. New Left Review. 228. 1998 pp 3 – 23.



individuals, and important political forces, as its focus is on bureaucratic corruption. However, important political forces are responsible for creating, maintaining, modifying, or excluding fundamental public policies for the population. Therefore, this strategy does not solve the corruption threatening the government's popular legitimacy. Hindess (2005, p. 1392) takes up the research of Tim Lindsey and Howard Dick (2002) on conditions in Indonesia and Vietnam, in which they argue that "good governance" reforms cannot succeed unless they also tackle the corruption of powerful individuals and important political forces. However, the strategy of building coalitions makes this difficult.

So, "why do international agencies, sponsors, and NGOs continue to promote a new reform agenda so vehemently that cannot achieve its objectives?" (HINDESS, 2005, p. 1392). Just as the World Bank uses the problem of poverty in the developing world to legitimize its good governance initiatives and promote its version of the neoliberal agenda,¹⁹ TI uses the problem of corruption to promote the National Integrity System as a means of legitimizing and enforcing an impactful social reform program (HINDESS, 2005, p. 1391). It's *othering* through the fight against corruption. Just as the World Bank insists that the problem of poverty in developing countries should not be tackled directly but through the political and economic conditions suggested by the neoclassical school of economics, international institutions propose to combat political corruption. The idea is propagated that through an indirect approach, by establishing a proposal for good government, notably through neoliberal economic policies, it is possible to combat corruption and lead developing countries to stable and reliable economic growth, improving the population's living conditions. Both the World Bank and the *TI Source Book's* National Integrity System propose a Western institutional structure for developing states, favoring the private sector and civil society in the overall governance of society and proposing the tutelary role of international agencies. The aim is to create an institutional environment where international investors feel free to do business in these developing countries.

Although it is a serious problem in all countries, including industrialized ones, corruption is seen as more serious in developing and transition countries, given their already precarious economic and social situation. As the *TI Source Book* (POPER, 2000, p.

¹⁹ See: Larner & Walters, *Global Governmentality: governing international spaces*. London and New York: Routledge. 2004.



2) notes, "corruption is deepening already indefensible levels of extreme poverty". Furthermore, although it appears in both the private and public sectors, it focuses mainly on the impact of corruption in the public sector. These are the two central features of the internationalization of the fight against corruption in Transparency International's Source Book. Hindess (2002, p. 1394) realizes that, in reality, "Analyses of the ways in which corruption distorts markets, rewards the unproductive and reduces the general welfare of the population are the common currency of neoliberal discourse.". As a rule, international anti-corruption organizations, as in the Transparency International book, encourage *other* countries to promote the neoliberal alignment program. Neoliberal projects aim to indirectly govern certain activities through organized fields of free interaction (HINDESS, 2004; ROSE, 1999). This indirect government is characteristic of neoliberalism, unlike previous forms. Thus, instead of direct control in local economic policy, control can be observed through market or market-like arrangements and auditing, thus regulating the conduct of individuals' private and public bodies. In international economic policy, this control can be seen in the promotion of trade, the uniformity of commercial law, market disciplines associated with indirect restrictions on the conduct of states, as well as through consolidated financial markets and their powerful international financial institutions (Hindess, 2004). Therefore, a peculiar aspect of neoliberalism, differentiating it from classical liberalism, is its commitment to indirect market control in its interests.

Discourses of good anti-corruption governance help legitimize reforms that serve a different purpose. Pagden (1998, pp 7-15) explains that this discourse of good governance, associated with development in post-colonial states, is a mechanism for legitimizing a certain perspective on international relations, according to the interests of international financial agencies and multinational companies. The real objective is to secure the position of international financial agencies, multinational companies, and credit agencies at the heart of the international regime.

A relationship exists between the appearance of good governance discourse and the essence of predatory practices. In appearance, there is a cosmopolitan language of recognizing the cultural particularities of states and identifying common values in this diversity. In essence, this common value is the neoliberal agenda, with the *other* states imposing a set of values, institutions, and governance practices on the *other* states. The global anti-corruption movement promotes the same kind of universalism. The neoliberal program prefers to impose itself through the least coercive actions possible. Agencies such



as Transparency International, which have no coercive powers of their own, operate through persuasion and examples, suggesting to activists, states, and other agencies how to combat the problem of political corruption, insisting on the role of the private sector, NGOs and international agencies in a tutelary function (HINDESS, 2005, p. 1397). The *TI Source Book's* National Integrity System and Good Governance represents the current version of the old capitulation system, when independent countries were required to recognize the extraterritorial jurisdiction of Western states, particularly in commercial law.

The Brazilian experience with Operation Car Wash

It is possible to see the use of *other* mechanisms in the fight against corruption in Brazil during Operation Car Wash, as well as in other Latin American countries, through the implementation of legal warfare²⁰ for geopolitical purposes. The great Operation Car Wash, which began in 2014, serves as an example, as it appears as something legitimate: the fight against corruption. However, it was used to turn accusations of corruption into "moral panics" (WEIS, 2020) to legitimize the displacement of political opponents and deepen neoliberal policies, as is developed in this part of the article.

The United States has shown great interest in fighting corruption, especially that of Latin Americans. For this reason, they considered corruption a transnational crime and a threat to the United States national security (RAMINA, 2021). A sophisticated legislative and institutional framework was then enacted to securitize the fight against corruption, ensuring the investigation and prosecution of acts of transnational corruption in Latin America by US courts (RAMINA, 2021). In this context, the Foreign *Corrupt Practices Act* (FCPA) emerged, a 1977 US federal law designed to combat bribery of public officials abroad. Initially, the FCPA was restricted to US companies. After the 1998 amendment, it extended its scope to foreign companies and individuals who promote acts of corruption

²⁰ This legal war is a hybrid war, an alternative to traditional wars. Also known as *Lawfare*, it appears to be politically neutral, but in essence it consists of the strategic use of law to achieve geopolitical ends. In the context of Latin America, Romano (2020, p. 35) recognizes that "lawfare is war by other means to guarantee market freedom and the naturalization of an asymmetrical international system". Celso Amorim recognizes that *lawfare* is used by some sectors of the justice system to turn something legitimate, such as the fight against corruption, into something selective and partisan, with the aim of maintaining Latin America's political model of dependence on international capital, as he explains in the documentary *La Guerra Judicial en Latinoamerica - Lawfare In the Backyard*, on the NuestrAmerica Audiovisual channel, available at: <<https://www.youtube.com/watch?v=Oi5fEkK77ok>>.



within the US, have securities on US stock exchanges, or are part, even indirectly, of improper operations with effects on US territory. The FCPA has expanded again after September 11, 2001²¹, considering corruption a supranational systemic evil linked to terrorism. The understanding is that the corrupt criminal can form a criminal organization and move money in the transnational financial system (PRONER, 2019). The FCPA, therefore, confers extraterritoriality on US jurisdiction in the fight against corruption (ROMANO, 2021), elevating the US to the level of "global judge" in the fight against corruption (ROMANO; LONDOÑO, 2021). The justification for the FCPA's extraterritoriality is to protect countries' national interests from the harmful consequences of corruption, which make *other* states unsafe spaces, impede their development, condemn their populations to poverty, and demonstrate that their justice systems are inefficient (KOHLELER, 2015). Thus, it is possible to see here the repetition of the linguistic-discursive dimension of *othering*, as analyzed in the previous topics, notably *the corrupt other* incapable of governing, lacking laws and efficient institutions.

One of its anti-corruption strategies is the *United States Agency for International Development (USAID)*²². The document deals with the challenges of corruption and the resources that should be directed towards fighting it. Judicial and procedural training has been part of this strategy since 2005 (USAID, 2022); from their perspective, *the corrupt other* is incapable of having an effective jurisdiction. Thus, the US Department of Justice advised members of the Latin American judiciary on techniques and mechanisms against corruption, terrorism, and money laundering. The most prominent judge in Operation Car Wash, Sérgio Moro, was one of those advised (RAMINA, 2020). Similarly, the *Office of Overseas Prosecutorial Development, Assistance, and Training (OPDAT)*²³ trains judicial agents from *other* countries, especially by assigning US prosecutors to the embassies of *other* countries to advise and train their prosecutors, judges, and other jurists. There is also the *International Criminal Investigative Training Assistance Program (ICITAP)*²⁴, which

²¹ In this context, in 2001, the *Patriot Act*, notably the 3rd *International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001*, aimed at combating international money laundering and terrorist financing, granted the adoption of extreme measures to the security agencies of the United States of America without the need for special judicial authorization, such as telephone interception and access to e-mails of people or organizations in any country suspected of having links to international terrorism. For more information, see: <<https://www.congress.gov/bill/107th-congress/senate-bill/1511?s=1&r=4>> Accessed on 20 Jan. 2023.

²² See more at: <<https://www.usaid.gov/>> Accessed on 20 Jan. 2023.

²³ More information: <<https://www.justice.gov/criminal-opdat>> Accessed on 20 Jan 2023.

²⁴ For more information, see: <<https://www.justice.gov/criminal-icitap>> Accessed on 20 Jan. 2023.



works with the cooperation of the police bodies of partner governments in the fight against corruption, transnational crime, and terrorism. Plea bargaining was widely used by the courses promoted in Latin America (OROÑO, 2019, p. 37). In it, the whistleblower can keep part of the illegitimately obtained wealth, handing over the tax office's share as a reward for their collaboration, having their sentence drastically reduced, and continuing with their high standard of living. Aragão (2020, p. 183) criticizes this mechanism, as it gives the prosecuting authority room to pursue the target political group, demoralize it, punish it, and thus exclude it from political disputes.

Like the fight against corruption in Latin America, competition for natural resources, especially strategic ones, is considered a matter of national security for the US (LATJMAN; FERNANDÉZ, 2021). Latin America is the closest supply source, with 20% of the world's oil and natural gas reserves (LATJMAN; FERNANDÉZ, 2021). Coincidentally, since the enactment of the FCPA, the lawsuits and enforcement actions that predominate are against the energy sector, notably oil and gas, amounting to 89 actions (ROMANO; LONDOÑO, 2021). Between 1977 and 2013, of the 141 lawsuits filed by the *Securities and Exchange Commission* (SEC) and the US Department of Justice (DOJ), 41 were against corruption related to the oil and gas sector (NOZAKI, 2020, p.5.).

It is also in the interests of the US to open up to the transnational market the few Brazilian industrial sectors with a predominance of the national capital, such as the oil, gas, and construction sectors (MOURA, PAULA, 2021). As a result of Operation Car Wash, 30% of the money raised by the US Treasury under the FCPA was withdrawn from Brazil (RICOBOM, 2020, p. 134). Translatina Odebrecht²⁵ S.A. alone was imposed a monetary penalty of 3.6 billion dollars, considered the largest monetary sanction imposed on *Entity Groups* by US judicial authorities in the history of the FCPA²⁶. As a result of these fines, Odebrecht collapsed, crumbling the region's infrastructure development and making room for foreign companies (ROMANO, 2021). This result benefited the US so much that

²⁵ Pedro Henrique Campos points out that Thomas Shannon, former US ambassador to Brazil, expressed the US government's concern about the formation of the left-wing South American bloc, as well as Odebrecht's role in this process, making it difficult to reach a free trade agreement on a continental level. See more at: CAMPOS, Pedro Henrique. The effects of the economic crisis and Operation Car Wash on the heavy construction industry in Brazil: bankruptcies, denationalization and productive disruption. *Mediações, Londrina*, v. 24, n. 1, p. 127-158, abr. 2019. Available at: <<https://www.uel.br/revistas/uel/index.php/mediacoes/article/viewFile/35617/pdf>>. Accessed at: 19 Aug. 2021. p. 143.

²⁶ See the list of the largest US monetary sanctions by group of entities available at: <<https://fcpa.stanford.edu/statistics-top-ten.html>>. Accessed on January 28, 2023.



in 2019, Wilbur Ross, the US Treasury Secretary, signed a Memorandum of Understanding to favor US investments in this area (ROMANO, 2021).

Petrobras was penalized 1.8 billion dollars, the fourth highest penalty imposed by the US courts in the history of the FCPA²⁷. As a result, from 2014 to 2019, Petrobras dropped from 28th to 74th place in the Forbes Global 500 ranking. The operation was estimated to negatively impact 2.5% of gross domestic product (GDP) in 2015 and reduced Petrobras' investments to 2.0% of GDP (NOZAKI, 2021, p. 13). With the political change brought about by Lava Jato, i.e., the impeachment of Rousseff on August 31, 2016, Petrobras came under the management of Pedro Parente during the Temer government. They reoriented Petrobras' corporate priorities based on the rhetorical argument of overcoming the corrupt management of the previous mandate (MOURA; PAULA, 2021). In practice, the monopoly on the Pre-Salt reserves was immediately withdrawn, making it possible for foreign companies Chevron, Exxon Mobil, Repsol, Statoil, and Royal Dutch Shell to invest in bids for offshore oil blocks on Brazilian submarine platforms (ROMANO, 2020). In the second half of 2017, there was a drastic increase in the national cost structure caused by Petrobras applying the logic of automatic price adjustments according to exogenous determinants. Parente and Temer's management prioritized *shareholder value*, i.e., maximizing shareholder value, and the logic of fundamental financial management as the main axis of accumulation. This logic is not aimed at social interests, energy self-sufficiency, or national strategies but only prioritizes the financial goal of deleveraging and shareholder remuneration in the short term (GUTTMANN, 2009; MURA; PAULA, 2021). This was made possible by the new pricing policy, the privatization of refineries, the gas pipeline, part of the BR distribuidora subsidiary, and other assets, as well as the abandonment of investments and improvements in the refining park, concentrating on oil exploration and crude oil exports for refining abroad and re-importation as fuel in Brazil (MOURA; PAULA, 2021). Petrobras then retreated as the monopoly operator of the Pre-Salt, ceasing to be a strategic industrial pillar of national and local development in the oil, gas, and engineering sectors. As a result, the state-owned company and the country became more exposed to the exchange rate and foreign demand (MOURA, PAULA, 2021).

²⁷ See the list of the largest US monetary sanctions by group of entities available at: <<https://fcpa.stanford.edu/statistics-top-ten.html>>. Accessed on January 28, 2023.



In January 2019, in the first year of the Bolsonaro government²⁸, under Roberto Castello Branco's management of Petrobras, the pricing policy was adopted in line with the international market, as well as further cost cuts, asset sales, and dividend payments to shareholders. In 2019 alone, Petrobras disposed of around 50% of its refining park and production units, as well as losing R\$70.3 billion in assets through the privatization of its subsidiaries, such as BR Distribuidora, TAG Liquegás, etc. (MOURA; PAULA, 2021). In the first three months of 2020 alone, Petrobras' refineries were put up for sale, and Citigroup was hired to sell 50% of its refining capacity, i.e., 1.1 million barrels per day, jeopardizing Brazil's sovereignty and energy security (LATJMAN; FERNANDÉZ, 2021). Petrobras' pricing policy and the sale of its subsidiaries have led to a huge cost burden for the Brazilian population, raising fuel and gas cylinder prices, even in the context of record national oil production (PINTO, 2019). Ladislau Dowbor (2017, p. 265) observes, "Attacking and disorganizing companies in order to facilitate their acquisition by other groups is just another level of corruption."

In addition to the competition for natural resources and the expansion of transnational capital over national capital, the US must maintain its hegemony over Latin American countries. This has been exacerbated by the greater presence of countries like China and Russia²⁹ in the region (TIRADO; ESCALANTE, 2021). In light of this, on February 1, 2018, then-Secretary of State Rex Tillerson gave a speech at the University of Texas defending the right of the US to block foreign interference in the hemisphere and the current importance of the Monroe Doctrine³⁰. The greater presence of China and Russia in the Latin American region is considered a strategic challenge for the US, according to

²⁸ It should be noted that Judge Sérgio Moro was part of the Bolsonaro government as Minister of Justice. He is the same judge who was advised by the *United States* Department of Justice as a strategy to fight corruption instructed by the *United States Agency for International Development* (USAID) and who was responsible for the imprisonment of Lula, Bolsonaro's strongest political opponent. In 2021, the Superior Court of Justice overturned Lula's convictions, so he can take part in the 2022 elections and beat Bolsonaro.

²⁹ One of these influences is the project to build the Transoceanic Railway, proposed to Brazil, Chile, Colombia and Peru by Chinese minister Li Keqiang on his visit to South America at the beginning of 2015. The proposal aims to bring the world closer to the Chinese economy through global infrastructure investment policies, such as China's *One Belt One Road* (OBOR), also known as the New Silk Road. If realized, it will change continental geopolitics, helping Brazil to make contact with the Pacific Ocean and enabling the formation of a cooperation platform between Mercosur and the Pacific Alliance (KORYBKO, 2017).

³⁰ The *New York Times* journalist Christopher Sabatine wrote: "He kicked off the tour last week with a stop at his alma mater, the University of Texas, Austin, where he gave a tin-eared endorsement of the 1823 Monroe Doctrine, saying that America's right to block outside interference in the hemisphere is 'as relevant today as it was the day it was written'." Available at: <<https://www.nytimes.com/2018/02/09/opinion/tillerson-latin-america.html>>. SABATINE, Christopher. Tillerson's Attempt to Mend Ties in Latin America. *The New York Times*. New York, Feb. 9, 2018. Accessed on January 27, 2023.



the document *Global Theater Strategy 2017-2027* by the *United States Southern Command: Partnership for the Americas* (USA, 2017, p. 2-3). To combat foreign "threats", the anti-communist common sense was revived and used as a political strategy to intervene in the electoral processes of strategic countries through the strong use of new techniques. The anti-corruption discourse augments this strategy. In the Brazilian elections, where Bolsonaro participated as a presidential candidate, the discourses of combating corruption and communism were deeply present.

According to data leaked by Edward Snowden of the *National Security Agency* (NSA), the Brazilian government and Petrobras were among the most closely monitored by the US espionage system in view of US strategic interests. A year after the discovery of the pre-salt layer, the US Navy's Fourth Fleet was recreated, initially created in the context of the Second World War to monitor the waters of the South Atlantic (CAMPOS, 2019, p. 143). The following year, in 2009, exchanges of information on money laundering and the fight against corruption began between the US Department of Justice and members of the Brazilian Judiciary, Public Prosecutor's Office, and Federal Police. In 2014, Operation Car Wash began (NOZAKI, 2019, p. 9-10). According to the letter sent in 2021 by US congressmen to the then US Attorney General, William P. Barr, in October 2015, 17 members of the DOJ, FBI, and Department of Homeland Security visited Curitiba to collect information from Lava Jato prosecutors about their investigations and ongoing proceedings³¹ (USA, 2019). The Inter-American Dialogue (IAD), which prepared reports and made statements to the press during the operation, made several proposals and recommendations to Congress in 2019, such as the use of the FCPA, the monitoring of important trials in Latin America by US ambassadors and aid to investigative journalism and civil society (THE DIALOGUE, 2019). Sérgio Moro, a federal judge in Curitiba, spoke at the US Department of Justice's money laundering advisory course at the Bridges Project in 2009.

It is possible to see strong action by US government agents, based on the FCPA, in Operation Car Wash, even outside the law, avoiding multilateral treaties, which would require more time and bureaucratic procedures (ROMANO, 2021). The Intercept Brasil

³¹ Originally: "It is a matter of public record that US DOJ agents provided support to Brazilian prosecutors that were part of the Lava Jato operation. It has also come to light that in October of 2015, 17 members of DOJ, the FBI, and the Department of Homeland Security visited Curitiba to receive a full briefing from Lava Jato prosecutors regarding their ongoing investigations and proceedings" (USA, 2019).



reported that US agents received information about the whistleblowers and met with their lawyers during their visit to Brazil, obtaining confidential information and negotiating the whistleblowers' cooperation with the ongoing investigations in the US. On several points, the *Mutual Legal Assistance Treaty* (MLAT), which governs the process of international judicial cooperation and safeguards national sovereignty, was disregarded. Among them, the "partnership" in the operation between the Brazilian and US authorities, established in a clandestine, criminal manner and disregarding the bilateral treaty, was not communicated to the then Minister of Justice. On another point, the illegally obtained information was used, disregarding the principle of non-intervention and violating national sovereignty (RAMINA, 2020, 163-165). The first paragraph of article eleven of the treaty above was violated, given Lava Jato's actions in "pressuring" those investigated to collaborate with the US without the consent of the central authorities of both countries. The Brazilian witnesses entered US soil without safe conduct. Therefore, fair and impartial trial principles were violated, and illegal evidence was used. The Intercept made public the conversations between Sérgio Moro and the prosecutors. In these dialogues, they repeatedly stress the importance of spectacularizing Lava Jato to maintain public opinion against the Workers' Party (OROÑO, 2019, p. 31; BENTES, 2020, p. 141), highlighting narratives that arouse emotions and exploit the viewer's feelings to the detriment of the rational.

Faced with such evidence, in 2019, members of the US Congress sent correspondence to the US Attorney General at the time, William P. Barr, to receive explanations about the involvement of US DOJ agents in Lava Jato and the series of significant indications of irregularities and biased actions aimed at undermining the electoral prospects of Brazil's Workers' Party, in a threat to democracy and the rule of law (USA, 2019). In 2021, a new letter was sent reiterating the previous questions, as they had not received any substantive answers, as well as asking about the revenue generated by the application of the FCPA for purposes incompatible with democracy, the rule of law, equal justice under the law and due process (SANCHES, 2021).

Analyzing Lava Jato, it is possible to recognize that, as Valeria Weis sees it, the courts are the new battlefields, where the weapons used are accusations of corruption, with punitive power being the fundamental ally of financial and neoliberal neocolonization (WEIS, 2020, p. 100). Alejandro Médici argues that the anti-corruption struggle can be understood as a device of coloniality of power, a continuation of



colonialism by other means, related to the legitimization of neoliberal elites in the region and continental hegemonic domination (MEDICI, 2021, p. 60). Andrew Korybko (2017) calls Operation Condor 2.0 the US strategy for maintaining hegemonic control, using legal warfare, in particular, to neutralize regional independence and delegitimize rulers who do not align with its interests. Traditional wars are replaced by a new type of war, such as hybrid warfare through legal warfare, also known as *lawfare* (RAMINA, 2021, p. 162). As defined by NATO, hybrid warfare consists of using asymmetric tactics through the investigation and abusive exploitation of the target's weaknesses by non-military means but supported by the threat of conventional or non-military means (TIRADO, 2021). The complex intervention through hybrid warfare, or fourth-generation warfare, is capable of achieving its objective of destroying local political leaders who are not aligned with the interests of transnational capital through their demoralization and destabilization in the face of accusations of corruption, substantiated by Zaffaroni (2015, p. 48) as a superior phase of colonialism. Legal warfare is the current strategy adopted, especially in Latin America, to guarantee market freedom and neutralize the asymmetrical international system (ROMANO, 2020, p. 35). In the words of Proner (2019, p. 220), "The fight against corruption, now branded as the evil of the 21st century, is formulated abstractly, perfectly serving the 'qualitative populist' argument of which Umberto Eco speaks when he describes Ur-Fascism in 14 principles, 'a qualitative populism in opposition to the powerful and corrupt parliaments'." In addition to all these biases, it is also possible to see the Lava Jato operation as a Brazilian example of using what I call the *corrupt other*, that is, the use of *othering* in the fight against corruption.

Final considerations

It is undeniable that corruption has a negative impact on the lives of the population, especially those most in need of state assistance. Therefore, it must be fought. However, it is equally important to problematize the actions of international organizations and foreign countries in the fight against national corruption. Even nationally, the anti-corruption discourse can only be used to remove one political group from power and



replace it with another, equally corrupt or worse³². Corruption is complex and can even be present in the mechanisms that purport to fight it.

Just like the *other* manifestations of *othering*, just like the previous imperialist ideologies of a humanitarian, civilizing mission in defense of human rights and the environment, the *other* 'accusations' of corruption don't just serve to blame *other* countries for their economic backwardness. Fundamentally, just as race has already been used, it can serve to legitimize imperialist expropriations. Political corruption in itself is of no analytical use in understanding global disparities. "The discourse on corruption as the cause of poverty and underdevelopment is purely ideological and can in no way explain relative growth or poverty" (BRATSIK, 2014, 120). In addition to not being an instrument of understanding, it has served to validate the implementation of the neoliberal political agenda and deepen the problems identified as its cause. It can, therefore, be an instrument of ideological manipulation and political domination. It also prevents a serious analysis that considers the history of colonial wars, imperialist power, the social impact of financial capital, and the mechanisms of domination and expropriation of public debt in developing countries. The international anti-corruption discourse inhibits the broad and historical analysis capable of understanding political and economic developments, which involve the force, fraud, corruption, and oppression exercised by the *Other* States, those of central capitalism.

Operation Car Wash was used in this article as an example of *othering* mechanisms. In it, the fight against corruption served to hide geopolitical interests related to energy resources and the maintenance of US hegemony in Latin America. Potiguar sociologist Jessé Souza distinguishes between "real corruption" and the "corruption of fools" (SOUZA, 2017). The first is engineered by the market to seize state-owned companies, natural resources, etc., often at a derisory cost. The monopolized media made use of what Jessé Souza calls the "corruption of fools" (SOUZA, 2017) to shape public opinion in favor of transnational financial capital's desire to remove governments with an inclusive social model in Latin America, which were considered obstacles to neoliberalism (ZAFFARONI, 2015). Carol Proner (2019) points out that the selective attack on the left is

³² Brazil's political history is permeated with examples, many with important US involvement. For example, the military coup of 1964, supported by the US, made strong use of the *anti-corruption* discourse, as Motta (2016) shows in his article *The purges of 1964 and the anti-corruption discourse in the caricature of the mainstream press*. Campos (2014), in his book *Estranhas Catedrais: as empreiteiras brasileiras e a ditadura civil-militar de 1964-1985*, denounces several cases of corruption during the period.



accompanied by praise for the right's private, aseptic, and professional management as opposed to the interventionist and statist public sector of the left. In this way, public opinion is directed towards supporting neoliberal strategies, such as the financial adjustment of the state through privatizations, as well as defending the idea that the private sector can promote good governance and eliminate corruption. However, Dowbor (2017) states corruption is even greater when investigated in private companies. Corporations have "governance problems, fraud, corruption, and disorganization that would make any public sector envious" (DOWBOR, 2017).

Silvina Romano's (2020) analysis exposes post-colonial societies to an asymmetrical international system. The we influence this system through the extension of its jurisdiction, legitimized by *othering* mechanisms, such as the discourse on the legal and juridical superiority of the central countries. The practices proposed to combat corruption in *other* countries deepen colonial dependency relations through neoliberalism and foster depoliticized political views (ROMANO, 2020). As developed in this article, new versions of *othering* are being used, with the fight against corruption being the most used in recent Latin American history.

In conclusion, the fight against corruption is an extremely important democratic task. However, for it to be legitimate and beneficial, countries' national sovereignty must be guaranteed, preventing external interference. Popular participation is equally important, with transparent investigations to show evidence of hidden political and economic interests, as well as full defense and adversarial proceedings between the political groups involved. To reduce the chances of manipulation, the press should give equal time and emphasis to the prosecution and defense arguments. Above all, a systemic study of corruption is essential, understanding the role of the private sector and the economic interests involved. In this way, it is possible to reduce the chances of the fight against corruption being used as a mechanism for *othering*, an instrument of legal warfare, and the manufacture of consent based on the hegemonic media, especially in areas that are less perceptible to public opinion, i.e., geopolitical and geoeconomic interests.

Bibliographical references

ANGHIE, Antony. **Imperialism, Sovereignty and the Making of International Law**. Cambridge: University Press. 2005.



ARAGÃO, Eugênio. Ministério Público no Lawfare: a arquitetura institucional em crise? In FEITOSA, Maria Luiza Alencar Mayer; CITTADINO, Gisele; LIZIERO, Leonan (org.). **Lawfare: o calvário da democracia brasileira**. Andradina: Meraki, 2020.

ASHCROF, Bill; GRIFFITHS, Gareth; TIFFIN, Helen. **Post-colonial studies: the key concepts**. 2. ed. London and New York: Routledge Taylor & Francis Group, 2007. Disponível em: <http://staff.uny.ac.id/sites/default/files/pendidikan/else-liliani-ssmhum/postcolonialstudiessthekeyconceptsrouledgekeyguides.pdf>. Acesso em: 2 de junho de 2021.

BACKHOUSE, Maria. **A desapropriação sustentável da Amazônia: O caso dos investimentos em dendê no Pará**. Berlin: Fair Fuels? Working Paper 6, 8 mar. 2022. Disponível em: https://www.fair-fuels.de/data/user/Download/Ver%C3%B6ffentlichungen/FairFuels-Working_Paper_6_Portuguese.pdf. Acesso em: 14 de julho de 2021.

BANCO MUNDIAL. **The World Bank Group Framework and IFC Strategy for Engagement in the Palm Oil Sector**. Disponível em: https://www.ifc.org/wps/wcm/connect/industry_ext_content/ifc_external_corporate_site/agribusiness/resources/palmoil_strategydocument. Acesso em 21 de julho de 2021.

BARRETO, José-Manuel. **Human Rights from a Third World Perspective: Critique, History and International Law**. Newcastle: Cambridge Scholars Publishing, 2013.

BEAUVOIR, Simone de. **O segundo sexo**. Tradução: Sérgio Milliet. 2. ed. Rio de Janeiro: Nova Fronteira, 2009.

BENTES, Marlice da S; ANJOS; Leonardo F dos; CAVALCANTI FILHO, Jorge Luiz de M. **Lawfare como instrumento de dominação e ameaça às instituições democráticas brasileiras**. In: FEITOSA, Maria Luiza Alencar Mayer; CITTADINO, Gisele; LIZIERO, Leonan (org.). **Lawfare: o calvário da democracia brasileira**. Andradina: Meraki, 2020.

BRATSI, Peter. **Political Corruption in the Age of Transnational Capitalism**. Historical Materialism, Londres, v. 22, p. 105-128, 6 maio 2014. DOI <https://doi.org/10.1163/1569206X-12341334>. Disponível em: https://brill.com/view/journals/hima/22/1/article-p105_4.xml?ebody=article%20details. Acesso em: 6 de julho de 2021.

CAMAYD-FREIXAS, Erik (ed.): **Orientalism and Identity in Latin America**. Fashioning Self and other from the (Post) Colonial Margin. Tucson: The University of Arizona Press, 2013.

CAMPOS, Pedro Henrique. Os efeitos da crise econômica e da operação Lava Jato sobre a indústria da construção pesada no Brasil: falências, desnacionalização e desestruturação produtiva. **Mediações**, Londrina, v. 24, n. 1, p. 127-158, abr. 2019. Disponível em: <https://www.uel.br/revistas/uel/index.php/mediacoes/article/viewFile/35617/pdf>. Acesso em: 19 jan. 2023.

CARVALHO, José Jorge de. **O olhar etnográfico e a voz subalterna**. Horizontes Antropológicos, Porto Alegre, v. 7, n. 15, p. 107-147, Julho de 2001 2001. DOI <https://doi.org/10.1590/S0104-71832001000100005>. Disponível em:



<https://www.scielo.br/j/ha/a/kNnShbTR3wLSWgCspyx8JBv/?lang=pt#>. Acesso em: 22 maio 2020.

CASTRO-GÓMEZ, Santiago. **Crítica de la razón latinoamericana**. Barcelona: Puvill Libros, S.A. 1996.

CHAGAS, Eduardo F. **Para uma explicitação da dialética Hegeliana entre o senhor e o escravo na Fenomenologia do Espírito**. *EDUCAÇÃO E FILOSOFIA, [S. l.]*, v. 9, n. 17, p. 11–15, 2008. Disponível em: <https://seer.ufu.br/index.php/EducacaoFilosofia/article/view/1001>. Acesso em: 12 fev. 2022.

CHIMNI, Bhupinder. **Post-conflict Peace Building and the Repatriation and Return of Refugees: Concepts Practices and Institutions**. In Edward Newman and Joanne van Selm (org), *Refugees and Forced Displacement: International Security, Human Vulnerability, and the State*. United Nations University Press, 2003.

CHIMNI, B.S. **Third World Approaches to International Law: A Manifesto**. *International Community Law Review, [s. l.]*, v. 8, p. 3-27, 2006. Disponível em: <https://www.jnu.ac.in/sites/default/files/Third%20World%20Manifesto%20BSCchimni.pdf>. Acesso em: 4 out. 2021.

CIVANTOS, Christina. **Orientalism Criollo Style: Sarmiento's 'Orient' and the Formation of an Argentine Identity**. Em: Camayd-Freixas, Erik (ed.): **Orientalism and Identity in Latin America**. Fashioning Self and Other from the (Post) Colonial Margin. Tucson: The University of Arizona Press, 2013.

CONRAD, S.; RANDERIA, R. (orgs.) **Einleitung**, in CONRAD, S.; RANDERIA, *Jenseits des Eurozentrismus*, Frankfurt/M, Campus. 2002

COOLEY, A.; SHARMAN, J. C. **Blurring the line between licit and illicit: transnational corruption networks in Central Asia and beyond**. *Central Asian Survey*, 2015.

CORONIL, Fernando. **Beyond Occidentalism: Toward Nonimperial Geohistorical Categories**. *Cultural Anthropology* 11, No. 1:52-87. 1996.

DEININGER, Klaus *et al.* **Rising Global Interest in Farmland: Can it Yield Sustainable and Equitable Benefits?**. **AGRICULTURE AND RURAL DEVELOPMENT**, Washington, D.C, 1 fev. 2013. DOI <https://doi.org/10.1596/978-0-8213-8591-3>. Disponível em: <https://openknowledge.worldbank.org/handle/10986/2263>. Acesso em: 6 maio 2021.

DOUZINAS, Costas. **O fim dos direitos humanos**. São Leopoldo: Unisinos, 2007.

DOWBOR, Ladislau. **Os descaminhos do dinheiro: a compra das eleições**. Dowbor.org, 2012. Disponível em: <https://dowbor.org/2012/10/os-descaminhos-do-dinheiro-a-compra-das-eleicoes-parte-i-outubro-2012-5p.html>. Acesso em 02 Jan 2023.

DOWBOR, Ladislau. **A era do capital improdutivo: Por que oito famílias tem mais riqueza do que a metade da população do mundo?** São Paulo: Autonomia Literária, 2017.



EIGEN, Peter. Removing a Roadblock to Development: Transparency International Mobilizes Coalitions Against Corruption. *Innovations*, [s. l.], v. 3, n. 2, p. 19-33, mar. 2008. Disponível em: <https://eiti.org/files/documents/itgg2e20082e32e22e19.pdf>. Acesso em: 20 maio 2021.

GONÇALVES, Guilherme Leite. **O iluminismo no banco dos réus: direitos universais, hierarquias regionais e recolonização**. Rev. direito GV, São Paulo, v. 11, n. 1, p. 277-293, June 2015. Disponível em <http://old.scielo.br/scielo.php?script=sci_arttext&pid=S1808-24322015000100277&lng=en&nrm=iso>. Acesso em 13 de junho de 2021. Doi: <https://doi.org/10.1590/1808-2432201512>.

GONCALVES, Guilherme Leite. **Acumulação primitiva, expropriação e violência jurídica: expandindo as fronteiras da sociologia crítica do direito**. Rev. Direito Práx., Rio de Janeiro, v. 8, n. 2, p. 1028-1082, June 2017. Available from <http://old.scielo.br/scielo.php?script=sci_arttext&pid=S2179-89662017000201028&lng=en&nrm=iso>. access on 20 May 2021. Doi: <https://doi.org/10.12957/dep.2017.28770>.

GONÇALVES, Guilherme Leite. **Are We Aware of the Current Recolonisation of the South?** This Century Review. Journal for Rational Legal Debate. 2012.

HEGEL, Georg Wilhelm Friedrich. **Fenomenologia do Espírito**. Tradução: Paulo Meneses. Rio de Janeiro: Editora Vozes, 1992.

HINDESS, Barry. Investigating International Anti-corruption. *Third World Quarterly*, [s. l.], v. 28, p. 1389-1398, 2005. DOI <https://doi.org/10.1080/01436590500336864>. Disponível em: <https://www.tandfonline.com/doi/abs/10.1080/01436590500336864?journalCode=ctwq20>. Acesso em: 22 jun. 2021.

HOFFMAM, F., MORAIS, J. L. B. DE ., ROMAGUERA, D. C. L. Direitos humanos na sociedade contemporânea: neoliberalismo e (pós)modernidade. *Revista Direito E Práxis*, 2019. DOI: <https://doi.org/10.1590/2179-8966/2018/30740>. Disponível em: <https://www.scielo.br/j/rdp/a/4nH4Jcq567XjD8B56jMW7gn/?lang=pt&format=html#>. Acesso em: 20 Jan 2023.

HOLDT, Karl von. The political economy of corruption: elite-formation, factions and violence. In: SOCIETY, WORK & POLITICS INSTITUTE. **Working Paper 10**. Johannesburg: University of the Witwatersrand, 18 fev. 2019. Disponível em: <https://www.swop.org.za/post/2019/02/18/working-paper-10-the-political-economy-of#corruption-open-access>. Acesso em: 29 jan. 2022.

HUGHES, Alex; WITZ, Anne. Feminism and the Matter of Bodies: From de Beauvoir to Butler. *Body & Society*, London, Thousand Oaks and new Delhi, v. 3, p. 47-60, mar. 1997. DOI doi.org/10.1177/1357034X97003001004. Disponível em: <https://journals.sagepub.com/doi/10.1177/1357034X97003001004>. Acesso em: 9 mar. 2022.



IRWIN, Robert. **For lust of knowing**: The Orientalists and their enemies. London: Penguin Books, 2007.

JAIN, Arvind K. Corruption: A Review. **Journal of Economic Surveys**, Oxford, v. 15, n. 1, p. 71-121, fev 2001. DOI <https://doi.org/10.1111/1467-6419.00133>. Disponível em: <https://onlinelibrary.wiley.com/doi/epdf/10.1111/1467-6419.00133>. Acesso em: 15 Jan. 2023.

JOHNSTON, Michel. **Syndromes of Corruption**: Wealth, Power, and Democracy. Cambridge: Cambridge University Press, 2005.

KOHELER, M. The Uncomfortable Truths and Double Standards of Bribery Enforcement. **Fordham Law Review**, v.82, n.4, 2015

KORYBKO, Andrew. **21st century geopolitics of Latin America**. Seattle: Kindle Independent Publishing, 2017.

LACAN, J. **O seminário**: livro 11: os quatro conceitos fundamentais da psicanálise. Rio de Janeiro: Jorge Zahar Ed., 1979.

LAMBSDORFF, Johann Graf. Consequences and Causes of Corruption: – What do We Know from a Cross-Section of Countries?. **Passauer Diskussionspapiere**: Volkswirtschaftliche Reihe, Passau, v. 34, 2005. Disponível em: <https://www.econstor.eu/bitstream/10419/55031/1/684238772.pdf>. Acesso em: 20 jun. 2020.

LAMBSDORFF, Johann Graf. Measuring Corruption: – The Validity and Precision of Subjective Indicators (CPI). In: SAMPFORD, Charles. **Measuring corruption**. Aldershot: Ashgate, 2006. p. 81-100. ISBN 9780754624059.

LATJMAN, Tamara; FERNANDÉZ, Aníbal Garcia. Dependencia estratégica: EE.UU., recursos naturales en América Latina y el Caribe y conexión energética. In: ROMANO, Silvina (comp.). **Trumperalismo: la guerra permanente contra américa latina**. Buenos Aires: Mármol Izquierdo Editores, 2021

LINDSEY, T; DICK, H (org.). **Corruption in Asia**: Rethinking the Governance Paradigm. Sydney: Federation Press, 2002.

LÓPEZ-CALVO, Ignacio. **Peripheral Transmodernities**: South-to-South Intercultural Dialogues Between the Luso-Hispanic World and “the Orient”. New Castle upon Tyne: Cambridge Scholars Publishing, 2012.

LUXEMBURGO, Rosa. **Acumulação do capital**: Estudo sobre a Interpretação Econômica do Imperialismo. Zahar Editores: Rio de Janeiro, 1970.

MAFRA, Adriano; STALLAERT, Christiane. Orientalismo Crioulo: Dom Pedro II eo Brasil do Segundo Império. **Iberoamericana Editorial Vervuert**, América Latina; España; Portugal, 2016.

MARX, Karl. **O Capital**. Crítica Da Economia Política. Livro I. O Processo De Produção Do Capital. Trad. Rubens Enderle. São Paulo: Boitempo, 2013.



MARX, Karl. **Sobre a Questão Judaica**. Trad. Daniel Bensaïd, Wanda Caldeira Brant. São Paulo: Boitempo, 2010.

MEDICI, Alejandro. La guerra jurídica asimétrica como dispositivo de colonialidad del poders. In: **CLACSO. Crítica jurídica y política en Nuestra América: lawfare: un concepto en disputa**. Buenos Aires: Clacso, 2021. p. 46-61. Disponível em: https://www.clacso.org/wp-content/uploads/2021/04/V1_Critica-juridica-y-politica_N7.pdf. Acesso em: 19 jan 2023.

MENDIETA, Eduardo. Re-mapping Latin American studies: postcolonialism, subaltern studies, post-occidentalism and globalization theory. **American Journal of Cultural Histories and Theories**. vol. 25, n. 52, 2005. Disponível em: <https://www.jstor.org/stable/41491795>. Acesso em: 19 Jan 2023.

MIGNOLO, Walter. Colonial and postcolonial discourse: cultural critique or academic colonialism. *Latin American Research Review*, Vol 38, No. 3: 120-134, 1993. doi:10.1017/S0023879100016988. Disponível em: <https://www.cambridge.org/core/journals/latin-american-research-review/article/colonial-and-postcolonial-discourse-cultural-critique-or-academic-colonialism/1096F6D371811A67DC443A5D0A74C29F> Acesso em: 18 Jan. 2023.

MIRANDA, Luiz Fernando. Unificando os conceitos de corrupção: uma abordagem através da nova metodologia dos conceitos. **Revista Brasileira de Ciência Política**, Brasília, n. 25, p. 237-272, Jan. 2018. DOI 10.1590/0103-335220182507. Disponível em: <https://www.scielo.br/j/rbcpol/a/VPBTRQmsPqT8KLqJJmncqpn/abstract/?lang=pt>. Acesso em: 24 nov. 2021.

MOURA, R.; DE PAULA, L. F. **A Operação Lava Jato e as Mudanças na Gestão da Petrobras: Uma avaliação dos impactos econômicos gerais e locais**. 2021. Disponível em: https://www.academia.edu/45440397/A_Operacao_Lava_Jato_e_as_Mudancas_na_Gestao_da_Petrobras_Uma_avaliao_dos_impactos_economicos_gerais_e_locais. Acesso em 18 Jan. 2023

NAGY-ZEKMI, S. Buscando el este en el oeste: prácticas orientalistas en la literatura latinoamericana. In: Nagy-Zekmi, S. ed. **Moros en la costa: Orientalismo en Latinoamérica**. Frankfurt a. M., Madrid: Vervuert Verlagsgesellschaft, 2008. Doi: <https://doi.org/10.31819/9783964566065-002>. Disponível em: <https://www.degruyter.com/document/doi/10.31819/9783964566065-002/html#Harvard>. Acesso em: 19 Jan. 2023.

NOZAKI, William Vella. A nova geopolítica do petróleo no século XX. In: LEÃO, Rodrigo; NOZAKI, William (org.). **Geopolítica, estratégia e petróleo: transformações internacionais e nacionais**. Rio de Janeiro: Inep/Flacso, 2019. Disponível em: <https://inep.org.br/geopolitica-estrategia-e-petroleo-transformacoes-internacionais-e-nacionais/>. Acesso em: 19 jan. 2023.

NOZAKI, William Vella. **Capitalismo e corrupção: o caso da petrobras e a operação lava jato**. Texto Para Discussão INEEP, Rio de Janeiro, v. 1, n. 16, p. 1-21, abr. 2020. Disponível



em: <https://ineep.org.br/textos_discussao/capitalismo-e-corrupc%CC%A7a%CC%83o/>
Acesso em: 19 Jan. 2023.

OROÑO, Amílcar Salas. Juristocracia y ámbitos de aplicación en el lawfare brasileño. In: ROMANO, Silvina (comp.). **Lawfare: guerra judicial y neoliberalismo en américa latina**. Buenos Aires: Marmol Izquierdo Editores, 2019.

PAGDEN, Anthony. **The Genesis of "Governance" and Enlightenment Inceptions of the Cosmopolitan World Order**. International Social Science Journal, [s. l.], v. 50, n. 155, p. 7-15, 1998. DOI 10.1111/1468-2451.00105. Disponível em: https://www.researchgate.net/publication/228037009_The_Genesis_of_Governance_and_Enlightenment_Inceptions_of_the_Cosmopolitan_World_Order. Acesso em: 23 jul. 2021.

PINTO, Eduardo Costa. Financeirização e desintegração vertical da Petrobras: quem ganha com isso. In: LEÃO, Rodrigo; NOZAKI, William (org.). **Geopolítica, estratégia e petróleo: transformações internacionais e nacionais**. Rio de Janeiro: Inep/Flacso, 2019. Disponível em: <<https://ineep.org.br/geopolitica-estrategia-e-petroleo-transformacoes-internacionais-e-nacionais/>> Acesso em: 20 jan 2023.

POPE, Jeremy. **TI Souce Book is now on internet: Manual spells out systematic strategies against corruption**. In: Transparency International. [S. l.], 1997. Disponível em: <https://www.transparency.org/en/press/ti-source-book-now-on-internet>. Acesso em: 22 maio 2021.

PRONER, Carol. Lawfare como herramienta de los neofascismos. In GUAMÁN, Adoración; Aragoneses ALFONS Y MARTÍN, Sebastián (org.). **Neofascismo: bestia neoliberal**. Madrid: Siglo XXI Editores. 2019.

RAMINA, L. La guerra jurídica: lawfare en Brasil. **NODAL**, marzo 2021. Disponível em: <<https://www.nodal.am/2021/03/la-guerra-juridica-lawfare-en-brasil-por-larissa-ramina/>> . Acesso em: 20 Jan. 2023.

RAMINA, Larissa. Quando a Parcialidade-Perversidade do Sistema de Justiça Abre Caminho para a Violação do Direito Internacional: um Ensaio sobre a Responsabilidade Internacional dos EUA. In: Lênio Streck; Marco Aurélio de Carvalho. (Org.). **O livro das suspeições: o que fazer quando sabemos que Moro era parcial e suspeito?** 1ed. Rio de Janeiro: Editora Telha, 2020, p. 284-299. Disponível em: <https://www.prerro.com.br/baixe-agora-o-livro-das-suspeicoes/> Acesso em 04 jan. 2023.

RAMOS, Alcinda Rita. Indigenismo, um orientalismo americano. **Anuário Antropológico** [Online], v.37 n.1 | 2012, posto online no dia 01 outubro 2013. DOI: <<https://doi.org/10.4000/aa.268>> Disponível em: <<http://journals.openedition.org/aa/268>>; Visto em: 20 de Jan. 2023.

RICOBOM, Gisele. Fundação Lava Jato e as Estratégias de Ampliação do Poder Político do Ministério Público Federal. In: STRECK, Lenio Luiz et al (Org.). **O livro das parcialidades: o que fazer quando sabemos que Moro era parcial e suspeito?** 1ed. Rio de Janeiro: Editora



Telha, 2020, p. 284-299. Disponível em: <https://www.prerro.com.br/o-livro-das-parcialidades-baixeo-e-book/> Acesso em 10 fev. 2023.

ROMANO, Silvina. Lawfare y neoliberalismo en América Latina: una aproximación. Sudamérica: **Revista de Ciencias Sociales**, Mar del Plata, n. 13, p. 14-40, dez. 2020

ROMANO, Silvina et al. La era Trump y la dependencia económica, política y militar de América Latina in ROMANO, Silvina (comp.). **Trumperalismo: la guerra permanente contra américa latina**. Buenos Aires: Mármol Izquierdo Editores, 2021.

ROMANO, Silvina; LONDOÑO, Rafael Britto. **Ley anticorrupción de EUA y lawfare en América Latina. 2021**. Disponível em: <https://www.celag.org/ley-anticorrupcion-de-estados-unidos-y-lawfare-en-america-latina/> Acesso em: 10 fev. 2023

ROSE-ACKERMAN, Susan. **Corruption and Government: Causes, Consequences, and Reform**. Cambridge: Cambridge University Press, 1999.

SAID, E. **Orientalism**. London: Penguin Books, 1995.

SANCHES, M. Congressistas dos EUA pedem que governo Biden explique como foi cooperação entre americanos e Lava Jato. **BBC News Brasil**: Washington, jun. 2021. Disponível em: . Acesso em: 11 fev. 2023.

Souza, Jessé. **A elite do atraso: da escravidão à Lava Jato**. Rio de Janeiro: LeYa, 2017.

SPIVAK, Gayatri Chakravorty. **Can the Subaltern Speak?**. In: NELSON, Cary; GROSSBERG, Lawrence (org.). *Marxism and the Interpretation of Culture*. London: Urbana : University of Illinois Press, 1988.

TANZI, Vito. Corruption Around the World: Causes, Consequences, Scope, and Cures. **International Monetary Fund**, [s. l.], v. 45, n. 4, p. 559-594, 1 maio 1998. Disponível em: <https://www.imf.org/en/Publications/WP/Issues/2016/12/30/Corruption#Around-the-World-Causes-Consequences-Scope-and-Cures-2583>. Acesso em: 15 set. 2021.

POPER, Jeremy. **Confronting corruption: the elements of a national integrity system**. London: Transparency International (TI). 2000.

THE DIALOGUE. **Congressional Testimony: Understanding Odebrecht – Lessons for Combating Corruption in the Americas. 2019**. Disponível em: <<https://www.thedialogue.org/analysis/congressional-testimony-understanding-odebrecht-lessons-for-combating-corruption-in-the-americas/>> Acesso em: 10 fev 2023.



TIRADO, Arantxa. Guerra híbrida: la no tan nueva guerra de EE.UU. contra Venezuela. In: ROMANO, Silvina (comp.). **Trumperalismo: la guerra permanente contra américa latina**. Buenos Aires: Mármol Izquierdo Editores, 2021

TIRADO, Arantxa; ESCALANTE, Félix Caballero. Rusia em América Latina y el Caribe: ¿amenaza para EE.UU.? In: ROMANO, Silvina (comp.). **Trumperalismo: la guerra permanente contra américa latina**. Buenos Aires: Mármol Izquierdo Editores, 2021.

USA. Department of defense. National Security Strategy 2017. 2017 Disponível em: <<https://trumpwhitehouse.archives.gov/wp-content/uploads/2017/12/NSS-Final-12-18-2017-0905.pdf>> Acesso em 10 jan 2023.

USA. USSOUTHCOM. National Strategy 2019. 2019 Disponível em: <https://www.southcom.mil/Portals/7/Documents/SOUTHCOM_Strategy_2019.pdf?ver=2019-05-15-131647-353> Acesso em: 11 de jan 2023.

USAID. Usaid Rule of Law Achievements Review, 2005-2020 - Final report. June 2022. Disponível em: <https://pdf.usaid.gov/pdf_docs/PA00ZHVD.pdf>. Acesso em 15 jan. 2023.
WARE, G. T.; NOONE, G. P. The anatomy of transnational corruption. **International Affairs Review**, 14, n.2, 2005.

WEI, Shang-Jin. **Corruption in Economic Development: Beneficial Grease, Minor Annoyance, or Major Obstacle?**. In: THE WORLD BANK. Policy Research Working Paper. [S. l.], 1999. Disponível em: <https://ideas.repec.org/p/wbk/wbrwps/2048.html>. Acesso em: 20 out. 2021.

WEIS, Valeria Vegh. La destrucción de la criminología. In: ZAFFARONI, Eugenio Raúl; CAAMAÑO, Cristina; WEIS, Valeria Vegh. **¡Bienvenidos al lawfare!**: manual de pasos básicos para demoler el derecho penal. Buenos Aires: Capital Intelectual, 2020.

WILLIAMS, J. W.; BEARE, M. E. The business of bribery: globalization, economic liberalization, and the “problem” of corruption. **Crime, Law & Social Change**, 32(2), 115-146, 1999.

ZAFFARONI, Eugenio Raúl. **El derecho latinoamericano en la fase superior del colonialismo**. Buenos Aires: Ediciones Madres Plaza de Mayo, 2015.

About the author

Amélia Coelho Rodrigues Maciel

Bachelor of Laws from the Regional University of Cariri (URCA), Specialist in Constitutional Law from URCA, Master of Philosophy from the Federal University of Ceará (UFC), Doctor of Laws from the State University of Rio de Janeiro (UERJ). Researcher at the Laboratory for Interdisciplinary Studies on Criticism and Capitalism - LEICC/UERJ. Professor of Law at Centro Universitário Doutor Leão Sampaio (UNILEÃO) and Universidade Estadual do Piauí (UESPI). E-mail: ameliacelho@ymail.com. ORCID: <https://orcid.org/0000-0002-5396-4255>.

The author is solely responsible for writing the article.