

*Fora Collor / Que se vayan todos*  
**Dynamics of Accountability in Argentina and Brazil\***

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**Introduction**

This piece of research is the result of the convergence of two old obsessions of mine: the obscurities and dilemmas of representation and accountability, on one hand, and the unexplained contrasts between Argentina and Brazil –that is, my own country and its endlessly fascinating neighbor- on the other (see Pousadela, 2004; 2007a; 2007b). Thus, this work was conducted with a twofold objective in mind: that of understanding the differences (and, in the same process, the similarities) between Argentine and Brazilian politics and (political) societies, while learning about the ways in which democratic representation devices and accountability mechanisms operate and interact with one another.

The reader must be warned, however, that the author’s knowledge of the two cases involved was (and still is) highly uneven, so this comparative project entailed two asymmetric –but equally exhausting- tasks: on one hand, an effort to notice the extraordinary within the ordinary, that is, to look at one’s own society from a foreigner’s perspective; on the other, the assimilation, within a relatively short time (especially when compared with the long years of forced immersion within one’s own national context) of a number of data, interpretation clues and perspectives about a foreign reality.

Contrary to the usual tendency, this work does not compare the fate of the Collor de Mello presidency in Brazil with its contemporary Argentine counterpart, Menem’s. A lot has already been said about Collor and Menem’s resemblances and differences in political style, policy orientation and political fate, as well as about their role in the neoliberal transformation of their respective countries. What this article sets out to compare are the biggest presidential crises faced so far by both democracies, characterized by distinct combinations of a set of ingredients that include corruption and power scandals, political protest, power struggles and citizen mobilization.

Fernando Collor de Mello was elected as the president of Brazil in 1989 as a seemingly uncompromising political outsider determined to put an end to corrupt “old politics”; less than two years after his inauguration several accusations of corruption, a fast institutional reaction by an offended Congress and a series of massive street mobilizations led to a successful impeachment process against him, as a result of which he resigned on the eve of his dismissal by Congress. In Argentina, Fernando de la Rúa was elected in 1999 as the candidate of the UCR-Frepaso Alliance, also with the promise of ridding the country of the pervasive corruption inherited from Menem’s

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decade-long stay in power. Less than a year after his inauguration, his administration was shaken by a scandal that started with a denunciation of bribes allegedly paid to several senators in exchange for the passing of a law that the administration considered to be vital. The government was first crippled when its vicepresident resigned in rejection of the president's unwillingness to investigate the case, and was eventually replaced -through extra-institutional means- more than a year later, when a series of actors and circumstances converged by the end of 2001.

The dynamics that led to the end of each of those administrations are here apprehended on the basis of the current theoretical discussion on accountability, both vertical and horizontal. The display of various accountability mechanisms -their triggers, sequences, interactions, combinations and effects- are examined in the context of these two "presidential interruptions" (Valenzuela, 2004), "presidential falls" (Hochstetler, 2006) or "presidential crises" (Pérez-Liñán, 2007), defined by Marsteintredet and Berntzen (2006) as situations in which presidents are forced to leave office before the end of their constitutional terms without the intervention of the military.

Although profoundly different from each other, the two events we deal with are of an exceptional nature. Our basic hypothesis is that each country shows a distinct national repertoire of institutional and societal actions and reactions that reveal the presence of certain attitudes towards political representation; certain conceptions about the role of institutions; and important variations in the format and intensity of the citizenry's political interventions -that is, the presence of two distinct matrices of political culture or, as Alexis de Tocqueville would put it, of two specific sets of deeply rooted "habits of the heart". Despite all of their differences, however, their effects regarding accountability seem to have been equally disheartening.

After briefly discussing the multifaceted concept of accountability and introducing the idea of "accountability networks", a description and an analysis of each case study are presented in two subsequent sections. We attempt to answer a series of questions such as the following: What was in each case the role of power abuses and corruption scandals? How did citizens react in their different roles and arenas (more or less organized or anomic, electoral, extra-electoral, institutional or extra-institutional)? What were the actions and reactions of the media and civil society organizations, on one hand, and of political institutions, on the other? Which actors played a role in the process? Can specific sequences of their interventions be identified? And, more importantly, do sequences have consequences in terms of the achievement of accountability? What mechanisms of accountability were put into motion? Were the problems of accountability reinforced by other issues related to political representation; did accountability and representation conflict in any way? How did different accountability mechanisms interact? When, how and with what effects did they complement, reinforce or enter into conflict with each other? Which were the "successful combinations" in each context? Which conditions -political, institutional, cultural- facilitated or prevented their operation? What was the effectiveness of different accountability mechanisms - and particularly of societal ones, given their lack of binding authority? What is it that explains their effectiveness, if any? Which strategies and means were used by each category of actors? Were they limited to the fleeting appearance of reclamations in the public sphere, or did they produce any kind of more lasting or substantial effects regarding accountability and the quality of democracy? Some tentative answers to these questions are offered in the final section and the conclusions.

## **Accountability under Discussion**

In *Democracy, Accountability, and Representation* (1999: 2), Adam Przeworski, Bernard Manin and Susan Stokes summarize the problem of democratic representation in one basic interrogation: “why would rulers, equipped with such powers, act in the best interests of others, of citizens, or at least some majority thereof” –or, as they later specify, “why would politicians, subject to the electoral sanction, make it easier for voters to learn about their conduct” (Ibid: 17). Are the electoral mechanisms that are located at the core of our representative democracies enough to induce representatives to represent –that is, in the classical definition provided by Pitkin (1967), to act in the interest of their principals? In which ways do elections produce representation beyond the authorization of the government to act in the name of the governed? If representation is understood as mandate, elections should be a tool for selecting good policies or, at the very least, good politicians able to formulate them; if it is conceived as accountability, elections should be a mechanism to make the government responsible for its past actions and their consequences.

Now, are elections any of that? Due to its very nature, representative democracy excludes the institution of imperative mandate, that is, it lacks an infallible mechanism to make representatives keep their promises and stick to their electoral programs. Legal sanctions for that kind of breaches of contract are excluded; however, representatives can still be subject to political sanctions. But political sanctions do not always take place: they can be avoided, for example, if representatives are able to retrospectively convince voters that the decisions they made, though contrary to previous promises, were truly in their voters’ best interest, while sticking to those promises would have brought about undesirable outcomes (cf. Stokes, 1997). From this perspective, eloquently framed by Edmund Burke, representation might be better achieved if the representative followed his own reasoning when deciding for those he represents than if he followed instructions from the latter, whose rationality, reasonableness and feasibility are considered to be far from guaranteed. Indeed, not just in 18<sup>th</sup>-century England but also in our contemporary democracies examples abound of rulers who were rewarded after violating an electoral mandate and convincing a large number of voters that it had been the right course of action to take (Stokes, 1999).<sup>1</sup> Thus, representation as mandate tends to be weak, although it is so in varying degrees, depending on factors such as the stability of the party system and the more or less ideological nature of political alignments.

What is, then, the role of elections, the main representation-producing device of our representative democracies? Elections are the sole legitimate mechanism to authorize governments, but they are neither the only nor the most effective mechanism to guarantee their responsiveness, much less the legality of their actions. Elections are intermittent and take place in a context of information asymmetry. One vote –to show either approval or disapproval, support or rejection- is too coarse an instrument given the number and the diversity of policy decisions available for evaluation. Not to mention the tension that can arise between its two simultaneous uses, that is, that of selecting good representatives and that of punishing bad ones. Whether the vote is used in one way or another is a matter of factual reality. In other words, the only function that is inherent to elections is that of authorizing representatives to act in the name of the represented. Beyond that, the use they are put to by voters needs to be examined each and every time. It depends on many contingent factors, such as the presence or absence of reelection as an

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<sup>1</sup> Needless to say, examples also abound of leaders who were readily punished when deviating from the promised course, particularly after such a deviation produced negative outcomes.

incentive for responsiveness, the ease with which it is possible to assign responsibilities for past policy decisions, the degree to which electoral campaigns promote political debate, and the existence –never to be taken for granted- of an opposition embodying a real alternative.

No matter what voters' expectations at the time of elections are, nothing within the framework of our representative democracies will ensure their representatives' responsiveness to them. As it is suggested by the comparison between countries that have regular, fair and free elections and those who lack them, elections are obviously more likely to produce accountability than any other available form of government selection. But they are not optimal in that regard, and need to be supplemented by other accountability mechanisms.

Different accountability mechanisms, though, produce different types of accountability. That is precisely the idea behind O'Donnell's well-known distinction between "vertical" and "horizontal" accountability -and it is also the reason why the former is sometimes understood as "political" while the latter is conceived of as "legal" accountability. Indeed, contemporary democracies are complex creatures stemming from long historic processes in which elements from different traditions were combined. As a result, they have (at least) two intertwined –and sometimes conflictive- components: a democratic one, of course, but also a liberal one. The first one is reflected in vertical accountability, which operates through periodical, free and fair elections and other forms of citizen participation,<sup>2</sup> while the second one translates into horizontal accountability, which operates through the oversight actions of certain state agencies on others.<sup>3</sup> Accordingly, the generic idea of "controlling the government" takes two distinctive meanings: on one hand, it means keeping it responsive to citizens' preferences, taken either as members of public opinion, the electoral majority, or civil society groups and organizations; on the other hand, it means keeping it subject to the law, that is, to guarantee its respect for rules and procedures as well as for citizens' liberties and rights. Needless to say, both meanings are not necessarily compatible.<sup>4</sup>

Ever since O'Donnell first made the distinction between "vertical" and "horizontal" forms of accountability (while also denouncing the "delegative" character of Latin American democracies, caused by the weakness of its mechanisms of horizontal accountability) debate has not ceased over what truly constitutes accountability and what does not. Disagreements are especially abundant around the definition of the concept -which, although very old, until recently only applied to what O'Donnell called "vertical accountability" (Kenney, 2003).

The first source of confusion has been the spatial character of O'Donnell's metaphor, which has been almost as much criticized as it has been used. Does the distinction between "vertical" and "horizontal" accountability correspond to the difference between hierarchical and

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<sup>2</sup> The watchdog function of a free press is also an element of vertical accountability, although it relies on a series of conditions that stem from the liberal tradition rather than the democratic one.

<sup>3</sup> According to O'Donnell, horizontal accountability is a legacy not just of the liberal tradition but of the republican one as well. Plattner (1999), however, disagrees with the attribution of horizontal accountability to the republican tradition and argues that the "republican solution" to the problem of corruption resides not in sophisticated institutional mechanisms but in encouraging the public-spiritedness of citizens through morals and education.

<sup>4</sup> The often-quoted *Federalist 51* ("A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions") can be misleading, in that inter-institutional accountability mechanisms are not necessarily "auxiliary precautions" converging towards the same end as democracy's "dependence on the people" but a means of achieving an altogether different goal, namely the rule of law.

non-hierarchical relationships? Some seem to think that the presence or absence of a hierarchy between the actors involved is precisely what accounts for the difference between the two forms of accountability –and not whether they take place within the state or between society and the state (cf. Schedler, 1999a). The assimilation of “vertical” to “hierarchical” leads some authors to affirm that the expression “vertical accountability” is only accurate as a description of a subset of relations, namely, principal-agent relationships (Mainwaring, 2003). Other authors, by contrast, assume that *all* accountability relationships are necessarily hierarchical, and consequently reject the expression “horizontal accountability” as an oxymoron: a relationship of accountability cannot be horizontal, the argument goes, because accountability necessarily “implies that the actors in a political relationship are not at the same level” (Moreno, Crisp and Shugart 2003: 80). As accountability requires that one of the parts have the authority to sanction the other one, it also requires that the former be superior to the latter.

Typically, theories that emphasize hierarchy think of accountability as a principal-agent relationship in which “the principal has the right to withdraw the conditionally delegated authority altogether” (Ibid.: 83), either by dismissing the agent or, most often in the political realm, by refusing to renew the delegation or downgrading the agent’s authority. According to this definition, the electorate in presidential systems has two agents, the Legislative and the Executive (or three if the Congress is bicameral), while the bureaucracy has two principals, the president and Congress (or three if the latter is bicameral). The Legislative and the Executive, however, are only linked as principal and agent (and thus by an accountability relationship) in very specific situations, such as when the former delegates on the latter the authority to legislate on certain matters. Consequently, most relations between branches of government in presidential systems are not considered to be relationships of accountability, and are instead labeled as “relations of horizontal exchange”. Presidentialism is, from this perspective, a system that rests on “horizontal exchange between agents with different vertical accountability ties to the citizenry” (Ibid: 91).

Other theories state that only vertical accountability (or, more precisely, only vertical accountability of the electoral kind) can be treated as principal-agent relationships, but the fact that horizontal accountability cannot does not mean that it is not a relationship of accountability. When Congress removes a president through impeachment, for example, it holds him accountable, but that does not make it the principal and the president its agent, since both were popularly elected and are thus agents of the electorate (Kenney, 2003). According to Mainwaring (2003), principal-agent relationships are a subtype of accountability relationships in which a principal appoints and can sanction or dismiss the agent. But many accountability relationships are not principal-agent relationships, as is the case with legislative oversight of the Executive or the actions of the Judiciary towards the other branches of government.

In still other definitions, the concept of accountability is not restricted by the qualification that it need be hierarchical or fit into the principal-agent mould. In fact, the argument goes, accountability can be reciprocal, because although by definition each specific *situation* of accountability is unequal –due to the very fact that it stems from the right of one of the parts to impose obligations on the other-, its occurrence does not imply that the former is “superior” to the other in any other respect –as it happens, for example, among the three branches of government in a presidential system (Mulgan, 2003). Once the problem of hierarchies is discarded as such, the expressions “vertical” and “horizontal” remain simply as a way of distinguishing between intra-state relations and relationships between the state and society.

A second disagreement that leads to broader or narrower definitions of accountability revolves around the nature of the authority that is at the base of the accountability relationship. According to Mainwaring (2003), the concept only applies to those relationships that *formally* give an actor the authority to control and sanction a public official, either elected or appointed. That is, accountability implies a *legal obligation* and a *sanctioning capacity*, thus excluding the press and civil society organizations as agents of accountability. From this perspective, there are two forms of accountability: electoral and intra-state. The kind of actions that Peruzzotti and Smulovitz (2006) refer to as “social accountability” (considered by O’Donnell as a subset of vertical accountability relationships) are here referred to as “societal oversight”. The latter is not considered to be a form of accountability, although it is acknowledged that significant interactions between societal oversight and accountability mechanisms may occur.

In other words, while accountability is typically understood as a form of responsibility and answerability, disagreements abound as to which forms of answerability constitute accountability. It is clear enough that accountability cannot be simply equated with responsibility, which can be internal and self-imposed. Accountability implies responsibility *towards someone that has the right to demand explanations and act on the basis of them*. In other words, it involves answerability and the ability to impose *some kind* of sanction.<sup>5</sup> Beyond that, it is not clear what an agent subject to accountability is supposed to be accountable for, and less clear still, what kinds of sanctions need to be available for a relationship to qualify as one of accountability.

As for the first question –accountability for what- it could be said that while horizontal (intra-state) accountability is mostly legal,<sup>6</sup> vertical (electoral plus societal) accountability is political for the most part. In other words, the former monitors the observance of legal and constitutional rules, whereas the latter involves the evaluation of policies and policymaking processes, as well as of the abilities and personal qualities of political actors. The correspondence, however, is not as exact as it might seem, because “vertical” demands for accountability may perfectly revolve around public officials’ legal violations, as our case studies will show.

The sanctioning requirement poses a thornier problem. According to Schedler (1999a: 14), “the notion of political accountability carries two basic connotations: answerability, the obligation of public officials to inform about and to explain what they are doing; and enforcement, the capacity of accounting agencies to impose sanctions on power-holders who have violated their public duties”. The answerability component works towards the transparency of the inherently opaque exercise of power; the enforcement component means that accountability is not just about informing and justifying decisions and (in)actions but also about taking responsibility for their

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<sup>5</sup> As shown by the emphasis on reward and punishment, it is often assumed that, although the perspective of being called to answering for one’s action might have a deterrent effect, accountability mechanisms work retrospectively. However, the preventive role of many accountability agencies, such as anticorruption bodies, should not be overlooked. According to Schmitter (1999: 61), “it makes a great deal of difference whether rulers can be prevented *ex ante* from taking measures that are either unlawful or impolitic or whether these sanctions are only applied *ex post* (...) [J]ust as vertical accountability is not restricted to ‘throwing the bastards out’ after they have disappointed the voters, the horizontal variety should also have the capacity to set and restrict agendas and not just react to whatever authorities have already done”.

<sup>6</sup> This statement, as all the debate on accountability presented in this section, applies to presidential regimes, where allegations of unlawfulness are usually required for one state agency to apply sanctions on another one. That is not the case in parliamentary regimes, where intra-state accountability mechanisms also apply to actions that are politically objectionable, but not necessarily illegal.

consequences and complying with a verdict that comes as either a reward or a punishment. Again, the questions here are whether the obligation to “inform and explain” needs to be enshrined in the law; whether sanctioning ability defines accountability; what kinds of sanctions qualify; and, last but not least, whether both components –answerability and enforcement- need to come “in the same package” for accountability to take place.

Regarding the first question, as mentioned, some definitions of accountability include the requirement that one actor have the *formal* authority to control and sanction another one, while others reject it as “technocratic” and challenge the idea that accountability is provided *by states to citizens*; instead, they emphasize citizens’ *informal* strategies for the promotion, demand and achievement of accountability (Newell and Wheeler, 2006; Gaventa, 2006).<sup>7</sup>

As for the second question, all definitions include sanctioning abilities as a key element of accountability. However, variations in the ways this requirement is understood have profound consequences on the characterization of various actors as agents of accountability. If accountability relies strictly on sanctioning authority, state Moreno, Crisp and Shugart (2003: 81), few of the agencies that act “as watchdogs and providers of information –a role that suggests they may fulfill the answerability component of accountability- (...) meet the standard for being agencies of accountability –‘horizontal’ or otherwise”. Their contribution, from this perspective, consists in providing information so that *others* can act as agents of accountability.

Most of the authors who emphasize the component of sanctioning and enforceability, however, seem to be somewhat reluctant to disqualify the mechanisms that lack it as not constituting accountability. Newell and Wheeler (2006:13), for example, state that *effective* accountability mechanisms include both the dimensions of answerability and enforceability: those that lack the latter are, consequently, *ineffective* mechanisms of accountability: they constitute *diminished* (Kenney, 2003) or *incomplete* (Mulgan, 2003) forms of accountability. Thus, the ability to impose sanctions is *not* considered to be a necessary part the definition of what accountability is after all, but a contingent element that affects its effectiveness.<sup>8</sup>

Last but not least, there is the question of what counts as a sanction. After including sanctions as a necessary element of what accountability (or, at least, “complete”, “full” or “effective” accountability) is supposed to be about, many authors find themselves facing an unwelcome conclusion: if too narrowly understood, the sanctioning requirement leaves outside the

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<sup>7</sup> “Like other aspects of citizenship”, writes Gaventa (2006: xiv-xv), “accountability is not only created from above through institutional procedures or mandate, but also must be constantly claimed through strategies of mobilization, pressure and vigilance from below. (...) In a context of globalization and neoliberalism where configurations of power are rapidly changing, so too the sites and strategies for realising accountability are in flux. Where once we might have expected the state to regulate markets and to ensure accountability for its citizens, increasingly citizens themselves play an important role in monitoring state activities, regulating the behavior of corporations, and claiming responsiveness from local, national and international institutions”.

<sup>8</sup> Schedler’s reflections on this issue are confusing. He first states that “exercises of accountability that expose misdeeds but do not impose material consequences *will usually appear* as weak, toothless, ‘diminished’ forms of accountability” (Schedler 1999a: 15-16). He later concludes that “unless there is *some* punishment for demonstrated abuses of authority, there is no rule of law and *no accountability*” (Ibid: 17). And then he concedes that information, justification and punishment might be present in diverse measures and combinations, so “it is possible, in principle, to find instances where the idea of accountability is dissociated from one of its core dimensions –be it enforcement or answerability- *without necessarily creating ‘diminished subtypes’ of accountability as a result*” (Ibid: 18; all emphasis added).

realm of accountability many relationships that they would be intuitively inclined to describe as belonging to it. That is the reason why their definitions commonly encompass “hard” and “soft”, “direct” and “indirect” kinds of sanctions. In contrast with hard sanctions, based on the use of coercion, soft ones are said to include “moral appeals, expectations, exposure and embarrassment, and appeals to pride and responsibility” (Newell, 2006: 46). Indirect sanctions, in turn, contrary to the ones directly applied by a controlling agency, result from the re-directioning of cases from agencies that provide and demand information and explanations to other institutions that do have the authority to impose sanctions (Mainwaring, 2003).

### **Networks of Accountability**

Many theoretical and practical problems can be avoided if accountability is understood as a dynamic process rather than a fixed procedure. Thus, accountability will be here apprehended as a process involving different kinds of relationships –some hierarchical, some not; some between principal and agents, others not- and different categories of actors that rely on a wide variety of tools -not all of which include the ability to impose “hard” and “direct” sanctions. Although not every actor participates in all three stages of the process –namely, information, discussion and rectification (Mulgan, 2003)-, accountability is achieved when the three components are globally present and interacting in certain ways.

The analysis presented in the following sections encompasses a variety of accountability mechanisms, all of which seemingly contribute to the task of keeping public officials and agencies under control by forcing them to respond and take responsibility for their actions. We follow Guillermo O’Donnell in classifying those mechanisms as “horizontal” (or “intra-state”) and “vertical” (of both the electoral and the non-electoral kinds).

Horizontal accountability is defined as the control that certain state agents exercise over the legality of other state agents’ actions; it is conceived of as a key aspect of the rule of law (Domingo, 1999). In the context of presidential systems, it has often been identified with the checks and balances that regulate the interactions among the branches of government. However, horizontal accountability mechanisms are a *subset* of interactions among agencies, comprising only those that aim at avoiding, cancelling, reversing or sanctioning actions or inactions by other state agencies that are deemed illegal because of encroachment or corruption (O’Donnell, 2001). Thus, some checks and balances constitute accountability relationships while others –such as shared power on legislation and appointments- definitely do not.

This type of accountability mechanisms are expected to function continuously and encompass not just the Legislative and the Judiciary but a growing number of oversight institutions as well, such as electoral tribunals and commissions, auditing agencies, anticorruption bodies, ombudsmen, administrative and constitutional courts and human rights commissions. By contrast, vertical accountability mechanisms are more diverse and work at various different paces. One of them –the electoral one- is (regardless of its ability to provide effective accountability) more fundamental than the rest because it is located at the core of the definition of democracy. Elections, however, are intermittent and present a series of limitations as accountability devices, as already mentioned. In any case, the realization of their accountability-producing potential is highly dependent on contextual variables.



Social accountability is an altogether different, non-electoral variety of vertical accountability whose operation, unlike that of elections, is not dependent upon a fixed schedule. Same as horizontal mechanisms, it has the potential for uninterrupted action; its activation and dynamics, however, are much less predictable and difficult to establish and/or capture in an “instructions manual”. Its frequency and strength depends on the vitality and density of civil society; its shapes and contours vary as much as actual collective action repertoires do. This form of accountability can be put into motion by the media (and often by watchdog journalists; cf. Waisbord 2000, 2004), by NGOs and all kinds of citizens’ associations, as well as by the citizenry in its raw capacity to produce and express opinions, present demands and exert pressure. Whereas horizontal accountability depends on the formal authority of one agency to set limits on another and vertical-electoral accountability revolves around a fixed, strictly regulated procedure, vertical accountability of the societal kind relies on a wide and open repertoire of strategies, institutional and noninstitutional, formal and informal. Institutional actions include, as Peruzzotti and Smulovitz (2006: 10) put it, the “activation of legal actions or claims before oversight agencies”. Noninstitutional ones include, but are by no means limited to, more or less peaceful or violent demonstrations, road blockades, neighborhood mobilizations, local assemblies, strikes and sabotage actions, citizen monitoring actions and public audiences summoned by civil society organizations.

Interestingly enough, while social accountability’s main disadvantage –the fact that its answerability component is not accompanied by an equally strong element of enforceability- is immediately apparent, its advantages over other, more formal, accountability mechanisms tend to be systematically overlooked. As Newell (2006: 46) points out, “without the ties to diplomatic routine and without having to face the costs of political fallout that prohibit public institutions from speaking out, NGOs [and other societal actors] can create and police accountability mechanisms that go far beyond what is conceivable in the realm of formal politics.”

While horizontal accountability mechanisms deal with the *legality* of state agents’ actions, vertical ones can either push in the same direction by triggering the intervention of horizontal accountability agencies, or foster governmental responsiveness by putting the *political* content of actions and decisions into question. Needless to say, accountability and responsiveness can be as much in harmony as in conflict, as any theory on the nature of contemporary democracy, made up of heterogeneous liberal and democratic components, can easily attest to. Thus, whether or not interactions among accountability mechanisms produce virtuous synergies needs to be determined on a case-by-case basis.

But if accountable government is what we are looking for, we’d better start looking at the whole picture. As O’Donnell points out, accountability is rarely brought about by isolated agencies. It requires, instead, the cooperation of a number of professionalized, well-equipped, and autonomous bodies. Agencies without a direct sanctioning power can belong to that network together with others that do have some. The same happens with vertical accountability mechanisms, which usually gain in sanctioning power when intertwined with horizontal ones - assuming, as stated by Newell (2006: 48), “their existence, effectiveness and willingness to pursue public interest agendas”. The media, for example, provides information and fosters debate, but leaves rectification entirely in other hands; its importance within an accountability network, however, is undisputable. Other accountability tools would lose their sharpness if it were not for their intervention, especially when the right incentives are in place –namely, when the media are not extremely dependent on political decisions, and when their own priorities and structural

imperatives (such as the need to entertain) do not prevent them from scrutinizing actions and decisions that do not involve “spicy”, audience-arousing issues.

The idea that what counts is the existence of a working accountability network is supported by evidence of the fact that multiple, reciprocally reinforcing interactions take place between and among vertical and horizontal accountability mechanisms. On one hand, the effectiveness of horizontal accountability depends to a great extent on the existence of various forms of vertical accountability, both electoral and non-electoral; on the other, vertical accountability relies on the information provided by many superintendence agencies that belong to the horizontal structure of the state (Moreno, Crisp and Shugart, 2003: 91).

## **Brazil, 1992: “Fora Collor!”**

### *Collor’s Spectacular Rise to Power*

Chronologically speaking, the first factor at work in Fernando Collor de Mello’s fall from the presidency was already in place even before his inauguration. His fall was indeed structurally linked to the way he rose to power, which established a pattern of political isolation that created the conditions for both great unaccountability and high vulnerability to attacks as a result of the consequences of the former, namely the deepest and most extensive, apparent and ill-timed corruption scheme that Brazil had ever seen.

The 1989 electoral campaign was marked by disillusionment. The first post-dictatorship government, led by José Sarney, had been elected in 1985 following the rules imposed by the outgoing military, that is, in an indirect election through an Electoral College. The 1984 *Direitas Já* campaign –the biggest popular mobilization effort ever undertaken in Brazil so far,<sup>9</sup> aimed at passing a constitutional amendment in order to force the celebration of direct elections- had been defeated in Congress, and much of its energies had been channeled towards the support of opposition candidate Tancredo Neves, who suddenly died after winning the election, resulting in his being replaced by vicepresident-elect Sarney, who -contrary to Neves- did not represent a real break with the dictatorial past. Sarney’s administration brought little except disappointment. It was unable to address Brazil’s main economic problems, the most urgent being the high rate of inflation (933% in 1988) –not to talk about the country’s vast social problems. Additionally, the government was perceived as plagued by corruption, and several denunciations confirmed this impression. Thus, the 1989 presidential elections were seen as a great opportunity for the change that the country had been denied five years earlier. A poll taken early that year showed that 81% of citizens did not trust politicians and 70% did not trust parties or the federal government; however, an overwhelming 87% still looked forward to voting (Flynn, 1993).

In many ways, the 1989 elections stand out as the first ones of a new era. The 1988 “citizen Constitution” had granted the (optional) right to vote to illiterate people, as well as to youths

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<sup>9</sup> Not surprisingly, the *Direitas* campaign –which started with a modest demonstration of about 5,000 in Goiânia, rapidly extended to all main cities, and ended with a megademonstration in Rio de Janeiro that gathered half a million people, and another one in São Paulo that surpassed the million participants- is usually recognized as the closest precedent of the pro-impeachment mobilization (Carvalho, 1995).

between the ages of 16 and 18, and had established direct elections with a run-off in case no majority was achieved in the first round. The 1989 presidential election was thus the first direct one since before the long-lived dictatorship established in 1964 and is usually recognized as the milestone marking the end of the transition to democracy.

During the previous years the Brazilian society had undergone many fundamental changes, all of which surfaced together in 1989 -although, as shown by the *Direitas* campaign, some had already emerged in 1985. Before the 1980s, Brazil's participatory propensity had been very low; since the mid 1970s, however, the dictatorship's modernizing program had had the unintentional effect of fostering the growth of a more diverse, autonomous and energetic civil society. New actors had emerged: organizations of the urban poor and *favelados* (slum dwellers), middle class neighborhood and professional associations, and the "new unionism" that began in the Great São Paulo and was at the origin of the PT (*Partido dos Trabalhadores*).<sup>10</sup> A slow but steady process of collective learning started to yield a novel discourse on citizenship and rights.<sup>11</sup>

In 1964, when the military took over, television was still a new media. In 1960, at the time of the last direct presidential election prior to 1989, only 30% of the population was urban and television reached between 5 and 10% of all Brazilians; in 1989, by contrast, 75% of the population lived in cities, and around 70/75% of the people watched TV (Flynn, 1993; Lattman-Weltman, 2003). Thus, the 1989 campaign was basically the first one in which marketing strategies and opinion polls entered the realm of politics and appeals to voters -most of who were voting for the first time- came primarily from the TV screen. It was also the first one to take place as Brazil's belated process of political enfranchisement came to an end with the inclusion of some 7.5 to 10 million illiterate voters.<sup>12</sup> In other words, mass democracy and audience democracy were being established almost at the same time, and this overlap proved to be extremely disconcerting.

The "Collor phenomenon", as it came to be known, started as a media curiosity not to be taken very seriously. His name was not even mentioned in the first round of polls taken in January 1989, although it soon began showing in the fourth or third place. Collor was at the time the young governor of the impoverished, backward Northeastern state of Alagoas, a place ran by a few powerful families (among which Collor's own) that enjoyed all kinds of privilege and were hardly accountable to anyone. In February Collor announced that he was resigning in order to run for

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<sup>10</sup> As Avritzer (1999; 2007) points out, community and professional associations had an important role in the Constitution-making process and went on to get involved in the novel experiences embodied by policy councils and participatory budgeting.

<sup>11</sup> For the first time in Brazilian history the word "citizen" started to be used as an indication of a status of valuable equality rather than of distinction and privilege (as in the salutation "cidadão doutor") or, as until recently, of insignificance and lack of entitlement (as in the expression "um cidadão qualquer", that is, "a nobody") (Carvalho, 1999; Holston, 2008). From an anthropologist's perspective, the latter describes the visibly different conceptions of citizenship he perceived in his first visit to Brazil in the early 1980s and in the latest one some twenty years later. In the former, he noticed that rights were not linked to citizenship but to special statuses. Although when explicitly asked people talked about how their status as citizens had changed under the dictatorship and occasionally used the word as a status of respect, their most instinctive reaction was to use the word "citizen" with a devalued meaning, that is, to refer to someone who deserves to be subject to that law that the privileged manage to avoid: "an anonymous other, a John Doe -a person, in fact, without rights" (Holston, 2008: 4). Twenty years later, one of these "nobodies" had been elected for the presidency following a campaign centered on citizenship, democracy and social justice. And, for a change, this nobody had "triumphed without becoming elite" (Ibid: 6).

<sup>12</sup> For a brief description of the Brazilian sequence for the acquisition and expansion of civil, political and social rights, see Carvalho (1995).

president. Interestingly, even though he used the governor's office as a platform for the presidency he did not do so the traditional way –i.e., in order to assemble a party machine on the basis of local patronage- but in a very modern one -namely, as a scene where he could stage a few spectacular actions on which to construct a personal image that would eventually reach the whole country through the media. That image was that of a modernizer, an incorruptible young innovator and the uncompromising leader of a “model administration” who had challenged powerful interests entrenched in the state bureaucracy. All of which was based on a single episode: his attempt to fire a number of well-paid public employees with dubious functions. The incident, which earned him the nickname of “caçador de marajás” (maharajah hunter),<sup>13</sup> reached the national headlines when although his decision was rejected by the State Legislature he kept refusing to pay the employees' salaries and was forced to do so by the Federal Supreme Court, with whose ruling he eventually complied -but not before making it clear that he was ready to risk a federal intervention rather than giving up his moral convictions.

Nothing but this isolated episode backed the myth of Fernando Collor as an anti-corruption fighter and a promoter of administrative austerity, efficiency and modernization. In fact, corruption allegations did surface during his short tenure as a governor, and the Legislature even set up an investigative committee to probe them. But the local press -much of it controlled by his own family- never actually investigated them, and he had no trouble projecting his brand-new image through the national media.

Needless to say, neither voters nor the press had much experience with presidential elections -much less with an election with this one's unusual characteristics. For twenty years, the mass media had grown in a context of censorship and political control, favor exchange and complicity with power. Thus, it does not come as a surprise that both the electronic media (practically monopolized by the *Rede Globo*) and the main national newspapers adopted a similar editorial line during the campaign, favorable to Collor (Matos, 2008). Media managers and owners knew that Collor's record as a governor was “dreadful”, but nothing could worry them less (Nêumanne, 1992: 18).<sup>14</sup> Collor's attacks against public employees were functional to the notion – widely shared among the elites- that the state bureaucracy needed to be reduced and that the economy had to be freed from state intervention. Thus, Collor was simply allowed to present himself as the solution to these problems -an attractive solution, no less, as Collor's telegenic young and handsome figure was as interesting as it was “exotic”.<sup>15</sup>

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<sup>13</sup> This nickname was first used by *Veja* magazine in 1988.

<sup>14</sup> Conflict between left-wing journalists and right-wing media managers did occur but, as argued by Matos (2008: 84), “the lack of solid liberal journalistic values in the media impeded a more balanced coverage”. Journalism's incomplete professionalization and excessive ideologization, another legacy from the long dictatorial period, did little to help good-intentioned journalists. According to a former newsroom director of *Estado de São Paulo*, “the biggest sin committed by journalists”, himself included, “was that we did not investigate who Collor was. The reporters wanted to write political speeches against Collor. But if we had investigated, we could have shown that he was a fraud. Everyone knew about the rumours in Alagoas...” (quoted in Matos, op. cit.: 92).

<sup>15</sup> As Lattman-Weltman et al. (1994: 26) point out, “a ‘maharajah hunter’ from the Northeast is no doubt a lot more interesting (and gets higher audience ratings) than the closer, more familiar, and often boring traditional-style governor”. As a result, “the geographic and psychological distance between Maceió and the axis Rio-São Paulo, where all the major newspapers, magazines and radio and TV networks are based, did not hurt [Collor] but instead contributed to the creation of the image of a ‘caçador de marajás’” (Ibíd: 30).

Centered on his image rather than on any precise program, Collor's campaign message was deliberately vague and ambiguous. It portrayed him as an experienced and innovative administrator, a charismatic leader and a bold businessman, simultaneously liberal and popular but not attached to any particular interest.<sup>16</sup> Among his actual or assumed personality traits, his energy and youth (indeed, he would become the youngest president in Brazilian history), his aggressiveness, independence and supposedly high moral values were repeatedly emphasized. His recurrent themes were the moral crisis, the external debt, the fight against corruption and the restoration of hope, coupled with criticisms against the Sarney administration, the establishment and, of course, the *marajás*. His discourse was "anti-state, anti-party, anti-Sarney, anti-*tudo que está aí*" (Schneider, 1991: 124). His ostensibly uncompromising stance allowed him to freely shift between left and right as dictated by convenience, and to appeal to a disparate electorate composed of conservatives and neoliberals, but also to the disorganized poor, the *descamisados* whose numerous votes were key to his getting elected.

In order to run for the presidency, Collor founded a new party, the Partido da Reconstrução Nacional (PRN). Besides complying with the law, which required candidates to have a party affiliation,<sup>17</sup> this allowed him to profit from the regulation that granted political parties a free slot on national television. Until late March 1989, however, he did not get much attention from the mainstream press. But just then, opinion polls results started encouraging both hopes and fears that the left (either Leonel Brizola or Luiz Inácio "Lula" Da Silva) could win the elections. Fear among the elites was further boosted by the high uncertainty resulting from the new voters' demographics. That was the context for Collor's first television appearance on the PRN's free airtime. Although at the moment his performance went mostly unnoticed by the press, two weeks later an Ibope poll gave him a 25% vote intention, placing him second (together with Lula) and only two points behind Brizola. Another week later he reached the first place, in what was still considered to be a fleeting phenomenon. On April 27 he was back on free TV time, now as a "guest" of the highly unknown Partido Trabalhista Renovador (PTR). In May his prospective votes surpassed 30% and with them came endorsements by various politicians and businessmen. At that point, a third television appearance, now in the free space granted to the equally unknown Partido Social Cristão (PSC), was all he needed for his name and image to become recognized by the vast majority of voters.

From then on, Collor appeared in the newspapers almost daily, both in the news and in paid ads about his past administration. Throughout the campaign, *Folha de São Paulo* (FSP) was the only important newspaper that did publish some detailed stories about Collor's performance as a governor, his administration's irregularities and his campaign strategy and financing.<sup>18</sup> But all of them were "minor corruption charges given the extent of political corruption in Brazil" (Matos, 2008: 93) and simply did not find an audience ready to listen. The rest of the press just tried to keep an appearance of neutrality; thus, they did not use "dirty tricks" against the candidates of the left but instead decided to give, as the Brazilian saying goes, "to our friends, everything; to our enemies, the law": while leftist candidates and programs were carefully scrutinized and criticized,

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<sup>16</sup> It was precisely the fact that Collor was nobody's candidate, argue Lattman-Weltman et al. (1994), what could eventually turn him into everybody's.

<sup>17</sup> Requirements for the registration of new parties had been eased by the 1988 Constitution.

<sup>18</sup> To nobody's surprise, a few days after taking office Collor authorized the invasion of FSP's installations by the Federal Police under the pretext of alleged tax violations.

Collor's were only superficially examined. Even Paulo Cesar Farias' already suspicious activities as the fundraiser and bookkeeper of Collor's multimillion-dollar campaign were overlooked. Instead, the media repeatedly celebrated what was perceived as Collor's energy and resolve, as shown by the fact that instead of wasting time, he was tirelessly touring up and down the country in his own jet –never even wondering where all that money came from.

In June 1989 business endorsements accompanied Collor's comfortable installation in the first place (42/43% according to Datafolha and Ibope; 37.7% according to Gallup), well ahead of Brizola and Lula. In August, O Globo's Roberto Marinho declared his support for Collor. Another Gallup survey gave him 35% of the vote, and it was speculated that he might even win without a runoff election. As the television campaign began in September, Collor was estimated to be about thirty points ahead of Brizola, the runner up (45.5% to 14.8%). October polls gave him 42/43%, in contrast with around 15/17% for Brizola and 14/15% for Lula. The final results, however, were not nearly as favorable to Collor, whose 22.6 million votes accounted for 28.5% of the total. Contrary to most forecasts, 11.6 million votes (16%) made Lula the runner-up, leaving Brizola (15.4%) in the third place. Twenty more candidates also participated in the race.

Once defined that the contenders in the final battle would be Collor and Lula –that is, that the choice would be between a member of the elite and an uneducated worker; between the high and the low of a very hierarchical society, between order and chaos- the mainstream press (with the exception of FSP) made a “hysterical alignment” behind Collor (Matos, 2008: 91). Panic within the elite helped Collor collect “enormous contributions totaling \$100 million, far exceeding what the campaign required” (Dos Santos, 1993: 18). Ideological radicalization and polarization increased after a TV Globo debate that -according to subsequent opinion polls- was “won” by Lula despite open editorial manipulation against him. In spite of his prior self-depiction as a “social-democrat”, Collor went on to adopt an openly anti-communist discourse and played on people's fears by falsely accusing the left of planning to confiscate their savings and expropriate their houses if they got elected. His ultimate dirty trick consisted in bringing a former girlfriend of Lula's to one of his free air slots and getting her to accuse him of racism and of trying to force her to get an abortion. Shortly after, Collor was elected with 35 million votes, while 31 million backed his leftist opponent. His victory –as well as the subsequent launch of his first economic plan- was celebrated by almost every newspaper headline. Most of the press continued to back him long after his first, apparently successful, few months in office. Many newspapers (such as *Jornal do Brasil*, heavily indebted with public banks) would even keep supporting him well after the scandal exploded, all the while publishing the daily revelations provided by the ongoing investigation.

But public opinion, elite convenience and a media-based personal image would eventually prove to be too weak, inconstant and short-lived foundations for the everyday exercise of power. After managing to get elected without an organized, institutionalized basis of support, Collor would not even attempt to build one and would instead go on to equate his political isolation with autonomy and independence. That is the main reason why his fall would end up resembling his rise so much, both in speed and spectacularity.

### *Collor's Government: Corruption as Usual?*

The first president directly elected by the Brazilian people since the restoration of democracy, Fernando Collor de Mello was inaugurated in early 1990 amidst great expectation in a context of economic chaos (on inauguration month inflation peaked 80%). Although he belonged to a traditional ruling family and was well-acquainted with old-style politics, he had run on an anti-party discourse and presented himself as a political outsider,<sup>19</sup> relying on the support of a rubber-stamp political party of his own creation. He had risen to the presidency with the broad support of the media (and of the electronic media –and *O Globo*- in particular), which had provided the channels for his “direct” relationship with voters, and went on to set up an administration based on a personalized, centralized and isolated decision-making style. Even though fears that the left would reach the presidency had brought him massive elite support, he never attempted to put together a center-right political force and even showed disdain towards the establishment. As he lacked organizational support, he tried to weaken all organized power centers, be they opposition political parties, the military or business and labor organizations (Weyland, 1993: 10). Instead of assembling a cabinet with members of the political parties whose help in Congress he would need to get bills passed, he relied on patronage and emergency measures. His cabinet was often described as a little Alagoas in the heart of Brasília, that is, as the overt transplantation of a world of privilege, criminal connection, media complicity and plain unaccountability into the center of modern Brazil.<sup>20</sup> The government was soon packed with Collor’s family and friends,<sup>21</sup> including Paulo César Farias, “a hitherto obscure minor local businessman and fixer” whose “corruption was matched only by his indiscretion” (Skidmore, 1999: 10). Besides being accustomed to practices that (somewhat hypocritically) were no longer considered acceptable in their new home, most of the newcomers had an additional liability: they had been selected solely for their proximity to the president, thus they were not necessarily fit for the job and did not expect a long tenure; as a result, they tended to act as though they had to extract whatever benefits they could before they were sent back home. These already short time horizons tended to shorten further as the economy failed to improve (Geddes and Ribeiro Neto, 1992).

As soon as he was inaugurated, Collor reduced the number of ministers and got rid of various government agencies and autonomous bodies. He announced drastic measures to fight inflation that provoked relatively low opposition –in any case, less than comparable policies had provoked in the past. His stabilization program included a large confiscation of financial assets: bank accounts were “frozen” and withdrawals over US\$1,000 dollars were banned for eighteen

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<sup>19</sup> Due to the fact that he descended from a local ruling family and had a (very erratic) political trajectory behind, Collor is sometimes considered to be a “pseudo-outsider” (Panizza, 2003: 58) or even to be no political outsider at all, “despite his efforts to present himself as such” (Skidmore, 1999: 3; see also Schneider, 1991). Indeed, far from trading a previous profession to rise to the presidency, Collor had followed a political career: he obviously had not come into politics from outside the political realm. He had advanced his career by navigating the system: not unlike many other Brazilian politicians, he had risen under the military and changed party labels as often as he judged convenient, finally taking advantage of campaign regulations to reach the public through free media time. It remains true, however, that unlike all his democratic predecessors he reached the presidency without the support of any major political party; as already mentioned, he was a perfect stranger to the general public when the presidential campaign started, just a year before his inauguration. In fact, it was probably *because* he was a stranger that he was “perfect”. In any case, he did succeed in *presenting* himself as an outsider, a savior who, not being involved in the dirty game of politics, could certainly perform a number of miracles –among them, that of cleaning and modernizing politics. He did so despite all evidence that suggested that his performance as a governor was all but clean, modern and efficient.

<sup>20</sup> In a way, the 1988 Constitution inadvertently pulled in the same direction, as it increased the legislative overrepresentation of the poorest, more backwards states of the North and Northeast.

<sup>21</sup> For a description of the gallery of characters, see Nêumanne’s 1992 bestseller.

months. Prices were controlled and the requirement was introduced that all checks over US\$ 1,000 be nominal. As a result of a number of measures, inflation initially dropped to 3.1%. Price controls started to be lifted in May and a decision was made to let go of 360,000 public employees; soon after, the number of posts to be cut was reduced to 120,000 and eventually the actual cuts turned out to be negligible. Collor also decreed an 80% reduction of the salaries of public employees that were sent home “on availability”, but he soon backed down with this decision. And although he started out with an ambitious privatization program, little was actually accomplished. As inflation rose to 7.87%, his approval rate went down from 87 to 55%.

A strike began in June due to layoffs among oil workers, followed the next month by a long strike by Ford autoworkers that had been denied a salary raise. Unions felt attacked when the compulsory union tax ceased to exist in August. But they were not the only ones who felt left aside; in fact, as Schneider (1991: 332) argues, “the fundamental flaw of the Collor plan [was] the lack of negotiated mechanisms to induce economic agents to collaborate”.

Also in June 1990 denunciations started to surface: the first one involved the Secretary of Transportation, accused of handing a no-bid contract for the execution of a road-paving project worth 500 million dollars. The following month came to be known that two advertising agencies that had managed Collor’s campaign had been given a no-bid contract to run official advertising. By September inflation had climbed to 12.4% and recession was underway; an Ibope poll, however, showed that around 60% of the people still trusted the administration. Indeed, the government was not defeated in the October legislative elections; by the contrary, Collor’s party and its potential right and center-right allies even won some congressional seats. This, however, did not mean that Collor would be able to rely on legislative support, given his uncompromising ways and his unwillingness to make concessions, which alienated Congress further.

In October the first denunciations surfaced that involved people who were close to the president. The name of Paulo César Farias first came under the spotlight when the Chief Executive Officer of the state-owned company Petrobrás resigned after denouncing that he had been pressured by Farias and the secretary-general of the presidency, also the president’s brother-in-law, to approve a multimillion dollar loan to a recently privatized company under the more favorable conditions reserved for state companies. Collor promised to probe the allegations but instead backed his brother-in-law. It was also reported that PC Farias was illegally funding the campaign of Collor’s candidate for the governorship of Alagoas. Both *IstoÉ* and *ESP* published pieces about PC Farias’ misdeeds and role in the government, but “none of [them] initiated any press or public movement capable of seriously questioning the presidency” (Matos, 2008: 107).

In November the High Electoral Court passed judgment that fraud had taken place in the Alagoas election and mandated a vote recount. Inflation was higher still: 16.7%. By the end of the year the country was undergoing one of its worst recessions ever and inflation reached record figures. However, as stated by Schneider (1991: 322), “1990 was not the story of failure foretold. The new government missed important opportunities and misdiagnosed the severity of the crises”.

In January 1991, after Alagoas benefitted from multi-million transfers of federal funds, Collor’s candidate won the gubernatorial election. A new economic plan, “Collor 2”, was launched. In February, suspicions were aired that a public social assistance institution aimed at helping poor women and children, the Legião Brasileira de Assistência (LBA, Brazilian Legion for Social Welfare), headed by First Lady Rosane Collor, had overpaid for purchases of basic supplies. Also in February, the Supreme Court ruled unconstitutional the reissuing of decrees



(*medidas provisórias*) after their expiration for lack of congressional approval. Throughout his first year in office, Collor had systematically used this practice and was now forced to leave it aside and find an alternative way to gather some legislative support. As he could expect no good will from Congress after his arrogant mistreatment and circumventing of it, he had to rely further on patronage, which happened to be increasingly less available as public finances tightened.

In March, data were made public that showed a 4.6% drop in the GNP during 1990. The country was deep into recession and denunciations did not abate. When the government suspended coffee exports, suspicions arose that shortly before the decision was announced an advisor of Finance Minister Zélia Cardoso de Mello had disclosed confidential information in order to favor friends of the Minister in the New York Stock Exchange. These allegations were confirmed and the Minister resigned in May, after being accused of using pension funds to buy shares of a friend's company.

In April a PMDB representative (*Partido do Movimento Democrático Brasileiro*) denounced that commissions of up to 30% were being charged for the adjudication of contracts for public works; the minister of Labor was accused of accepting kickbacks from public contractors and another cabinet member was accused of being in a private company's payroll. In June another no-bid overpaid purchase by the LBA was reported; around the same time, it was denounced that the Banco do Brasil had settled part of a multimillion-dollar debt contracted with London banks by the Cooperativa dos Usineiros de Alagoas. In July a scandal erupted when Rosane, the president's wife, used public money to throw a jet-set-style birthday party for a friend in the presidential residence. In August, it became known that Rosane Collor's relatives in Alagoas had diverted federal funds for water distribution. The first lady herself was forced to leave the LBA after it was proved that she had diverted funds through transfers to a phantom charity.<sup>22</sup>

According to a survey by *O Estado de São Paulo*, at least twenty-eight denunciations of corruption that involved the government, some of which affected people from the president's inner circle, had piled up by September. Many had been published by *Folha de São Paulo* (FSP), some by *O Estado de São Paulo* (ESP), and a few by *Jornal de Brasil* (JB). *O Globo*, the powerful multimedia company that had hitherto unconditionally supported the government, started to change its position in October, when it published a piece with a denunciation of overpaid purchases of uniforms and other Army supplies.

In November it was the Minister of Health who was accused of prevarication in a case of overpaid purchases. Somewhat imperceptibly, it was just then when the preliminary stage of the process that would eventually lead to Collor's impeachment started. As argued by Mische (2007), about six months before the major corruption denunciations took place there was a surge of organized activity as a response to the mounting problems of recession, unemployment, poverty and inflation, accompanied by growing doubts about the morality of the government. It was then when the Movement Option for Brazil came into being, as a civic, non-partisan forum for cross-sectoral discussion that laid the basis for the formation, several months later, of the Movement for Ethics in Politics.

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<sup>22</sup> The relevance of this particular scandal is revealed by the angry reflection, widespread among poor citizens, that "people had voted for Collor because, as a very rich man, he did not need to steal: now his wife was stealing from some of Brazil's poorest and most vulnerable women and children!" (Flynn, 1993: 364).

In December 1991 two more denunciations for overpaid purchases in the Health Ministry were aired. The contracts were investigated and some of the Minister's aides were fired. Around that time Pedro Collor, the president's younger brother who was in charge of Organizações Arnon de Mello, the family business in Maceió, voiced his opposition to PC Farias's initiative to launch his own newspaper in Alagoas, thus ending the monopoly held by the Collor family's newspaper. Apparently, Pedro unsuccessfully threatened the president with telling about his illegal business if he did not stop Farias.

By the end of his second year in office, Collor still attempted to keep his image as a reformist. In a speech on his inauguration's second anniversary, he stated his commitment to honesty, transparency and modernization and announced the introduction of a bill imposing stricter punishments for corrupt public officials. However, a Gallup poll taken in March 1992 showed that support for his administration had dropped to 16.3%.

In January 1992 four FSP journalists who had been accused of slandering for denouncing no-bid advertising contracts were acquitted. The federal police started investigating irregularities in the Health Ministry. The Ministers of Labor and Social Welfare both resigned under charges of approving shady government contracts. In February it was the Aeronautics Minister's turn to face an accusation related to the use of public money for private expenses. Another former Minister was accused of receiving a 30,000-dollar bribe. In March, the Minister of Social Welfare admitted that he had received an important "gift" from a private company and a 100,000-dollar contribution for his congressional campaign from the *Federação Brasileira de Bancos* (Brazilian Federation of Banks). ESP denounced that the Secretary for Strategic Affairs, one of Collor's closest advisors, had fostered the sale of oil by-products to companies owned by friends of his against the interests of the public-owned company Petrobrás. A *Comissão Parlamentar de Inquérito* (Congressional Commission of Investigation, or CPI)<sup>23</sup> was established to investigate these charges.

On March 30 the entire cabinet resigned in what was described as a presidential initiative to reorganize his team by summoning respected personalities and giving a bigger role to political parties with congressional representation. So far, none of the denunciations involved the president directly, and although people in his inner circle were already affected by scandals, at that point "there were [still] good reasons to believe that corruption charges might soon dissipate" (De Souza, 1999: 94). In fact, the nationwide protest summoned by the student movement in April 1992 had quite a low turnout. The anti-Collor rallies organized by the labor movement did not have much of a repercussion either. Only in May, after the scandal erupted, did all these partial initiatives converge and finally caught the public's attention.

### *Collor's fall: Dynamics of a Political Scandal*

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<sup>23</sup> These are temporary, ad hoc legislative commissions that can be established in any, or both, chambers of Congress with the vote of one-third of the legislators in order to investigate denunciations of "specific facts" such as bad conduct, administrative irregularities or alleged corruption. As many as five of them are allowed to function simultaneously. Their members are appointed by party leaders and their composition mirrors that of the Chamber. Their investigative powers became stronger since the 1988 Constitution gave them quasi-judicial prerogatives and mandated that the resulting reports containing "recommendations" be sent to the *Ministério Público* (Public Prosecution) for further investigation and sanctioning purposes (Cf. Cheibub Figueiredo, 2003). Despite their vast investigative powers, however, CPIs' direct punitive prerogatives are limited to the imposition of reputational or political costs on legislators, whom they can remove from their posts (Taylor and Buranelli, 2007).

The fatal blow to the government came on May 13, when the president's younger brother, Pedro, accused Paulo César (a.k.a. PC) Farias of leading an extortion business, and implicated the President as his partner and beneficiary.<sup>24</sup> In an article published in *Veja*,<sup>25</sup> Pedro was also quoted saying that in their youth he and his brother had taken drugs and that as a governor of Alagoas Fernando Collor had had numerous affairs and had even tried to seduce his brother's wife. Three days later, *O Globo* ran a piece on "phantom" companies and million-dollar bank accounts. As a response, the president sued his brother for slander, and had him removed from the family companies' command for his "mental disturbances".

By request of a group of PT legislators, on June 1<sup>st</sup> Congress established a CPI made up of eleven deputies and eleven senators and presided by a PFL (*Partido da Frente Liberal*) representative in order to look into Pedro Collor's allegations. And thus the denunciation phase of the process began (Mische, 2007). Under the umbrella provided by the CPI investigations, all kinds of protests soon converged. Student and labor movements started to participate in common proimpeachment events. A vast array of events organized by civic forums, popular movements, the Catholic Church and opposition parties, among others, became platforms for the denunciation of Collor regardless of their original purposes.

It is worth noting, however, that the CPI was originally formed to investigate Farias, not Collor. Also worth mentioning is the fact that initially nobody believed that this CPI would be any different from its predecessors, and that the whole thing would end up in anything but "pizza".<sup>26</sup> But the political opposition had motive and means to push it forward,<sup>27</sup> and corroborating evidence turned out to be very easy to find. After Pedro testified before the CPI, other witnesses did as well, soon disproving the impression that the denunciations were all part of a plot orchestrated by a vindictive madman. Thus, as more reliable sources backed the rumors and provided a fairly accurate idea of the huge amount of money that had been illegally seized, what had started as a quarrel between brothers became a mudball of a political scandal.

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<sup>24</sup> The impact of the denunciation coming from the president's brother seems to have been stronger as a result of the fact that, as remarked by Dos Santos (1993: 19), Collor's administration was "a family affair".

<sup>25</sup> Soon followed by its competitor *Isto É*. At this point, the race for scoops was the scandal's main driving force.

<sup>26</sup> When this CPI was created, then-Senator Fernando Henrique Cardoso was quoted as saying that it would "end in pizza" (Fleischer, 2002: 6), a popular expression that refers to any process that yields no results after long delays. Indeed, the great majority of CPIs never finish their job; in fact, many do not even start as their members are never appointed. Their nature is inherently political, and their functioning is dependent upon contingent majorities. As a result, many CPIs are routinely established as part of political strategies, that is, as a means to threaten competitors or please allies, audiences or constituencies rather than with the purpose of uncovering and correcting misdeeds. Between 1946 and 1964 only 57% of them concluded their investigative tasks, and the success rate further descended to 17% from 1988 to 1999 (Cheibub Figueiredo, 2003; Taylor and Buranelli, 2007). It is this precedent what plausibly explains why Collor did not attempt to obstruct the CPI investigations (Kada, 2003).

<sup>27</sup> Much of those means was provided by committee dynamics. As Kada (2003:122) accurately points out, the customary practice was followed of selecting the leading investigator from the largest opposition party, while assigning the committee chair to the largest party in the governing coalition (the president's party was too small to claim it). The fact that the opposition had a one-vote majority in the committee allowed it to take initiatives such as establishing subcommittees headed by opposition members in order to conduct in-depth investigations. Each and every time the committee chair sought to shield the president by restricting the investigation to PC Farias's activities, opposition members complained to the media and the obstruction was subsequently removed.

With inflation rising and the CPI's investigations underway, the president still continued to play the reformer. Thus, on June 2 he signed Law 8429 (*Lei de Improbidade administrativa e enriquecimento ilícito*) that established sanctions for corrupt public officials, including loss of position, dismissal, withdrawal of political rights for up to eight years, fines, arrest, and even the obligation to pay back the state for any losses; and mandated that all elected politicians declare their assets and property upon appointment (cf. <http://www.leidireto.com.br/lei-8429.html>). Soon after, on June 16, a São Paulo businessman confirmed the existence of the so-called "PC extortion scheme", a system of "intermediation between businessmen and the government, for whose service commissions of up to 30% of the amount of the contract were charged" (Lattman-Weltman et al., 1994: 83). As newspapers and magazines continued to run stories on PC's business affairs, Collor kept insisting on his own innocence and high moral standards.

As more information about governmental misdeeds became available, a Movement for Ethics in Politics (*Movimento Pela Ética na Política*) began to organize. In June 23 the nascent civic coalition held a Vigil for Ethics in Politics outside the National Congress in Brasília, in which professional, religious, labor, business and non-governmental organizations, as well as politicians and other "personalities" participated. Without directly denouncing Collor, the issued manifesto called increased accountability.

At the end of June 1992 Collor's situation took a turn for the worse as his private secretary's chauffeur gave an interview to the magazine *Isto É* in which he declared that he routinely made pickups of checks and cash from a company owned by Farias, that the money was used to pay for Collor's personal expenses, and that deposits made from PC's "phantom accounts" also benefitted Collor's wife, ex wife, mother and a number of aides. Bank records later confirmed that Collor's secretary had passed checks through her account totaling more than ten times her salary. It also became apparent that the president's expenses largely surpassed his own income, and that he and numerous family members systematically received money from Farias. The driver's denunciation was perceived as highly credible and had an immediate echo on public opinion. In order to counter these accusations, Collor explained on national TV and radio that his bills were being paid with leftover money from his presidential campaign.<sup>28</sup> Not long after the publication of this story, a good part of the mainstream press started to shift from caution to criticism. Both FSP and ESP published their first editorials asking for Collor's resignation, and the former began to designate the scandals as "Collorgate".

A few, not yet massive student and partisan rallies against Collor took place at the beginning of July, followed on the 13<sup>th</sup> by the official launch of the Movement for Ethics in Politics, a broad civic coalition articulated around a discourse on citizenship that "combined actors from across the political spectrum, with different partisan associations as well as varying levels or power and resources" (Mische, 2007: 136). Hitherto isolated efforts soon converged when the Movement was joined by student organizations. Its aims, however, were still not clear: in fact, many professional and business groups were determined to keep the theme of "ethics in politics" separate from the banners of "Fora Collor" and "Impeachment Já" that were enthusiastically

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<sup>28</sup> Believe it or not, this was supposed to be an exonerating explanation. "It is not unusual in Brazil for candidates to pocket such excesses themselves", states Dos Santos (1993: 18). "What made that episode different was its scale. It later became known that Collor and PC Farias squandered \$25 million dollars of 'campaign leftovers' on genuine maharajah-like spending sprees".

embraced by student organizations and leftist unions and political parties. Nevertheless, both calls for Collor's dismissal soon came to dominate the civic rallies (Ibid: 160-161).

After Collor's secretary's driver confirmed his sayings before the CPI, the former president of Petrobras (the semi-public Brazilian mega-energy company) confirmed an earlier denunciation about pressures exerted by PC Farias and the Secretary-General of the Presidency so he would grant a forty-million dollar loan to a friendly company. Data supporting Farias's influence-peddling scheme soon accumulated as more witnesses testified and further material evidence was uncovered. The CPI found Farias's charter company's planes to be "phantom planes" that mostly flew to the Cayman Islands. Phantom bank accounts, controlled by PC Farias under many different names, were exposed, and it was eventually proved that they were the origin of the money used for buying the president's car and for paying for an expensive reform to his house. It was also confirmed that Farias and Collor's secretary had eluded the government-imposed bank account freeze by withdrawing huge amounts just before the decision was announced, while many Brazilians were unable to touch their own savings. This was particularly damaging to the government because "knowingly or not, Brazil's widest circulating newspaper [*O Globo*] had published, just days before the revelation, an article showing that the savings that had been frozen had lost up to 50 percent of their value" (Kada, 2003: 122).

Lots of unexplained wealth quickly surfaced; according to some calculations, Farias's unlimited greed had led him to collect around \$1.4 billion through his influence-peddling scheme and other illicit activities, and possibly more through suspected ties to drug trafficking. The unconceivable size of the paper trail (partly due to the ban on checks "to the bearer" that the government itself had imposed) suggested that the perpetrators –many of whom came from Alagoas, a state famous for its high degree of corruption and impunity- simply never thought that they could be caught. By the month of July, some individual legislators had already started to publicly ask for Collor's resignation.

Given the unanticipated depth, extent and carelessness of PC's corruption scheme, the CPI soon had all the necessary information to close the inquiry before it could drag down other politicians, including members of Congress. Its well-documented, 369-page final report involved not just Farias but the President as well, thus serving as the basis for a decision regarding impeachment. While the President's scant allies began to desert him, a new phase of the process started that was characterized by high levels of mobilization. Its turning point was the massive Students' Day march that took place in São Paulo on August 11, which saw the emergence of a new set of symbols (such as painted faces, mostly with stripes -not yet with the words "Fora Collor") and repertoires, such as new march trajectories that linked different sectors of the city. The organization of the rally included the busing of students from distant neighborhoods, which contributed to its broad demographic mix, "not restricted to the middle-class students that would soon dominate the media coverage" (Mische, 2007: 167). As they marched, people from windows cheered, waved and even spontaneously joined them. This was "the first sign that the movement was extending beyond 'organized' sectors of society" (Ibid: 165). The rally's high turnout, although small if compared with later demonstrations, surprised its own organizers. From then on, student leaders and organizations –which had previously begged for recognition within the Movement for Ethics- became its most visible faces. After languishing for years, the *União*

*Nacional dos Estudantes* (UNE) revived as it came to the forefront of the process<sup>29</sup> and -along with the *Associação Brasileira de Imprensa*, ABI, and the *Ordem dos Advogados do Brasil*, OAB- even gained access to restricted congressional votes. More demonstrations in São Paulo, Rio de Janeiro and other major cities soon followed.

As investigations drew to a close, a cornered Collor went on national television to ask the population to express support for him and rejection of what he considered to be a “coup” in the making by dressing in green and yellow, the colors of the national flag. His strategy backfired as his opponents suggested going out in black instead. On the agreed day, Sunday August 16, the streets of the main Brazilian cities were flooded with people dressed in black, condemning corruption and demanding the president’s impeachment; only sparse groups demonstrated as the president had requested. The spectacularized media coverage of the demonstrations -labeled as “the battle of the colors”- had a truly multiplying effect.<sup>30</sup>

It is worth noting that although some of what eventually took place had actually been planned, all the small-scale preparatory efforts were overshadowed by a euphoric, massive participation that resulted mostly from dissemination by word of mouth. In fact, the overall result was considered “completely spontaneous” by its participants –even by student leaders who would rather take credit for any mobilizational success. A number of activists of diverse partisan affiliations interviewed by Mische (2007: 170-1) invariably insisted that they had attended “as citizens” and that their organizations, although present, were absolutely not the driving force behind the events. Massive attendance was systematically understood as a “coincidence”, as if “the same idea occurred at the same time, among many different people”. “It was like wind, suddenly everyone said, let’s go out”. As one of them concluded, “Collor [himself] was the great mobilizer”.

During the rest of August a number of demonstrations took place outside Congress in Brasília as well as in many cities across the country. The CPI final report was released to the public (on national television) on August 24 and approved (by a 16 to 5 vote) two days later. It listed the various crimes committed by PC Farias -including active and passive corruption, prevarication, administrative advocacy, conspiracy and influence peddling- and the numerous laws that he had broken. Despite pressures not to mention the President in the report, the CPI principal investigator managed to present him as a beneficiary of Farias’s illicit activities; as a result, the demand for impeachment grew stronger, both outside and inside Congress<sup>31</sup> (Kada, 2003: 122). Still, Collor continued claiming innocence and ignorance about what some people within his government had done, as well as insisting that it was all a conspiracy against him. In August 25, as Collor’s disapproval rating reached 84%, one of the largest demonstrations took place in São Paulo, “marked by colorful dramaturgy, with symbolic burials of the Collor government, Collor

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<sup>29</sup> The role of the student movement is highly debated: while some credit it with a prominent role, others afford it a more secondary and somewhat passive role allegedly exaggerated by the media.

<sup>30</sup> For images of both demonstrations, see for example “Impeachment de Collor (1992)” in [http://www.youtube.com/watch?v=5KykKVVtQ2k&feature=Playlist&p=2F0E538E7E30ED00&playnext=1&playnext\\_from=PL&index=23](http://www.youtube.com/watch?v=5KykKVVtQ2k&feature=Playlist&p=2F0E538E7E30ED00&playnext=1&playnext_from=PL&index=23). See also “Movimento cara pintadas” in <http://www.youtube.com/watch?v=1rFKqUa5taQ&feature=related>.

<sup>31</sup> However, throughout the process Congress members tended to be more moderate than their represented, as suggested by a number of surveys. For some time, for example, legislators were more inclined than ordinary people to keep the president in his post while investigating him; as the proceedings advanced, most legislators thought that the vicepresident should replace Collor if he resigned or was convicted, while a large number of citizens thought that a new president should be elected by popular vote (De Souza, 1999: 98).

look-alikes, protestors dressed as ‘phantoms’ (a reference to the phantom bank accounts), prison inmates, rats, the dragon of inflation, and many, many painted faces” (Mische, 2007: 173). This time, the mobilization reflected a great organizational effort by the student movement and the support of a number of actors such as unions and the state government. Almost all the candidates for the upcoming municipal elections participated in it -even some who were believed to be corrupt themselves, such as Paulo Maluf, who came out with his face painted and videotaped his performance so as to insert it in a campaign ad.

On September 1<sup>st</sup> 1992 an impeachment request was filed with the Chamber of Deputies by the presidents of the ABI and the OAB. On that same day, *O Globo*’s editorial defended the government’s programs while suggesting that the president was no longer the right person to implement them. Also in September *Veja* published its first political editorial ever, in which it asked for the president’s resignation. Still, Collor refused to do so, as he would until the very end. Demonstrations outside Congress continued throughout the month, echoed by pro-impeachment marches in many other cities.

Impeachment had no precedent in Brazil, and arguments took place about how best to enforce the procedure established in the 1988 Constitution. It was not clear whether a simple 50% plus one majority or a 2/3 majority was required to initiate the process, and which voting method had to be used. The president of the Chamber decided it would be a roll call with recorded votes, also allowing for its live television broadcast; his decisions were appealed but were eventually upheld by the Supreme Court. The impact of this “procedural” decision was immense, as it meant that each and every representative would face the entire nation when casting their votes in support of the president or against him.

Collor’s popularity continued to sink. He was booed and had to leave an Independence Day ceremony on September 7. Four days later, *O Globo* reported that he had been identified as the head of the influence-peddling scheme set up by PC Farias. On September 18, three rallies that had originally been separately planned by the Movement for Ethics in Politics, the student movement and Força Sindical and the business federation, ended up converging in what turned out to be the biggest demonstration, gathering around 700,000 people in São Paulo only. Other cities staged demonstrations that were also attended by hundreds of thousands, among them a handful of governors and the mayors of several state capitals. At the end of the month, the president’s wife was indicted for embezzlement.

In a clever move by the Speaker of the House, the date for the impeachment vote was set for September 29, just a few days before the municipal elections scheduled for October 3. Thus, most mayoral candidates were forced to move to the pro-impeachment side in order to keep their electoral odds up. As the impeachment vote neared, the government’s dual support-building strategy intensified: on one hand, Farias threatened to disclose the names of other politicians whose campaigns he had helped finance; on the other, Collor aggressively embraced patronage. According to press reports, the president of the Banco do Brazil offered legislators the opportunity to choose the municipalities that would benefit from funding for a variety of projects, and many legislators were promised government posts. This practice that had been so successful in the past, failed this time simply because so many eyes were watching. Newspapers began publishing lists of the representatives’ positions so voters could check whether they were being responsive to their demands or they had entered into dubious deals with the government; and federal judges banned the presidents of the two largest state banks from making new loans (Kada, 2003; Avritzer, 1999).

On September 28, Army troops were placed on a state of alert in most state capitals and big cities. On the 29<sup>th</sup> all national radio and TV networks broadcasted live from Brasília the Chamber's overwhelming vote in favor of suspending the president for 180 days and starting impeachment proceedings. In response to the Movement for Ethics in Politics' call for a national civic shutdown (*paralisação cívica*), people had interrupted their daily routine to gather in public squares across the country and follow the vote count. Large TV screens or loudspeakers transmitted the session as each representative stood up and voiced their vote, many of them even "dedicating" their pro-impeachment votes to "the people of my state", "my dear city", "my family", "my children" or "the future of my country".<sup>32</sup> In the streets, each affirmative vote was followed by cheers that echoed the applause within Congress. Once the vote count reached the required number, people celebrated with singing and dancing -"as if Brazil had won the World Cup", according to FSP. The final count -448 to 38, with one abstention and twenty-three absences- showed that most of Collor's former supporters had deserted him. According to a Gallup poll, at that point only 5% of the citizenry trusted the president. Regardless, Collor still did not resign, and he was provisionally replaced by vicepresident Itamar Franco on October 2<sup>nd</sup>.

Fernando Collor de Mello eventually did resign -on December 29, the day before the scheduled Senate vote to remove him from office. Under considerable popular pressure -and against the argument that the Senate had no constitutional authority to try a *former* president- the procedure continued and Collor was convicted by a large margin (76 to 3). As a result, he was given the maximum punishment available: an eight-year suspension of his political rights. Franco was rapidly sworn in and served for the remainder of Collor's term.

Once removed, the former president still had to face the criminal charges filed against him for "passive corruption" and "criminal association". After successive appeals that made his Supreme Court trial drag on for two years, a divided ruling (5 to 3) cleared him on all criminal charges in 1994; his political rights, however, were not reinstated. The criminal charges were dismissed on a technicality: the fact that the only piece of material proof linking him to the "PC scheme" -the files found in Farias's personal computer- had allegedly been illegally obtained and was thus not acceptable as evidence. The charge of "passive corruption" did not stick because it could not be proved that the president had abused his position in order to grant favors in return for the "gifts" received from Farias, which included two ranches, expensive renovations for his private residence, a car and apartments in Maceió and Paris. Because he was absolved, none of his assets were confiscated (cf. Kada, 2003: 133). Popular reactions to Collor's acquittal were "passively outraged": although according to surveys the overwhelming majority of citizens thought justice had not been served, there was no going back to the streets in protest (De Souza, 1999: 105).

After his acquittal, Collor moved to Miami and every now and then raised the possibility of running for public office again. He eventually tried to run for Mayor of São Paulo, but his candidacy was declared invalid by the courts, because by the filing deadline his political rights were still suspended. In 2002 he did run for governor of Alagoas but was defeated by the incumbent. In 2006, as Lula Da Silva was reelected for the presidency, Collor finally succeeded at

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<sup>32</sup> Multiple images of the congressional voting are available online. Cf., for example, "Votação no Congresso", in <http://www.youtube.com/watch?v=V5X866eBENQ&feature=related>



“cleaning his biography” by entering the National Congress as a senator from Alagoas, after collecting 44% of the vote under the label of the *Partido Renovador Trabalhista* (PRTB).<sup>33</sup>

Pedro Collor died of brain cancer in 1993. PC, the only scapegoat, received criminal punishment and served a few months in prison (a very privileged one, though). In 1996, after he declared that he would tell everything he knew in a book he intended to write, he was found shot to death along with his girlfriend in his Alagoas home. The police ruled it a murder-suicide. He still had millions of dollars in Swiss bank accounts.

## **Argentina, 2001: “Que se vayan todos”**

### *The Rise of the Alianza: Precedents, Promises and Expectations*

Fernando De la Rúa was elected president in 1999 for the “Alianza por el Trabajo, la Justicia y la Educación” (in short, the *Alianza*) that his own party, the ancient *Unión Cívica Radical* (UCR), had formed with the novel *Frepaso* in mid-1997 in order to challenge then-president Carlos Menem as he attempted to force a twisted interpretation of the recently reformed Constitution so as to be allowed a second reelection.

Menem’s government had been a turning point for Argentine politics and economy. Menem had been inaugurated six months before his term’s official start date because his predecessor, Raúl Alfonsín (UCR), had resigned in the midst of a custom-made hyperinflation crisis that included lootings in the capital city’s metropolitan area. Although usually compared with Collor as just another example of the rise of a “political outsider”, Menem belonged -and always would- to the strongest (though arguably not the most formally structured) Argentine political party: the *Partido Justicialista* (PJ), also known as *Partido Peronista*.<sup>34</sup> As he took office he did not have a clear proposal as to how to weather the economic, financial and social storm; instead, he had been elected on vague promises such as that of bringing about a “salariazó” (that is, a huge salary raise) and a “productive revolution”. Given the “emergency” situation, he was provided with a legislative blank check to pass law and legislate by decree, and subsequently packed the Supreme Court and other tribunals to make sure his decisions would stand. However, his administration only found the path that allowed it to curtail inflation and restore growth more than a year later, as newly-appointed Finance Minister Domingo Cavallo introduced the so-called “Convertibility Law” that pegged the national currency to the dollar and inaugurated a decade of

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<sup>33</sup> Cf. “Elle Voltou”, by Mário Simas Filho, in *IstoÉ Online*, September 13, 2006. Needless to say, this does not mean that nothing had changed in Brazilian politics after his impeachment, but only that in Alagoas not much had changed.

<sup>34</sup> In the strict sense of the term, neither of them was an outsider, as both had prior political careers. But while Collor did come from outside the set of established parties, Menem came from a well-established, deeply rooted political party -though arguably from its margins, which was the reason why he was not taken seriously until he managed to become the presidential candidate by unexpectedly defeating the favorite of the party establishment. In other ways, though, Menem did resemble Collor: he, too, came from a poor, backward province known for its patrimonial practices and was its governor when he bid for the presidency. Same as Collor, he rose to the presidency as the first post-dictatorship government failed. He was also charismatic and brought a clique of family and friends to the federal government. Both of them found the government coffers depleted by a crisis, thus enjoyed diminished opportunities for patronage and set out to discover new sources of funding.

unprecedented stability. An ambitious liberalization program followed and, despite its high social costs, Menem was able to reorganize and discipline his own party and craft a wider coalition of support. Under the promise (that echoed Collor's) that he would modernize the country and take it to the First World, his economic program yielded as much unemployment and poverty as tangible benefits for the middle classes. He eventually got the Radical Party's support to ease a constitutional reform<sup>35</sup> and an amendment was introduced that allowed for one consecutive reelection. Menem was reelected in 1995 with an even higher percentage of votes than he had received in 1989, even though while in office he had broken most of his electoral promises.

The Menem administration abundantly yielded corruption and scandals. Countless episodes of uneven importance and disparate repercussions punctuated Menem's ten-year long stay as the Chief Executive, but none of them (not even all of them together) triggered a series of events that put his tenure at risk. The first scandal of his presidency –labeled as “Swiftgate”-<sup>36</sup> was denounced in January 1991 in the newspaper *Página/12*. The author of this and other investigations, well-known political journalist Horacio Verbitsky, later compiled his findings in a best-selling book entitled *Robo para la Corona* (“I steal for the Crown”)<sup>37</sup>, the first of a long series by several journalists who, especially during Menem's second term, gained notoriety for their pieces of investigative reporting.

Although its very nature makes it difficult to measure, it is widely agreed that corruption increased dramatically in those years. Corruption charges haunted Menem and his inner circle so frequently that, according to Waisbord (2004), the result was “scandal fatigue”. In other words, instead of further scandalizing public opinion, later cases came to be resignedly viewed as part of the normal state of affairs –an interpretation repeatedly fostered by Menem himself.<sup>38</sup> It is worth noting that corruption during the Menem administration had a double origin: on one hand, it was the result of, so to speak, “bringing Anillaco to Buenos Aires”, thus extending patrimonial practices that enriched family and friends; on the other hand, it was a political tool for creating and maintaining a coalition in support of the administration's reformist policies.

The reason why Menem could get away with it for so long is also twofold. At the beginning of his first term, he was shielded by the situation of emergency that he, as a “savior”,

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<sup>35</sup> This agreement between Menem and Alfonsín –known as “Pacto de Olivos”- further discredited the Radical Party, whose electoral performance worsened and reached its hitherto lowest level until it was rescued from insignificance by the formation of the Alliance with the Frepaso.

<sup>36</sup> The scandal started as Verbitsky reported that US Ambassador Terence Todman had complained in a letter to the Argentine Finance Minister that a government official (who turned out to be Emir Yoma, Menem's adviser and his brother-in-law) had requested a bribe from a U.S. company, the Swift Corporation, while also mentioning other similar irregularities. Menem quickly reacted by dissolving the Ministry of Public Works and Services and making sweeping changes in his cabinet –among them, the one that moved Cavallo from Defense to Finance-, placating the United States by introducing changes in foreign policy and putting pressure on Swift to bury the case –which was eventually closed for “lack of proof”. Two months later, however, other relatives of the president were involved by a Spanish judge in a case of laundering of drug-traffic money.

<sup>37</sup> The phrase was taken from a remark made by José Luis Manzano, a high-ranking member of the Menem administration, in order to deny the accusations of corruption formulated against him.

<sup>38</sup> Menem never ceased insisting that corruption had always existed, everywhere (“Corrupción hubo siempre”). Two other phrases that became a symbol of the 1990s were coined by union bureaucrat Luis Barrionuevo, who in 1990 explained that “in this country nobody makes money through work” (“En este país nadie hace la plata trabajando”), and six years later proposed that, in order to overcome the crisis, “it is necessary to stop stealing for two years” (“Hay que dejar de robar por dos años”).

had been called to get the country out of, and by the fact that the Radical opposition was disarticulated and could not raise its voice against him without being disqualified as “failures” and assigned responsibility for the prevailing instability. Later on, he was shielded by economic success, thanks to which his party kept winning elections and strengthening its control of Congress (while he also kept the judiciary under control). Thus, although according to opinion polls corruption never stopped worrying a wide portion of the population, it did not translate into a political behavior –electoral or otherwise- that punished the government.

This situation started to change in 1994 but it was clouded by the fact that Menem was still able to seek and gain reelection in 1995. A new political party, the *Frente Grande*, had formed in 1993 as a result of the convergence of former peronists and a few small parties that opposed Menem’s neoliberal policies and his granting pardons to the military that had been convicted for human rights violations under the dictatorship. In the elections for delegates to the 1994 Constituent Assembly, as well as in the 1995 presidential elections, the new party (soon re-named *Frepaso -Frente País Solidario-* after its convergence with various left-leaning forces) gained visibility and pushed the Radicals to the third place. Among its main themes were unemployment and poverty, corruption, power concentration and institutional weakness. On its first electoral appearances the Frente Grande/Frepaso made a quick profit out of the seeds of what would eventually become an outright rejection of the so-called “political class” –starting with the idea of a pact (the “Pacto de Olivos”) as a secret agreement among the elites in order to advance their own agendas against the interests of the vast majority of the people.

In order to defeat Menem, however weakened he could be, the opposition needed to stay together: that is why a few months before the 1997 legislative elections –a sort of rehearsal for the 1999 presidential ones- the Frepaso and the UCR joined to form the *Alianza* and went on to defeat the government both in 1997 and in 1999. Through an open primary in which the Radical party machine prevailed over the Frepaso’s appeal to public opinion and independent voters, Fernando De la Rúa was elected as the head of the Alliance presidential ticket; Carlos “Chacho” Álvarez, the main Frepaso leader, became his running mate soon afterwards.

De la Rúa was definitely a party insider who had steadily climbed up the party ladder since 1973, when he was first elected to the national Senate and ran (unsuccessfully) as vice presidential candidate. Since the restoration of democracy in 1983 he had been a representative and a senator, and in 1996 he had become the first elected mayor of the newly autonomous city of Buenos Aires. The fact that he had no charisma whatsoever, a potential liability, turned into a virtue as the 1999 elections approached, and it was exploited as such by the most extreme candidate-building marketing operation in Argentine history.

The Alliance pushed forward the issues of corruption, transparency and the quality of institutions –that is, the same ones that would later make up the agenda of “political reform”- and was able to put them at the center of the 1999 presidential campaign, despite Menem’s efforts to turn the elections into a plebiscite over the continuity of the economic program (a.k.a. “The Model”), which -despite its dangerous “side effects”- had yielded a series of benefits that nobody seemed to want to do without. Against the image of the Menem administration as “a party for the few”<sup>39</sup> (as an Alliance spot described it), the opposition coalition proposed his own mix of

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<sup>39</sup> Also defined by then-vicepresident Álvarez as “capitalism of friends” (*capitalismo de amigos*) (Interview with *Página/12*, 08/07/00).

liberalism, social-democracy and republicanism, as well as a sober, moderate, even “boring” candidate who came to be portrayed as the most adequate person to turn those ideas into policy.

Well aware of the limits that it would face once elected, the opposition coalition insisted in presenting itself as a moderate option and tried not to promise more than it thought it could deliver. However, the expectations it fostered quickly surpassed its original intentions. Eventually, the search for social citizenship joined the rehabilitation of politics and the commitment to fight corruption as the (mostly) unspoken promise of the Alliance. As the economy worsened and recession deepened, the opposition coalition came to embody everything that a growing majority of public opinion hoped for. In that sense, it did not need to *make* any particular promise, as it had *become* a promise itself: the abstract (and therefore unlimited) promise of a new beginning.

In 1997 the peronist party was electorally defeated while in power for the first time in history; in 1999, it was electorally removed from the presidency for the first time. Elections, however, did not provide the Alliance with a blank check. Although its presidential ticket came first in twenty out of twenty-four electoral districts (the province of Buenos Aires included), the simultaneous legislative election yielded mixed results –it gave them a majority in the lower chamber, while the Senate stayed in peronist hands- and fourteen out of twenty-four governorships were won or kept by the PJ, including those of the three biggest districts, Buenos Aires, Santa Fe and Córdoba. Besides, no election could change the fact that the Supreme Court and other tribunals had been packed by Menem.

### *The Senate Bribery Scandal*

As soon as the new president was inaugurated, Congress passed a law creating the Anticorruption Office (*Oficina Anticorrupción*, OA). During its first months this new agency investigated some “emblematic cases” of corruption that had already been pointed at during the electoral campaign, such as the ones that involved former Secretary for the Environment and Natural Resources María Julia Alsogaray, and Víctor Alderete, the former director of the state agency that provides health care for disabled and senior citizens (*Programa de Atención Médica Integral*, or PAMI). These had numerous advantages: they involved two former public officials who had been very close to Menem, were highly discredited and were believed to be extremely corrupt; at the same time, both had non-peronist or even anti-peronist origins and the PJ was unlikely to protect them. Thus, they were an easy way of fulfilling public expectations of a firm anti-corruption policy while keeping good relations with an opposition that still held major institutional positions. As acknowledged by then-vicepresident Chacho Álvarez, any attempt to tackle other cases would likely bump against a highly “unsatisfactory” judicial system and meet resistance in Congress. Also, political limitations became apparent within the new government itself: as Álvarez repeatedly explained, the time to change the functioning of institutions is when you are in power, but that is also the time when many newcomers feel tempted to take advantage of existing institutions, extracting the same benefits that their predecessors had.<sup>40</sup>

In any case, support from the government predictably weakened as the OA started to investigate new cases that took place within the Alliance administration itself (Charosky, 2002).

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<sup>40</sup> Cf. Interview with *Página/12*, 08/07/00.

However, the point of no return was only reached by mid-August 2000, when the so-called “Senate scandal” erupted. Until then, the administration had been prolific in political reform initiatives, based on the assumption that those were the only popular expectations whose satisfaction depended on political will rather than on (unavailable) financial resources. Political reform’s main ingredients were then the regulation of party finance and electoral campaigns, electoral reform, and the transformation of party structures through the introduction of open primaries and the “cleaning” of electoral registers. It aimed at increasing transparency and reducing the cost of politics –and also, in Alvarez’s interpretation, at recovering politics’ power of transformation.

The proposed bills had not yet been discussed in Congress when a huge scandal erupted, less than a year after the Alliance’s electoral victory. It all started quietly on June 25, 2000, with an article published in *La Nación* by a well-known journalist, Joaquín Morales Solá, who suggested that the passing of the vital Labor Reform Law in April had involved illegitimate exchanges between government and opposition.<sup>41</sup> This journalistic piece, however, did not immediately unleash a scandal. A couple of weeks after its publication, a senior peronist senator, Antonio Cafiero, told the journalist over coffee that he had confirmed the information by approaching some senators, who reacted with complaints that they had received less money than others (Morales Solá, 2001). Cafiero had sent a letter to the Senate party leader with the secret hope that he would deny the charges (Granovsky, 2001); when he got no answer, he requested that the issue be discussed in a special session. However, there was not yet public talk of bribery, or even rumors of alleged bribes. It was still believed that the exchange involved had been of the traditional, patronage-type, questionable but legal kind. That is why the denunciation initially reached the Senate’s Commission of Constitutional Affairs without any fuss. As it happened in Collor’s case and countless others, at the beginning nobody thought that the process would go too far.

But more information soon came out involving officials from De la Rúa’s inner circle. In an article published on August 6, *Clarín*’s columnist Eduardo Van Der Kooy asserted that the “convincing operation” in the Senate had most likely been planned by a handful of high-level Radical officials and executed under the orders of Fernando de Santibañes, Director of the federal intelligence agency (*Secretaría de Inteligencia del Estado*, SIDE) and close friend of the president’s. President De la Rúa was quick to dismiss the denunciation, but vicepresident Alvarez was not,<sup>42</sup> and a few weeks later the latter publicly admitted that he believed it was true and started pressuring for an investigation and the removal of all suspected officials. Unwillingly, the

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<sup>41</sup> As he heard rumors, the journalist tried to check them with legislators, and he was surprised when a representative reacted angrily to his questions and went on to accuse the Executive and the senators of keeping all the money and not giving anything to them, who had also voted in favor of the law but were considered to be “second-class legislators”. And he warned that they would pay for it (Morales Solá, 2001: 101). Then four peronist senators confirmed the information in different ways: one of them assured that he had received the money he was being offered in order not to be later blamed for the leaks; another one complained that contrary to Menem’s discretion, the new government had handled the distribution very badly (Ibid: 103).

<sup>42</sup> In fact, as the president of the Senate Álvarez had since his inauguration been unearthing and confronting privilege and favor exchanges in the Chamber. For starters, he had compiled and published a list (known as the “lista de los ñoquis”) with the hundreds of Senate employees who got their monthly pay without ever showing up to work, and many of whom were relatives and friends of the senators (Granovsky, 2001). His initiatives, as Morales Solá (2001) points out, affected the radicals even more than the peronists, who were better trained at dodging accusations.

president promised to investigate and ordered his ministers to appear before the OA<sup>43</sup> as an inquiry started in August. Simultaneously, a criminal case was opened and assigned to then-federal judge Carlos Liporaci, who himself had been charged of corruption and abuse of office in several unrelated cases.<sup>44</sup>

Independently of the judicial process, the denunciations gained strength due to their extraordinary verisimilitude. According to a CEOP (*Centro de Estudios de Opinión Pública*) poll, 71.5% of the people in Buenos Aires and its metropolitan area believed that the bribes had existed even before there was any proof of it, and only 10% believed they had not. Among the former, 60.9% thought that *all* senators had been paid (cf. *Clarín*, 08/27/00). The lack of a clear reaction by the president clashed with the expectations of the millions that had voted him in just months before and contributed to create a situation of open visibility in which the gap became apparent between the idea of democracy as “government by the people” and its factual reality as “government by politicians” (Nun, 2001). Politicians that, in addition, were considered to be “all the same”: equally “corrupt”, “thieves” and “criminals”, according to the most frequent epithets. This perception, however, did not immediately elicit any popular reaction besides angry expressions in opinion polls. The window of opportunity for a crisis of representation to explode would open about a year later, in the occasion of the 2001 mid-term legislative elections.

Around the end of August 2000, while Santibañes (followed by the Minister of Labor, Alberto Flamarique) swore before the Commission of Constitutional Affairs that the Executive had never made any payments, an interview was published in *La Nación* in which an unidentified peronist senator (later known to be Emilio Cantarero) revealed that he had indeed received a bribe in exchange for his vote. He did so almost shamelessly, as if this kind of exchange was an everyday occurrence,<sup>45</sup> and went on to explain that the problem was that some senators had been ignored and some had been paid more than others. As the peronist Senate leader refuted his sayings and his peers put pressure on him, the senator soon recanted, prompting the newspaper to publish his name the very next morning (cf. *La Nación*, 08/30/00; 08/31/00).

As president of the Senate, vice-president Álvarez faced the alternative of appearing either as useless or as an accomplice -or at least an enabler. Due to his limited institutional resources, he reacted the way he knew best: by talking to the press. In an interview with *Página/12*, he described the events as part of a system he referred to as “governability with a price tag” (*governabilidad tarifada*) -and also as a great opportunity to reform politics, thus putting pressure on the president to fight the practices entrenched in his own party, force the resignations of the senators involved and remove all suspected public officials (*Página/12*, 09/24/01).

Although Álvarez’s statements reinforced his legitimacy before public opinion, they did not provoke any societal reaction, and his influence within the government diminished further. As

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<sup>43</sup> The OA has jurisdiction over the Executive only; thus, its investigation was limited to finding out whether any Executive public official had diverted funds that could have been used for bribery.

<sup>44</sup> Though theoretically more favorable to the senators, this “menemist” judge was pushed to show extra commitment to the investigation as his assignment coincided with the publication by magazine *Veintitrés* of photographs of his magnificent mansion, not affordable with a salary such as his (Granovsky, 2001: 110). However, before resigning in December all he got were contradictory statements by a number of senators. He was replaced with Gabriel Cavallo, who in September 2001 recused himself when his confirmation for a higher post was submitted to the Senate and was substituted by Rodolfo Canicoba Corral.

<sup>45</sup> For a description of the usual ways of the Senate, see Rigoli (2000).

a result, only a few “cosmetic touches” were made. Senator Augusto Alasino, under investigation for unrelated corruption charges, resigned as the Senate party leader, and Cantarero resigned to his seat in congressional commissions; among the Radicals, Raúl Galván left the Senate party leadership and José Genoud was replaced as provisional vice-president of the chamber (Quiroga, 2005). As for the suspected officials within the Executive branch, they all stayed -and Flamarique was even promoted- as the president shuffled his cabinet on October 5.

This decision played the role of the last straw: it made overtly apparent that the president was not willing to uncover the truth behind the denunciations. And, more relevant still, it revealed the existence of a “political class”<sup>46</sup> in the strong sense of the term, that is, a corrupt, self-perpetuating caste deeply entrenched in all main political parties, both in the government and in the opposition, and mostly preoccupied for the defense of its own particular interest as a group, openly in conflict with that of “the man in the street”. In response, the bypassed vice-president resigned the following day. Public reactions were initially sympathetic as his gesture was interpreted as “ethical”,<sup>47</sup> but later shifted towards a more critical view of what came to be seen as an act of sheer irresponsibility. Although most Frepaso officials remained in their (mostly second-rate) government positions, Alvarez’s resignation deeply weakened the governing coalition. The administration had never been run as a society among equals, and now not only was the Frepaso pulled further aside but the president also started to turn his back to much of his own party and to increase the political leverage of his close circle of friends and family, “a clique of unelected, nonpartisan advisors, several of whom had no previous political experience of any kind” (Schamis, 2002: 86). As the last high-ranking Frepaso member of government, Minister of Social Welfare Graciela Fernandez Meijide, finally resigned in March 2001, De la Rúa unsuccessfully tried to widen his base of support and cope with the steadily worsening economic situation by reappointing Menem’s star Finance Minister, center-right technocrat and ideologue of the Convertibility Plan Domingo Cavallo. Not long after, the president’s already weak legislative support weakened further as several Frepaso legislators moved to the opposition.

### *October 2001: From Opinion Polls to the Voting Booth*

The Senate scandal was not just another corruption scandal: as a long-lived system was uncovered in which all kinds of favors (both legal and illegal) were exchanged and even the levels of opposition to each initiative had a price tag, the role of the Legislature both as a check on the Executive and as a source of the law was put into question –in a context in which the Judiciary was already widely discredited and the president’s authority increasingly weakened. The subsequent opportunity to launch a sweeping “cleansing operation” on the political system was also wasted, so the scandal had an extremely damaging effect on a government that had been appointed precisely upon the promise to fight corruption and increase governmental transparency and accountability.

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<sup>46</sup> As noted by Morales Solá (2001: 94), the Senate was the institution that most resembled the summit of the political class, as both the president and his main contenders (Duhalde-Ortega) had belonged to it, as well as ten out of twenty-four then-provincial governors and several former governors, national ministers and presidential candidates.

<sup>47</sup> Nevertheless, sympathy did not translate into massive demonstrations of support and/or against corruption. The hundreds of neighbors and Frepaso activists that gathered in front of Alvarez’s apartment building as soon as rumors of his resignation started to circulate clearly did not qualify as “massive” and had no effect whatsoever in the course of events (Cf. *La Nación*, 10/07/00, “Su casa fue pasión de multitudes”).

All calls for the reactivation of political reform as a means to “reconciliation between the political class and the rest of society” (*La Nación*, Editorial 10/12/00) went unheard. Days after the first piece on the Senate bribes was published, both the government and the opposition promised to accelerate parliamentary debate on reform initiatives; however, no progress had taken place by the end of both the ordinary and extraordinary congressional sessions of that year. Not even the proposals of changes in legislative structures and dynamics were examined. As the country approached bankruptcy, political reform adopted increasingly economicist overtones, as shown by the avalanche of provincial initiatives labeled as such that were mostly centered on the reduction of “political expenditures” through the elimination of chambers and cuts in the number of legislators and/or their salaries. These issues echoed at the federal level, and the government proposed a national agreement conditioning financial aid to the provinces to spending and salary cuts and reductions in the size of legislative bodies. It was not long until political reform started to be apprehended in the context of social emergency, as if nothing were wrong with the privileges enjoyed by the political class except for the fact that –as expressed by the president himself in his annual message to Congress- they did not fit a time when common people suffered deprivations. The growing preoccupation with “political expenses” –which were truly negligible as a proportion of total public expenditures- turned political reform into a competition for the presentation of the boldest saving proposals. These were displayed as “messages” of “renunciation” and “good will” by political leaders who wanted to seem “sensitive” to ordinary people’s sacrifices. All connection was lost between political reform and the restoration of the efficacy of politics as a transformative tool.

By October 2001 the failure of the administration was visible on all fronts -economic, social and political. The one-to-one equivalence between the Argentine peso and the U.S. dollar set by law ten years earlier -the source of the first long-lived period of stability that any Argentine alive could remember- was now strangling the economy and there was no clue as to how to leave it behind without creating economic chaos. Successive adjustment programs were unsuccessfully tried; short of cash, many provinces started issuing public bonds in order to pay their public servants’ salaries. Unemployment reached record levels, millions fell below the poverty line and the middle class felt its existence threatened.

The uneasiness that had long expressed itself in opinion polls found a new outlet in the approaching mid-term legislative elections. Several months in advance, negative attitudes towards politicians were perceptible in the streets, as well as in the virtual space of Internet turned into a forum for citizen expression and communication. Dissatisfaction with electoral options abounded: party ballots were criticized as displaying the same old faces, the very senators suspected of receiving bribes in exchange for the approval of a law, more of the same anonymous legislators who occupied their congressional seats thanks to the advantages of the widely criticized “blanket lists” (*listas sábana*) that nobody seemed to be willing to replace; in sum, the same politicians that had been long participating, without partisan distinctions, in transactional activities resulting in the diversion of large public funds and the distortion of their mission as the representatives of the people. In that context, appeals by anonymous individuals or *ad hoc* citizen associations mushroomed to cast blank votes or to void them by using hand-made fake ballots (displaying fictional characters or historical figures) or by filling the voting envelope with critical or insulting messages to politicians or a variety of foreign objects that conveyed anger and dissatisfaction. Still others refused to sanction the lack of options by abstaining: a so-called “Kilometer 501” group, for example, was organized in order to deceive the authorities by taking voters somewhere more than



five hundred kilometers away from their voting place on Election Day, therefore legally exempting them from their electoral duty.

The results of the election were attuned to this climate of opinion. The sum of abstentions and “negative” (void or blank) votes reached more than 40% of qualified voters, that is, more than the votes received by the two major political parties together.<sup>48</sup> Though it varied enormously from one district to the next, abstention reached an unprecedented 24.58 % at the national level. Void and blank votes added up to 23.99 % of the votes cast for national representatives (13.23% and 10.76%, respectively). These kinds of electoral behavior -stronger among urban voters with a higher socioeconomic or educational level- were not an expression of apathy or lack of interest but had -especially the former- an active and even “activist” character.

After the legislative elections, public opinion pressures were joined by the open expression of peronist power ambitions. Abstentions and blank or void votes obviously do not count for the distribution of Congress seats; thus, the PJ came out of the elections institutionally stronger. As the new senators (the first ones directly elected by popular vote, according to the 1994 Constitution) were sworn in, the peronist majority elected one of their own, Ramón Puerta, to replace radical senator Mario Losada as the chamber’s provisional president. Given that the administration had lost its vice-president more than a year before, Puerta’s designation –repeatedly denounced by the radicals as an “institutional coup”- meant that a peronist would replace the president in case of illness, death, removal or resignation. De la Rúa’s decision-making style had won him difficulties in dealing with Congress right from the start, but only after the president had become highly unpopular (and lost his party’s plurality in the House) did the peronists become openly offensive, subsequently deadlocking the government on key economic issues and further weakening its already low capacity to deal with mounting economic and social problems.

### *December 2001: From the Polls to the Streets*

For two decades Argentine electoral results and data from polls had adjusted to what was reasonable to expect within audience democracy (Manin 1992; 1998) that is, to the lack of massive political passion accompanied by considerable degrees of citizen interest and intermittent involvement. Indeed, blank votes had slowly but continuously increased, and a similar path was followed by abstention, despite vote being compulsory. Until 2001, however, the main reasons for abstention was, according to surveys, lack of interest and time to get informed rather than sheer rejection of politics and its identification with corruption (Ferreira Rubio, 1998). Far from a crisis of representation, that was the normal (though certainly precarious and volatile) state of affairs in the context of audience democracy (Pousadela 2004; 2005). That abruptly changed in October 2001<sup>49</sup> and the months that followed, which brought about a qualitatively different phenomenon: an authentic crisis of representation. From then on, the focus was redirected towards the

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<sup>48</sup> The Alliance was the main victim -but not the only one. Its electoral fall was steep (23.03 % of positive votes -17.5 % of all cast votes- for representatives to the National Congress in the whole country), especially when compared with its excellent previous electoral performance. In a symmetrically opposite situation, the Partido Justicialista appeared as the great winner, with 36.26 % of the positive vote (27.56 % of all cast votes). Nevertheless, they also suffered a huge loss (almost a million votes) since the previous election, which had been one of their worst defeats in history.

<sup>49</sup> Contrary to abstentions and blank votes, the avalanche of void votes was a novel occurrence.

relationship of representation and the mechanisms that seemed to make representatives “disloyal” from the very moment they became so; towards a “political class” rejected for its homogeneity, which turned political competition into a useless formality, as well as for its powerful corporate interests; and towards the search for alternatives to the conflictive relation between representatives and represented.

Two months after the electoral cataclysm an extra-electoral outburst occurred. The process gained speed since the beginning of December, when it became apparent that the federal government would be unable to honor debt payments due by the end of the year. The refusal by the IMF to unblock a new loan to cover those payments and basic government expenses provoked a huge capital flight. On December 3 a decree was issued that drastically limited cash withdrawals from banks. A month later the parity between the peso and the dollar was history, and savings caught up in banks had undergone a brutal devaluation. In the meantime thousands of millions of dollars fled abroad. Strikes of civil servants continued to spread across the provinces in demand of unpaid wages, converging with countless demonstrations staged by the movements of unemployed workers that had been active for years, staging *piquetes* (pickets) and *cortes de rutas* (roadblocks). On December 12 the first *cacerolazo* (pot-banging) took place in the city of Buenos Aires, starring middle-class citizens in protest for the freezing of their bank accounts. Next day, it was the turn of a general strike summoned by the three union federations (the two CGT –an official and a dissident one- and the CTA). On the same week also took place a national consultation organized by the *Frente Nacional contra la Pobreza* (National Front against Poverty), an alliance between the CTA and some center-left and leftist parties. Its results surpassed even the most optimistic predictions of its organizers, as three million people expressed their support for the Front’s proposal of a universal unemployment benefit. On the 14<sup>th</sup> riots and lootings took place in two important cities, Rosario and Mendoza, gradually spreading to the rest of the provinces and arriving in the Great Buenos Aires three days later. In the latter, the climate of confusion was fed by the provocative intervention of the peronist party machine. As noted by Auyero (2007), visible links existed between looters and established power-holders, as shown by the flyers circulated by peronist activists that “invited” people to loot in certain places (mostly small stores) at certain times when the police would likely not be present.

Two days later, on December 19, the riots and clashes with the police in the Great Buenos Aires produced the first deaths -some of them to retailers' hands seeking to defend their businesses, many others as a result of police repression. In various places there were strikes and demonstrations, mostly by public employees, that targeted not just the federal government but also provincial and municipal ones, most of them under peronist rule. Violent street combats took place in several districts. On that same night President De la Rúa made a televised speech in which he denounced the “enemies of order and of the Republic”, threatened with repression, declared the state of siege and summoned –much too late- the opposition for “national union”.

Pot-banging began in Buenos Aires as the president was still reading his message -first on balconies and from windows; then from front doors and street corners; soon afterwards, from the main intersections in each and every neighborhood. Once the presidential speech was over, groups of demonstrators began to converge spontaneously, banging their pots and pans, towards the Plaza de Mayo, in an open and explicit defiance to the newly established state of siege. This point is worth emphasizing: while it undoubtedly contributed to middle-class unrest, the decision to freeze bank deposits had been announced more than two weeks earlier; the precise moment when people

loudly said “enough!” coincided instead with the declaration of the state of siege –typically seen as the symbol of military dictatorships and repression, that is, of a regrettable and unwelcome past.

A few hours later, a demand started to emerge in Plaza de Mayo, a still incomplete version of what would soon become the hallmark of the political protest: *que se vayan* (“go away”). At one in the morning on December 20 the Minister of Economy resigned, as demanded by demonstrators. Six hours later the President himself left the *Casa Rosada* aboard a helicopter after signing his own resignation. For the first time in history, a government born out of free elections had been overthrown not by a military coup but by street protest and popular rejection.

The bulk of the literature, as well as most participants and eyewitnesses, describe these events in epic terms, as an extraordinary situation of rupture after which nothing would remain the same. And although some try to capture their meaning through the classic vocabulary of class struggle or by analogy with other, better-known historical processes, most emphasize the novelty of the phenomenon, as reflected in the fact that so many participants (some young, some not) had no prior political experience. Also original was the fact that the openly questioned logic of representation was temporarily supplanted by the “logic of expression” (Colectivo Situaciones, 2002: 15). The mobilization on December 19 is typically described as a cathartic outbreak, and the state of siege is apprehended as the window of opportunity that allowed for the free channeling of tiredness, anguish, fear and fury. Along with the expressive character of the demonstration, its spontaneous, self-summoned and unexpected nature was also systematically underlined by its protagonists, who often described it as a collective, historical event they had felt dragged by. Indeed, they had become part of the multitude when they joined their neighbors with their pans, first from their own doors, soon already in the street corner, later on in some emblematic intersection or in the neighborhood park, and somewhat later on the way to Plaza de Mayo, or to the president’s residence in Olivos, or to the home address of the resigned Minister of Economics. TV sets still on remained abandoned for hours; the clothes worn by demonstrators, the company of young children and babies in strollers who moved in groups along the streets were other signs of the unplanned character of the departure. No political parties were present, and only the national flag was to be seen. People joined as “common citizens”. Even party activists were caught by surprise and initially joined as individuals, not as members of an organization; only later did they begin to provide the mobilization with some basic organization. Also worth noting is the temporary suspension of previous social identities (Giarraca, 2003) that took place during the protests. In fact, these are usually described as a “celebration” or a “carnival”, a vortex in which awareness of time, space and social categories was lost.

In contrast to the happy climate of the 19<sup>th</sup>, on the 20<sup>th</sup> the Plaza de Mayo turned into a battlefield. Families and “ordinary neighbors” had been replaced by politicized groups –not by the classic left, though, but by a “new activism” mostly made up of underclass youths. What followed was an “unruly” kind of violence whose precedents were not to be found in the guerrilla actions of the 1970s but “in soccer stadiums and in neighborhood rock concerts” (Colectivo Situaciones, 2002: 63) as well as in the *piquetero* struggles and in the *puebladas* (popular uprisings) of the 1990s.<sup>50</sup> The final count of the two-day experience included 35 people dead, 439 wounded and 3,273 under arrest.

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<sup>50</sup> These episodes had occurred in some provinces and municipalities where there was a widespread perception of generalized corruption and an open contrast between the lifestyle of the “political class” and the precarious living conditions of the “common people”. At a certain point, the latter suddenly showed their discontent by going out to the

Despite the vanguardist efforts of various leftist political parties, none of these events were summoned, started, guided, directed or controlled by anyone. However, as a result of the activation of the cleavage separating the “commons” and the “political class” and as an effect of the subsequent division of the political space in two antagonistic fields, they did produce a subject - one of an unprecedented amplitude and an undefined character, as roughly a third of Buenos Aires’ inhabitants participated in the cacerolazos and/or in the popular assemblies that followed.

It is worth noting that, in broad contrast with the Brazilian way out of the crisis, no serious talk of impeachment (*juicio político*) occurred throughout its Argentine counterpart. It is true that the kind of issues that most easily fit the constitutionally established causes for impeachment (corruption, legal infringement) were not the main issues at stake here; however, constitutional provisions could have allowed for it if it had ever been within any of the actors’ imagination and intentions. Indeed, only one reference to impeachment can be found in all journalistic accounts of Argentina’s presidential crisis. On December 20, while De la Rúa still resisted advice from several radical party leaders to resign, the peronist leaders who had just rejected altogether the president’s belated proposal of a unity government (*cogobierno*) privately analyzed all the alternatives offered by the Constitution and the law, as well as by elastic interpretations thereof. It was in that context that the House leading peronist, Humberto Roggero, announced on TV that his party would initiate an impeachment process. But it was just a response to De la Rúa’s unity proposal and a threat to force his resignation, and as such it worked (cf. *Clarín* and *La Nación*, 12/21/01).

As the president resigned, the Legislative Assembly appointed Ramón Puerta as his provisional successor. Puerta resigned immediately after and was replaced by the president of the House, Eduardo Camaño, who also resigned. After intense negotiations, the Legislative Assembly eventually appointed the Peronist governor of San Luis, Adolfo Rodríguez Saá, as a substitute president with the mandate to rule until new elections were held on March 3, 2002. As he was inaugurated on December 23, he euphorically announced the suspension of payments for the external debt and the country’s fall into default, which won him cheers from his audience of national legislators. He also promised to create a million new jobs in a month, to keep the peso-dollar parity while creating a “national third currency” (that is, a concealed devaluation), to end the *corralito* that kept savings out of the reach of their owners, and to immediately launch the “productive revolution” that Carlos Menem had announced in vain in 1989. Once in his seat, the new president showed his willingness –contrary to his mandate- to remain there until completing De la Rúa’s term. Popular demonstrations resumed as soon as he announced -the very next day- that the *corralito* was to be maintained, and when highly despised former members of Menem’s government were appointed to important posts. In that context, the peronist governors soon took away their support and the new president resigned on New Year’s Eve.

It was in the course of the protest against Rodríguez Saá that the battle cry “*Que se vayan*” became the well-known, definite “*Que se vayan todos*” (“Everybody must go away”) encompassing whichever unanswered complaint was in need of a culprit. Indeed, under one and the same utterance a chain of equivalence among extremely diverse demands and reclamations was knit. Central among them, but by no means exclusive, were the repudiation of a model of economic growth based on exclusion and the rejection of an inefficient, ineffective and corrupt political system. In addition, a precision was added to the motto: “*Que no quede ni uno solo*”

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streets, building barricades and attacking or burning public building or the politicians’ private residences while identifying themselves as “the people” who confronted the “corrupt politicians and civil servants” (Auyero, 2002).

(“Not a single one is to stay”). In fact, neither union leaders nor judges were left out of the generalized feelings of distrust and rejection. If there was any doubt about it, the *cacerolazo* that sent Rodríguez Saá packing made it abundantly clear that any government was to remain structurally weak once placed under the vigilant reflectors of an alert citizenry that had already *de facto* revoked their rulers’ mandate and expressed their readiness to do so again as many times as necessary.

On January 2, 2002 the Legislative Assembly appointed a new president: Eduardo Duhalde, former governor of the province of Buenos Aires, the powerful leader of the *bonaerense* peronist party machine and, paradoxically, the presidential candidate defeated in 1999 by Fernando De la Rúa, whose term he was now summoned to complete<sup>51</sup>.

As soon as December 21<sup>st</sup> 2001 denunciations against De la Rúa and some of his top officials started to accumulate, and the following day two federal judges banned the former president and his Interior Ministry Ramón Mestre, former Secretary of Security Enrique Mathov and soon-to-be former Chief of the Federal Police Rubén Santos (who was removed from his post the next day) from leaving the country. Almost six years later, in October 2007, De la Rúa was formally accused for his actions and decisions in the hours prior to his departure on board a helicopter from the roof of the *Casa Rosada*. Jointly with a handful of police chiefs, he was charged for his responsibility in the death of five demonstrators in Plaza de Mayo. Also his former Secretary of Security and the former Chief of the Federal Police were subject to similar charges (*Clarín*, 10/24/07). However, in April 2009 the accusations against De la Rúa were revoked for lack of merit (*La Nación*, 04/29/09).

As for the bribery case, it regained strength in December 2003 when former Parliamentary Secretary of the Senate, Mario Pontaquarto, confessed that he himself had paid the bribes –about five million pesos/dollars distributed among a number of peronist senators- and directly implicated De la Rúa. In early August 2005 Daniel Rafecas, the fourth judge in charge of the case, prosecuted nine of the accused: Pontaquarto, former Intelligence Secretary Fernando de Santibañes, former Ministry of Labor Alberto Flamarique, five peronist senators and former provisional vice-president of the Senate, José Genoud (UCR). Although by September 2007 the case was ready to go to trial, it was postponed until a decision was reached as to whether De la Rúa was to be among the accused. In February 2008 the former president was finally prosecuted under the charge of aggravated active bribery as it was considered that, due to the importance of the law in question and the close relationship he had with the people directly involved, it was impossible for him to have been unaware and uninvolved. After appeals and delays, the accusations against him were confirmed in early August 2009 (cf. *La Nación*, 08/04/09; 08/05/09). As of March 2010, however, the case has lost two of the accused: former senator Cantarero was declared unfit to stand trial due to his failing health and Genoud died in 2008. The trial is now expected to start by the end of 2010, that is, more than a decade after the facts.

### **Triggers, mechanisms and actors: Interactions and sequences**

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<sup>51</sup> Indeed, the Legislative Assembly trusted Duhalde with the presidency until the end of 2003 so he would complete De la Rúa’s term. Nevertheless, in June 2002, after police repression caused the death of two young *piqueteros* in Avellaneda, Duhalde felt compelled to trim his mandate and called for an early election in April 2003.

In Brazil as well as in Argentina, the abovedescribed processes were the carriers of great news, as both presidential removals took place with no military intervention and without provoking a democratic breakdown. Even in Argentina, where the high levels of violence and the fact that the police and other law-enforcing authorities reached the limit of their operational capabilities could have prompted the Armed Forces to offer their collaboration to restore order, something unprecedented happened: the military ratified their loyalty to the Constitution and warned that they would only intervene to suppress the disturbances within the legal framework, and only if they were summoned by means of a law passed by Congress (as opposed to a presidential decree) (cf. “Las fuerzas federales operan en el límite de sus posibilidades”, in LN, 21/12/01).

The two presidential removals, however, proceeded through very different means. Although in both a series of interactions between and within institutional and non-institutional factors can be identified, the Brazilian outcome was mainly the result of the unfolding of an institutional process –an impeachment proceeding-, while De la Rúa’s “forced voluntary” resignation (Marsteintredet and Berntzen, 2006) was mostly the result of the non-institutional intervention of mobilized citizens and popular protest.

In Brazil, Collor was elected in the first post-dictatorship direct election (1989) with the support of the media and on an anticorruption platform. A series of “minor scandals” took place in 1990 and the beginning of 1991, but they were regarded as “corruption as usual” and did not affect the president or his inner circle. But denunciations kept accumulating and the circle around the president tightened as corruption came to be seen as massive and impunity as granted. Corruption appeared to run deeper than in the past, and it certainly took place at an importunate time, when the population was particularly affected by austerity measures. An insider’s denunciation was made in May 1991, and media repercussions soon followed. The establishment of a CPI and the fact that its investigations moved forward were due to the fact that the president ruled in isolation; they advanced further still as its findings, published by the media, provoked social reactions –first in opinion polls, later in minor mobilizations, and finally (after Collor’s own appeal) in massive demonstrations. The latter, coupled with the coming municipal elections, were the fatal blow to whatever chance Collor had of being spared, as it provided the scrutinized representatives with the incentive to impeach him. However, Collor was convicted by the Senate and banned from public office only to be later absolved on all criminal counts by the Supreme Court and, after the ban was finally over, to return as a senator from Alagoas to the very same National Congress that had punished him.

In Argentina, the “golden age” of corruption belonged to the 1990s, when compensatory goods were systematically delivered and no major condemnatory reaction was ever expressed. The anticorruption promise rose together with recession and economic crisis: it took the form of the Alliance and its victories in the 1997 legislative election and in the 1999 presidential one. The Senate bribes scandal that took place less than a year after De la Rúa’s inauguration provoked the disintegration of the governing coalition, followed by the marginalization of the president’s own political party. The protests that eventually brought down the weakened government took a preliminary, electoral shape in October 2001, and adopted their definite, extra-institutional character in December of that year. As we shall see, contrary to the Brazilian demonstrations, which are better described as vertically expressed demands for horizontal accountability, the

Argentine ones mostly expressed a demand for more vertical accountability, that is, for better representation -understood as responsiveness to popular demands and expectations.<sup>52</sup>

As explained in the previous sections, both governments were already weak when they became vulnerable to challenges, either street or institutional ones. Scandals and/or protests were fueled by popular discontent with economic reforms and/or economic performance. As Schamis (2002: 85) puts it, economic decline was a “precipitant” of De la Rúa’s administration’s collapse, but the process was political in nature. The same can be said about Collor’s removal. Media exposés started seriously eroding Collor’s image as attempts to control inflation failed miserably; the impeachment process was only resorted to after he had lost much of his elite support, with his popularity sinking but still under no pressure from mobilized citizens; and although by then he was still not completely disgraced he lost whatever little popular support he had left as the CPI investigations uncovered each and every component of the government’s corruption scheme: it was only then that people began to demand his impeachment and he came past the point of no return. Thus, although street pressure was not what prompted legislators to initiate the process, it definitely was what pushed them to go further than they had intended to: it had, so to speak, a resolution effect.

Phrased in terms of accountability, it could be said that horizontal mechanisms played a larger role in the Brazilian process, while vertical mechanisms were at the core of its Argentine counterpart. However, a closer look shows a picture with multiple, subtler interactions and feedbacks between mechanisms of each kind. In the following pages those interactions are explored within the examination of a number of issues such as the role played by corruption scandals; the role of the media, especially in the Brazilian case; the interactions between “the palace” and “the streets”; and the exceptional character of the mechanisms that were resorted to.

### *The role of corruption scandals*

Corruption scandals played central roles in both our cases, albeit very different ones. The scandal itself was definitely more prominent in Brazil, as revelations pointing to the existence of a huge corruption scheme organized from the top of government were the trigger of the impeachment process that led to the president’s removal. It was not the disclosure of a single act of corruption that provoked that effect, but the accumulation of media exposés up to a certain boiling point, reached through an insider’s denunciation –the president’s brother, no less.

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<sup>52</sup> It is worth noting that unfulfilled expectations played important roles in both cases. Contrary to other corrupt presidents in the past, not only did Collor not observe any limits or precautions, but he also had the liability of having been elected on an anti-corruption reputation, no matter how farfetched, only to quickly resume “the traditional prerogative of the president to act above the law” (Weyland, 1993: 5). As the first post-dictatorship directly-elected president, Collor had also become the depository of much of the frustrated hopes that had propelled the *Direitas* campaign. The vote for Collor had indeed been “a vote for change and a new beginning” (Flynn, 1993: 360). The same goes for the Alliance, which too had run on a (far more solid) platform centered on anti-corruption and the recovery of battered institutions. In fact, if the Senate scandal played such a central role it was not just because it affected a key democratic institution -the national law-making body, no less- but also because it was something that was just not supposed to happen. And when it did happen, the reaction from the government –altogether different from what had been expected- confirmed the worst fears and suspicions about the existence of deep complicities encompassing the whole political system. The rejection of the “political class” and crisis of representation consistently ensued.

In Argentina, by contrast, although the so-called Senate case did become a scandal,<sup>53</sup> it did not function as the “last straw” breaking the public’s patience after a series of events that revealed a particularly corrupt, greedy administration –which was actually not the case. The disclosure of the Senate alleged bribes did not provoke any massive public reaction of outrage and had no immediate institutional consequence –ten years after the fact, the trial has not yet taken place; investigations have been slow, discontinuous and fragmentary, and only a small fraction of the people believed to be involved have even been charged. Needless to say, the scandal did not trigger a congressional response, Congress being one of the parties directly involved in the scandal. For different reasons, none of the numerous scandals of the previous decade had triggered a significant popular or institutional response either.

Thus, the Senate scandal stayed in the background and played an altogether different role: it was a point of condensation of all suspicions and distrust towards the “political class” as a whole, and as such it became a point of reference when the crisis of representation erupted a year later. While the nature of the corruption scheme uncovered in Brazil made it possible for onlookers to identify a single culprit<sup>54</sup> (thus the motto “Fora Collor” that dominated the process), the nature of the Argentine scandal pointed in a clearly different direction. Thus, although the spontaneous mobilization of December 19, 2001 initially demanded the president’s (and the Ministry of Economics’) resignation, it soon evolved towards the sweeping reclamation “Que se vayan todos”.

Both countries’ national political cultures have typically been complacent regarding corruption, which tends to be perceived as widespread and deeply entrenched in their respective political systems.<sup>55</sup> Indeed, since early in history “the ‘10 percent fee’ was considered a fact of life in Brazil [and, we should add, also in Argentina] and was adopted not only in the public sphere, but also in several private institutions” (Lins Da Silva, 2000:176). Corruption has been an issue in Brazilian politics at least since the 1920s, both as a promise by candidates who thus managed to get elected and as an excuse for the military to later oust them. But corrupt practices remained and even expanded as new varieties were introduced. Moreover, a “kickback inflation” (Keck, 1992: 5) took place over time: according to Lins Da Silva (2000: 177), the “commission” that the bidder or supplier needed to pay in order to “facilitate” things increased from 5% in the 1950s to 10% during the military regime, to 15% under the new democracy, and to as high as 40% under Collor’s

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<sup>53</sup> According to Thompson (2000: 13-14), the following are the defining traits of political scandals: “1. their occurrence or existence involves the transgression of certain values, norms or moral codes; 2. their occurrence or existence involves an element of secrecy or concealment, but they are known or strongly believed to exist by individuals other than those directly involved (I shall refer to these individuals as ‘non-participants’); 3. some non-participants disapprove of the actions or events and may be offended by the transgression; 4. some non-participants express their disapproval by publicly denouncing the actions or events; 5. the disclosure and condemnation of the actions or events may damage the reputation of the individuals responsible for them.”

<sup>54</sup> This does not mean that he and Farias were the only corrupt ones: there were corrupt politicians all around Collor - and also among his accusers. It is also worth noting that the kickback-based scheme mounted by PC Farias involved hundreds of businessmen, but none was formally accused (cf. Dos Santos, 1993).

<sup>55</sup> According to Transparency International’s Corruption Perceptions Index (CPI), which provides a synthesis of international businessmen and financial journalists’ perceptions of corruption, both countries are considered relatively corrupt. In a scale from zero to ten (in which zero equals a country where business transactions are entirely dominated by kickbacks, extortion, etc., and ten equals an entirely clean country), Argentina and Brazil were respectively rated 5.2 and 2.7 in 1995, 3.4 and 2.9 in 1996, 2.8 and 3.6 in 1997, 3.0 and 4.0 in 1999, 3.5 and 3.9 in 2000, 3.5 and 4.0 in 2001, and 2.8 and 4.0 in 2002. Although inter-country comparisons present various problems and no data is available prior to 1995 (thus, the time of the Collor administration is not covered), the numbers indicate medium to high levels of corruption for both countries (Cf. [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi](http://www.transparency.org/policy_research/surveys_indices/cpi)).



government. It became normal for Brazilians to dismiss accusations of corruption of their political leaders with the popular saying *rouba mas faz*, which had its exact equivalent in the Argentine *roban pero hacen* (“they steal, but they yield”).

Due to its very nature, corruption is very difficult to measure. But perceptions of more widespread and massive corruption indeed increased under Collor,<sup>56</sup> and apparently also did corruption itself (Weyland, 1998; Downes and Rosenn, 1999; Whitehead, 2000). The kickback system already in place was generalized and subsequently monopolized in the hands of PC Farias (Avritzer, 1999: 135), therefore fostering the discontent of all those that were put out of “business”. The high degree of impunity<sup>57</sup> with which Farias operated resulted in carelessness, as reflected in the huge paper and electronic trails he left behind. Moreover, Collor’s government stands out from mostly every other Brazilian government before and after in that what characterized it was not just the increase of corruption in the strict sense of the term but also the emphasis on its “personal profit” variety.<sup>58</sup> In this it was quite different from the Argentine Senate scandal. While in both cases it became clear that people tend to be much less tolerant to corruption in times of austerity, only in the Brazilian one do we find the particularly irritating situation of ostensible luxury consumption by the very public officials that were imposing austerity measures on the population. In Argentina, such conspicuous consumption had been present –to a somewhat lesser degree- under Menem, in a time when other, valued compensatory goods were being delivered.

Indeed, corruption scandals have a political, not moral nature (Weyland, 1998), as shown by the comparison between Menem’s and Collor’s fates –the main difference between them being success, both economic and political (the latter including shrewdness on Menem’s part, who made sure that the benefits of corruption were more amply distributed). Success has a lot to do with the fulfillment of promises and expectations: While Menem eventually delivered on his main promises (that is, stability and economic recovery) Collor –who had promised economic stability and the cleansing and renovation of politics- definitely did not.

### *The Media*

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<sup>56</sup> Up to the point that the country was perceived to be “drowning in mud” (as in the title of Nêumanne’s 1992 best-seller, *A República na Lama*. In part, these perceptions can be explained by the elevation of standards and the novel presence of a free press and better reporting practices. It is indeed possible, as many authors argue, that the increased perception of corruption is related to the increased exposure of wrongdoings that resulted from changes in media ownership, structure and dynamics.

<sup>57</sup> However, as Geddes and Ribeiro Neto (1992) point out, kickback inflation under Collor resulted not just from unlimited greed and feelings of impunity but also from the fact that this system worked as an alternative source of income as the revenue base of the state deteriorated.

<sup>58</sup> Contrary to political patronage and the exchange of resources for political support –called “pork” when it takes the form of public goods and “clientelism” when taking the form of private goods-, which are usually legal, the sale of government services, privileges, exceptions and information is always illegal, and thus corrupt in the strict sense of the term. Corruption can have political purposes (such as the financing of campaigns) or be directed towards the building of private wealth. While keeping in place the traditional federal mechanisms for patrimonial politics, Collor reproduced them in a new scale (Lins Da Silva, 2000: 186) and highly increased corruption aimed at his own private enrichment. For a list of the most common forms of corruption in Brazil and an explanation of their sources, see Geddes and Ribeiro Neto (1992). About the difficulties to define corruption and for an analysis of the different concepts at use, see Underkuffler (1998).

There is one obvious affinity between scandal and the media: besides the fact that many journalists see the disclosure of the dirty secrets of power as their contribution to the public good, scandal does sell. And even though the media has always had a role to play, the *mediated scandal* is a relatively new phenomenon. As noted by Thompson (2000: 31), these “are not simply scandals which are reported by the media and exist independently of them: they are, in varying ways and to some extent, constituted by mediated forms of communication”.

It is then worth asking which exact role the media played in our two processes. According to Manzetti (2000: 159), in both “it was the press, rather than the democratic institutions, that actively investigated corruption. Taking advantage of the unprecedented climate of political freedom and lack of censorship brought by the restoration of democracy, the Argentine and Brazilian press took the lead in the fight against corruption.”

In Argentina, the Senate bribery case started with the revelations published by a well-known journalist who heard and confirmed rumors. However, this scandal was not the immediate cause of De la Rúa’s removal, and throughout the process that led to the president’s forced resignation the media did *not* play any role out of the ordinary –that is, beyond that of following events, showing, commenting on and amplifying them, eventually provoking some reaction in the public, as it happened with the images of lootings and street violence.

It is in Brazil where the role of the media was more prominent. First of all, because the presidential removal followed as a result of a series of corruption scandals that erupted due to media intervention, forcing institutions to follow the lead. Secondly, because the Brazilian media had also played a prominent role in getting Collor elected in the first place.

There is no doubt that the media was key to the reproduction and amplification of information, which -given the dependence of public opinion on information- made it an actor of the utmost importance. However, the role played by the media in the process that led to Collor’s impeachment and destitution is not without controversy. Due to its importance throughout the process -visible in the fact that the daily revelations of the press and the public reactions they elicited ended up forcing an otherwise reluctant parliamentary institution to stand strong against the president- many analysts are too fast to portray the media as “investigative”. From this point of view, a sequence is presented in which it was the work of the media what fueled parliamentary and judicial dynamics (cf. Lattman-Weltman et al., 1994).

However, it is not clear that the press had such a pioneer, investigative role. A crucial distinction needs be made between the production and the distribution of information. It is true that the process kicked off with a media disclosure, but what the press published had nothing to do with a true investigation that confirmed the allegations. As a journalist admitted, “the Pedro Collor story [was] anti-journalism. You cannot give someone who shows mortal hatred and little equilibrium all the space in the world” (quoted in Matos, 2008: 110). In fact, the Brazilian press of the time is often described as going through a transitional phase, having only recently started to affirm its independence and its watchdog role while often falling into opinionated coverage and even *denuncismo* (Matos, 2008), that is, in “the trivialization and sensationalization of corruption stories in the news” (Lins Da Silva, 2000: 191).

Only about two weeks after Pedro Collor’s denunciations appeared in the press the CPI was established and it soon started its investigations. From then on, the CPI’s discoveries were

routinely published by the mainstream press, engaged in a merciless competition for new, juicy information to feed to hungry audiences. However, much of the media -including *O Globo*- kept supporting the president, and it was not uncommon for many newspapers' editorial positions to contradict the published news until well after the investigations began -more precisely, until street protests became massive (Lattman-Weltman et al, 1994; Matos, 2008).<sup>59</sup> In other words, although the press was often instrumental to those willing to provide information through leaks, most of the information produced through actual investigation came from the CPI. Indeed, due to its multi-party composition and its autonomy as a body as well as that of its individual members to produce and transmit information, the CPI was certainly much more credible than the press as a source of information (Kada, 2003).<sup>60</sup> As recognized by a *Veja* journalist, all the press did was "point fingers", but "if the people had not taken to the streets, if the tax people had not done their investigations, if Congress had not done its job, there would not have been an impeachment" (quoted by James Brook in *The New York Times*, 11/08/93, "A New Vigor in the Brazilian Press").

In any case, even if the press had led the anti-corruption crusade, the truth is that "you can denounce, you can humiliate, but you can't get someone arrested", explains a *Folha* journalist- (Ibíd.). That is why institutional reactions were so crucial here: they are what explains much of the difference between the outcome of this case and that of previous press denunciations.

In conclusion, the media operated within the framework of vertical accountability in two different ways. First of all, as the provider of the information and clues that the public needed to pass judgement on the performance of public officials. This judgement manifested itself both in opinion polls -in the form of a "public opinion" that was increasingly adverse to the president- and in the electoral booth, as voters punished most politicians who had failed to exhibit a clear distance between themselves and a president who had disgraced himself both for "horizontal" and "vertical" reasons -that is, not just because he had systematically broken the law, but also because those violations were in direct contradiction with the expectations resulting from the loose electoral contract of representation. Second and conversely, the media operated as the main channel for the amplification of the political impact of discourses and actions taken by civil society organizations and the mobilized citizenry. As public opinion changed its mood, it pushed the press, or at least a part of it, to put more pressure on Collor and on the legislators that were accusing him. In so doing, the media was functional to the operation of the main mechanism of horizontal accountability available and at work in this case.

### *The Palace and the Streets*

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<sup>59</sup> In the case of the *Jornal Do Brasil*, that was under deep financial trouble and expected a loan from the Banco do Brasil, the defense of the president also included direct attacks to the CPI.

<sup>60</sup> Of course that there had been investigative pieces on the Brazilian press before (most of which had died for lack of action from other institutions, though), but it was highly unusual for newspapers to take the lead and denounce corruption, due to the presence of strong links between state and media ownership. As Lins de Souza (2000: 188) explains, radio and television licenses were given away as political favors, many of them to the same companies that owned newspapers and magazines; media organizations were highly dependent on loans from state-controlled banks, and profitable businesses -such as the printing of phone directories- were politically assigned to media companies. In fact, not just media owners had close relationships with political power; many journalists did too.

As acknowledged in the title of the book by Bonasso (2002) on the Argentine events, the processes we are dealing with need to be understood as the outcome of a series of relationships between “the palace” and “the streets”, that is, between institutional dynamics and popular mobilization. It is important to note, however, that whether a bigger role is assigned to the former or the latter does not depend on any *a priori* theoretical position of ideological preference but on whatever observation and analysis yield.

Needless to say, institutions played a larger role in the case of Brazil, where the president was removed by Congress following a constitutionally established procedure. The fact that Congress even started such a procedure was the result of the conflictive character of Executive-Legislative relations. Presidential isolation and Executive-Legislative confrontations, however, were present in both our cases. In Brazil, Collor’s tendency towards isolation contrasted starkly with the country’s long-standing tradition of coalitional presidentialism, well suited to a fragmented multi-party system with a high number of mostly undisciplined effective parties. After the 1990 elections Collor’s PRN was one of twenty parties in Congress, had no more than 10% of the seats and lacked any discipline whatsoever. The only reasonably cohesed party, the PT, was in the opposition. In addition, Collor lacked “the experience, the skill, the temperament or the logistical support to produce sufficient Congressional backing on a regular basis” (Flynn, 1993: 363; see also Kada, 2003). Although he disposed of a number of bargaining resources, he did not use them to build congressional support until it was too late. Instead he kept playing the Lone Ranger that had initially pleased public opinion and resorted to Provisional Measures –better suited than negotiation to a personality typically described as authoritarian, arrogant, impatient, uncompromising and, eventually, “politically suicidal” (Skidmore, 1999:9). Isolation provided additional sources of unaccountability and produced varied opportunities for corruption while producing adversaries and attackers. Tensions with Congress did nothing but mount over time.

Fernando De la Rúa, by contrast, did come from an established political party; once elected, however, not only did he mistreat and disregard his coalition partners but he also neglected his own party. For all practical purposes, the Alliance ceased to function after Alvarez’s resignation in October 2000, that is, more than a year before the end of the administration. Soon after, the government took a technocratic turn and further alienated the Radical party as the crisis continued to deepen. Same as Collor, De la Rúa was a “party-neglecting president” (Pérez-Liñán, 2007) who ruled and fell in isolation.

Although Executive-Legislative confrontations were present in both our cases, however, the role of Congress was proactive in the Brazilian crisis and reactive in Argentina’s.<sup>61</sup> While it was at the center stage throughout the former process, it only acted ex-post in the latter, in order to deal with the situation created by the president’s forced resignation.<sup>62</sup> Eventually, it was Congress who elected Argentina’s new president, giving way to a temporary “quasi-parliamentarisation” of the regime, further reflected in cabinet composition during the Duhalde administration.

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<sup>61</sup> It is important to note that, contrary to Brazil’s, the Argentine Congress had been recently affected by a disabling corruption scandal. Quite independently of the actual levels of corruption within either legislative body, only in Argentina had such a scandal hurt not just a certain number of legislators but the institution itself. Indeed, the unveiling of the practice of vote-buying in Congress had eroded the legitimacy of the whole law-making process –and even of the law itself.

<sup>62</sup> When that happened, the main opposition party already had someone of their own positioned first in the line of succession. That is the reason why it just waited for the president’s fall (and hurried it up with a little help from the Peronist party machine).

Thus, institutions –and the Legislative in particular- played very different roles in each case. Also street protests, though present in both cases, varied in prominence and shape from one case to the other. They worked as a complement –and, in key moments, as a decisive push- to institutional processes in Brazil, while they were the main, most direct trigger of De la Rúa’s fall. Whereas participation in demonstrations was relatively high in both cases, demonstrations were more massive and numerous in the former. They were also more festive and carnivalesque, and definitely more peaceful; as noted by Carvalho (1995), the Brazilian process comprised hundreds of demonstrations across the country involving up to 700,000 or even a million participants without one personal injury or broken window. This highly unusual trait contrasts with the high levels of violence and repression that eventually characterized the Argentine process.

In both cases, the first street protests are described by their participants as “spontaneous”,<sup>63</sup> and their “citizen” or “patriotic” (as opposed to partisan) character is usually emphasized; a reappropriation of national symbols was indeed visible in the two. Moreover, both street coalitions were broad. They involved many people without previous political experience –young and old, although college and high school students played a particularly prominent role in the Brazilian process. They did not only include the “usual suspects” –lower-class actors that, especially in the case of Argentina, were already present in the streets and were long used to engaging in direct action- but also the middle classes.<sup>64</sup> This had a twofold effect: on one hand, it conferred protests a more solid legitimacy, and it definitely turned them into a more serious challenge (Armony and Armony, 2005; Pérez-Liñán, 2007; Ollier, 2008); on the other hand, it made them more heterogeneous and thus limited their ability to make a long-lasting impact.

However, the street coalition was broader in Argentina, and this became apparent in the wider diversity of repertoires of contention involved.<sup>65</sup> While defiance was politically grounded in both cases –that is, it was political institutions and processes which were the source of grievances and the main targets-, another basis of defiance –class and market relations- was very present in the Argentine but not in the Brazilian case.<sup>66</sup> Social tension at the time indeed reached record levels in the former but not in the latter. In Argentina, middle class protest reinforced the effect of workers’ strikes and a variety of conflicts arising from poverty, unemployment and hunger that

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<sup>63</sup> An interesting question that we do not attempt to answer here is: What sparked these demonstrations in a period that was “characterized by profound popular demobilization”? (Keck, 1992: 4)

<sup>64</sup> As noted by Eckstein (2001: 28), typically “economically subordinate groups protest most frequently in the streets, for their ability to influence decision making through formal or nontumultuous informal political channels is limited, despite their strength of numbers. (...) Businessmen and other segments of the so-called middle class (who in Latin America rank among top income earners) rarely take to the streets, because they generally can rely on effective behind-the-scenes informal political channels to influence to which the ‘popular’ classes have no access”. Although this assertion is probably truer for Brazil than Argentina, it does underscore an important issue, that is, the great significance of multi-class street convergence.

<sup>65</sup> Repertoires of contention are defined as “the limited set of routines that are learned, shared, and acted out through a relatively deliberate process of choice” (Tilly, 1995: 42), mostly determined by structural conditions. Repertoires are not fixed because actors repeat them as much as they innovate. Actors “improvise on shared scripts. (...) Innovation occurs incessantly on the small scale, but effective claims depend on a recognizable relation to their setting, to relations between the parties, and to previous uses of the claim-making form” (Tilly, 2006: 35). “Exactly how people draw on contentious repertoires remains variable and controversial. (...) Repertoires vary from nonexistent to weak to strong to rigid” (Ibid: 39) and, though cumulative, innovations in repertoires tends to occur mostly in extraordinary situations -like the ones under examination here.

<sup>66</sup> For the concept of “social bases of defiance”, see Eckstein (2001: 27).

were expressed through pickets, roadblocks, food demands and lootings. Indeed, the activation of the middle class and its temporary convergence with lower-class protest was the true novelty of the process, and a partial explanation of its stronger destituent capacity. While the repertoire of the middle class included *cacerolazos* and, secondarily, spontaneous and mostly individual acts of verbal defiance and even physical attack against politicians (“escraches”), clashes with the police, food riots and lootings were also present.<sup>67</sup> Moreover, *cacerolazos* were also followed by an unprecedented phenomenon –that of the so-called popular or neighborhood assemblies- that put into motion a wide array of participatory actions at the local level (cf. Pousadela, 2008). The broadness of the street coalition was also reflected in the diversity of demands that was immediately apparent in 2001 Argentina. In Brazil, by contrast, the protest took place exclusively through peaceful demonstrations, had a consistent middle class leadership and was centered on the sole theme of corruption.

In conclusion, street protest was an important component of both processes –though a more central one in Argentina, due to the fact that the legislative institution there played a lesser role. More important still, the nature of the role that street protest played varied greatly from one case to the other. In the Argentine case, there was no institutional challenge to the president –not one coming from the formal institutions of the government, in any case. As it was already mentioned, the Argentine Congress only intervened *ex post*, in order to provide an institutional exit to the crisis. In the Brazilian case, by contrast, the institutional challenge came first, and the street challenge gave Congress a much-needed push to continue and finish its work. The lack of protagonism of Congress in the former accounts for the higher speed of events there, due to the fact that the pace was not attuned to slower, pre-established, orderly “institutional times”.

Last but not least, it is worth noting that still other institutions besides those of the government had a relevant role throughout the processes under examination. Indeed, in both cases the main opposition party played a significant role in the presidential removal. But again, that role had a definitely more institutional character in Brazil than in Argentina. In the former, the president’s enemies certainly included the PT, whose candidate had been defeated by a small margin after Collor’s dirty campaign. It was by request of PT legislators that the CPI was established, and some of the party’s representatives and senators participated in it. The PT was also present –both organically and as an identity claimed by a number of demonstrators- in the street protests that pushed the impeachment process forward. In Argentina, the PJ also worked for the president’s removal, but it did so in a more informal and paralegal way. The threat of it engaging in an impeachment process was marginal and the chance of it happening was almost non-existent; the major role that corresponded to the peronist party fell on its local machine, not on its national legislators, and it was played mostly in the streets. One important difference between the PJ-led opposition in Argentina and the political opposition the PT belonged to in Brazil was the fact that, contrary to the former, the latter had no expectation whatsoever that the job would be

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<sup>67</sup> Also referred to as “social violence” by then governor of the province of Buenos Aires Carlos Ruckauf (cf. *Clarín*, 12/23/01, “La trama oculta de las jornadas más violentas de los últimos años”). As noted by Auyero (2007), lootings were an expression of the power of disruption wielded not just by “the poor” but also by sectors of the Peronist Party and of the repressive forces that were able to channel popular frustration to their own advantage. Food riots and lootings alone, however, would not have yielded the actual final result but, probably, something more similar to the 1989 ending of Alfonsín’s government. It was the convergence of the lower and middle classes what made the 2001 process exceptional.

immediately filled by someone from its own ranks if the president happened to be fired, which left less room for short-term calculations.

### *Exceptionalism, extra-institutional and institutional*

Overshadowed by the fundamental distinction between institutional and non-institutional actors and processes, another key trait of the cases under analysis is usually overlooked, namely the exceptional nature of them both.

That is obviously clear for Argentina, where the process was led by street mobilizations – that is, by a portion (however broad) of the citizenry performing a non-scheduled, unpredictable, extra-institutional role, in stark contrast with the scheduled, predictable, routinely institutional one citizens play in elections. That is, in a context in which the usual and main (if not the only) means of citizen participation is institutional and electoral, it was the very extra-electoral, extra-institutional nature of the events what made them exceptional.

But also in the Brazilian case the mechanism put into motion, though institutional, was by no means an ordinary one. Impeachment was originally conceived by the American Framers more as a deterrent than as an actual remedy against abuse of power. In fact, the mechanism had seldom been used, in the United States or anywhere else. In Brazil, nobody ever thought it would actually be resorted to and taken to its last consequences -until it eventually was. In fact, it seems that Collor himself believed that he would be spared by the Supreme Court, as had happened with other presidents before (Konder Comparato, 1999).

Within Brazilian institutional design, permanent, continuous, everyday accountability does not reside in impeachment procedures but in a number of mechanisms exercised by Congress as well as by other institutions. The 1988 Constitution gave Congress a number of prerogatives to act as an agent of accountability, and since then Congress built itself a formidable organizational and informational structure to support that function. However, asserts Cheibub Figueiredo (2003: 192), Congress does not exert such control on a direct and daily basis but is only responsive to “fire alarms” and fosters accountability in an indirect way, by allowing “the flow of information to groups and individual citizens, who then activate other mechanisms of accountability”. Other institutions designed as agents of accountability are the *Ministério Público* (Public Prosecution) and the *Tribunal de Contas da União*. According to Sadek and Batista Cavalcanti (2003), the Public Prosecution –an autonomous institution that operates at both the federal and the state levels and whose highly qualified individual members also enjoy a great degree of autonomy- is more able than the Legislature to oversee the Executive, because the creation of a CPI requires a special majority that can be difficult for the opposition to reach, even with public opinion on its side. But although it is a potential enforcer of horizontal accountability, the Public Prosecution faces many limitations, among them the lack of sufficient personnel and technical support, which makes it highly dependent on police investigations; its jurisdictional conflicts with other institutions, especially the federal police; its need for judicial authorization to access classified information; its limited control over the application of sanctions; and its highly dispersed focus (Sadek and Batista Cavalcanti, 2003; Taylor and Buranelli, 2007). It is important to know that the Public Prosecution has no role during the oversight stage; same as the impeachment process, it embodies a corrective, not a preventive mechanism of accountability. As for the *Tribunal de Contas*, though theoretically

operating throughout all three stages of the accountability process, is overburdened by the large number of accounts to be audited, has trouble in addressing the “red flags” that suggest the presence of bad practices, and lacks the ability to impose effective sanctions (Taylor and Buranelli, 2007).

Contrary to these defective institutions for continuous accountability, impeachment is truly extraordinary -and historically rare. (However, as noted by Baumgartner, a wave of them took place in the nineties, starting with Collor’s). It is the very nature of impeachment what makes it exceptional. It is a procedure through which the Legislature (sometimes, in conjunction with the Supreme Court) can remove the president by means of a series of votes that require a supra-majority.<sup>68</sup> It is of a *legal* nature because the president can only be accused for serious legal infringements, not for *political* reasons (e.g. for the loss of popularity or for not fulfilling some electoral promise). However, it is also a highly *political* phenomenon. As our case clearly shows, its likelihood and success depend on factors such as the institutional balance of power; the constitutional and statutory requirements; the structure and dynamics of parties and the party system; the popularity of the president; and other factors such as the media environment, the climate of outrage that the scandal resulting from the president’s legal violations might have caused, the economic conditions, and international pressures (Baumgartner, 2003). Last but not least, as the Argentine case shows, the fact that impeachment is (or is not) even thought of as a possibility also depends on political culture and traditions and on the availability of other alternatives for presidential removal. For all these reasons, it is important not to view impeachment as a mere manifestation of horizontal accountability, but as the result of the complex interaction among different accountability mechanisms, both vertical and (by definition) horizontal ones.

The political nature of the Brazilian process was apparent in the role that miscalculations played in it: indeed, many legislators who voted Collor out of office, including many of the president’s conservative allies, were themselves corrupt, and their original intention had not been to remove him but simply to weaken him up to the point where he would need to rely on them. However, they were not able to control the dynamics of the scandal and eventually had to follow public opinion’s lead so as not to be swept by popular anger: thus, they proceeded quickly before the accusations spread. Not to mention miscalculations by Collor himself, that on the basis of precedent every step of the way up to the very end thought that he would be saved.

In other words, the distinctions between initiatives from above and from below and between horizontal and vertical mechanisms need to be complemented by an additional one, namely that between the ordinary and the extraordinary. The fact that none of the mechanisms employed in our two cases was within the ordinary is no minor detail, because when accountability relies on such mechanisms it cannot have a continuous, sustainable character: what we find is, at the most, more or less frequent or isolated episodes of accountability –and, to be more exact, of ex-post, or corrective (rather than ex ante, or preventive) accountability.

### **Concluding remarks**

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<sup>68</sup> Brazil’s hybrid impeachment scheme makes a distinction between *crimes de responsabilidade* (defined as actions against the Constitution, that is, compromising the existence of the federal union, the independence of other branches or levels of government, civil and political rights, internal security, honest administration, the budget, the law and judicial decisions) and common crimes. Only the first type of crime is tried in the Senate, while the second is tried in the Supreme Court.



The problem of accountability is inherent to democracy;<sup>69</sup> however, Latin American democracies seem to suffer from specific accountability deficits that have led O'Donnell (1992) to label them as “delegative”, emphasizing the lack of effective mechanisms to make the Executive accountable to other state agencies, that is, the shortcomings of horizontal accountability. Nevertheless, the accountability deficit in the region is not limited to its horizontal variety: as Moreno, Crisp and Shugart (2003: 118) point out, the lack of accountability of legislators to citizens is also common; thus, the solution to the problem cannot be limited to the introduction of more non-elected agencies of superintendence, which tend to be useful mostly as “adjunct[s] to vertical accountability”.

A lot has been said so far about the status of a variety of accountability mechanisms: vertical and horizontal; intra-state and social; electoral and non-electoral. Especially noteworthy is the discussion as to whether mechanisms that lack formal authority or the ability to impose sanctions can be considered to be mechanisms of accountability at all, and whether actors lacking that ability beyond the symbolic are indeed true agents of accountability. Contrary to what is usually assumed, however, that inability is not restricted to the agents and institutions of what Peruzzotti and Smulovitz call “social accountability”. Indeed, many agencies of horizontal accountability also rely on their interactions with other state agencies for accountability to be achieved.

Effective accountability necessarily involves three distinct elements: making the exercise of power more transparent (exposure); demanding explanations; and sanctioning. What matters most is whether diverse accountability mechanisms interact in a “virtuous” way that make them reinforce each other: thus the idea of accountability networks. Accountability is a process that involves different categories of actors that rely on a wide variety of tools, not all of which need to participate in all three stages of the process for accountability to be achieved –which happens when all three components are present, regardless of who and why contributes to what.

But accountability is not simply something that is provided by states to citizens. In fact, it is difficult to imagine why someone who could decide and act freely, following only his own will, judgement, instinct and interest, would voluntarily offer others the chance to judge, control and sanction his decisions and actions. Thus the importance of the presence of a *demand* of accountability (and its perpetuation under the form of institutions) and the activation of citizens' more or less formal and informal strategies for the promotion, demand and achievement of accountability.

In both the Argentine and the Brazilian processes vertical accountability was prominently present, and the broadness of street coalitions provides a clue for understanding their effects. But while the former was dominated by it, the latter was not. Even within the dynamics of vertical accountability mechanisms a difference can be identified. Argentina's process was centered on

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<sup>69</sup> Or, more exactly: it is inherent to *all* forms of government, but only (liberal) democracies are eager to find a solution to it in an attempt to guarantee both the responsiveness of representatives to popular preferences and the lawfulness of their actions. After all, the idea of (vertical) accountability is at the core of all procedural definitions of democracy (Schmitter and Karl, 1991) -and of democracy only. As Plattner (1999: 66) points out, “it is hard to imagine monarchy, aristocracy, or indeed any other type of regime being defined in terms of accountability. It is precisely because the people do not rule directly but are the source of all political authority that accountability –ultimately meaning accountability to the people- can be seen as a defining feature of modern liberal democracy”.

social accountability while Brazil's also contemplated a role for electoral accountability. Indeed, the fact that the impeachment vote was scheduled to take place in front of TV cameras and so little before the municipal elections made elections work effectively as a threat. Electoral accountability requires the knowledge of who is responsible for what: in this case, voters were able to identify their representatives' positions on the issue that mattered most at the time (Collor's impeachment) and vote accordingly. Identification with Collor was equal to political suicide: most parties and candidates that remained associated with him were defeated. That was the reason why even people like Paulo Maluf, a notoriously corrupt politician and Collor's personal friend, supported impeachment. In other words, the Brazilian Congress only accomplished its role as an agent of horizontal accountability when it was effectively subject to vertical accountability.

As repeatedly mentioned, horizontal accountability took precedence in Brazil, while vertical (social) accountability was the main force at work in Argentina. This was related to the preeminence of legal accountability in the former and of political accountability in the latter. Legal accountability –aimed at “ensuring that the actions of public officials are legally and constitutionally framed” (Peruzzotti and Smulovitz, 2006: 5) fits better where corruption is the main grievance, and if effective typically leads to the identification and punishment of a culprit or a definite number thereof, which is more or less what happened in Brazil. Political accountability – aimed at achieving responsiveness to citizens' preferences- is of a more diffuse character and has the potential to lead to a sweeping crisis of representation –a confusing situation in which our representatives are and are not our representatives: we ourselves made them so not long before, following the prescribed procedures, but they do not represent us anymore, if they ever did. While the demand for legal accountability can be satiated by reparation, no matter how limited, the demand for better democratic representation cannot. This is further confirmed by the fact that, as stated by Flynn (1993), legislators and politicians in general came out of the Brazilian crisis with enhanced prestige,<sup>70</sup> while most of their Argentine peers were reluctant to walk the streets for fear of being insulted or even hit.

The mottos that encapsulated our two processes –*Fora Collor* and *Que se vayan todos*- are an excellent illustration of this contrast. The former, coupled with the exclamation *Impeachment Já!*, was a *vertical* demand for *horizontal* accountability: mobilized citizens demanded that Congress took the proper actions to kick the president out. The latter, by contrast, identified no such subject or mechanism of horizontal accountability; in fact, it did not even assign any clear responsibilities (that is, *someone's* responsibility for *something*), so its effects were potentially unlimited -and it was ultimately self-defeating. At the most, it worked as a performative injunction: *Que se vayan todos*, shouted by the same mobilized people who were scaring their representatives to death, meant no more -and no less- than something like “we are kicking you out; we can and we will”. It was indeed a *vertical* call for *vertical* action.

However, the fact that the main mechanism at work in the Brazilian process was horizontal did not imply more continuous accountability, because that mechanism was as exceptional and subject to politicization as the one that was activated in Argentina. Moreover, even as the Brazilian process followed preestablished institutional rules (while the Argentine certainly did not), it needs to be noted that those rules were more or less subject to (political) interpretation at every step of the way -such as in deciding which types of majorities were required, which way the vote was to

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<sup>70</sup> Even if this statement was considered to be inexact or untrue, it would still hold some verisimilitude for Brazil, while no one would ever apply it to Argentina.

take place, whether a live TV broadcast of the vote would be allowed, and whether the process could continue even after the president had resigned. In other words, accountability was no less exceptional, political, intermittent and episodic in Brazil than in Argentina. Our two epic, cathartic episodes of accountability embodied two different forms of “maximalism”, institutional and non-institutional. Both were the unprecedented, unexpected occurrence of a rare event: an impeachment process and popular activation in demand of a president’s resignation.

Prevention and ex ante control were no more present in either case: all mechanisms at play were of an eminently corrective nature. It is worth asking, then, whether they succeeded in setting the basis for more responsible and/or responsive future governments.

The immediate outcomes of our accountability episodes were clear enough: two presidents were removed from their posts and treated with contempt by an overwhelming majority of their countrymen. In that sense, it can be said that either as the main driving force or as a resolution tool, social accountability was all but a “toothless” mechanism. However, even in the short term our processes had limited effects in terms of accountability. Impeachment turned out to be useful to get rid of an extremely corrupt politician, but did not affect countless others who were just like him (and would not have worked against Collor either had he led a more successful administration). As stated by Weyland (1998: 119), “while Collor and his entourage were clearly guilty of corruption, they also served as scapegoats: they were ‘sacrificed’ for the sake of many other politicians - among them, many of Collor's accusers”.<sup>71</sup> What’s more, nobody seemed to care about the fact that the PC scheme involved most of the important business people in the country. Collor’s impeachment is thus well described as a “controlled purge” (Dos Santos, 1993).

Also to be noted is that removal and punishment is not one and the same thing. After all, the worst thing that happened to Fernando Collor de Mello was the loss his job. The only further punishment that Congress could (and did) impose on him was the suspension of political rights. While in cases of plain abuse of power this might seem enough, it is certainly not where corruption is involved. As the Supreme Court later found him not guilty, Collor did not go to jail nor did he return any of his huge, illicit wealth; on the contrary, he retired to Miami for a few years and resumed his political career as soon as the eight-year ban imposed by Congress was over. In neighboring Argentina, after being taken down by street pressure Fernando De la Rúa was eventually subject to procedures of legal accountability. However, he was exculpated from his role in the repression that took place during his latest days in office; as for the Senate bribery case, there has been no institutional closure so far. The fact that distrust and suspicions of corruption also reached the Judiciary certainly has not helped.

As for their wider effects, the abovedescribed presidential interruptions might have served as cautionary example for a short while –especially in Argentina, where it was not enough to have expelled a president, as the target of popular anger was much wider. But even in Brazil, corruption was again one of the main issues in the 1994 presidential campaign (De Souza, 1999). In any case, even though it took longer in Argentina, business as usual eventually resumed in both countries. In Brazil, the next corruption scandal –the “Budgetgate”- took place not much later, in 1994.

It is important to note that one of the stages of accountability –ex ante oversight- is missing altogether from our two processes. The very fact that corrective mechanisms had to be put into

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<sup>71</sup> “Calls for public morality”, adds Dos Santos (1993: 21), “did not prevent Paulo Maluf –a true symbol of the corruption of the dictatorship era- from winning the mayor’s race in São Paulo in November [2002]”.

motion means that the oversight function had already failed. Instead, the main element to be found is the investigation of allegations. The record is more mixed regarding the imposition of sanctions, which were present though slow and insufficient. What does this mean in terms of our events' long-term impacts, that is, their effects in terms of future accountability? Did these extraordinary episodes succeed in bringing about a reform of the political system that introduced any improvement in future oversight?

In Brazil, a plebiscite took place in April 1993 so as to decide whether a presidential republic, a parliamentary republic or a parliamentary monarchy would make the best alternative. Parliamentarism, on which so many hopes were pinned, was eventually defeated; that, however, did not bring about a much-needed reform of presidentialism: neither the presidents', nor Congress' responsibilities were enhanced (De Souza, 1999). In early 1994, Law 8713 was passed "in the hope that it would cleanse electoral practices, making corporate donors accountable and reducing corruption in campaign financing" (Ibid.: 105). According to Fleischer (1999), not only did the new law not have any positive impact but it even worsened the situation by legalizing massive contributions without imposing high standards of transparency. As Taylor and Buranelli (2007: 78) point out, judicial reform was also too limited: "after nearly a decade of deliberation, an otherwise welcome 2004 reform seems likely to lead to only marginal gains in the efficiency and efficacy of courts, with few effects in speeding up legal sanctions or improving the incentives for prosecutors in this phase of the accountability process".

In Argentina, for about a year and a half after De la Rúa's ousting, the reference to political reform turned into a fundamental source of legitimacy (cf. Pousadela, 2007). Its absence came to embody all that seemed to be wrong in Argentine politics; and, given that the roots of most Argentine problems were widely believed to be political, its realization was presented as a panacea that would eventually cure all evils. As a result, it soon became the fetish of scared public officials and politicians in the government and the opposition alike. Not surprisingly, the peak of reform initiatives coincided with the 2002 surge of citizen mobilization through popular/neighborhood assemblies and NGOs. As a response to pressure from below, numerous and varied initiatives were proposed from above.<sup>72</sup> Many of them were not even feasible or clearly formulated: their sole purpose was that of placating public opinion. Eventually, just a few changes took place, most of which turned out to be cosmetic, ineffective, counterproductive or thwarted through manipulation or lack of enforcement. The only important pieces of legislation actually passed were the ones that regulated party finances and electoral campaigns and established open and simultaneous primaries for candidate selection for national office. Regarding party and campaign financing, however, no effective enforcement provisions were introduced; the law on open primaries, whose application would probably have allowed Menem to become the peronist presidential candidate against then-president Duhalde's intentions, was "suspended" for the 2003 elections, half-heartedly applied in 2005 and repealed soon with its provoked failure as an excuse. Restrictions on the duration of campaigns and television propaganda were avoided through abusive interpretation as a result of the ambiguous phrasing of the law. Declarations of campaign contributions and expenditures filed by most parties and candidates in the last few elections have so far been derisory, to say the least.

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<sup>72</sup> Proposed reforms included reductions in the number of legislators, cuts in parliamentary budgets, internal reforms of legislative bodies, the elimination of "blanket lists" and their replacement with some sort of mixed system, the elimination of the party monopoly of candidate designation and the habilitation of independent postulations, the introduction of electronic voting, the cleaning of party registers, the passing of a Law of Access to Public Information, the reform of party financing and the regulation of campaigns.

Reformist talk altogether vanished from the political scene as voters seemed to overcome their anger and returned to the polls in 2003. It was temporarily appropriated by newly-elected president Néstor Kirchner, who had only got 22.4% of the vote in the first electoral round and had been denied popular confirmation in the scheduled run-off as the front-runner and sure loser, former president Menem, left the presidential race. During his first two years in office, Kirchner worked extensively to build through political action a basis of support that manifested in opinion polls, thus substituting the actual votes he had not been allowed to collect. Viewed as a sort of outsider and, better still, as a “common guy”, Kirchner initiated a series of highly unexpected moves that were perfectly attuned to the demands expressed by the pots and pans, such as the renovation of the Supreme Court, the depuration of the Armed Forces, the reopening of cases of human rights violations under the dictatorship, the revitalization of the investigations of corruption cases occurred under Menem’s administration, as well as that of the Senate bribes, and the adoption of a strong negotiating stance with international financial institutions. As a result, he ended up embodying most expectations of “political renovation”, and taking the place of the assemblies and social movements as an interpreter and spokesman of citizens’ will. Although the “relaunch” of political reform was spectacularly announced in 2003 and 2004, no concrete proposal was ever made by the government and the issue was eventually forgotten.

If Argentina got somewhat closer to political reform than Brazil, it was because only in the former was present the *demand* for political reform. Pressure from below was of the utmost importance in a context where the political system itself was perceived as being at the core of the problem. Indeed, only those in the government have the formal authority to design and establish agencies and mechanisms of accountability. But naturally, nobody likes having to publicly answer compromising questions or face the possibility of sanctions for misconduct: Why, then, would those in power willingly establish new, more effective accountability mechanisms, be them horizontal or vertical? In other words, although reform can be initiated from above (the government), from below (civil society), from within (the bureaucracy), or even from outside (international actors), one of the strongest reasons that typically account for innovation is pressure from below, expressed both in the electoral booth and in opinion polls or even in street mobilizations. As our two cases attest to, however, demand for reform is an often necessary condition, but not a sufficient one. It was present in Argentina but not in Brazil; political reform did not actually take place in either case.

Despite those setbacks, it is not uncommon for accountability episodes such as the ones described here to be viewed as part of a wider, slower process of collective learning that is producing deep changes in political culture (cf. Peruzzotti y Smulovitz, 2006; Holston, 2008). In Brazil, some authors see the outcome of Collor’s impeachment as having had an empowering effect on citizens hitherto resigned to the fact that they exerted no control whatsoever on their rulers (Carvalho, 1995). Even though the dominant political practices have changed less than would have been desirable, they are now routinely criticized by the press and public opinion, and they often even lead to congressional investigations and judicial proceedings (Avritzer, 1999). Moreover, as Weyland (1998: 119) notes, “fewer and fewer Latin Americans are dismissing the corruption charges of their political leaders with the Brazilian saying *rouba mas faz*”.

At the end of the day, however, accountability still means making the powerful respond for the consequences of the exercise of their power and redress the harm they might have caused with it. Accountability takes place when their actions, decisions or inactions are exposed, they are forced to explain, and they are sanctioned accordingly (through either punishment or reward). But

what if only the formerly powerful and the formerly popular but currently weak and unpopular can be made accountable?<sup>73</sup> Well, that is –after all- the pretty thing about democracy, whose depiction as the consecration of the emptiness of the site of power needs to be seriously taken. Because some people can be popular and powerful for a long time, and many people can be popular and powerful for some time, but *nobody* can possibly be popular and powerful *forever*. When seeing the fate that is reserved for now-fallen but formerly powerful leaders, today’s powerful need to learn what the ancient Greek of the democratic city-states knew all along: that during the short time they are appointed to serve as public officials they must treat their fellow citizens fairly while keeping in mind that soon enough they will be back among the unprivileged and under the power of someone they will definitely wish not to have offended.

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<sup>73</sup> After ruling the country virtually unchecked for ten years, former president Carlos Menem was put under home arrest (where he remained for eight months) in June 2001, for his responsibility in the illegal sales of weapons to Croatia and Ecuador that had taken place in 1991 and 1995, while Croatia was under a U.N. embargo and Ecuador was in war against Perú, Argentina being a guarantor of the peace agreements between them. Although the original accusation against Menem (for illicit association) was soon discarded by the same Supreme Court that he himself had packed while in office, new accusations soon followed. In April 2008 a trial started against him for a charge of contraband arising from the same case. He and a number of his former collaborators are still being processed in a variety of cases that include fraudulent administration, arms contraband, and the covering up and obstruction of the investigation of a terrorist attack against a Jewish institution that killed 85 people in July 1994. Menem currently lives in La Rioja and serves a term as a national senator; due to parliamentary immunity, he cannot be arrested although while the accusations against him move (slowly) forward.

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