

What now of the Faustian bargain? Moro's exit and its impact on anti-corruption efforts

08 June 2020 | Contributed by [Hogan Lovells](#)

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Introduction

"I abandoned my judgeship. It's a path of no return. Now I'm going to rest a bit. Then I'll look for a job. I've never enriched myself, either as judge or as minister." With those words, former Operation Car Wash judge and world-renowned anti-corruption crusader Sergio Moro ended his short stint as minister of justice and public safety in the Bolsonaro administration. His late April 2020 resignation sent shockwaves throughout Brazil's political class. Easily the Bolsonaro administration's most recognised and admired cabinet member, Moro's departure via a televised press conference, where he accused President Jair Bolsonaro of trying to interfere in ongoing investigations involving Bolsonaro's family members, was likely not how he had envisioned his tenure ending.

Background

Although a few commentators questioned Moro's decision to leave his judgeship in November 2018 to join the Bolsonaro administration effective January 2019, characterising it as a Faustian pact with Bolsonaro, most of the country welcomed the development. When president-elect Bolsonaro told Moro that he would have *carte blanche* to run the Ministry of Justice and Public Safety, many considered this to be a positive development in Brazil's longstanding fight against corruption. It was hoped that Moro would have the same success as minister of justice and safety as he had had as the pioneering and aggressive judge presiding over Operation Car Wash.

Minister of justice and public safety

Moro's appointment did not work out as planned. Almost from the outset, he faced strong headwinds from Brasilia's entrenched political class, many of whom were under investigation for corruption-related crimes. The situation worsened when leaked messages posted on an online publication *The Intercept* in June 2019 showed that then-judge Moro and the Lava Jato prosecutors had engaged in *ex parte* communications regarding ongoing cases. With his credibility and political clout weakened, Moro became less visible in the Bolsonaro administration. However, the final straw was Bolsonaro's decision to replace the head of the Federal Police contrary to Moro's wishes.

Resignation

Moro must now watch from the sidelines while the Bolsonaro administration faces attacks from both the judicial and legislative branches in the form of investigations and legislative defeats. But what is the impact of his resignation as minister of justice and public safety on the long-term prospects for the fight against corruption in Brazil? It is difficult to say at this point; if Moro decides to run for president in 2022 as many have speculated, anti-corruption may again be at the forefront of Brazilians' minds and force the other branches to adopt a more uniform and harmonised approach to the issue, as was seen at the height of Operation Car Wash.

However, in the short term, particularly in light of the COVID-19 pandemic and the economic crisis that Brazil is facing, the battle against corruption has taken a back seat to public health and economic recovery concerns. Brazilians must not only contend with these highly disruptive events, but also must attempt to ward off the cynicism that comes with having seen Bolsonaro go from campaigning on an anti-corruption platform to ousting the hero of Operation Car Wash and insulating his family members from investigations.

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Comment

From 2014 until 2020, significant gains were made in the battle against corruption in Brazil and Moro, either through his role as the judge presiding over Operation Car Wash or as minister of justice and public safety, was a major factor in these successes. Although he certainly has earned a few weeks' rest, it will take a personality as large and admired as Moro's to return anti-corruption to the forefront of Brazilians' minds. However, he should not sit out for too long or there will be a serious risk of backtracking from the gains made over the past six years.

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