Fernando Filgueiras
Doctor of Science (Political Science), Professor,
Universidade Federal de Minas Gerais,
Professor at Department of Political Science
Belo Horizonte, Brazil
fernandofilgueiras@hotmail.com

TRANSPARENCY AND CORRUPTION CONTROL IN BRAZIL

Abstract. This article makes a critical analysis of institutional changes that took place in the democratization process in Brazil in 1988, when the principles of transparency and administrative reform were implemented. It is based on a public opinion poll on the issue of corruption, and is critical to building a monopoly of bureaucratic transparency in Brazil. It notes the consequences of corruption for political legitimacy and public institutions in the Brazilian state. The article first deals with the construction of transparency in state reform in Brazil, then with the consequences of corruption and transparency in the implementation of Brazilian democracy, and finally with the relationship between reform and the normative principle of publicity, based on the idea that control of corruption should be state policy and not bureaucratic monopoly.

Key words: transparency, corruption control, administrative reform, publicity, public institutions.

Formulas: 0; fig.: 4, tabl.: 0, bibl.: 20

Introduction. Modern public management theory acknowledges the transparency principle in the state’s actions towards society. There is a general agreement among politicians, bureaucrats, and opinion makers that public policy management has to be transparent, meaning that there are no secrets in the relationship between the state and society. The transparency principle generates expectation that public administration should be discussed and organized, accountability should be achieved, and thus corruption should be reduced.

The current agreement on transparency makes it an irrefutable truth, a fundamental principle of democratic governance. Its status of principle makes it almost unthinkable for transparency to be critiqued in contemporary democracies. Created by economists, the notion of transparency has the purpose of redeeming the public character of bureaucracies by considering the citizen a consumer of public services.

Often the concept of transparency is mingled with that of publicity. The concept of transparency in Brazil, born in the 1980s, is based on information economy and aimed at solving agency issues in contemporary public management. Despite the transparency and institutional innovations implemented in the administrative engines, a perception of corruption remains within the realm of public opinion. Despite the expectation generated by reform, institutional pathologies continue to exist, creating social uproar against corruption. There is an exacerbated moralism of the political, economic, and social elites concerning politics and the institutional life of democracy.

This article makes a critical analysis of the transparency policy currently implemented in the Brazilian democratic experience. It assesses the effects on public opinion of building transparency within the Brazilian democracy, with the purpose of discovering what challenges democratic governance faces in Brazil. The hypothesis is that state democratization and the construction of democratic
governance in Brazil require extrapolation of the concept of transparency toward a more comprehensive conception of accountability. This accountability is based on a discussion of public interest and on the centralization of public values in the management of the Brazilian state. Corruption control must be conceived as state policy rather than as a bureaucratic monopoly of public policies management.

**Literature review and the problem statement.** *Transparency and the Construction of Democratic Governance in Brazil.* The democratization process in Brazil required liberalization, extension of political competition, and growing demand concerning government powers. As the democratization process took place, public bureaucracy faded. There was a fiscal crisis, globalization, and the creation of thresholds for governmental intervention into society. In the 1990s, tensions between bureaucracy and democracy gave rise to several reforms in the Brazilian administrative engine. Studies from the public sector point to administrative disorganization and disarticulation, a lack of efficiency in public management, and a corrupt public administration in the 1980s. The outcome was a government incapable of producing efficient public policies for providing assets and services to society. Corruption became a recurrent practice in democracy, and the public believed that this corruption was born of democratization, rather than being inherited from the authoritarian regime.

The New Republic planned several reforms to honor the commitment of reconciling Brazil’s republican history with modernization. To fight the legacy of the authoritarian regime, important changes were introduced within the Constitution of 1988, including a specific chapter concerning the political–administrative organization of the government. State democratization was prominent among the constituent activities, and public administration external control was strengthened, mainly through the role of public prosecution and civil society. The principles that rule Brazilian public administration are found in the 1988 Constitution, mainly concerning administrative legitimacy, publicity, and morality [Constituição da República Federativa do Brasil, article 37 2010]. The Constitution also sets forth a role of decentralization, and defines a commitment to civil service reform by means of acknowledgment and universalization of citizenship meritocracy and citizenship participation [Abrucio 2007].

During Fernando Collor’s government (1990-92), an administrative reform aimed to recompose and organize the public management devices, and to fight the corruption that devastated Brazilian public service. Government roles performed by the indirect administration were reincorporated into the direct administration. *Brazilian public administration is divided into direct and indirect types. Direct administration is the set of organizations that conduct activities and functions typical of the state, without any delegation to entities or separate companies. Indirect administration is that where the state delegates functions to companies and institutions, such as state enterprises, public institutions, and foundations. For example, the direct administration makes health policies, while the development of research and vaccines is delegated to the Oswaldo Cruz Foundation. The organizations of indirect administration are governed by public law and also by private law.* State–owned companies and foundations without their own sources of resources were no longer allowed to proliferate, and were placed under stricter control. The main focus of administrative reforms during the Collor period was the disassembly of the state engine, with the idea of “shrinking” the personnel structure. To avoid a fiscal crisis, a volunteer resignation plan was proposed, as well as a reduction of public official’s wages,
actions discussed without the approval of the Federal Supreme Court (STF), which is unconstitutional. These changes were not made due to a corruption scheme that brought down the Collor government and to the fact that political conditions did not exist to implement them. Collor’s impeachment proceedings and the failure of his government reforms showed that the governability issue would be the core issue in a broader reform of the Brazilian government [Skidmore 1999].

A worsened scenario of corruption required deeper reforms in Brazilian public administration. In Itamar Franco’s government (1992-95), the only accomplishment was the creation of a Professional Ethics Code for the Federal Administration’s Civil Public Servant, pursuant to Decree 1.171, dated June 22, 1994. Public administration reforms were implemented under Fernando Henrique Cardoso (1995-2002), with the Ministry of Administration and State Reform (MARE), created in 1995 under the direction of Minister Bresser-Pereira. Conditions of governability became more favorable to the implementation of the administrative changes agenda.

The administrative reform led by MARE sought to redefine state activity sectors, strengthening state democratization and management devices configured around the adoption of private administration models for the public sector. This reform strategy assumed a managerial model, whose purpose was to adjust Brazilian public administration to the needs arising from market globalization, the increased presence of international trade laws, and the enhancement of management devices. Changes were implemented according to the New Public Management model, which stated that government activities had to be based on management similar to that performed in the private sector, because a citizen is a client of the services rendered by the state [Bresser–Pereira 2001].

Multilateral agencies, mainly the International Monetary Fund (IMF), and the World Bank, limited this conception of the Brazilian administrative structure. These agencies demanded several changes in public management, assuming that democratic governance would depend on the implementation of managerial reforms. This assumption comes from the idea that institutional change in administrative structures creates democratic governance, taking into account the principles of decentralization, accountability, social inclusion, and fiscal efficiency. The managerial model assumes that public management must be based on professionalization of management, preference for quantitative indicators and explicit performance management standards, quantitative control of results, distribution of resources according to the politicians’ performance, decentralization of bureaucratic activities, competition among government agencies, flexibility of management, discipline in resource expenditures, reduction of direct costs, and definition of limits to the transaction costs of the public bureaucracy with more transparency of the government’s actions [Pollitt 2003]. This managerial postulate grants a central point to the idea of governance, which the World Bank conceives as the “exercise of political authority and use of institutional resources to manage the society’s issues” [World Bank 1991]. However, the agreement reached by the two international agencies indicates that the state has a secondary role in this process. The use of microeconomic theories to understand the matter of reforms is based on the assumption that the state has to be reduced in view of agency issues, and that reform provides opportunity to the vices of inefficiency and corruption.
The managerial paradigm of government reform in Brazil has generated changes in the administrative structure. According to Fernando Abrucio, managerial devices have improved and a cultural change has been evidenced inside Brazilian public services since 1995 [Abrucio 2007]. Yet reforms faced several barriers, related to a strict economy-centered view, which hindered several institutional innovations, such as more autonomy to the regulating agencies for fear that the government would lose control over the agencies’ financial expenditures [Abrucio 2007]. Furthermore, as highlighted by Flávio Rezende, such reform faced strong obstacles to implementing the changes, as the fiscal matter has been dominant in the composition of the strategic players’ preferences. Strategic players in the decision-making process perceived the reforms as a threat to bureaucratic control over public policies, causing the reforms to be halted on the matter of fiscal adjustment [Rezende 2009]. In other words, changes were implemented, but construction of public policies continued to be submitted to the bureaucratic monopoly, and there was no decentralization process toward society or a construction of more effective control devices in the civil society sphere.

Abrucio indicates the following benefits from the managerial innovation implemented by the administrative reform: fiscal management of the state, which brought economic gains in the public sector; innovations at the subnational government level, which introduced the managerial paradigm in public policies; creation of more accurate devices to evaluate public policies, mainly in the social area, enabling the application of the best management of resources; adoption of planning in the public sector, not in the technocratic sense, but by the integration of government programs and projects; adoption of an electronic government, which advanced the most in the states upon the introduction of electronic auction and information organization [Abrucio 2007].

On the other hand, Abrucio indicates that support is missing for four central axes in the Brazilian public administration reforms. Cardoso’s and Luiz Lula’s (2003-2010) governments made little progress in: (a) professionalization of the Brazilian bureaucracy, mainly in positions deemed to be strategic; (b) efficiency of services rendered; (c) effectiveness of public policies; (d) accountability and strengthening of transparency in government–society relations. Despite the reforms and the advances, corruption continues to be a recurrent practice, maintaining a patrimonial aspect of the relations between the state and society [Motta, 2007]. Although several devices to increase transparency have been configured in Brazil, there continue to be corruption scandals.

The managerial perspective believes in centering transparency to foster the accounts–rendering principle. In the Brazilian public administration reforms, the transparency principle was very strongly introduced into the political lexicon. The core motto is that control over public policies and the fight against corruption, aimed at formulating democratic governance, depends on stronger transparency in the relations between the state and society. As the idea is to strengthen accountability, the concept of transparency serves to reduce delegation costs and problems within the agency and to extend the available information to the different political players [Stiglitz 1999]. Transparency is the principle through which control over public policies depends on information available to citizens and how citizens can base their choices on such information. According to the agency theory, the larger the volume of information available to
the citizens (principals), the lower shall be the delegation costs [Williamson 1985].

The concept of transparency is an essential value in contemporary public management, as its consummation means increasing society’s information about civil servants’ actions. For this reason, the concept of transparency is so popular in contemporary democracies [Etzioni 2010]. As asserted by Roumeem Islam, transparent governments govern better, because the extension of information enables the existence of a political market that has less corruption and is, therefore, more efficient [Islam 2003]. The concept of transparency is linked to the issue of information economy, where the citizen is seen as an investor and a consumer of public assets. The agency theory basis is a theory of the firm. It is speculated that in the public arena there is the same problem of creating preferences in market dimension, considering a microeconomic conception of politics [Williamson 1985]. According to Ferejohn, the principal invests its resources in the action performed by the agent, expecting a return on the dedicated investment (public). The balance point in the relationship between the principal and the agent depends on the existence of more transparent institutions capable of reducing investment uncertainties [Ferejohn 1999]. In other words, accountability is implemented with increased transparency, considering the return citizens made on the investment in the civil servants’ public action to reduce transaction costs. Transparency maximizes accountability by enabling a reduction of the asymmetry between the principal and the agent, assuring an accountability system derived by the revealing of the government’s secrets. According to the management assumption, it is impossible to have political responsibility if institutions are not transparent to citizens in the same way that the deficit of information between the ordinary citizen and the democratic institutions is reduced. In the management perspective, transparency is an instrumental value to exercise accountability [Heald 2006].

In Brazil, the idea of transparency was presented with the management reforms in the 1990s. Its popularity is the work of the control institutions, mainly those in charge of performing public control of corruption, such as the Union’s Accounts Court (TCU), and the Union’s General Controlling (CGU). Academis and opinion makers also played a role in introducing the concept of transparency in Brazil. The concept of transparency has advanced in many sectors of the public administration, mainly upon the creation of the Transparency Portal and public disclosure of accounts rendering. A lot of information is available, allowing players outside the state bureaucracy, such as the media, to enforce control over the actions of politicians and bureaucrats. For example, accusations on the Transparency Portal in 2008 led to the scandal of the corporate cards. Adoption of the idea of transparency in Brazil resulted from innovations in the bureaucratic–administrative control of corruption, arising from the management reforms implemented after the 1990s [Filgueiras, Avritzer 2010]. In contemporary Brazil there is a strong agreement that fighting corruption depends on the extension of transparency.

In Brazil, transparency did not lead to improvements in corruption control, or to more accountability. Despite the advancements in information generation and the adoption of more transparent public policies, budgets, and expenditures, corruption continues, and there is little accountability on the part of public and private agents toward society. In the scope of the state reform project, the concept of transparency has risen as a universal theoretical proposition, without taking into account different cultural, political, economic, and institutional
realities. This means that transparency is not a universal remedy for the evils provided by corruption. It should be framed in the different cultural and institutional realities of different democratic states. In Brazil, transparency is susceptible to instrumental use of the available information because institutions of accountability fail in that they stress the reputational aspect of corruption scandals and do not punish the cases. There is a disconnection of corruption control devices, and transparency alone does not result in stronger accountability of the players before the laws. Institutional innovations in corruption control have focused special attention on the administrative structure, without concomitant innovations in judicial and non-state public control [Filgueiras, Avritzer 2010].

Rather than represent gains in efficiency of public management, transparency in Brazil feeds the policy of scandal that victimizes democratic institutions, mainly the parties and the national Congress. The slow pace of the Judiciary Power produces a feeling of impunity, mainly concerning cases that involve major corruption. As highlighted by Taylor, construction of accountability in post–1988 Brazil depends on the bureaucracy’s monopoly over public policies, making core matters, such as the Judiciary and the civil society action towards corruption control, poorly efficient [Taylor 2009]. In other words, the bureaucratic monopoly continues to control corruption over public management, thus hindering institutional innovations beyond the fiscal adjustment. As noted by Taylor and Buranelli, control disconnection in Brazil generates poor performance of the institutions in charge of accountability [Taylor, Buranelli 2007]. The outcome is a lack of efficient sanctions on corruption, despite the better transparency currently evidenced in Brazil.

Transparency and the institutional construction of its terms present issues toward the matter of democracy. Public control of corruption was centered on bureaucratic–administrative innovations, with few changes in judicial control and non–state public control [Filgueiras, Avritzer 2010]. The result is that transparency feeds the policy of permanent scandal, whose consequences are not felt by the regime’s government, but in the legitimacy of the institutions. The outcome of the transparency policy in Brazil is that the bureaucratic monopoly over public policies results in low accountability, which in turn maintains the profusion of corruption scandals.

**Research results.** *Transparency and Policy of Scandal in Democratic Brazil.* The problem with transparency in Brazil is a lack of a more critical perspective of bureaucratic monopoly over the control of public policies. The way transparency is implemented in Brazil feeds a policy of permanent scandal, which affects the legitimacy of the political system and the efficiency of public policies. Managerial reforms, with the assumption that changes in the administrative structure in and of themselves produce beneficial effects on the management of public policies, are based on a restrictive assumption toward the policy, creating narrow view of public controls of corruption and the notion of accountability.

If accountability is related to agency problems, we can formulate several objections to the idea of transparency. First, it comes from a narrow, minimalist concept of citizenship, whereby the citizen is seen only as a client of public services in the market–relations threshold. Second, the concept of accountability, as approached by the theory of agency, disregards the public processes of creation of interests, lacking a normative ground more strongly connected to the policy [Philp 2009]. The notion of transparency derived from this concept of accountability means a rule related to the opening of information and processes
in the dimension of government and the market. David Heald notes that the notion of transparency is not limited to politics, but is also a rule of market behavior, with the purpose of reducing uncertainties in business investments [Heald 2006]. The concept of transparency assumes that the reduction of information asymmetry contributes to reducing investment uncertainties, enabling a way to control the behavior of public servants. However, if centered on bureaucracy monopoly, transparency does not contribute to strengthening accountability, but to producing a policy of permanent scandal, where the result does not affect the political system of government, but the institution’s legitimacy.

As indicated by Amitai Etzioni, the importance of transparency is the possibility of its ideological use, where the citizen is conceived as a consumer [Etzioni 2010]. Once the concept arises within the proposal for organizational changes in public management, guided by multilateral agencies and international opinion makers, transparency results as a new surveillance technology that does not distinguish private life from public life. This new surveillance technology inhibits good initiatives in public services, strengthens the power of the bureaucracy over public controls of corruption and of public policies, and directly affects the political system’s legitimacy. Corruption control becomes a surveillance technique that creates defensive and weakly creative managements, overcentralization of the decision-making process, few incentives for interinstitutional cooperation, and deviation from the purposes of the actual bureaucratic body. Instead of emphasizing the virtues of the public body, transparency emphasizes the institutional pathologies, among them, corruption.

In Brazil, this can be easily evidenced by how corruption is punished. Corruption controls in Brazil give privilege to the reputational punishment, with few cases where the judicial control has proven efficient to control corruption. Only one political authority has been convicted in the Federal Supreme Court (STF) for an accountability crime. Federal Congressman Zé Gerardo was sentenced on May 13, 2010, to two years and two months prison time, which was converted into payment of fifty minimum wages and community service. The congressman was convicted of improperly using resources from a federal agreement with the city of Caucaia, in Ceará State, to build dams to protect against drought. Resources were used to build wet bridges, which deviated from the purpose set forth under the agreement with the Ministry of Environment. As indicated by Taylor, this creates a paradox of disconnection between the perception of corruption and the perception of accountability in Brazil (Taylor, 2009). Such disconnection is born of a hope for more transparency from the bureaucratic monopoly over public policies. Corruption control devices are less effective because there are few institutional innovations in the matter of judicial control and non-state public control, in other words, the Judiciary’s role in ascribing criminal liability to corruption acts, and civil society’s role in controlling public policies. The Brazilian citizen perceives that corruption has increased in Brazil, as is evidenced in fig 1.

More transparency without a broader view of accountability, and without effective control institutions fosters a gradual perception of corruption in Brazil. Brazilian public opinion does not accurately see the control agencies’ actions, considering their public activity and legitimacy landmark. Brazilians’ perception concerning the agencies’ activities varies widely, as the media guides the matter of corruption. Figure 2 indicates corruption control institutions’ visibility and legitimacy, according to public opinion.
Figure 1 – Evolution of Corruption in the Last Five Years (%) *)

Source: Centro de Referência do Interesse Público/Vox Populi, 2008, 2009

*) Data presented on this charge and in the following charts and tables are based on the survey "Corrupção e interesse público" ("Corruption and public interest"), conducted by the Center for Public Interest Reference (CRIP) from Federal University of Minas Gerais (UFMG), in association with Instituto Vox Populi. The survey applied a structured questionnaire to a sample of the Brazilian population. The sample was made up of 2400 individuals, stratified by household status, gender, age, education, family income, and status towards employment. This stratification process is prorated according to data from the IBGE Demographic Census, year 2000, and by the National Survey for Household Sampling, year 2006. The sample has reliability interval of 95 percent, and a margin of error calculated at 2 percent.

Figure 2 – Visibility and Legitimacy of Control Institutions (%) *)

Source: Centro de Referência do Interesse Público/Vox Populi, 2009

*) Legitimacy of the Judicial Power and CGU’s actions has not been assessed.

There was a high perception of acts carried out by the Federal Police, mainly after Lula’s first term in office. This is due to the high visibility the media assigned to operations that destroyed several corruption schemes. The Federal Police’s work is assessed as negative in legitimacy. The increase of the Federal Police’s discretionary power is followed by actions that are often outside of the parameters of legitimacy, which has led to the Federal Police’s subverting its own...
legitimacy, especially in Daniel Dantas case. According to Etzioni, transparency emphasizes the old matter of who controls the controller (Etzioni, 2010). There is an innovation in state administrative structures, and an increase in the police’s discretionary powers under control of the government bureaucracy. More transparency supposedly means the production of information and the rendering of accounts under the control of bureaucratic bodies.

In Brazil, instead of solving the issue of corruption, transparency emphasizes institutional pathologies, and public opinion has a perception of increased corruption. According to the precepts of transparency, information produced by the bureaucratic–administrative control bodies does not set the bounds for the citizens’ choices of public policies. As emphasized by Etzioni, the concept of transparency and its use in contemporary public management is not based on cognitive capacities of citizens. The citizens do not have the capacity to deal with available information on public policies. Moreover, it is a crucial to realize that the available information is subject to manipulation [Etzioni 2010]. The manipulation of information refers to differences in access to primary information. As the data must be manipulated, transparency continues to be under the control of bureaucracies. In addition, different institutions provide information differently, depending on interests and forces in the political arena. A more accurate judgment is not allowed, and those involved in corruption scandals are members of the bureaucracies.

Transparency feeds a permanent policy of scandal. These scandals do not necessarily improve the citizen’s access to information, which would enable him to make better choices. Scandals feed a defensive positioning of the citizenship toward political institutions, mainly toward representative institutions. As the transparency implemented by the control bodies is a bureaucratic monopoly, and not state policy, it has a more direct impact on the citizen’s trust in the democratic order. As it is not a state policy, transparency leads naturally to vices. Public opinion sees the Brazilian state as corrupt, creating hindrances to democratic legitimacy. When asked if people who hold high government positions would accept entering a corruption scheme or not, the public corroborates a high number of positive answers, as shown in fig 3.

**Figure 3** – Perception of High Government Positions and Their Relationship with Corruption (%)
Source: Centro de Referência do Interesse Público / Vox Populi, 2008 / 2009.
Transparency in Brazil feeds the policy of scandal and distrust from the citizen toward its own action. Transparency and corruption control are bureaucratic monopolies, and despite the managerial innovations resultant from the administrative reform, the conflict between bureaucracy and democracy continues. There is no systemic integration between the bureaucratic control, the judicial control, and the non-state public control exercised by civil society. Despite the institutional innovations in bureaucratic control, corruption continues to afflict Brazilian institutions. Control has increased, sanction continues to be low, and corruption reproduces itself and continues to negatively direct public opinion. Due to the disconnection of public corruption controls, corruption affects the state and its operational capacity for managing public policies [Filgueiras, Avritzer 2010].

Corruption affects the state because citizens mistrust politicians. More transparency does not guide the citizen’s choices more accurately. In Brazil, despite the scandals that have swept different political parties and damaged their reputation, candidates have no constraint against running as a candidate again, and can potentially win. In several cases, politicians who lost their terms of office returned in subsequent elections, for instance, José Roberto Arruda, Jader Barbalho, and others. In other words, corruption is not relevant to the election processes, and transparency does not mean the best information is given or that the citizens exercise wisely. Taylor observes that there is a disconnection between perception of corruption and perception of accountability [Taylor 2009]. Non-integration of public controls leads to little information for the citizens to make their choices. Etzioni highlights the cognitive issue of transparency, which generates this sort of problem in democracy. Second, non-integration of public corruption controls foster a condition of institutional dispute, as in the recent case of the conflict between the Judiciary Power and the Federal Police, and in Daniel Dantas’ case, the dispute between the National Congress and the Public Prosecution after the “law of gag” project, whose author was Federal Congressman Paulo Maluf, and the dispute between the Union Accounts Court and bodies from the direct administration.

The state is negatively impacted by transparency, mainly the representative institutions. When the Brazilian citizen is asked to identify corruption in different areas of society, it is clear how representative and state institutions are seen as a natural environment for vices. The result of the priority of the bureaucratic–administrative control is to enlarge the autonomy of the administrative structure and its legitimacy granted as a representative of social interest, in prejudice of democratic representation. In other words, corruption in Brazil is better noticed in the representative institutions, whose legitimacy arises from of the voting machines, than in the administrative structure and in the private environment, and the state is the main character of this process. As shown in fig. 4, the Brazilian citizen perceives corruption as more present in representative and public institutions and less present in social and private institutions. Transparency naturalizes corruption in the state range, producing a process of decentralization of democratic order.

Despite the institutional innovations generated by the administrative reform, the bureaucratic monopoly over public policy control and over corruption control is maintained in post–1988 Brazil. The main victim of corruption in Brazil is democracy itself, mainly the representative institutions.
Figure 4 – Presence of Corruption in Institutional and Social Environments *)

*) This chart includes an analysis of the averages assigned by the citizens to the presence of corruption in these political and social institutions. The respondent was asked to assign a grade from zero to ten to each of these institutions, zero corresponding to no corruption and ten to a lot of corruption. For 2008, the average of the averages is 6.80, and for 2009, the average of the averages is 6.47.
The outcome of this process is the strengthening of a narrow economy-centered perception that change in the administrative structure causes more efficient public management and is less susceptible to corruption, and also strengthens the perception that to fight corruption Brazil needs more technology and less politics. The effects of transparency in Brazil, as implemented by the bureaucratic–administrative control bodies, fosters an incapacity of systemically integrating public control, creating obstacles to forming an integral system to gather state bureaucracy, judiciary power, and civil society. The result is that the Brazilian experience of increasing transparency has not resulted in an increase in accountability. This is in large part due to the introduction of a narrow perception of accountability, the theory of agency, and the role of the bureaucratic–administrative control upon its implementation.

Such diagnosis allows understanding that the development of accountability in Brazilian state institutions is still a challenge to democracy. This is in large part due to a permanent agenda of unfinished reforms that would allow the building of an integrated system guided by the integration of the bureaucratic–administrative control, judicial control, and non–state public control. Changes in Brazilian public management must go beyond transparency. It is necessary to recover a stronger notion of publicity that will allow Brazilians to configure effective democratic governance capable of controlling corruption and producing more open and democratic management of public policies.

**Conclusions. In Defense of Publicity to Create Democratic Governance.** Based on this analysis, we conclude that transparency cannot be an end in itself. Once it is under the bureaucratic monopoly, transparency emphasizes institutional pathologies and contributes to a political culture poorly identified with the public world. In the Brazilian experience, the principle of transparency has been implemented without breaking the bureaucratic monopoly over public policies, which makes it susceptible to corruption in bureaucratic controls expanded without parallel strengthening of other accountability institutions, at the judicial control and non–state public control levels.

This sort of dynamic in building public corruption control in Brazil emphasizes institutional pathologies, as it creates a politically unstable environment, a political culture of little trust in the institutions, and a feeling of impunity within society, leading to a direct impact on the state’s legitimacy. Corruption in Brazil contributes to decentralizing democratic legitimacy, as there is poor identification with the public, a growing process of judicialization of public policies, poor identification at the political representation level, and a separation between the general will in public business management.

In other words, corruption in Brazil not only costs money, but also directly affects democracy, as it undermines the development of democratic authority. Corruption does not require only economic expenditures, but also very expensive political expenditures. Transparency under the bureaucratic monopoly cannot cope alone with the corruption controlling Brazil. It is necessary to extrapolate the notion that democratic governance is conquered only by the postulate of managerial changes to the administrative structure of the Brazilian state and by increased transparency. It is essential that corruption control matter become a state policy and not only an innovation in the public administration range. As a state policy, it is crucial that corruption control extrapolate the notion of transparency toward the broadest notion of accountability, where it is not conceived only as institutional engineering, but is based on a systemic dimension.
of public integrity. It is essential to extrapolate the notion of transparency with the purpose of recovering a broader notion of publicity of the state’s actions.

Going beyond transparency toward publicity means to recover the relevance of public values and the public interest [Bozeman 2007]. It means considering a dimension of the integrity systems that would incorporate and coordinate the state powers and produce commitments with society toward public controls of corruption. It means thinking of accountability not only with a relational perspective, but also as a process that involves civil society and the state–constituted powers. In Brazil, there is a need to proceed with institutional reforms, aimed at producing larger participation of the civil society in the public forums, reducing the interinstitutional conflicts of the Brazilian state, and building an integrity system based on public values.

Democratic governance cannot be based on a narrow economy–centered view, but on valuing the politics and representation as centers for building public integrity and good management of public policies. In Brazil, publicity can be accomplished only through more transparency. Propositions presented herein do not mean to throw away or set aside what Brazil has accomplished so far. They mean thinking beyond managerial innovations, considering the claim that public values are relevant to build democracy. Corruption control, as a matter of the state, has to assure civil society’s commitment toward public policy management, where civil society has an active voice and is capable of being heard. This also means institutional adjustment to build the empire of law.

Democratic governance does not depend exclusively on political system governability. It is the full exercise of the democratic authority, pursuant to equal consideration of the interests of different players. Publicity rule requires that, beyond transparency, it is essential that the state and society walk together. Corruption control is the result not only of state bureaucracy, but also a republican commitment of societies as a whole.

References


