

**“Trust in legal institutions:  
an empirical approach from a social capital perspective”**

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**Abstract**

During the last decades, there has been a growing public perception that some of the democratic institutions and frameworks, which were once taken for granted, are now showing their flaws, inefficiencies, struggling more and more to keep up with society's demands and expectations. This has led to a generalized feeling of uncertainty and disappointment, generating what could be identified as a crisis of trust in institutions. The implications of these circumstances on legal theory cannot be overlooked. The present work aims at addressing the problem from an innovative perspective, that of the social capital theory. This paper presents a unique tool designed to measure social capital and trust in legal institutions. The aim is to contribute not only to better understanding the role of law in this crisis of trust and, in particular, the public perception towards legal institutions, but also expand the analysis of social capital dimensions.

Keywords: social capital, trust, legal institutions, public perceptions.

**1. Introduction**

During the last years, and even decades, it has been possible to observe a growing tendency in public perception that some of the institutional frameworks that were once taken for granted are now showing their flaws and inefficiencies, or they just cannot cope with the fast development of modern world. Financial and economic global crisis, the falling down of regimes in Africa and the Middle East, global security threats, among others, have triggered a trend towards challenging established orders. The welfare state and economic and political systems struggle more and more to keep up with society's demands and expectations. The efficiency and legitimacy of many democratic institutions are put under the

spotlight. And this has led to a generalized feeling of uncertainty and disappointment, generating a crisis of trust in public institutions.

This generalized feeling of discomfort affects also legal theory, in particular concerning expectations, legitimacy and shared values. There is a struggle in justifying institutional inefficiencies and the lack of answers to the new demands of societies. The demand for an interdisciplinary approach, capable of going into depth into this new complex and interweaved world becomes more pressing. This is a challenge and an opportunity. Law can benefit from the contributions of other social sciences (Posner, 2004[http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_223\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_223_en.pdf)).

This paper aims at shading light on this crisis of trust in institutions, and in particular, legal institutions. And it will do so from an innovative perspective: through the lens of the social capital theory. The importance of social capital for the development of different institutional frameworks has been widely accepted. Thus, the efforts to push forward the role of social capital have been accompanied by different initiatives to provide robust mechanisms for its empirical measurement. Building up on existing social capital measurement methods, this paper presents a unique tool to measure social capital, with the additional perspective on perceptions and trust on legal institutions. This tool not only contributes to better understanding relationships, social dynamics and trust in legal institutions, but it also contributes to social capital theory, since the role of legal institutions is not generally addressed in social capital studies. This research adopts a socio-legal empirical approach by addressing the citizen perceptions and assessments on legal formal and informal institutions, in addition to perceptions of trust, interpersonal networks and norms.

Section 2 presents the theoretical framework to address the declining trend of trust in legal institutions from a social capital theory approach. Section 3 goes a step forward from the theoretical discussion and will focus on social capital measurement, methodologies, and their potential for empirical research on trust in legal institutions. Section 4 presents a unique questionnaire designed to measure social capital with the particular dimension of trust in legal institutions. Section 5 draws preliminary conclusions obtained from a first test of the described tool, contributing to the efforts made towards a multidisciplinary approach for better understanding the crisis of trust.

## **2. The crisis of trust in institutions from a social capital perspective**

Different efforts are carried out in order to propose explanations, solutions or approaches to face the declining trend of trust in institutions. The approaches adopted up to the moment are constantly challenged by the transformations in the traditional relationships between institutions and society.

Until some decades ago, most of occidental societies were govern by solid States, powerful enough to intervene in the economy and successfully achieve the objectives of social justice and redistribution. However, in modern times, these societies find themselves struggling in more modest agendas that will better overcome the consequences of a true economic and social crisis. Societies demand a State that acts more as a facilitator, striving to govern without as much resources as before, via the coordination and the involvement of all social actors.

This setting demands a new social balance, a new type of governance whose features are still to be disentangled. The concept of governance gains considerable attention; especially a good governance that brings into the arena both individuals and private and public actors. Governing implies coordinating, reaching consensus and dialogue, leading to coherence and consistency in the social behavior. The challenge is to promote a setting in which political institutions successfully manage to keep their steering role among a context characterized by plurality and heterogeneity, by local, national and supranational actors, capable of contesting the monopoly of public rationality, which was hold, until not so long ago, exclusively, by the State.

So, how to articulate political and institutional frameworks capable of managing the new dimensions of this new social complexity and the uncertainty and distrust from citizens? How to better understand the relationships between the society and public organizations, and identify the gaps, needs and opportunities for improving their interaction? Policy dialogues inevitably require the involvement from all the stakeholders, from all the societal spheres. In the context of globalization in which information and communication technologies revolutionize the political arena, civil society more than ever demands a new, more active role in a scene in which new and different networks define and frame new scenarios.

This setting calls for innovative theoretical and methodological approaches to societal challenges, and one of these is the concept and theory of "social capital".

**2.1. Social capital, "that glue that holds societies together"  
(Serageldin, 1996, p.196)**

Most scholars agree on the fact that social capital is an important phenomenon; however, there is still disagreement on how to define it. It is not the scope of this paper to go into depth into the social capital theory, but rather to build from it. Social capital means different things to many different people. Some identify social capital with features of social organizations such as trust (Stickel et al., 2009), others with social networks, and others with a combination of all these (Bartkus and Davis, 2009b). However, they all share the enthusiasm of applying the concept to all the informal engagements that are used in daily life. The concept of social capital inevitably leads us to think multi and interdisciplinarily. Even though these concepts are not new to social sciences, it has been only recently that economy, political science, anthropology and sociology have begun to explore this concepts through the lens of other disciplines.

According to the sociologist James Coleman (1990, p.302):

social capital is defined by its function. It is not a single entity, but a variety of different entities having two characteristics in common: they consist of some aspect of social structure, and they facilitate certain actions of individuals who are within the structure.

The phenomenon of social capital includes the different types of networks among individuals that allow them to connect with each other and achieve, together, things that individually would be not possible, or would be more onerous. Following this line, political scientist Robert D. Putnam (1993, p. 169) has defined social capital as:

features of social organization, such as trust, norms, and networks, that can improve the efficiency of society by facilitating coordinated action.

In this sense, Putnam goes farther than the individual sphere and includes society as well.

The expression "social capital" refers to the group of informal institutions, relationships, networks, social norms, attitudes and values that determine and structure social interactions, both in quantity and quality. Social capital theory introduces trust, reciprocity, networks and social norms as essential factors in human actions, challenging the neoclassical economic theory of rational choice. In this sense, for instance, the social

capital theory suggests that beneath cooperation underlies trust: trust on the belief about the others' intrinsic motivation. In addition, networks and norms in which individuals are embedded, strengthen cooperative actions by changing the pay-offs for certain actions.

Social capital is the factor that facilitates the coordination and cooperation processes in the horizontal and vertical associations between individuals. Social capital is directly linked to social cohesion. Concepts such as cooperation, trust, communities, networks and human relations have been seen as key factors in the quality of social fabric and the sustainability of social and economic development processes.

Notwithstanding the discussion on definitions and in whether social capital is considered from a societal-group level or the individual level, most scholars agree on the fact that the interaction of the members of groups and networks is what maintains and reproduces social capital (Lin, 2001, p.8). In addition, in spite of the different definitions, it is possible to identify some basic categorizations and distinctions in the types of social capital based on the features of the networks involved.

The most common distinction is between "bonding" and "bridging" social capital. Bonding, or exclusive social capital (Putnam, 2000, p.22) tends to group together specific identities within a homogenous group of people. Examples of bonding social capital are family groups, organizations based on ethnic origin, and church or religious based groups. Bridging, or inclusive social capital (Putnam, 2000, p.22), tends to group people coming from different social groups. Examples of bridging social capital are civil rights movements, youth service groups, ecumenical religious organizations (Putnam, 2000, p.22). Bonding and bridging social capital meet a different need. Bonding social capital is good for promoting reciprocity and solidarity, and for maintaining strong loyalty within the group and reinforcing a common identity. Bridging networks, however, are constructed on weaker ties, connecting people who belong to different backgrounds (Sabatini, 2009, p.272-275, de Souza Briggs, 2003). Bridging and bonding social capital are necessary for social groups to form and interact with each other (Woolcock and Narayan, 2000, p.226). Bonding social capital tends to emerge easily, since it based on natural networks. Bridging, social capital, however, requires a specific effort to be build, since it is based on weaker ties (Woolcock and Narayan, 2000, p.226).

Considering the constituents of social capital, it is possible to provide a further categorization into "structural" and "cognitive" social capital. According Grootaert and van Bastelaer (2002a, p.3) the former refers to:

relatively objective and externally observable social structures, such as networks, associations and institutions, and the rules and procedures they embody;

and cognitive social capital relates to

more subjective and intangible elements such as perceptions, observations, generally accepted attitudes and norms of behavior, shared values, reciprocity and trust (Grootaert and van Bastelaer, 2002a, p.3).

To sum up, the social capital theory stresses the value of relationships, networks, and shared norms and values. These represent an important resource for individuals and groups of individuals to obtain certain benefits that would be difficult to obtain on their own, or would only be possible with an extra cost. The richness of the social capital theory allows linking social attitudes with institutional behavior. However, it is important to stress that being societies a complex and dynamic reality, the social capital theory cannot be taken as the sole explanation to social interaction. It is necessary to provide a multidisciplinary approach in order to get closer to the better understanding of society.

## ***2.2. A socio-legal approach to trust in legal institutions***

According to Sztompka (1999, p.1), recently, there has been a twist from the "hard" and systemic views of society towards a "soft" image of the social fabric: "hard" variables, such as status, economic situation and technological developments, have slowly started to give way to "softer" variables, such as norms and values. The idea that an individual is not only moved by rational choice, but also by values, bonds and emotions, has gained an ever-growing weight. Even though this can be traced back to Alexis de Tocqueville, it has been during modern sociology that scholars started to pay a better attention and provide insights to this approach. And social capital is one of these.

The social capital theory introduces trust and norms of reciprocity, networks and forms of civic engagement, and formal and informal institutions, underestimated by traditional theories. The social capital theory considers essential these factors, sometimes as causes and sometimes as outcomes, broadening the universe of analysis without dismissing the insights from early theories.

There are innumerable studies on the effects and interactions of social capital with other disciplines, such as workplace productivity, economic

development, education, governance, psychology, network analysis, management theory and normative and trust research, among others (Serageldin and Grootaert, 2000, p.46, Bartkus and Davis, 2009c). However, there has been no direct focus on the relation of social capital and law, and in particular, legal institutions.

The concept of social capital is appealing to governments and development agencies since it provides useful insights for decision making in terms of efficiency and possibility of successful outcomes, especially development initiatives (Uphoff, 2000, p. 215-249). High levels of social capital have been generally associated to positive developments in areas such as welfare and well-being, education, safety, economic development and democracy (Stickel et al., 2009, p.304, UN-HABITAT, 2008). In addition, high levels of social capital have also been related to more efficient and effective organizations, communities and governments. However, again, little has been said about social capital and law.

Why proposing the social capital theory to addressing the issue of trust in legal institutions? The existence of social and legal norms that foster certain behaviors is necessary for the generation of trust. Legal and formal institutions provide an arena and framework for behaviors to happen and be consolidated. At their turn, communities and intermediate social structures contribute to legitimating and supporting local and national institutions. The key to success in the interaction between both levels is mutual trust, value, and norms sharing. The performance of institutions affects the level of reliability; the institutional design and the effective implementation and enforcement of laws are essential for generating trust among all the stakeholders involved. A solid institutional framework fosters predictability and positive expectations from individuals. If institutions repeatedly disappoint expectations, individuals would not know what to expect, or worse, would know that whatever the outcome, their trust would be deceived. When social capital networks based on mistrust are created, giving place to informal systems, the macro level is consequently discredited.

In addition, for example, in some emerging democracies the judicial power has been assuming a political role, which has become evident: social conflicts have been "judicialized", litigiousness has increased, and the judiciary have assumed a leading role. In a context of institutional gaps and perceived failure, societies have tended to deposit on the judiciary new expectations and demands, which, sometimes, exceed the natural competencies and possibilities of judges. Thus, these new claims and demands require complex solutions, which slowly create a breakpoint in the feeling of trust between the individuals and the legal system, generating different and diverse expectations and perceptions. Which are

the values underlying such reactions? Common sense suggests that supporting the rule of law necessarily means, for instance, trusting public institutions and the government. However, this cannot be assumed. Other preconditions, values and motivations might be lying underneath.

Up to the moment, there has not been a deep interest on the role of legal culture, institutions and law in social capital theory. It is evident, however, based on current experiences on development processes, that the legal culture, values, principles, rules, institutions, law analysis and argumentative tools do matter. The possible, though controversial (Holmes, 2009, p.57)<sup>1</sup>, debate on social capital and law supposes a link between values on one side, and the capacity of association and compliance to law by citizens. As Rosenfeld (2009, p.69) explains, though there might be trust in law, law is not based on trust. Trust is based on faith and solidarity, whereas law is a matter of rational expectations, based on the internalization of legal norms. The crisis of trust in institutions has further put the legal system under social evaluation, allowing a deeper analysis of the strengths, weaknesses, progresses and back steps of the rule of law. Hence, the interest, in this paper, to address the dynamics between social capital, trust and legal institutions.

Governments have understood that it is necessary to strengthen trust and reciprocity networks with the citizenship to foster cohesion. The levels of social capital might determine the levels of acceptance and responsiveness of a given society to laws, norms and values. The existence of efficient law enforcement institutions provides people with the ground for settling agreements with another party, reducing transaction and opportunity costs. However, if the parties do not trust law enforcement institutions, they will invest in additional measures to enforce the agreement or otherwise, reduce the resources that they were about to invest (Bergman, 2009, p.87). Law becomes the bridge that links individuals who would like to cooperate in a specific way, but do not trust the other's motivations. The conflict arises when the individuals do not trust even the legal and institutional framework.

To better unravel and assess mechanisms that will support re-establishing and enhancing trust in legal institutions it is necessary to address different analytical levels: macro and micro levels. All of these components are in continuous interaction, creating both vicious and virtuous cycles. The threshold in which informal institutions can replace rules, laws and tribunals is very thin. The macro level is still to be hold responsible for providing a clear, transparent and coherent framework. Institutions at the macro level are the ones to provide the proper context

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<sup>1</sup> Holmes explains that according to some theories on culture, people obey the law when they are prone to obey the law, therefore at first sight, it could be considered a tautology.



for institutions at the micro level to flourish and develop. In their turn, the micro level supports regional and national institutions and provide them stability. In addition, the key to success in social interaction depends on the capacity of societies to foster that their members -both individuals and natural intermediate associations- share values, procedures and norms, and that these, in their turn, generate mutual relationships of trust.

### **3. Measuring social capital**

Empirical research on social capital is relatively recent. Although the current conceptualization could be traced to the first half of the 20th century and its most important theoretical developments to the late 90s, it is only during the last decades that empirical research has been carried out. The fact that social capital theory is still undergoing an explanatory phase, the lack of a universal definition of social capital, in combination with its "multidisciplinary appeal" (Grootaert and van Bastelaer, 2002a, p.2), has given space to different approaches in social capital measurement<sup>2</sup>. Despite strong efforts, particularly from international organizations, current research still follows different patterns and there is no consensus on the categories, tools and procedures to be used.

This section will first describe the most common relevant approaches to the empirical study of social capital. Secondly, it will present the state of the art in social capital measurement, underlining the main features of the methodological approaches proposed mainly by international organizations and initiatives.

Social capital is the factor than can interweave different social organizations within a certain community. This complex phenomenon, plus the multidimensional nature of social capital makes the task ever challenging for empirical research. Moreover, the objects of analysis are

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<sup>2</sup> According to GROOTAERT, C. & VAN BASTELAER, T. 2002a. Social capital: from definition to measurement. *In: GROOTAERT, C. & VAN BASTELAER, T. (eds.) Understanding and measuring social capital, A multidisciplinary Tool for Practitioners.* Washington DC: The World Bank., p.2. "Not surprisingly, the lack of an agreed-upon and established definition of social capital, combined with its multidisciplinary appeal, has led to the spontaneous growth of different interpretations of the concept. The resulting definitions, which fortunately are more often complementary than contradictory, have been used in a growing number of research projects and field activities to try to capture the essence and development potential of the concept. It is perhaps a testimony to the seriousness of these activities that the lack of agreement on a precise definition of social capital has not inhibited empirical and applied work. By clearly delineating the concept they are using and developing methodologies adapted to it, most researchers have shown that solid and replicable results regarding the impact of social capital on development can be produced without a prerequisite fieldwide agreement on a specific definition".

difficult to address. Concepts such as trust and networks are by nature problematic due to their argued ambiguity and diffuse connotations. In addition, the fact that social capital measurement is still undergoing an exploring phase has lead researchers to work sometimes with proxy indicators, identified from already existing data (Putnam, 2000, p.26).

There is still a considerable way to go before it is possible to come up with one, universal and widespread method –if this is possible at all. However, in the meantime, considerable important efforts have been made towards fine tuning a combination of different techniques for social capital empirical research and measurement. Different perspectives of different nature - from local and national household surveys, to historical records and field experiments, from case studies, to qualified interviews and ethnographic investigations-, have enlarged the reach and fields of empirical data available on social capital, providing a better understanding of the nature and extent of social relations and its consequences along different spheres.

With the subsequent research on the subject, the measurement became more complex and increased its complexity by adding further dimensions, too (Krishna and Schrader, 2002, p.19-23, Krishna and Shrader, 1999). Some focus on horizontal and vertical structures. For instance, in his work on the Italian regions, Putnam (1993) argued that it was the existence of horizontal networks what fostered social capital, whereas vertical networks inhibited it. However, this point of view has been later challenged, since it was demonstrated that strong density of horizontal networks not necessarily shows higher levels of social capital (Krishna and Schrader, 2002).

Other studies focus on the heterogeneity or homogeneity of organizations, supporting the idea that groups composition matters for both social capital and other effects, such as economic developments. However, other scholars have upheld the opposite, stating that homogeneous networks tend to be more effective (Krishna and Schrader, 2002).

Some scholars propose a methodology consisting of a direct and an indirect approach. According to Bartkus and Davis (2009a, p.347), the former focuses on the number and strength of relationships within a collective and several variables, and then analyses their effects on other variables (such as the per capita gross domestic product (GDP) growth or household wealth). This approach, however, requires at least a basic universal conceptualization of social capital. The authors then argue that the indirect approach identifies some of the characteristics of social capital and then correlates these to effects. This method also analyses

the positive and negative externalities that social capital can cause in order to infer its existence (Bartkus and Davis, 2009a, p.347).

A further discussion refers to the structure of the organizations to be addressed, whether to include only those formally organized or, in addition, also the ones informally organized - "are strong associational ties better than weak ones, or vice versa?"- (Krishna and Schrader, 2002, p.21). A further focus is based on structural and cognitive social capital. The structural elements of social capital have to be assessed separately from cognitive elements. While structural elements promote the environment for cognitive elements to develop, cognitive ones predispose individuals to collective action (Krishna and Schrader, 2002, p.19-23, Krishna and Shrader, 1999).

From the analyses made on the different approaches, it is possible to understand that it is not a matter of confronting dimensions, but rather, integrating them, in order to provide a sufficient context analyses.

According to Grootaert and Bastelaer (2002a, p.4) social capital measurement should, ideally, combine macro and micro levels and structural and cognitive factors. In this sense, the macro level should be analyzed in terms of the formal structures and relationships such as legal frameworks, the rule of law, the political regime, and in relation to decentralization and level of participation in policy processes. In turn, the micro level should be analyzed in terms of local institutions and horizontal and social networks and in relation to trust, local norms and values.

In any case, whichever the technique or the variables, indicators or proxies chosen, following Jones and Woolcock (2009, p.380) indication:

[social capital researchers] are strongly advised to undertake the hard work of judiciously adapting the various components of already designed social capital measuring tools to suit the questions and situations at hand.

There is an "appropriate social capital" (Serageldin and Grootaert, 2000p.54) for a specific country at a specific moment in time. There is a dynamic combination of social capital with other forms of capital available in that community (human, natural, economic, etc.). These need to be combined with information on micro and informal institutions, and investigate the interaction of these with other organizations and governmental organizations and determine which processes are affected and how, as well as taking into consideration the cultural context. In addition,

the fact that social capital effects have occurred in areas as disparate as democracy and governance, economic

development, education and labor economics suggests that further insights will likely arise by building bridges and conversations among researchers across social sciences (Bartkus and Davis, 2009b, p.11).

This contextualizing exercise does not mean that research can be opened wide to innumerable and disassociated measurement tools. The core elements of social capital need to remain constant even if the context varies from case to case (Krishna and Shrader, 1999). As Krishna and Shrader (1999, p.7) express,

while the scale of social capital may have to be constructed separately for each different context, instruments can be devised that will assist in the construction of such a scale among each of these different contexts.

Flexibility should be essential for these tools; however, "tight on the essential concepts" (Krishna and Schrader, 2002, p.19)<sup>3</sup>, and their analysis, rigorous.

### **3.1. *International measurement tools***

Social capital allows itself to be addressed through a mixed-method research approach. This provide the researchers the possibility of understanding the different links between the different dimensions of social capital, as well as better depicting the existing structures, perceptions and processes of social capital in a given community. This sub-section summarizes the state of the art of existing tools for measuring the levels of social capital, and related topics, underlining the features of the methodological approaches taken mainly by international organizations and initiatives. The scope is to, starting from perception studies on social capital, identify possible approaches to integrate institutional and legal aspects, such as rule of law and access to law, to the analysis of social capital.

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<sup>3</sup> The authors explain that though the tool needs to be adapted to the cultural environment, it needs "provide a common conceptual framework that helps unify the different dimensions of social capital". In addition, they refer to Peters, Thomas J., and Robert H. Waterman, *In Search of Excellence, Lessons from America's Best Run Companies* (1982), in relation to what these authors call, even if in another context, the "'loose-tight' framework: loose, or flexible, in the details but tight on the essential concepts".

### 3.1.1. The World Bank's social capital measurement tools<sup>4</sup>

The World Bank (WB) has identified the concept of social capital as essential for enhancing the quality, effectiveness and sustainability of its projects and operations, particularly those which are community based. To this end, the WB developed and produced numerous initiatives to provide a framework for social capital research and a practical incorporation in its activities. As a first step towards the development of a uniform measure of the different dimensions of social capital, the WB designed the Social Capital Assessment Tool (SOCAT) and the Social Capital Integrated Questionnaire (SC-IQ). Both tools successfully integrate qualitative and quantitative measures and techniques, remain valid and reliable across a wide range of community, household and institutional contexts, and are applicable at all levels of project design.

The data collected through the SOCAT can be analyzed by its own, if the aim is to examine the existing levels of social capital, to map distribution of social capital among different social areas, or as part of a wider study. This tool includes both structures questionnaires as well as open-ended participatory methods.

The SC-IQ aims at obtaining quantitative data on various dimensions of social capital, as part of a larger household survey. The SC-IQ reflects both structural and cognitive social capital, the ways in which social capital operates, and the major areas of outcomes: groups and networks, trust and solidarity, collective action and cooperation, information and communication, social cohesion and inclusion, empowerment and political action. This tool has been pilot-tested in different countries in relation to the WB's projects. The questions are designed to address the multi-dimension feature of social capital. It explores the existing types of groups and networks and the contribution to these, the respondent's perceptions of the trustworthiness of others and key institutions, as well as the strength of norms of cooperation and reciprocity. The questionnaire also addresses the distinction between bonding and bridging social capital.

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<sup>4</sup> For further information on the World Bank's social capital measurement tools, refer to THE WORLD BANK. Available: <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTSOCIALDEVELOPMENT/EXTTSCIALCAPITAL/0,,contentMDK:20642703~menuPK:401023~pagePK:148956~piPK:216618~theSitePK:401015,00.html> [Accessed 28 February 2016.]; GROOTAERT, C. & VAN BASTELAER, T. 2002b. *Understanding and Measuring Social Capital*, Washington, D.C., The World Bank.; KRISHNA, A. & SHRADER, E. 1999. *Social Capital Assessment Tool* [Online]. The World Bank, Washington DC. Available: <http://siteresources.worldbank.org/INTSOCIALCAPITAL/Resources/Social-Capital-Assessment-Tool--SOCAT-/sciwp22.pdf>.; GROOTAERT, C., NARAYAN, D., JONES, V. N. & WOOLCOCK, M. 2004. *Measuring Social Capital*, Washington DC, The World Bank.

Both the SOCAT and the SC-IQ are prototype tools which can be implemented at national or local level, and that require adaptation to the local context before their application.

### 3.1.2. Eurobarometer<sup>5</sup>

Since 1973 the Public Opinion Analysis sector of the European Commission (EC) has been carrying out a series of surveys to monitor the evolution of public opinion in the Member States with the aim of assisting in the preparation of texts, decision-making and the evaluation of the EC's work. The studies have addressed the major topics related to European citizenship, including, among others, issues such as the enlargement of the EU, the social situation, health, culture, information technology, the environment, the Euro, defense and social capital (European Commission)<sup>6</sup>. In 2004 the Directorate General Employment and Social Affairs, coordinated by Directorate General Press and Communication of the European Commission, carried out the "Special Eurobarometer n°223"<sup>7</sup> in order to measure the level of social capital networks in the European Union and in two candidate countries at that moment, Bulgaria and Romania. The study responded to the awareness of European institutions of the importance of developing and strengthening social capital networks in order to assure social cohesion and eliminate social exclusion (European Commission, 2005). The incorporation of new member states brought about new challenges concerning integration for which the development of the social capital was considered as something important to take into consideration.

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<sup>5</sup> Visit EUROPEAN COMMISSION. *Eurobarometer* [Online]. Available: <http://ec.europa.eu/COMMFrontOffice/PublicOpinion/> [Accessed 28 February 2016].

<sup>6</sup> See EUROPEAN COMMISSION. *Eurostat* [Online]. Available: [http://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary: Eurobarometer\\_survey](http://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary: Eurobarometer_survey) [Accessed 28 February 2016. (last visited Feb 29, 2016).

<sup>7</sup> The "Special Eurobarometer" concerns specific in-depth thematical studies regarding the services of the European Commission or other EU Institutions, and it is integrated in Standard Eurobarometer's polling waves. Between 22nd November and 19th December 2004, the TNS Opinion & Social, a consortium created between Taylor Nelson Sofres and EOS Gallup Europe, carried out wave 62.2 of the EUROBAROMETER, on request of the EUROPEAN COMMISSION, Directorate-General Press and Communication, Opinion Polls. The SPECIAL EUROBAROMETER N°223 is part of wave 62.2 and covers the population of the respective nationalities of the European Union member States, resident in each of the Member States and aged 15 years and over. The basic sample design applied in all Member States is a multi-stage, random (probability) one. In each EU country, a number of sampling points was drawn with probability proportional to population size (for a total coverage of the country) and to population density.

In addition, other Eurobarometer surveys were carried out on aspects that complement the analyses of trust and legal institutions<sup>8</sup>, e.g., the EU Special Eurobarometer Surveys on citizenship and sense of belonging, values of the European, attitudes and perceptions of Europeans towards corruption, the role of the EU in justice, freedom and security policy areas, and trust in European institutions.

### **3.1.3. Latinobarómetro<sup>9</sup>**

Latinobarómetro is a non-profit organization which carries out an annual public opinion survey. The study comprises approximately 19,000 interviews along 18 Latin American countries, representing more than 400 million inhabitants. The scope of Latinobarómetro is to carry out research on the development of democracy and economies, together with societies, through the analysis of citizens' attitudes, behavior and values. Latinobarómetro is a measurement tool used by local social and political actors, public institutions and international organizations.

The survey does not address the issue of social capital specifically. However, it approaches issues that are in direct relation. In this sense, the survey comprises questions regarding life satisfaction, interpersonal trust, trust in public institutions, civic culture and politics, and in a majority, attitudes towards democracy. In addition, the survey provides questions which comprise issues regarding the support of democracy and rule of law: respect for the law, respect for democratic institutions and law enforcement. Latinobarómetro provides an online data analysis section, in which it is possible to browse question indexes and have access to question texts, frequencies for each answer, and crosstabs of each question by country or by any other variable, with the possibility of creating graphics.

### **3.1.4. World Values Survey<sup>10</sup>**

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<sup>8</sup> For further Eurobarometer studies refer to EUROPEAN COMMISSION. *Eurobarometer* [Online]. Available: <http://ec.europa.eu/COMMFrontOffice/PublicOpinion/> [Accessed 28 February 2016].

<sup>9</sup> For further information visit LATINOBARÓMETRO. Available: <http://www.latinobarometro.org/lat.jsp> [Accessed 28 February 2016].

<sup>10</sup> For further information visit SURVEY, W. V. Available: [www.worldvaluessurvey.org](http://www.worldvaluessurvey.org) [Accessed 29 February 2016].

The World Values Survey (WVS) is a worldwide investigation on sociocultural and political change. It is carried out by a network of social scientist from leading universities all around the world. The WSV was launched by the European Values Survey, which targeted the European region. This initiative aimed to be carried out globally.

The data provided by the WVS has been widely used for academic research and for institutional purposes. The first wave of the values survey was collected from 1981 to 1984, and further waves were collected until 2014. More than 80 independent countries have been surveyed in at least one wave of this investigation. The WVS database makes it possible to examine cross-level linkages, such as that between public values and economic growth; or between environmental pollution and mass attitudes toward environmental protection; or that between political culture and democratic institutions.

The variables that the WVS addresses comprise the following dimensions: perceptions of life, the environment, work, family, politics and society, trust to social and political institutions, social capital, religion and morale, and national identity. The WVS provides an online data analysis section, in which it is possible to navigate through different variables, access the questions posed, the percentage of results, create crosstabs and graphics.

### **3.2. Further social capital dimensions**

This sub-section presents further dimensions included in social capital measurement. For instance, Putnam, in *Bowling Alone*, states that social capital is related to "civic virtue", but a "civic virtue that needs to be embedded in a network of reciprocal social relations. Isolated virtuous individuals are not necessary rich in social capital" (Putnam, 2000, p.19). During his research, Putnam studied the relationships between civic engagement, institutional performance and social capital. Some of the indicators he addressed were: associational life, newspaper readership, electoral turnout, and preference voting patterns, cabinet stability, budget promptness, statistical and information services, reform legislation, legislative innovation, day care centers, housing and urban development, bureaucratic responsiveness, political participation, civic participation, religious participation, connections in the workplace, informal social connections, altruism, volunteering, and philanthropy,



reciprocity, honesty, and trust. Still, the social capital dynamics for trust in legal institutions were missing<sup>11</sup>.

In another aspect, Grootaert et al. (2004) organized the vast literature on social capital and conceptualized social capital as a household or community variable with six, non-exclusive, different dimensions or proxies for social capital<sup>12</sup>. These reflect the features of the group membership and their perceptions in relation to trust and norms which are most commonly associated with social capital, i.e:

- groups and networks: participation in social organizations, community activities and informal networks, diversity of a group's membership, selection of leaders and involvement over time;
- trust and solidarity: trust among neighbours, strangers and key service providers, and perceptions over time;
- collective action and cooperation: how members have worked with others in joint projects or responses to crisis, consequences of violating community expectations;
- information and communication: means of receiving information on market conditions and public services, access to communication infrastructure;
- social cohesion and inclusion: nature and extent of differences, inclusion, conflicts resolution and sociability;
- empowerment and political action: members' sense of happiness, personal efficacy and capacity to influence local events and broader political outcomes.

This last group of dimensions provides a sufficient identification of social capital perspectives and indicators to be considered, addressing micro and macro units, and micro and macro levels.

#### **4. An innovative tool to measure social capital and trust in legal institutions**

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<sup>11</sup> For a list of indicators used by Putnam to measure civic engagement, institutional performance and social capital measurement please refer to: PUTNAM, R. D., LEONARDI, R. & NANETTI, R. Y. 1993. *Making democracy work. Civic traditions in modern Italy* Princeton, Princeton University Press. and PUTNAM, R. D. 2000. *Bowling alone. The collapse and revival of American Community* New York, Simon & Schuster.

<sup>12</sup> These dimensions are the ones adopted by the World Bank social capital measurement tools.

Networks and associations require trust and adherence to norms in order to work effectively, and likewise, trust is fostered by strong networks and associations. The dynamics of bonding and bridging social capital, the dimensions of cognitive and structural social capital, as well as personal perceptions and attitudes and norms of reciprocity and solidarity could also be applied in the relationships between individuals and other units of analysis, such as legal institutions. But what types of networks, relationships are the ones that matter for building trust in legal institutions? What indicators should be considered to analyze trust in legal institutions? How far does the interrelation between interpersonal trust and trust in the rule of law go? Up to what extent is a disappointed person on the institutional context active and collaborative to promote changes? What is the relationship between trust in legal institutions and the correct knowledge about them? Is it worth respecting the laws? These are just a couple of examples of the concerns that had triggered the elaboration of a tool to analyze the concern on trust in legal institutions from the perspectives and dimensions of social capital theory.

Building on the social capital measurement tools and indicators identified and described in the previous paragraphs, a specific questionnaire was designed in order to address the analyses of trust in legal institutions from a social capital perspective. In addition to general social capital questions, a set of additional questions on perceptions and attitudes towards legal institutions were introduced.

The questionnaire addresses different dimensions: bonding and bridging relationships as well as structural and cognitive social capital. These are addressed at macro and micro analytical levels. The macro level comprises the perceptions towards the institutional context in which social relationships take place, that is to say, the type of government, the legal system, the participation in organizations and political processes. The sections of the questionnaire addresses the social dynamics that constitute social capital with an additional legal perspective. The rational reconstruction of the concept of social capital, based on social norms and networks, is complemented by inquiring over other dynamics around trust in legal institutions, such as perception and evaluation processes, opinion and attitudes of support, adhesion or rejecting to values, norms, proceedings, and different types of institutions.

The institutions selected for the analysis include political institutions and other types of institutions (formal and informal) that could relate to law or the legal system. This choice has taken in consideration the meaning of the term "institution" provided by Ferrari (2006, p.39): "a group of norms of any kind that structures in a durable way social behavior". The value of this definition lies on the fact that it does not limit the concept to those actions that have been crystallized in social organizations. It also

includes those social actions that, though less formal, are more frequent, and are, indeed, more influential on preferences, choices and decision making, both individually and collectively. In this sense, the proposed concept of "institutions" would include natural forms of sociability, such as family, marriage, collective transactions, ruled by legal norms, and other institutions, such as universities, schools, the parliament, the town council, the judiciary and law practitioners. As Ferrari expresses, institutions are, at the same time, a stimulus, a means and a product of social action (Ferrari, 2006).

This specific tool aims at analyzing and identifying values, perceptions, evaluations and tendencies in behavior, both emotional and cognitive, of a concrete society, and in relation to its particular culture on law<sup>13</sup>. In addition the questionnaire aims at identifying the features of the factors involved in the processes of building and maintaining the trust in the institutions that constitute the legal system.

The questionnaire was initially designed to be implemented in the Autonomous City of Buenos Aires, Argentina. It was tested during March 2011 in the Autonomous City of Buenos Aires, Argentina, and in this opportunity covered a representative sample of 250 households.<sup>14</sup>

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<sup>13</sup> The term "culture" is used in a similar sense as the one used by Ferrari: the group of conceptions, ideas, norms and values that inspire a society in its daily life, and includes, therefore, both the symbolic and physical exchanges, FERRARI, V. 2006. *Derecho y Sociedad, Elementos de sociología del derecho* Bogotá, Universidad del Externado.p. 43. In a similar sense, broadly speaking, it is possible to define "culture" as "the group of attitudes, opinions, and convictions that feature a particular social group and assure, in the particular context, the attribution of shared meanings", cfr. FEBBRAJO, A. 2009. *Sociologia del Diritto* Bologna, Il Mulino. p. 50.

<sup>14</sup> The survey was carried out within the framework of the PhD research of the author of this paper. The survey covered a representative sample of 250 households from the metropolitan area of the city of Buenos Aires. The size of the sample implied a standard error of +/- 6.2% in the cases in which  $p=0.5$  with a confidence level of 95.5%. Telephone interviews were made by a team of twelve interviewers from OPSM consultancy, who processed the data using the Statistical Package for the Social Sciences (SPSS) programme. By means of using a map presenting the census fractions of the selected city, sample points (equivalent to nine blocks) were selected in a random way. The quantity of required households for each fraction was proportional to the total number of households in each fraction. The establishment of the different quota per gender, age and socioeconomic situation, reproduces the demographic structures provided by the National Household Survey – which, at the moment in which the survey was carried out was updated as per the National Census 2001. OPSM used the DATEL2003 software to select and obtain the telephone numbers of the sample points. DATEL2003 possesses the complete list of telephone numbers which is provided by telephone companies. OPSM used the Bellview C.A.T.I. (Computer Assisted Telephone Interviewing) system for controlling the different quota.

#### **4.1. Questionnaire overview**

The questionnaire was structured in seven thematic sections, based on those proposed by Grootaert et al. (2004) (presented already in section 3.2), which address different perceptions related to social capital, interpersonal trust, networks, cooperation, and trust in legal institutions:

**1. Social cohesion:** integration in different issues of communitarian life, such as the society in which the interview lives, the neighborhood of origin, community of origin, country of origin, groups of friends and acquaintances.

**2. Trust in institutions:** level of trust in the capabilities of jurisprudence, order, political, legal and civil society institutions, for assuming and solving efficiently people's demands.

**3. Trust in the legal system:** trust in the effective force of the legal system, laws in general and in particular, the judicial system, the performance of judges, the respect for the law and legal institutions and legal culture.

**4. Trust and solidarity:** trust in strangers, trust in different social groups, and willingness of others to help in case of need.

**5. Collective action and cooperation:** likelihood of people in the neighborhood getting together to solve a common problem, and participation in public issues and community activities.

**6. Information and communication:** main sources of information and characteristics of the case study society.

**7. Access to law:** guarantees of personal freedoms and rights, basic needs, access to justice, equal opportunities, no discrimination, and protects from violence and insecurity.

#### **4.2. Variables<sup>15</sup>**

This sub-section presents the different variables addressed in the tool, followed by the exemplification of the questions on which the former were constructed (see Annex for original questionnaire). The questions refer to the concrete test case of the city of Buenos Aires.

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<sup>15</sup> The questions were originally designed and afterwards, asked, in Spanish. They have been translated to English by the author for the scope of this paper.

#### **4.2.1. Perceptions on the institutional situation.**

***Q1: "Generally speaking, what is your opinion on the institutional situation in our country, and in the city of Buenos Aires"?***

***Q2: "Generally speaking, do you think the situation will get better, remain the same or get worse in the following years?"***

These items aim at identifying the positive and negative perceptions towards the institutional situation, under the assumption that these are affected by the current conditions of the particular context to be studied. The incorporation of this external variable responds to the hypothesis that positive perceptions and attitudes towards the social and institutional context affect openness, optimism and trust towards the others, whereas, the opposite, negative perceptions and attitudes foster defensiveness, pessimism, mistrust and hostility towards the others, institutions, and the current rules of the game existing in a society. Levels of trust on institutions is very often a consequence of the assessment of the institutional context. The perception of a negative context generally generates defensive attitudes and hostility.

#### **4.2.2. Levels of cooperation and communitarian integration.**

***Q3: "Personally speaking, do you feel integrated in the following aspects of communitarian life?"***

Social capital describes relationships which can regard, among a vast number, family, group of friends, neighbors, the community and even macro institutions. This question addresses the sphere of socialization in different aspects of communitarian life, in particular: the society in which the interviewee is living, the neighborhood of origin, the current neighborhood, the community of origin of family, the country of origin of family, childhood friends, school friends, colleagues from work. One of the manifestations of positive levels of social capital is the occurrence of frequent social interactions (Grootaert et al., 2004). The analysis of the feelings of belonging in communitarian life, and the feeling of effective social inclusion within immediate social circles is one of the internal variables to be taken into consideration. In the concrete case of the city of Buenos Aires, this factor was worth exploring, if we consider that the majority of the population descends from immigrants. In addition, many of the people living in the city of Buenos Aires is not originally from there. Most people move from provincial areas looking for better job, education and life opportunities.

#### **4.2.3. Shared values.**

***Q4: "Do you believe Argentines are, generally speaking, a society which shares common ethical, fundamental or cultural values?"***

This item inquires on an important dimension: shared values. This is a controversial aspect. The political discourse often emphasizes the importance of reaching a consensus, though, at the same time, overcoming the differences, in order to generate trust among the different sectors and stimulate agreements between social and political spheres. It is interesting to analyze, in the case of the city of Buenos Aires, the existence of shared values in a society which is ethnically homogeneous, but unequal in other aspects.

#### **4.2.4. Trust in institutions.**

***Q5: "How much do you trust the following institutions in terms of ability to respond and resolve citizens' problems?"***

The level of trust in institutions is one of the most important dimensions for the study of social capital. Trust is the foundation or corner stone of social capital, and in general, of interpersonal relationships (Bergman and Rosenkratz, 2009, p.11). The predisposition of individuals to participate in interpersonal horizontal exchanges strengthens the level of cooperation and generates, in its turn, an openness to explore new and deeper alternatives for learning, working and being engaged together. Inversely, the lack of these types of bonds generally underlies processes of recession and defensiveness. Law and institutions strengthen and foster these types of predispositions. Efficient institutions facilitate expectations and the prediction of behaviors and provide security to our own responses. In addition, in the case, of Argentina, the public debate on the representativeness of certain institutions has its roots on severe economic and financial, and consequent, social crisis. Due to this crisis, the civil society gained a dominant role in the channeling of efforts, filling gaps and shaping of the social agenda.

The interviewees were asked to express their levels of trust taking into consideration the capacity of a vast number of institutions to provide effective solutions to the citizens. The institutions were grouped in different categories:

- Jurisprudence and law enforcement institutions: e.g. judges and prosecutors, the judicial system of the City of Buenos Aires, the federal

justice system, the supreme court of justice, the provincial judges, the ministry of security, the penitentiary system and law schools<sup>16</sup>.

- Political institutions: e.g. the executive power, the congress, the government of the city of Buenos Aires, the legislative power of the city of Buenos Aires, provincial governors, the trade unions, political parties, private sector organizations.

- Societal institutions: NGOs, environmental groups, the Catholic church, churches in general, the public school, public universities, private universities, national newspapers, the TV, the radio, consumer organizations, journalists, economists, international organizations (such as the World Bank and the Interamerican Development Bank).

- Legal practice and rights protection institutions: e.g. justice, lawyers, notaries, human rights organizations, the Council of the Magistrates, the Ombudsman.

#### **4.2.5. Institutional efficacy**

***Q6: "How much do you trust the following laws and legal procedures, in terms of their ability to solve current problems?"***

This question inquiries on certain legal institutions which generally concentrate social expectations and demands: laws in general, the procedures to designate, control and remove judges, the criminal procedure codes, the electoral system, public statistics, the regulation and control of public services, public and private corruption control mechanisms, the organization of employment and poverty reduction programmes, the National Constitution and judicial processes. The focus is put on the capacity of these institutions to operate and produce positive responses in a context of crisis. The selection of the institutions responds to their involvement in events which had taken place close to the date in which the survey was tested.

#### **4.2.6. Trust in the judicial system: performance and impartiality.**

***Q7: "How much do you trust the performance and equanimity of judges?"***

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<sup>16</sup> Law schools have been included in this group because, especially public university, has always been considered as the suitable arena for the elaboration of public agendas and for social mediation.

***Q8: "Some people do not trust judges and the judicial system, in general, do you think they have reasons for not trusting them?"***

The interviewees were asked about the level of trust on the good performance and impartiality of judges, that is, their capacity to guarantee impartial responses to controversial issues. In addition, the individuals were asked on the reasons for not trusting the judicial system. This relates to more structural circumstances that had been going on in Argentina at the time of the survey, which had given concrete reasons for not trusting the judicial system.

#### **4.2.7. Trust in the legal system.**

***Q9: "Some people do not trust the legal system in general. In the case of Argentina, considering legal procedures and their quality, do you think they have reasons for not trusting the legal system?"***

This item analyzes the existence of motivations for not trusting the legal system. Again, these attitudes of mistrust concern the perception that laws fail in its specific social functions, the administration of social conflict, the channeling of expectations and provisions with regards the future, leads numerous sectors of society to harbor attitudes of suspicion or open mistrust in law in general and legal institutions.

***Q10: "Based on your personal experience, do you think it is reasonable not to trust the following set of laws?"***

In addition, the questionnaire addresses the levels of trust generated by certain types of legislation, which, due to its importance in the social and economic emergency, are subjected to constant public criticism. This skepticism is focused not only on the legislative power, decision making processes and political representation, but also on the enforcement of the law. In particular, the interviewees were asked their perceptions on tax, criminal, civil, traffic, labor, electoral, and commercial laws.

#### **4.2.8. Respect for the legal system.**

***Q11: "In a country such as Argentina, do you think it is worth respecting laws and institutions?"***

***Q12: "In a country such as Argentina, do you personally believe that those who respect laws and institutions are should be considered or is being naïve?"***



These questions inquire on whether respecting laws and institutions pays a benefit. In addition, it delves into the civiness sphere, too, since it inquiries on the values that law encompass, and the worthiness of their respect. Moreover, it explores the perception towards fellow citizens.

***Q13: "What are your personal motivations for respecting and complying with laws?"***

This question focuses on the motivations for respecting and complying with laws and proposes the interviewee to express himself in terms of: fear of a sanction and social cost, moral duty, education received, functionality, behaving as one would wish the others to behave, convenience, social habit, honor and social order.

#### **4.2.9. Civic education**

***Q14: "Do you recall having received any type of civic education?"***

Within the context of the personal motivations and internalization of legal concepts, interviewees are asked whether they have received any type of education or information on civic matters. If so, they are asked to identify which have been most relevant for them, e. g., primary and/or secondary school, graduate school, post-graduate school, personal relationships, working environment, media, NGOs, churches, daily life, family. This item could also be relevant, in addition, for identifying priorities for a civic education policy, orientated to strengthen in citizens the attitude of respect for and compliance with law.

***Q15: "Some people think that many institutional problems in the country are linked to levels of education and knowledge that people have on the legal issues. How much do think people know about the legal system?"***

This question goes in depth into the level of knowledge of the population on civic and legal issues. It addresses explores to what extent education is at the basis of respecting the law. The interviewees were asked on their perception of the level of knowledge on certain matters by the rest of the population: e.g. laws in general, administrative and judicial procedures, access to justice, ethical and legal principles, the phenomenon of corruption.

#### **4.2.10. Validity of republican principles**

***Q16: "There's a recent social demand for strengthening some of the republican principles. Please, indicate where the***

***following republican principles are more or less valid in Argentina”.***

An important part of the investigation is to inquiry on the level of effectiveness and validity of republican principles in the practice of social relationships, in terms of to what extent individuals recognize them daily. This item responds, in particular, to the fact that the principles of republic ethics and politics have been widely recognized in the Argentinean tradition and legal culture. Republican principles are present in the *idearum* of the historic constitution of the country. To this end, he interviewees are asked on their perception towards the division of powers legal equality, due process, legal rationality, transparency and integrity, access to information, responsibility of public officials,

#### **4.2.11. Interpersonal trust**

***Q17: "Do you generally trust people that you don't know or you tend to be careful or show certain mistrust?"***

***Q18: "In relation to your family, and people around you (see list) how much do you trust them?"***

***Q19: "Please, indicate the level of solidarity in your neighborhood”.***

This section addresses the issues of interpersonal trust, towards strangers, and towards family members, friends, neighbors, colleagues from work and other members of the community, such as priests, pastors, teachers and professors. Interviewees were asked the widely used question on interpersonal trust used in numerous cross national surveys. In addition, individuals were asked about solidarity within the community. The survey addresses from generalized trust (trust to strangers), to trust to particular groups of people. Some of the questions might seem redundant, in particular, the ones referring to neighbors and neighborhoods. The purpose is to obtain considerable data for possible cross-validations.

#### **4.2.12. Collective actions and social mobilization.**

***Q20: "In case of a problem in the community, what are the chances that people will mobilize to solve it?"***

***Q21: "During the last couple of years, have you participated in any type of social mobilization (see list)?"***

These questions survey the extent to which individuals get involve in joint activities or mobilize in response to problems in their communities.

Collective action and cooperation has been used as a proxy to social capital in numerous studies. This is due to the fact that collective action is only possible if there is some level of social capital, no matter how minimum it is. The interviewees are asked regarding their involvement in public life, their participation in community activities and also in social mobilization (e.g. participation in a road blockage, manifestation, volunteering, contacting a public official, online and offline activism). The aim is to investigate in depth one of the most important dimensions of interpersonal trust: the predisposition to mobilize towards the affirmation and defense of interests perceived and felt as shared and common with others.

#### **4.2.13. Access to information.**

***Q22: "Which are the sources of information you trust the most, when there's a problem of common interest in your community? (see list)"***

Access to information has been increasingly recognized as essential for communities to have stronger voices in issues which directly affect their well-being (Grootaert et al., 2004). This question explores the means and sources by which individuals receive information and the level of trust they have on these (e.g. informal conversations, online social networks, community bulletin, local media, national media, NGOs, politicians, public officials, churches, associations).

#### **4.2.14. Situational awareness.**

***Q23: "What is your opinion about certain features of the Argentine society? (see list)"***

***Q24: "Do you agree with those who say that the Argentine society is violent?"***

***Q27: "Do you agree with those who say that the Argentine society is authoritarian and conflictive?"***

Different questions were designed to inquire on the perception of outsiders and self-image on the members of a community. The scope of these items is to describe the grounds for different types of bonds. For instance, Q23 inquires on the existence of a sense of national identity, plurality, respect, and democratic attitudes of citizens. In turn, Q24 and Q27 envisage inquiring about individuals' perceptions on the level of violence and conflict within their society, and, in addition, on the social predisposition to authoritarianism and conflict. If a society is moved by centrifugal rather than centripetal forces, the need for law and institutions might turn out to be essential.

***Q25: Do you agree with those who say that the Argentine society is corrupt?***

The analysis of both public and private corruption is another essential factor in social capital research. The lack of transparency in social life induces defensive reactions. It leads society to compete precisely on those issues in which it should cooperate. In addition, the society tends to develop "protection" bonds, under the form of social capital, with negative outcomes for the rest of the society: clientelism, subjection and controls based on pragmatism or fear. The uncertainty towards the future and the feeling of vulnerability reflect personal insecurity.

***Q26: Do you agree with those who say that the Argentine society is individualistic and not willing to cooperate?***

***Q28: Do you agree with those who say that the Argentine society is nevertheless gets along well with each other?***

These two questions aim at studying the perception towards attitude towards cooperation. The perception that the others act in a defensive way generates, in its turn, defensive responses, creating a vicious cycle. When the common citizen behaves in a defensive manner, social cooperation is problematic, breeding the ground for a reactive and prone to conflict culture to be shaped. The interviewees are asked on whether, independently from ideological and political differences, the members of their community are prompt to act in a convergent way, prioritizing common objectives. It should not be assumed that even if the society is divided at the top level, this trend replicates at the bottom.

#### **4.2.15. Access to law**

***Q29: "In general terms, do you think that you are protected by laws and institutions, and that they guarantee your basic rights and liberties?"***

The diversification of legal frameworks, globalization, socio-economic situation, among other factors, have an impact on the basic legal principle of presumption of knowing the law. This question addresses the issue of access to law in terms of access to legal needs and information.

## **5. Main findings**

As it is the case in socio-legal research, the approach presented in the previous paragraph represents a specific contribution to the wide array of initiatives that are being designed and implemented. The uniqueness of

this tool resides on the fact that it combines the methodology on social capital research with the study of trust in legal institutions.

From the results obtained, it was possible to infer that individuals would like to trust legal institutions. However, the institutional effective performance and the impact on the social sphere suggest citizens not to do so. The reciprocity, trust and expectations had been deceived. Contexts which suffer political instability and uncertainty are prompt to generate a culture of suspicion. Citizens adopt attitudes of distrust and defensiveness; they postpone commitment and suspect the advantages of cooperation.

The results from the survey allows stressing the importance of studying the processes that generate and strengthen trust as the fundamental basis for a harmonious institutional growth, able to sustain development processes and the consolidation of political democracy. These mechanisms provide a window for shortening the distances between the citizens and institutions. Access to policy makers and institutions is easier now than some decades ago. This gives space for new dynamics of participation, constituting a better citizenship and strengthening responsiveness and accountability.

In this context, the social capital theory and its research methodology appears as an innovative approach to the understanding of this crisis. Reciprocity and trust relationships become a core issue to strengthen. Levels of social capital become of particular importance.

The questionnaire proposes the analysis of individual perceptions and expectations on the others and on the legal system. The research has showed that institutions present difficulties in responding to the demands from the population. There has been a breaking point that needs to be re-established and transformed in accordance to the new circumstances, based on concepts such as trust, social network, social cohesion and enhanced social capital.

The results from the survey show distrust and loss of authority and power of institutions. Re-establishing the trust in those institutions which generate and administrate the rules of the game in a society will, gradually, facilitate the ground for meeting the desired levels of trust - which will not only benefit the individual, but the wider society. Re-establishing trust in legal institutions, however, is not an easy task. It is part of a broader process which involves social structures, all sort of institutions, normative systems, and clear and transparent national and international frameworks. Facilitating and fostering communication among people, and among people and institutions, as well as mediating and resolving conflicts among these is likewise needed for getting and keeping the different stakeholders together to accomplish things that go

beyond their individual capacity. Establishing this setting is the first step towards creating structural social capital, along macro and micro levels. Increasing and maintaining the framework is what makes it fruitful and productive. Networks among the different stakeholders represent the channels for communication and cooperation that will lead them to the shared objectives, reducing transaction costs and making collective action more feasible and profitable.

This dynamics entail bonding and bridging social capital, trust and solid expectations, which establish links and mechanisms for cooperation. Furthermore, it establishes mutual understanding which will build bridges along old division lines and social borders. And it is within this context that theory of social capital comes as an innovative approach, by stressing the real value of networks of reciprocity, solidarity, trust and shared values and norms.

The theory of social capital is a valuable instrument for the analysis of new circumstances and planning for future scenarios. However, it is necessary to take into serious consideration that the process of social construction of collective trust and confidence is much more complex. An advancement on the quantity and quality of social bonds and networks that foster trust and cooperation seem to be more the result of critical experiences that promote resilience reflexes than the spontaneous effect of the consolidation of stable conditions of market improvement and democratic consolidation. Social capital is not the result of cultural economic and political equilibrium. Most of the times it is effect of popular response against adversities. However, the consideration of this aspect can help in the renewal of the agenda of the social conditions of democratic progress and consolidation.

In addition, as already explained in Section 3, there is an "appropriate social capital" (Serageldin and Grootaert, 2000, p.54) for a specific country at a specific moment in time. This tool was developed with a specific research scope, which would be tested in a specific city, Buenos Aires, which at the moment of the design and implementation had a specific political and social context. Should this research be replicated in the future, the variables would remain most likely the same though the questions would definitively need to be revised and checked, and be adapted to the concrete political and social context.

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## **7. Annex**

## CUESTIONARIO SOBRE CAPITAL SOCIAL, INSTITUCIONES Y DERECHO

1.- EN GENERAL, ¿CUÁL ES SU OPINIÓN SOBRE CÓMO MARCHAN HOY EN GENERAL LAS COSAS EN NUESTRO PAÍS, EN TÉRMINOS DE MUY BIEN, BIEN, NI BIEN NI MAL, MAL O MUY MAL. ¿Y AQUÍ EN ESTA CIUDAD DE BUENOS AIRES?

	MUY BIEN	BIEN	NI BIEN NI MAL	MAL	MUY MAL	NS/NC	
PAÍS	1	2	3	4	5	6	10
CIUDAD	1	2	3	4	5	6	11

2.- TAMBIÉN MUY EN GENERAL, ¿LE PARECE QUE LAS COSAS VAN A MEJORAR, SEGUIRÁN IGUAL O EMPEORARÁN EN LOS PRÓXIMOS AÑOS?

	MEJORARÁN	SEGUIRÁN IGUAL	EMPEORARÁN	NS/NC	
PAÍS	1	2	3	4	12
CIUDAD	1	2	3	4	13

## COHESIÓN SOCIAL

3.- NOS INTERESA AHORA SABER SI USTED, EN LO PERSONAL, SE SIENTE PARTE E INTEGRADO CON ALGUNOS ÁMBITOS DE LA VIDA COMUNITARIA. POR FAVOR, INDIQUE EN QUÉ MEDIDA SE SIENTE UD. IDENTIFICADO CON CADA UNO DE LOS ÁMBITOS DE LA VIDA SOCIAL QUE LE VOY A MENCIONAR.

	MUCHO	ALGO	POCO	NADA	NS	NC	
LA SOCIEDAD EN QUE VIVE	1	2	3	4	8	9	14
SU BARRIO DE ORIGEN	1	2	3	4	8	9	15
LA COLECTIVIDAD DE ORIGEN DE SU FAMILIA	1	2	3	4	8	9	16
EL PAÍS DE ORIGEN DE SU FAMILIA	1	2	3	4	8	9	17
SU BARRIO ACTUAL	1	2	3	4	8	9	18
EL CÍRCULO DE AMIGOS DE SU INFANCIA	1	2	3	4	8	9	19
SUS COMPAÑEROS DE COLEGIO	1	2	3	4	8	9	20
SUS COMPAÑEROS DE TRABAJO	1	2	3	4	8	9	21

4.- ¿CREE UD. QUE LOS ARGENTINOS EN GENERAL SOMOS UNA SOCIEDAD EN LA QUE SE COMPARTEN ALGUNOS VALORES O PRINCIPIOS ÉTICOS, CULTURALES FUNDAMENTALES, O NO?

SI COMPARTIMOS	NO COMPARTIMOS	NS	NC	
1	2	3	4	22

## CONFIANZA EN LAS INSTITUCIONES

**5.- LE PEDIRÉ AHORA QUE ME DIGA QUÉ GRADO DE CONFIANZA TIENE UD. EN ALGUNAS INSTITUCIONES QUE YO LE VOY A MENCIONAR, DESDE EL PUNTO DE VISTA DE SU CAPACIDAD DE HACERSE CARGO Y RESOLVER LOS POBLEMAS DE LA GENTE.**

**LE PIDO QUE CUANDO LE MENCIONE CADA UNA DE ELLAS ME CALIFIQUE EL GRADO DE CONFIANZA QUE LES TIENE, CALIFICANDO ENTRE UN NUMERO 1 (NINGUNA CONFIANZA) HASTA UN 10 (MUCHA CONFIANZA).**

<b>A.- VEAMOS PRIMERO LAS INSTITUCIONES QUE HACEN AL ORDEN Y LA SEGURIDAD</b>													
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>NS</b>	<b>NC</b>	
LA JUSTICIA DE LA CIUDAD DE BUENOS AIRES	1	2	3	4	5	6	7	8	9	10	11	12	23-4
LA JUSTICIA FEDERAL	1	2	3	4	5	6	7	8	9	10	11	12	25-6
LA POLICÍA	1	2	3	4	5	6	7	8	9	10	11	12	27-8
LOS JUECES Y FISCALES PENALES EN GENERAL	1	2	3	4	5	6	7	8	9	10	11	12	29-0
LA CORTE SUPREMA DE JUSTICIA	1	2	3	4	5	6	7	8	9	10	11	12	31-2
EL SISTEMA PENITENCIARIO	1	2	3	4	5	6	7	8	9	10	11	12	33-4
LOS JUECES DE LAS PROVINCIAS	1	2	3	4	5	6	7	8	9	10	11	12	35-6
LAS FACULTADES DE DERECHO	1	2	3	4	5	6	7	8	9	10	11	12	37-8
EL MINISTERIO DE SEGURIDAD	1	2	3	4	5	6	7	8	9	10	11	12	39-0

<b>B.- VEAMOS AHORA LAS INSTITUCIONES POLÍTICAS</b>													
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>NS</b>	<b>NC</b>	
EL PODER EJECUTIVO NACIONAL	1	2	3	4	5	6	7	8	9	10	11	12	41-2
LA CÁMARA DE DIPUTADOS DE LA NACIÓN	1	2	3	4	5	6	7	8	9	10	11	12	43-4
LOS GOBERNADORES PROVINCIALES	1	2	3	4	5	6	7	8	9	10	11	12	45-6
LA CÁMARA DE SENADORES DE LA NACIÓN	1	2	3	4	5	6	7	8	9	10	11	12	47-8
LOS SINDICATOS	1	2	3	4	5	6	7	8	9	10	11	12	49-0
EL GOBIERNO DE LA CIUDAD DE BUENOS AIRES	1	2	3	4	5	6	7	8	9	10	11	12	51-2
LOS PARTIDOS POLÍTICOS	1	2	3	4	5	6	7	8	9	10	11	12	53-4
LA LEGISLATURA PORTEÑA	1	2	3	4	5	6	7	8	9	10	11	12	55-6

LAS ORGANIZACIONES DE LOS EMPRESARIOS	1	2	3	4	5	6	7	8	9	10	11	12	57-8
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C.- VEAMOS AHORA LAS INSTITUCIONES DE LA SOCIEDAD													
	1	2	3	4	5	6	7	8	9	10	NS	NC	
LAS ONGs (ORGANIZACIONES NO GUBERNAMENTALES)	1	2	3	4	5	6	7	8	9	10	11	12	59-0
LOS GRUPOS AMBIENTALISTAS	1	2	3	4	5	6	7	8	9	10	11	12	61-2
LA IGLESIA CATÓLICA	1	2	3	4	5	6	7	8	9	10	11	12	63-4
LA ESCUELA PÚBLICA	1	2	3	4	5	6	7	8	9	10	11	12	65-6
LAS IGLESIAS EN GENERAL	1	2	3	4	5	6	7	8	9	10	11	12	67-8
LOS DIARIOS NACIONALES	1	2	3	4	5	6	7	8	9	10	11	12	69-0
LAS UNIVERSIDADES PÚBLICAS	1	2	3	4	5	6	7	8	9	10	11	12	71-2
LA TV	1	2	3	4	5	6	7	8	9	10	11	12	73-4
LA RADIO	1	2	3	4	5	6	7	8	9	10	11	12	75-6
LAS UNIVERSIDADES PRIVADAS	1	2	3	4	5	6	7	8	9	10	11	12	77-8
LAS ORGANIZACIONES DE DEFENSA DEL CONSUMIDOR	1	2	3	4	5	6	7	8	9	10	11	12	79-0
LOS PERIODISTAS	1	2	3	4	5	6	7	8	9	10	11	12	81-2
LOS ECONOMISTAS	1	2	3	4	5	6	7	8	9	10	11	12	83-4
ORGANISMOS INTERNACIONALES COMO EL BANCO MUNDIAL O EL BID	1	2	3	4	5	6	7	8	9	10	11	12	85-6

D.- VEAMOS FINALMENTE ALGUNAS OTRAS INSTITUCIONES QUE HACEN AL DERECHO Y LA JUSTICIA													
	1	2	3	4	5	6	7	8	9	10	NS	NC	
LA JUSTICIA EN GENERAL	1	2	3	4	5	6	7	8	9	10	11	12	87-8
LOS ABOGADOS	1	2	3	4	5	6	7	8	9	10	11	12	89-0
LOS ESCRIBANOS	1	2	3	4	5	6	7	8	9	10	11	12	91-2
LAS ORGANIZACIONES DE DEFENSA DE DERECHOS HUMANOS	1	2	3	4	5	6	7	8	9	10	11	12	93-4
EL CONSEJO DE LA MAGISTRATURA	1	2	3	4	5	6	7	8	9	10	11	12	95-6

LA DEFENSORÍA DEL PUEBLO	1	2	3	4	5	6	7	8	9	10	11	12	97-8
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**CONFIANZA EN LAS LEYES**

**6.-HABLANDO DE LAS LEYES Y DE ALGUNOS PROCESOS QUE YO LE VOY A MENCIONAR, LE PIDO TAMBIÉN QUE OPINE SI LES TIENE CONFIANZA, EN EL SENTIDO DE SI CREE QUE ESTÁN EFECTIVAMENTE PRERADAS PARA RESOLVER LOS PROBLEMAS ACTUALES DE NUESTRA SOCIEDAD. CAILIFIQUE, TAMBIÉN EN GENERAL, DESDE NINGUNA CONFIANZA HASTA MUCHA CONFIANZA**

	MUCHA CONFIANZA	ALGUNA CONFIANZA	POCA CONFIANZA	NINGUNA CONFIANZA	NS/NC	
LAS LEYES EN GENERAL	1	2	3	4	9	99
LOS PROCEDIMIENTOS PARA DESIGNAR A LOS JUECES	1	2	3	4	9	100
LOS PROCEDIMIENTOS PARA CONTROLAR Y REMOVER A LOS JUECES	1	2	3	4	9	101
LOS CÓDIGOS DE PRODIMIENTO PENAL	1	2	3	4	9	102
EL SISTEMA ELECTORAL	1	2	3	4	9	103
LAS ESTADÍSTICAS PÚBLICAS (INDEC)	1	2	3	4	9	104
LA REGULACIÓN Y CONTROL DE LOS SERVICIOS PÚBLICOS	1	2	3	4	9	105
LOS SISTEMAS DE CONTROL DE LA CORRUPCIÓN ESTATAL	1	2	3	4	9	106
LOS SISTEMAS DE CONTROL DE LA CORRUPCIÓN PRIVADA	1	2	3	4	9	107
LA ORGANIZACIÓN DE LOS PROGRAMAS DE EMPLEO Y POBREZA	1	2	3	4	9	108
LA CONSTITUCIÓN NACIONAL	1	2	3	4	9	109
LOS PROCESOS JUDICIALES	1	2	3	4	9	110

**7.- HABLANDO AHORA MUY EN GENERAL ¿QUÉ NIVEL DE CONFIANZA TIENE UD. REALMENTE EN EL BUEN FUNCIONAMIENTO Y LA ECUANIMIDAD DE LOS JUECES ARGENTINOS?**

MUCHO	ALGO	POCO	NADA	NS-NC	
1	2	3	4	9	111

<b>8.- ALGUNA GENTE DESCONFÍA DE LOS JUECES Y EN GENERAL DEL SISTEMA DE JUSTICIA EN LA ARGENTINA, ¿CREE UD. QUE TIENEN RAZÓN EN DESCONFIAR?</b>					
MUCHO	ALGO	POCO	NADA	NS-NC	
1	2	3	4	9	112

<b>9.- MUCHA GENTE TAMBIÉN DESCONFÍA DE LAS LEYES EN GENERAL. EN EL CASO DE LA ARGENTINA, TENIENDO EN CUENTA LOS PROCEDIMIENTOS Y LA CALIDAD PROMEDIO DE LAS LEYES, CREE USTED QUE TIENE RAZON EN DESCONFIAR?</b>					
MUCHO	ALGO	POCO	NADA	NS-NC	
1	2	3	4	9	113

<b>10.- HABLANDO DE ALGUNAS LEYES EN PARTICULAR, DE ACUERDO CON SU EXPERIENCIA PERSONAL, ¿CREE UD. QUE TIENEN RAZÓN EN DESCONFIAR? LE VOY A MENCIONAR ALGUNOS TIPOS DE LEYES Y LE PIDO QUE ME DIGA SI CREE QUE EN LA ARGENTINA ES RAZONABLE O NO QUE LA GENTE DESCONFÍE.</b>					
	ES RAZONABLE QUE SE DESCONFIE	NO ES RAZONABLE QUE SE DESCONFIE	NS	NC	
LEYES IMPOSITIVAS	1	2	8	9	114
LEYES PENALES	1	2	8	9	115
LEYES CIVILES	1	2	8	9	116
LEYES DE ORDENAMIENTO DEL TRÁNSITO	1	2	8	9	117
LEYES LABORALES	1	2	8	9	118
LEYES ELECTORALES	1	2	8	9	119
LEYES COMERCIALES	1	2	8	9	120

<b>11.- EN UN PAÍS COMO LA ARGENTINA, ¿CREE UD. QUE VALE LA PENA RESPETAR LA LEY Y LAS INSTITUCIONES?</b>		121
SI		1
NO		2
DEPENDE		3
NS/NC		9

<b>12.- EN UN PAÍS COMO LA ARGENTINA, ¿PIENSA UD., PERSONALMENTE, QUE QUIEN RESPETA LAS LEYES Y LAS INSTITUCIONES MERECE RESPETO Y CONSIDERACIÓN O PECA DE INGENUO? <sup>122</sup></b>	
MERECE RESPETO Y CONSIDERACIÓN	1
PECA DE INGENUO	2
NI UNA COSA NI LA OTRA: NO HAY QUE EXTREMAR LAS COSAS	3
NS/NC	9

13.- ME GUSTARÍA PREGUNTARLE A UD. QUÉ LO LLEVA PERSONALMENTE A RESPETAR Y ADECUARSE A LAS LEYES. LE VOY A MENCIONAR ALGUNAS RAZONES QUE LA GENTE NOS VIENE DANDO SOBRE ESTE PUNTO Y LE VOY A PEDIR QUE ME SEÑALE QUÉ NIVEL DE IMPORTANCIA TIENE CADA UNA DE ESTAS RAZONES EN SU CASO PARTICULAR. CALIFIQUE ENTRE 1 (MUY POCA IMPORTANCIA) Y 10 (MUCHA IMPORTANCIA)													
	1	2	3	4	5	6	7	8	9	10	NS	NC	
EL TEMOR A LA SANCIÓN Y AL COSTO DE NO RESPETAR LA LEY.	1	2	3	4	5	6	7	8	9	10	11	12	123-4
SIENTE LA OBLIGACIÓN MORAL DE RESPETAR LA LEY.	1	2	3	4	5	6	7	8	9	10	11	12	125-6
FUI EDUCADO PARA RESPETAR LAS LEYES.	1	2	3	4	5	6	7	8	9	10	11	12	127-8
ES MÁS RAZONABLE ADECUARSE A LAS LEYES.	1	2	3	4	5	6	7	8	9	10	11	12	129-0
ACTÚO DEL MISMO MODO COMO DESEARÍA QUE ACTÚEN LOS DEMÁS.	1	2	3	4	5	6	7	8	9	10	11	12	131-2
SIENTO QUE ME CONVIENE RESPETAR LAS LEYES.	1	2	3	4	5	6	7	8	9	10	11	12	133-4
RESPONDO A UNA COSTUMBRE O HÁBITO SOCIAL. TODOS LO HACEN.	1	2	3	4	5	6	7	8	9	10	11	12	135-6
CREO QUE ES UNA CUESTIÓN DE HONOR.	1	2	3	4	5	6	7	8	9	10	11	12	137-8
LA LEY ES UN ORDEN RACIONAL DE LA SOCIEDAD QUE A TODOS NOS CONVIENE RESPETAR PARA QUE LAS COSAS FUNCIONEN	1	2	3	4	5	6	7	8	9	10	11	12	139-0

14.- ¿RECUERDA UD. HABER RECIBIDO ALGÚN TIPO DE INFORMACIÓN O INSTRUCCIÓN FORMAL O INFORMAL SOBRE TEMAS CÍVICOS DE LOS QUE HEMOS ESTADO CONVERSANDO, TALES COMO EL DERECHO, LA CONSTITUCIÓN, LAS LEYES, INSTITUCIONES POLÍTICAS Y DE GOBIERNO? MENCIONE <b>HASTA CUATRO RESPUESTAS</b> , LAS MÁS IMPORTANTES.		141-148
SÍ, EN LA ESCUELA PRIMARIA.		1
SÍ, EN EL COLEGIO SECUNDARIO.		2
SÍ, EN EDUCACIÓN UNIVERSITARIA.		3
SÍ, EN EDUCACIÓN Terciaria.		4
SÍ, EN LAS RELACIONES PERSONALES.		5
SÍ, EN EL ÁMBITO LABORAL.		6
SÍ, A TRAVÉS DE LOS MEDIOS DE COMUNICACIÓN.		7
SÍ, A TRAVÉS DE ORGANISMOS NO GUBERNAMENTALES.		8
SÍ, A TRAVÉS DE LAS IGLESIAS.		9
LO QUE SÉ LO ADQUIRÍ EN LA VIDA DIARIA.		10



LO QUE SÉ LO APRENDÍ A TRAVES DE LA EDUCACIÓN FAMILIAR.	11
NO, JAMÁS RECIBÍ FORMACIÓN NI INSTRUCCIÓN ALGUNA SOBRE ESTOS TEMAS.	12
NS/NC	99

**15.- ALGUNOS PIENSAN QUE MUCHOS PROBLEMAS INSTITUCIONALES DEL PAÍS SON RESULTADO DEL NIVEL DE EDUCACIÓN Y CONOCIMIENTO QUE LA GENTE TIENE SOBRE LAS LEYES. ¿QUÉ NIVEL DE CONOCIMIENTO CREE UD. QUE TIENE LA GENTE COMÚN SOBRE LAS LEYES, SUS DERECHOS, LOS PROCEDIMIENTOS DE LA JUSTICIA, ETC?**

	MUCHO	ALGO	POCO	NADA	NS	NC	
NIVEL DE CONOCIMIENTO DE LAS LEYES EN GENERAL	1	2	3	4	8	9	149
NIVEL DE CONOCIMIENTO DE LOS PROCEDIMIENTOS ADMINISTRATIVOS Y JUDICIALES	1	2	3	4	8	9	150
NIVEL DE ACCESO A LA JUSTICIA PARA DEFENDER Y HACER VALER SUS DERECHOS	1	2	3	4	8	9	151
NIVEL DE CONOCIMIENTO DE LOS PRINCIPIOS ÉTICOS Y JURIDICOS	1	2	3	4	8	9	152
NIVEL DE TOLERANCIA ANTE EL FENÓMENO DE LA CORRUPCIÓN	1	2	3	4	8	9	153

**16.- SE INSISTE TAMBIÉN DESDE HACE TIEMPO EN LA NECESIDAD DE UNA MEJOR AFIRMACIÓN Y PROFUNDIZACIÓN DE CIERTOS PRINCIPIOS REPUBLICANOS. LE VOY A MENCIONAR ALGUNOS DE ESTOS PRINCIPIOS Y LE PIDO QUE ME DIGA SI LE PARECE QUE EN NUESTRO PAIS TIENEN O NO UNA VIGENCIA EFECTIVA. MARQUE ENTRE 1 (NADA VIGENTE Y EFECTIVOS) Y 10 (MUJY VIGENTES Y EFECTIVOS).**

	1	2	3	4	5	6	7	8	9	10	NS	NC	
DIVISIÓN DE PODERES	1	2	3	4	5	6	7	8	9	10	11	12	154-5
IGUALDAD ANTE LA LEY	1	2	3	4	5	6	7	8	9	10	11	12	156-7
DEBIDO PROCESO	1	2	3	4	5	6	7	8	9	10	11	12	158-9
RAZONABILIDAD DE LAS LEYES	1	2	3	4	5	6	7	8	9	10	11	12	160-1
TRANSPARENCIA E INTEGRIDAD	1	2	3	4	5	6	7	8	9	10	11	12	162-3
ACCESO A LA INFORMACIÓN	1	2	3	4	5	6	7	8	9	10	11	12	164-5
RESPONSABILIDAD DE LOS FUNCIONARIOS PÚBLICOS	1	2	3	4	5	6	7	8	9	10	11	12	166-7
VIGENCIA DE LAS LIBERTADES	1	2	3	4	5	6	7	8	9	10	11	12	168-9

PROTECCIÓN DE LOS DERECHOS HUMANOS	1	2	3	4	5	6	7	8	9	10	11	12	170-1
INDEPENDENCIA JUDICIAL	1	2	3	4	5	6	7	8	9	10	11	12	172-3
PARTICIPACIÓN CIUDADANA	1	2	3	4	5	6	7	8	9	10	11	12	174-5
INCLUSIÓN SOCIAL	1	2	3	4	5	6	7	8	9	10	11	12	176-7
FUERZA EFECTIVA DE LAS LEYES	1	2	3	4	5	6	7	8	9	10	11	12	178-9
LA LUCHA CONTRA LA DISCRIMINACION RACIAL	1	2	3	4	5	6	7	8	9	10	11	12	180-1

**CONFIANZA Y SOLIDARIDAD**

**17.- UN TEMA QUE NOS INTERESA MUCHO ES EL NIVEL DE CONFIANZA QUE UD. SIENDE EN RELACIÓN CON LA GENTE QUE NO CONOCE PERO CON LA QUE LLEGA A VINCULARSE. HABLANDO EN GENERAL, ¿USTED TIENDE A SER CONFIADO CON LA GENTE QUE NO CONOCE O SUELE TENER CIERTA DESCONFIANZA Y SE MANEJA CON CUIDADO?**

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EN GENERAL CONFÍO SIN REPAROS EN LA GENTE DESCONOCIDA	1
EN GENERAL ME MANEJO CON CUIDADO CON LA GENTE DESCONOCIDA	2

**18.- HABLANDO AHORA DE SU FAMILIA, DE LAS PERSONAS QUE LO RODEAN, QUE TRABAJAN CON UD., LE PIDO TAMBIÉN QUE OPINE SI EN SU FUERO INTIMO LES TIENE UD. CONFIANZA, EN EL SENTIDO DE SI CREE QUE PUEDE CONFIARLES SUS PROBLEMAS Y ESPERAR DE ELLOS UNA AYUDA DESINTERESADA. CALIFIQUE, TAMBIÉN EN GENERAL, DESDE 1 (NINGUNA CONFIANZA) HASTA 10 (MUCHA CONFIANZA)**

	1	2	3	4	5	6	7	8	9	10	NS	NC	No corre sp.	
LOS MIEMBROS DE SU FAMILIA	1	2	3	4	5	6	7	8	9	10	11	12	13	183-4
SUS AMIGOS EN GENERAL	1	2	3	4	5	6	7	8	9	10	11	12	13	185-6
SUS VECINOS	1	2	3	4	5	6	7	8	9	10	11	12	13	187-8
SUS COMPAÑEROS DE TRABAJO	1	2	3	4	5	6	7	8	9	10	11	12	13	189-0
SUS JEFES O SUPERIORES INMEDIATOS	1	2	3	4	5	6	7	8	9	10	11	12	13	191-2
LOS SACERDOTES O PASTORES DE SU RELIGIÓN	1	2	3	4	5	6	7	8	9	10	11	12	13	193-4
SUS PROFESORES O MAESTROS	1	2	3	4	5	6	7	8	9	10	11	12	13	195-6

**19.- POR FAVOR, INDIQUE SI USTED ESTÁ MUY DE ACUERDO, DE ACUERDO, EN DESACUERDO O MUY EN DESACUERDO (O NO SABE/PREFIERE NO CONTESTAR) CON CADA UNA DE LAS SIGUIENTES AFIRMACIONES.**

	MUY DE ACUERDO	DE ACUERDO	EN DESACUERDO	MUY EN DESACUERDO	NS/NC	
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LA MAYORÍA DE LA GENTE EN EL BARRIO/VECINDARIO ESTÁ ABIERTA A LOS DEMÁS Y DISPUESTA A AYUDAR SI ALGUIEN LO NECESITA.	1	2	3	4	9	197
EN ESTE BARRIO/VECINDARIO UNO TIENE QUE ESTAR ALERTA. SIEMPRE ALGUIEN TE PODRÍA SACAR VENTAJA.	1	2	3	4	9	198
LA GENTE EN EL BARRIO/VECINDARIO ES INDIVIDUALISTA Y SÓLO LE INTERESAN SUS PROPIOS ASUNTOS.	1	2	3	4	9	199

### ACCIONES COLECTIVAS Y DE COOPERACIÓN

20.- SUPONGAMOS QUE HUBIESE UN PROBLEMA DE INTERES COMUNITARIO, QUE AFECTASE A TODOS LOS QUE VIVEN EN ESTE BARRIO O VECINDARIO (POR EJEMPLO, CORTES EN EL SUMINISTRO DE AGUA, ELECTRICIDAD O GAS), ¿ QUE PROBABILIDADES EXISTEN DE QUE LA GENTE SE MOVILICE EN CONJUNTO PARA TRATAR DE SOLUCIONAR EL PROBLEMA? CALIFIQUE EN TERMINOS DE MUY PROBABLE, PROBABLE, NI PROBABLE NI IMPROBABLE, ALGO IMPROBABLE, MUY IMPROBABLE. 200

MUY PROBABLE	1
PROBABLE	2
NI PROBABLE NI IMPROBABLE	3
ALGO IMPROBABLE	4
MUY IMPROBABLE	5
NS-NC	9

21.- EN LOS ÚLTIMOS TRES AÑOS ¿HA PARTICIPADO UD. DE ALGUNA DE LAS SIGUIENTES ACTIVIDADES?

	SI	NO	NS/NC	
ENTRAR EN CONTACTO PERSONAL CON UNA PERSONA INFLUYENTE	1	2	9	201
CONSEGUIR QUE LOS MEDIOS DE COMUNICACIÓN SE INTERESEN EN ALGÚN PROBLEMA	1	2	9	202
PARTICIPAR ACTIVAMENTE EN UNA CAMPAÑA DE INFORMACIÓN	1	2	9	203
PARTICIPAR ACTIVAMENTE EN UNA CAMPAÑA ELECTORAL	1	2	9	204
PARTICIPAR ACTIVAMENTE EN UNA MARCHA DE PROTESTA O MANIFESTACIÓN	1	2	9	205
CONTACTAR A SU REPRESENTANTE POLÍTICO (INTENDENTE, LEGISLADOR,...)	1	2	9	206
PARTICIPAR EN UNA REUNIÓN CON FUNCIONARIOS PÚBLICOS	1	2	9	207
ESCRIBIR O PETICIONAR ANTE UN FUNCIONARIO PARA PEDIRLE O NOTIFICARLE ALGO	1	2	9	208
REALIZAR UNA DONACIÓN DE DINERO O EN ESPECIES	1	2	9	209

OFRECER SU TIEMPO A UNA ORGANIZACIÓN CARITATIVA	1	2	9	210
SUMARSE A ALGUNA ONG (ORGANIZACIÓN NO GUBERNAMENTAL). EJ: USUARIOS, CONSUMIDORES	1	2	9	211
PARTICIPAR EN AUDIENCIAS PÚBLICAS	1	2	9	212
PARTICIPAR EN ALGÚN TIPO DE COLECTA	1	2	9	213
PARTICIPAR DE UN CORTE DE RUTA	1	2	9	214
PARTICIPAR DE UN "ESCRACHE"	1	2	9	215
PARTICIPAR DE ALGUNA CADENA EN LAS REDES SOCIALES	1	2	9	216
SEGUIR UN TEMA CON IMPLICANCIAS POLÍTICAS O SOCIALES CON PROFUNDIDAD A TRAVÉS DE LOS MEDIOS	1	2	9	217
INICIAR UNA ACCIÓN JUDICIAL O UN RECURSO DE AMPARO	1	2	9	218
INTEGRAR UNA ORGANIZACIÓN DE DERECHOS HUMANOS O ANTIDISCRIMINACION	1	2	9	219

### INFORMACIÓN Y COMUNICACIÓN

**22.- CUANDO SE PRODUCE ALGÚN PROBLEMA DE TIPO COMUNITARIO DE LA CLASE DE LOS QUE ESTAMOS COMENTANDO, ¿QUÉ FUENTES DE INFORMACIÓN LE RESULTAN A UD. EN GENERAL MÁS CONFIABLES? LE RUEGO QUE ME MENCIONE LAS TRES MÁS CONFIABLES TENIENDO EN CUENTA UNO SOLO PARA EL PRIMER LUGAR, UNO PARA EL SEGUNDO Y UNO PARA EL TERCERO.**

	1º LUGAR 220-1	2º LUGAR 222-3	3º LUGAR 224-5
OPINIÓN O TESTIMONIO DE PARIENTES, AMIGOS Y VECINOS	1	1	1
MENSAJES POR REDES SOCIALES (FACEBOOK, TWITTER, LINKEDIN, ETC.)	2	2	2
BOLETÍN COMUNAL	3	3	3
COMERCIOS DE LA ZONA	4	4	4
PERIÓDICO COMUNAL O LOCAL	5	5	5
PORTALES EN INTERNET	6	6	6
PERIÓDICO NACIONAL	7	7	7
RADIO	8	8	8
TELEVISIÓN (CANALES DE NOTICIAS)	9	9	9
GRUPOS O ASOCIACIONES MOVILIZADAS	10	10	10
SINDICATOS U ORGANIZACIONES DE TRABAJADORES	11	11	11
ASOCIACIONES O PARTIDOS POLÍTICOS	12	12	12
LÍDERES DE LA COMUNIDAD	13	13	13
JUECES O FISCALES	14	14	14
CENTRO DE GESTIÓN O PARTICIPACIÓN	15	15	15
ONGS	16	16	16
POLICÍA FEDERAL	17	17	17

ABOGADOS	18	18	18
POLICÍA DE LA CIUDAD	19	19	19
LAS IGLESIAS	20	20	20
INTERNET	21	21	21
VOCEROS DE LA EMPRESA	22	22	22
ASOCIACIONES DE USUARIOS O CONSUMIDORES	23	23	23
OTRA			
NINGUNA	97	97	97
NO SABE/ NO CONTESTA	99		

**23.- POR FAVOR, INDIQUE SI USTED ESTÁ MUY DE ACUERDO, DE ACUERDO, EN DESACUERDO O MUY EN DESACUERDO (O NO SABE/PREFIERE NO CONTESTAR) CON CADA UNA DE LAS SIGUIENTES AFIRMACIONES.**

	MUY DE ACUERDO	DE ACUERDO	EN DESACUERDO	MUY EN DESACUERDO	NS	NC	
LA UNIDAD DE TODOS LOS ARGENTINOS E IDENTIDAD NACIONAL YA NO ES TAN FUERTE COMO EN EL PASADO.	1	2	3	4	8	9	226
LA ARGENTINA ACTUAL ES UNA SOCIEDAD MODERNA Y CADA VEZ MÁS PLURAL EN LA QUE LAS DIFERENCIAS DE VALORES Y VISIONES DE LA VIDA ES CADA VEZ MAYOR.	1	2	3	4	8	9	227
LOS ARGENTINOS, SOMOS UN PUEBLO RESPETUOSO DE LAS LEYES Y LAS INSTITUCIONES.	1	2	3	4	8	9	228
LOS ARGENTINOS COMO PUEBLO SOMOS EN GENERAL RESPETUOSOS DE LA PALABRA EMPEÑADA.	1	2	3	4	8	9	229
LOS ARGENTINOS SOMOS UN PUEBLO DEMOCRÁTICO.	1	2	3	4	8	9	230

**24.- HABLANDO EN GENERAL, ¿CREE UD. QUE LA SOCIEDAD ARGENTINA ES UNA SOCIEDAD VIOLENTA?**

231

MUCHO	1
ALGO	2
POCO	3

NADA	4
NO SABE	8
NO CONTESTA	9

<b>25.- HABLANDO TAMBIÉN EN GENERAL, ¿ESTÁ UD. DE ACUERDO CON QUIENES DICEN QUE LA SOCIEDAD ARGENTINA ES UNA SOCIEDAD CORRUPTA?</b>		232
MUY DE ACUERDO		1
DE ACUERDO		2
EN DESACUERDO		3
MUY EN DESACUERDO		4
NO SABE		8
NO CONTESTA		9

<b>26.- ¿ESTÁ DE ACUERDO CON QUIENES DICEN QUE LOS ARGENTINOS EN GENERAL SON INDIVIDUALISTAS Y QUE LES CUESTA COOPERAR EN CAUSAS DE INTERÉS GENERAL?</b>		233
MUY DE ACUERDO		1
DE ACUERDO		2
EN DESACUERDO		3
MUY EN DESACUERDO		4
NO SABE		8
NO CONTESTA		9

<b>27.- ¿ESTÁ DE ACUERDO CON QUIENES DICEN QUE LOS ARGENTINOS EN GENERAL SON UN PUEBLO AUTORITARIO Y CONFRONTATIVO POR NATURALEZA?</b>		234
MUY DE ACUERDO		1
DE ACUERDO		2
EN DESACUERDO		3
MUY EN DESACUERDO		4
NO SABE		8
NO CONTESTA		9

**28.- ¿ESTÁ DE ACUERDO CON QUIENES DICEN QUE LOS ARGENTINOS EN GENERAL, MÁS ALLÁ DE LO QUE OCURRA EN EL TERRENO DE LA POLÍTICA, EN LA VIDA DE TODOS LOS DÍAS, NOS LLEVAMOS EN GENERAL BIEN ENTRE NOSOTROS.**

235

MUY DE ACUERDO	1
DE ACUERDO	2
EN DESACUERDO	3
MUY EN DESACUERDO	4
NO SABE	8
NO CONTESTA	9

### ACCESO AL DERECHO

**29) HABLANDO EN GENERAL, ¿SIENTE UD. QUE LAS LEYES Y LAS INSTITUCIONES DE ESTE PAÍS LO PROTEGEN Y GARANTIZAN SUS DERECHOS Y LIBERTADES BÁSICAS?**

	MUCHO	ALGO	POCO	NADA	NS	NC	
PROTEGEN SUS LIBERTADES CIUDADANAS.	1	2	3	4	5	6	236
TIENEN EN CUENTA SUS NECESIDADES BÁSICAS DE SALUD, EDUCACIÓN Y TRABAJO.	1	2	3	4	5	6	237
LE PERMITEN ACCEDER A UNA DEFENSA Y GARANTÍA EFECTIVA DE SUS DERECHOS.	1	2	3	4	5	6	238
LE PERMITEN PETICIONAR Y RECLAMAR A LAS AUTORIDADES.	1	2	3	4	5	6	239
LE OFRECEN IGUALES OPORTUNIDADES DE PROGRESO QUE A LOS DEMÁS.	1	2	3	4	5	6	240
TIENEN EN CUENTA A GENTE COMO USTED.	1	2	3	4	5	6	241
PROTEGEN CONTRA LA DISCRIMINACIÓN RACIAL	1	2	3	4	5	6	242
RESPETAN SU PROPIEDAD.	1	2	3	4	5	6	243
LO PROTEGEN DE LA VIOLENCIA Y LA INSEGURIDAD.	1	2	3	4	5	6	244
GARANTIZAN LA IGUALDAD ENTRE HOMBRES Y MUJERES.	1	2	3	4	5	6	245
LE PERMITEN ACCEDER A LA ATENCIÓN Y PROTECCIÓN DE LOS JUECES.	1	2	3	4	5	6	246

### DATOS DE CLASIFICACIÓN

EDAD	247-8	SEXO	249
18 A 29		VARÓN	1
30 A 49			
50 A 64		MUJER	2
65 Y MAS			
<u>ESCRIBIR LA EDAD EXACTA</u>			

PODRÍA INDICARME LA OCUPACIÓN DEL PRINCIPAL SOSTÉN DEL HOGAR?	PUNTAJE (250-1)
Encuestador aclare la ocupación del PSH	
Dueño, socio de empresas de mas de 50 empleados – Alta dirección	32
Dueño, socio de empresas de 6 a 50 empleados – Alta gerencia	28
Dueño, socio de empresas de 1 a 5 empleados – Gerencias	22
Profesionales independientes sin empleados a cargo. Jefes intermedios.	16
Técnicos independientes y en relación de dependencia.	12
Comerciantes sin personal, artesanos, empleados especializados, supervisores, capataces.	10
Autónomos especializados, empleados sin jerarquía.	7
Obrero calificado, especializado.	6
Autónomo no calificado, personal no calificado.	4
Ocupación informal.	2
Pasivos (jubilados, pensionados) inactivos.	4
Desocupados.	2

PODRÍA INDICARME LA CANTIDAD DE APORTANTES QUE HAY EN SU HOGAR?	PUNTAJE (252)
4 O MÁS APORTANTES	9
2 A 3 APORTANTES	7
1 APORTANTE	1
PODRÍA INDICARME EL NIVEL DE EDUCACIÓN DEL PRINCIPAL SOSTÉN DEL HOGAR?	PUNTAJE (253-4)
UNIVERSITARIO COMPLETO O POSTGRADO	13
UNIVERSITARIO INCOMPLETO – TERCARIO – SECUNDARIO COMPLETO	4
SECUNDARIO INCOMPLETO – PRIMARIO COMPLETO – PRIMARIO INCOMPLETO	0
POSEE EN SU HOGAR ...	PUNTAJE (255-7)



INTERNET	NO	SI	} →	8
COMPUTADORA	NO	SI		6
TARJETA DE DEBITO	NO	SI		5
PODRÍA DECIRME CUÁNTOS AUTOS CON MENOS DE 15 AÑOS DE ANTIGÜEDAD POSEE EN SU HOGAR?				PUNTAJE (258-9)
2 O MAS AUTOS				22
1 AUTO				11
NINGUNO				0
QUE TIPO DE ATENCIÓN MÉDICA UTILIZAN EN SU HOGAR				PUNTAJE (260)
PRIVADA – OBRA SOCIAL – PREPAGA				5
HOSPITAL PÚBLICO				0