

Empowerment through mistrust?

Legal counsellors' perspectives on mistrust in Argentinian shantytowns

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Abstract: Argentinian street-level bureaucrats face challenges with informal credit practices in providing access to justice in shantytowns. These practices, common in Bolivia, lead to conflicts when applied in Argentina. Scammers often exploit newly arrived Bolivian migrants, ensnaring them in fraudulent agreements. Due to how regulations governing these practices cannot be enforced in such informal settlements, prosecuting such cases is difficult, prompting street-level bureaucrats to advocate for heightened caution and mistrust. Conflicts arising from unregulated property rights and informal credit practices in shantytowns are thus framed by them as issues requiring close attention. Such bureaucrats aim to empower advice-seekers, encouraging them to become sceptical citizens – even towards the state and its institutions. This may seem contradictory, as access to justice typically aims to foster trust between citizens and the state. However, the article underscores that mistrust is valued by street-level bureaucrats as a defensive mechanism, for it is seen as an integral part of an empowered citizenry.

Keywords: access to justice, Argentina, informal economy, institutional trust, legal counselling, mistrust, street-level bureaucracy



In December of the year 2016, a migrant Bolivian couple entered the small office of ATAJO, (Agencias Territoriales de Acceso a la Justicia), the Territorial Agency for Access to Justice in the informal settlement of the Villa 1-11-14 located in Southern Buenos Aires. Both sat down after being invited to do so by Verena, a member of the interdisciplinary ATAJO team, which serves people with legal issues. The couple introduced themselves as Francisco and Melina before expressing their complaints:

We paid 170,000 pesos! All our savings! We made an *anticrético* deal with the owner and gave the money in exchange for the right to stay for two



years in the apartment. But when we were ready to move in, we realised that there is another family living there. And they said they own the place. We don't know what to do! The delegates of the block refuse to intervene.

The couple had an issue with the informal practice of paying to live in an apartment based on credit arrangements. This incident illustrates a type of conflict that repeatedly occurs in Argentinian slums amongst Bolivian migrants, evolving around informal credit practices called *anticrético* deals. It is a lending practice where someone who gives a loan does not take the interest rates on the loan in cash; instead, the lender gains a compensatory right, known as the 'lender's right', to live in the apartment or house of the person who has received the loan. While this practice is common in Bolivia, it is not in Argentina. Problems occur when informal agreements are not upheld and when scammers exploit the informal nature of *anticrético* deals to take advantage of others. This is possible because formal property rights regulations do not extend to informal settlements, which are often based on land occupation. For example, Villa 1-11-14, established in the 1940s, arose from the successive occupation of wasteland in the Bajo Flores neighbourhood. The scammers take advantage of newcomers' lack of knowledge about these issues and a certain neighbourhood silence in a violent environment to defraud lenders of their cash without granting them actual rights to reside in the apartment. Victims – like the couple mentioned above – often seek legal remedies for their losses without realising that they are in an informal settlement where property rights are not registered in a public registry, which is considered a prerequisite for obtaining legal protection.

When Francisco and Melina told us their story, Verena silently indicated to me that the counselling session would be difficult, as the team would not be able to offer clear guidance or legal advice to people. This was because conflicts arising from these practices are not well addressed through legal solutions. Instead, as Verena contends, such issues require educational approaches to guide complainants on matters of trust and mistrust. Verena later explained to me that the chances of a legal solution are extremely slim and that she therefore prefers not to raise false hopes in this regard. Instead, it would be necessary to train the affected individuals to develop scepticism and mistrust and to prepare them for the harsh reality in the informal settlements, which she considers as spaces where state law is difficult to enforce and where violent actors set their own rules.

ATAJO is positioned as a key site for persons such as Francisco and Melina to seek assistance. This special national prosecution unit

was created by Alejandra Gils Carbó, the Attorney General of Argentina, in June 2014, with a mandate to guarantee access to the juridical system for the most under-served sectors of society. It is tasked with receiving all kinds of complaints, strengthening civic rights, providing legal advice and building trusting relations between state bureaucracy and communities where the state has historically been absent. ATAJO installed small container offices in the principal slums of Buenos Aires and other Argentinian cities and serves advice-seekers with interdisciplinary teams composed of lawyers, psychologists, social workers and local operators – people who reside in the neighbourhoods and facilitate the integration of the state agencies into the local networks.

In this article, I explore issues of trust and mistrust, building on my previous work on trust and accountability (Rohrer 2018, 2020). I address the perspectives of street-level bureaucrats, who can be conceived as the ‘face of the state’ (cf. Guthmann 2018: 148; Hertogh 2010: 203) and examine how they aim to foster empowered citizenship. The example illustrates that legal professionals encourage advice-seekers dealing with issue related to informal credit practices to adopt a sceptical, mistrustful and critical attitude – one they regard as appropriate. Their goal is to foster the development of an empowered citizenry, grounded in the belief that maintaining a mistrustful attitude is essential – even towards state institutions. This example challenges and reframes the prevailing assumption in public and global debates – particularly evident in discussions about good governance – that trustful relationships between the state and its citizens are always desirable (cf. Frevert 2013; Han 2013; Kim 2005).

Thus, I contribute to the debates on institutional trust in the fields of public administration and socio-legal studies. I do so by demonstrating that street-level bureaucrats do not follow the prevailing idea that trustful relationships between state and citizens are always desirable. Street-level bureaucrats advocate for a mistrust that also extends to the state and its institutions. In doing so, they want to empower citizens and see mistrust as a part of empowered citizenship. Ongoing research has pointed out that trust in institutions is often influenced by perceptions of legitimacy or the guiding ideas of the institution (cf. Endreß 2002: 52–53; Joxhe 2020). Other studies have shown that the performance of institutions and administrative units and the perception of such by citizens is crucial (cf. Berg and Dahl 2020; Van de Walle and Bouckaert 2003; Van de Walle and Migchelbrink 2022; Van Ryzin 2011; Yang and Holzer 2006). In this article, I show with an ethnographic example that street-level bureaucrats do not believe in the idea that the relations

between state/institutions and citizens should be built on trust. I focus on the significance of interactions in service provision, particularly highlighting the perspectives of public servants on issues of trust and mistrust, which previous studies have often neglected. The example illustrates that some street-level bureaucrats consider the bureaucratic experience of citizens crucial for the development of institutional trust. Interestingly, however, they still work towards encouraging these citizens to adopt a sceptical and mistrustful attitude and to also extend this attitude towards the state and its institutions.

By examining the perspectives of street-level bureaucrats on trust and mistrust, I furthermore explore how legal professionals maintain a self-conception of serving the public and contributing to the development of citizenship, as indicated in the description of the overall purpose of ATAJO. The effort to maintain this self-conception, for example, is further evident in the care that the staff gives to the couple mentioned above, as they focus on teaching them cultural competence rather than simply dismissing them. With this perspective, I contribute to the literature on the relational, affective and moral aspects of state bureaucracy (Fassin 2015; Laszczkowski and Reeves 2017; Thelen et al. 2018; Zacka 2017). The article provides a particular account of street-level bureaucrats in terms of how persons attached to ATAJO conduct themselves and provide a service: they are committed to giving people advice on cultural competence and conveying to them an understanding of the need for a sceptical and mistrustful attitude. These street-level bureaucrats present themselves as individuals who care for advice-seekers, are affected by their hardships and concerns, and aspire to help them become empowered citizens. In line with Bernardo Zacka, who has analysed the moral dispositions of street-level bureaucrats, categorising them as indifferent, enforcing or caregiving (Zacka 2017: 66–67), I consider the staff of ATAJO to belong to the caregiving type. Here, I consider the caregiving aspect to argue that the caregiving role can play a significant role in fostering empowered citizenship in Argentinian contexts. Within this framework, these particular legal professionals emerge as a distinct type of caregiver.

With this focus, I furthermore contribute to emerging studies of mistrust in the discipline of anthropology (Carey 2017; Mühlfried 2018, 2019). In contrast to the work of Florian Mühlfried (2017) and separately Matthew Carey (2017), who conducted research on relatively homogeneous social groups, I focus on situations in which people with different cultural backgrounds meet in a situation of service provision. In these encounters between street-level bureaucrats and advice-seekers,

problems arising from different cross-country cultural approaches to trust and mistrust encourage those involved to reflect on the cultural formation of trust and the appropriate level of mistrust in the given social context.

Anthropology of mistrust

Up until recently, the concept of mistrust has been rather absent in anthropological studies, but several authors have contributed to the field of trust studies (e.g. Broch-Due and Ystanes 2016; Coates 2019; Corsin Jimenez 2011; Förster 2014; Liisberg et al. 2015). These anthropological contributions make suggestions and challenge influential theories of trust deriving from philosophy, sociology, economics and political science and that ‘tend towards a contractual approach, assuming that the relation between self and other is that between equal persons (typically men), with greater trust equated with greater intimacy’ (Coates 2019: 101–102). Anthropologists conversely draw a diversified picture of trusting relations by giving an account of the relevance, the semantics, the idiosyncratic practices and particular normative ideas that are connected to trust and trust-building in specific situations and contexts (e.g. Bellagamba 2000; Campbell 2018; Edelman 2003; Ensminger 2001; Eriksen 2007; Förster 2014: 20; Geschiere 2013; Grimen 2009; Heitz Tokpa 2013; Maeckelbergh 2018; Roth 2007; Seshia Galvin 2018; Torsello 2003). Thus, these articles, chapters and anthologies (e.g. Broch-Due and Ystanes 2016; Liisberg et al. 2015) question some of the prevalent assumptions about trust that mark both popular belief and the academic field—for example, that similarity and social proximity engender trust (cf. Hardin 2006), that the moral character of the interaction partner is indispensable for social co-operative actions (cf. Fukuyama 1996; Hardin 2002), that building trust is a cognitive and reflexive process (Coleman 1990) and that trust is overall a crucial element for a healthy social environment (cf. Hartmann 2011: 407; Simmel 2013 [1908]: 274).

More recent work maintains, however, that anthropologists also for a long time over-emphasised a normative perspective that considers trust as essential for social relations (Carey 2017; Mühlfried 2018, 2019). Carey and Mühlfried fear that an overall positive and Eurocentric connotation of trust remains influential in most anthropology studies. Furthermore, Carey states that conversely in these studies ‘mistrust is frequently not seen as doing anything but undo the positive work of trust’ and is therefore considered ‘corrosive of human bonds’ (Carey

2017: 2). Both Mühlfried and Carey argue that mistrust is often seen as the opposite of a healthy trust relation and as a state that is defined by the lack or the absence of trust. They, by contrast, argue that trust and mistrust are interwoven and interrelated phenomena which must be grasped in their situatedness, coexistence and interaction (cf. Karmis and Rocher 2018: 5).

Both authors argue that mistrust is not necessarily corrosive to social relations. Mühlfried suggests that mistrust allows individuals to engage in social interactions without fully depleting their reserves, portraying it as a defensive strategy with the potential to form communities of mistrust (Mühlfried 2018: 13). Carey extends this point by illustrating how people in the Moroccan High Atlas view others as unknowable and autonomous, impacting social practices and co-operation (Carey 2017: 13). Both authors assert that mistrust is not corrosive for human relations and is relevant in institutional contexts as well, critiquing the predominant political science view that trust is crucial for democratisation and state stability (Carey 2017; Mühlfried 2018; cf. Rosanvallon 2017).

Approach and context

For the duration of one year, I accompanied the work of the street-level bureaucrats in the small container office of the ATAJO unit in the informal settlement of Villa 1-11-14 located in southern Buenos Aires. In addition to participant observation, I conducted interviews with the employees and engaged in uncounted informal conversations – both in the work environment and during their leisure time. I contrasted the gathered data with data I obtained by visiting other ATAJO units, and, furthermore, I conducted interviews with some of the managers of the programme. After completing this fieldwork, I returned to Buenos Aires and discussed my preliminary results with the employees, with the managers, and with researchers who work with ATAJO.

The place where the ATAJO unit offers its services is the informal settlement Villa 1-11-14, which dates to the 1940s when wasteland in the neighbourhoods of Bajo Flores was occupied. The shantytown grew substantially over the last decades and nowadays is one of the most densely populated informal settlements of Buenos Aires, with an estimated 25,000 persons living in an area of roughly 350 hectares. Official census data is non-existent but media, state officials and non-governmental organisations alike point out that the population is largely

composed of migrants in roughly equal proportions from Bolivia, Peru, Paraguay and the northern provinces of Argentina. Poverty, unemployment and underemployment are widespread in the neighbourhood and even individuals who can find work usually do not benefit from contractual guarantees but rather are employed informally. In Argentinian society, Villa 1-11-14 is predominantly associated with high rates of violent crime and drug trafficking – an image to which mass media eagerly contributes. Indeed, slum-dwellers suffer from the high level of crime, but they also identify other problems as urgent, namely the poor infrastructure (missing sewerage, a precarious electricity grid, lack of connection to public transport, etc.) and neglect by the authorities, given the informal nature of the settlement. ATAJO is an attempt by the state to facilitate access to the justice system for advice-seekers. This becomes particularly challenging when the street-level bureaucrats at ATAJO are confronted with conflicts arising around informal Bolivian credit practices.

***Anticrético* and scams**

Every now and then, Bolivian migrants make their way to the ATAJO office to seek help and advice with their *anticrético* agreements, as in the instance when Francisco and Melina entered the office and related that they had paid 170,000 pesos for an *anticrético* deal – the equivalent of 10,000 US dollars. Verena, one of the local operators who is of Bolivian decent herself, lives in the neighbourhood and therefore is familiar with the context and practices of the informal settlement. She had explained the principles of the *anticrético* to me on one occasion:

Anticrético is a lending practice that is very common in Bolivia. You give credit in exchange for the right to inhabit a property for one or two years. Both benefit: the homeowner receives credit and can make an investment with the money and the credit-giver lives without paying rent. Once the contract expires, you have to move out of the property and the credit will be returned to you. Although in Bolivia *anticrético* is formally regulated, people often make agreements without the intervention of lawyers, notaries and paperwork. They build on mutual trust. But *anticrético* is not legally regulated in Argentina, and we often receive people who have disputes.

In one of the few academic papers on this practice, Pattie Richmond (1997) elucidates on the issue. The author explains that this form of tenure situation became popular in Bolivia ‘due to the high interest rates

on borrowing from credit institutions and the difficulties in procuring capital' (Richmond 1997: 120). This indicates that *anticrético* is not to be misunderstood as a rental contract but as a practice of credit-giving in which interests are squared by the right of residency. *Anticrético* practices are not an idiosyncrasy of Bolivia, but date back to ancient times. Under the term *antichresis* (alternatively spelt as *anticresis*), this practice was applied in Mesopotamia, Greece, and the Roman Empire but also continued to be used in medieval times (cf. Bobbink and Mauer 2019; Pérez López 2022). Today, the practice is used in Bolivia but also in a similar or slightly different form and under different names in Korea, India and Afghanistan (cf. Feather 2018: 598). Academic literature on these customary credit and tenure practices is overall scarce and mainly focuses on the economic aspects of such agreements (Beijaard 1992; Farfan 2004; Navarro and Turnbull 2010) and does not cover the legal implications.

As my case study shows, Bolivian migrants also make use of these credit-giving practices in Argentina, where they can lead to conflicts. This returns to the example of Francisco and Melina. The couple had agreed to pay a rather high sum for the right to live two entire years in a two-bedroom apartment. The payment was made upfront and in cash, but as soon as the couple proceeded to move into the flat, they came to learn that another family was stating ownership of the property. The couple's bewilderment augmented when they realised that the contract partner had disappeared. And so did the money.

While Verena's position was that *anticrético* is not legally regulated in Argentina, such agreements are actually covered to an extent by Articles 3239 to 3261 of the Código Civil y Comercial de la Nación (CCIV), which was passed in 2014. According to one of these articles, the contract is not subject to any formality apart from the delivery of the property. However, the crucial point is that this delivery of the property depends on the property having been registered in the corresponding public registry (Art. 2505 CCIV). Such relief, however, does not apply to property arrangements and transfers in informal settlements, as these settlements do not benefit from any such registrations in the public registry. Official property registries for informal settlements such as Villa 1-11-14 do not exist (cf. Cravino 2008). And here lies a loophole, where these arrangements cannot be covered in the regulation; this is exploited by scammers operating in informal neighbourhoods to prey on Bolivian migrants, who are accustomed to trusting such *anticrético* agreements and who are unaware of the formal requirements in Argentina.

I learned during my fieldwork that scams with *anticrético* agreements are recurrent and occur mostly in informal neighbourhoods with a large portion of Bolivian migrants. The victims are usually recently migrated Bolivians who are used to these informal practices from their places of origin but are unaware of the regulations in Argentina. Scammers exploit the fact that there are no official property registers in these neighbourhoods, rendering contracts invalid and making prosecution difficult. Legal professionals on this basis appreciate prosecution to be futile, given that the requirement of a public registry for property, which is not available to those in informal settlements; furthermore, the informal settlements are regarded as impenetrable by police forces. Apprehending the fraudsters thus appears hopeless. Usually, the responsibility to check and verify the legality of an agreement lies with the contracting parties. As a given, where such a legal contract is flawed from the outset, it returns to persons to be vigilant against being scammed. In the following section, I want to sketch out how scammers proceed and how conflicts arise.

The most common scam is the one that ensnared Francisco and Melina. In this situation, would-be victims reach an agreement with someone pretending to be homeowner and hand over the stipulated amount. On attempting to take possession, they discover that they have been defrauded. The promised property is already rented or in possession of a different person, who has no relation to the contract partner. Thus, scammers take advantage of the non-existing registries of the real estate in informal settlements and only pretend to own a certain property. Sometimes, they even set up contractual paperwork, which gives the impression of formality and regularity. But such papers have no legal value and usually contain false data of the credit-taker. I witnessed, however, how victims of scams were desperately holding on to the paperwork and were still hoping for its promise of formality. In these very simple and blatant cases, the scammers usually disappeared and were never seen again. In the unlikely event of their victims locating them, scammers are still unfearful of repercussions, understanding it to be unlikely that legal action will be taken against them. To get rid of the claimants, they will use intimidation, threats and/or violence.

A similarly popular way of taking advantage of people is to first comply with the agreement and to let people live in the property for the timespan agreed on. Problems set in only after the agreement has expired, and the credit-givers want to reclaim the money they have lent to the owner of the property. In such cases, homeowners simply pretend

to never have received money and rely on threats and violence to scare off the claimants.

A further but much subtler way to take advantage of credit-givers is to agree on a credit amount in US dollars but to also annotate the present-day convertibility rate in Argentinian pesos. After the agreement expires, the credit-taker repays the amount in Argentinian pesos, well aware that the local currency by then most probably has dramatically devaluated due to the high rates of inflation in Argentina (cf. Cachanosky and Ferrelli Mazza 2021; Leszek Szybisz 2017).

All of these variations were recurrent in the neighbourhood, and Verena explained that there are people who are specialised and skilled in manoeuvring people into agreements: ‘Scammers create the impression that they are honourable and trustworthy homeowners with a good reputation in the neighbourhood’. She continued to explain that scammers also can rely on the assumption on the part of Bolivian migrants that *anticrético* is thoroughly regulated by law in Argentina or that at least the community structures in the neighbourhood will prevent abuses.

To re-emphasise, scammers, however, know that the real estate in the slums is legally unregulated and that they thus operate in, for them at any rate, a comfortable lawless sphere, where legal claims are pointless and other forms of protest can be suppressed by resorting to violence. Although threats and the use of violence are, of course, criminal acts, people taking advantage of others rely on understandings that the enforcement of the rule of law in the informal settlements tends to be rather weak.

ATAJO does have the mandate to carry out preventive work in these neighbourhoods, such as organising events on this topic and warning residents about scammers. However, this is constrained by an overall lack of funding and personnel, which is due to the general neglect of these areas. Additionally, there are other more urgent problems and needs in these neighbourhoods.

Counselling aggrieved persons at the ATAJO office

During my time working with ATAJO, I was confronted with a plethora of legal issues and conflicts on a daily basis. Listening to advice-seekers, redirecting them to further state agencies or other initiatives, engaging in legal counselling, filing reports and paperwork, comforting people and giving them advice were the principal tasks of the employees of ATAJO.

In other words, ATAJO's work can be understood as a service provided for citizens who belong to underserved communities. Accordingly, it is not surprising that the employees see themselves more as caregivers and less as indifferent bureaucrats or as simple enforcers of the usual tasks of a typical prosecutor's office, namely criminal prosecution. Whenever people arrived at the ATAJO office and explained that they had an issue relating to practices of *anticrético*, I always sensed a slight tension amongst the employees – a sentiment of unease that often became explicit in Verena's sighing. This tension was also palpable when Francisco and Melina arrived at the ATAJO office. They had recently arrived in Buenos Aires, and the first thing for them to do was to look for a place to stay. They felt lucky to find a person who offered them an *anticrético*, and they immediately signed a contract with the counterpart. When they handed the papers over to Martina, the lawyer of the ATAJO office, she only shook her head and said, without even skimming the papers:

This contract is not valid! It's a scam. *Anticrético* is not legally regulated in Argentina. They made you sign a fantasy paper. I am sure that even the name of the credit-taker is false. I am sorry, our hands are tied; we cannot prosecute this case. If you do not find a personal agreement, it is very unlikely that you will get your money back.

The husband looked puzzled and responded: 'But I don't understand. We made this deal with Doña Gladys; she is known all over the neighbourhood. The delegates of the block should intervene!' Verena slowly shook her head:

They won't because they don't want to get in trouble with these people. They are afraid because they know that this lady most certainly has good relations with some gunmen. You should get used to the idea that the money is gone. And you should try to overcome your anger; otherwise, you will direct your frustration towards each other or towards your children. You have to find peace. You know . . . this neighbourhood is getting worse every day. You cannot trust your own shadow! You have to get used to this, and you have to be wary all the time!

The couple, which had already arrived in a crestfallen mood, did not look happy at all after this explanation, but they attentively listened to Verena's advice:

You cannot trust what people tell you in this neighbourhood. There are a lot of shady people, and you have already experienced it. For the future, we recommend you come to this office, so we can check a contract before you sign it. We will check if everything is correct. So, if you run into problems again, we can help you to make your claims.

The couple patiently listened to the advice and then left the state agency.

Not for the first time, the staff expressed dissatisfaction with not being able to do more. Every time a case involving an issue with *anticrético* was brought up, the staff at ATAJO became frustrated with their inability to help, given the position facing informal settlements, as indicated above: alongside the issue of property rights not being formally registered, individuals who exploit unsuspecting people may also be connected to networks of violent actors without fearing prosecution due to the low police control over these areas. The employees feel that their hands are tied and that they have the difficult task to deliver the bad news to the victims that their money is lost and that, in these combined settings of violence, limited police action and limited recourse to the law, they cannot obtain the justice they seek. The employees explained to me that it makes them feel tensed, uneasy and even frustrated to disappoint the hopes and expectations of advice-seekers and that the sentiment of powerlessness would often be overwhelming.

As indicated above, this powerlessness stems from the complex set of factors that characterise informal settlements and consequently influence conflicts as well as the possibilities for conflict intervention or resolution. First and foremost, a critical loophole in the *anticrético* arrangements is the absence of an official registry of property rights in informal settlements, which stems from the illegal occupation of vacant land and is also rooted in the reluctance of authorities to implement the promised urbanisation and legalisation efforts for these settlements (cf. Brizuela 2024). There is an informal registry of properties that is maintained by the elected delegates of each block of the neighbourhood (*delegado/as de manzana*). But the employees of ATAJO also know that there is often no willingness on the delegates' and the local community's part to get involved in such conflicts and to resolve the issue in informal ways. This reluctance to intervene is due to the fragility of the state monopoly on violence in neighbourhoods such as Villa 1-11-14, where criminal actors enforce their own rules and establish a reign of terror and of non-intervention (cf. Moreno Ponce 2016). Police forces only enter parts of the neighbourhood sporadically or under special security measures, as armed attacks by criminal actors are highly likely. In conversations with other advice-seekers and neighbourhood residents, we were often told that they had detailed information about the criminal activities taking place but were forced to remain silent out of fear of retaliation by these criminal actors.

The legal counsellors explained that they themselves felt overwhelmed and powerless in this setting and that instead of promising

legal solutions that will not materialise they can only provide psychological advice and teachings on trust and mistrust. Martina verbalised her frustration about this situation: 'On a legal basis, we are doing absolutely nothing here. I wonder why I even studied law. We do life coaching here . . . or assistance, but you can barely call this "access to justice"!' In conversations with the team, the individual employees recognised the problem of Bolivian customs and acknowledged that the legal framing in Argentina does not cater to situations where such migrants overly rely on customary credit practices to obtain housing rights. These rights are not covered explicitly in Argentinian laws, and these legal practitioners have a huge task to help develop more awareness of how *anticrético* falls into a legal loophole that can be easily exploited amidst settings of violence and an enforced 'pact of silence' so that newcomers fall into traps based on their own trust practices. The immorality of such behaviour – making use of a credit practice to commit housing scams – was unanimously identified and condemned. The employees of ATAJO referred to different cultures of trust and pointed out that they see trustworthiness as a severe problem for social interaction in Argentina and particularly in the informal settlements. They attributed the conflicts of *anticrético* to these differing cultures of trust. While in their perspective Bolivian society might be characterised by high levels of trust, Argentinian society, on the other hand, was to be depicted by noting a culture of mistrust that is required because betrayal is considered to be always likely. In this view, conflicts arise principally because people who arrive in Argentina and are used to trustful interactions do not adapt sufficiently fast to such understandings of a culture of mistrust and fall short of a needed sense of generalised suspicion.

The ATAJO employees' views may be considered further in terms of historically grown cultures of trust as they are proposed by Piotr Sztompka (1999) or conceptualised as low- and high-trust societies by Francis Fukuyama (1996). The ATAJO employee Verena, accustomed to the housing scams cases, noted: 'You can't even trust your own shadow'. With this statement, she dramatically articulated her firm belief that it is generally not advisable to trust. In repeated conversations, other team members shared the view that elements of Argentinian society would be marked by abuses and betrayal. The likelihood of abuses leads persons to be very cautious in all social interactions. They note that migrants who rely on trust are unaware of the above-mentioned dynamics. According to these interlocutors, it was a common view that in general, Argentinians would constantly try to outsmart people, to the

disadvantage of those who are trustworthy. Trustworthy persons could be blamed for not being smart and attentive enough to see through the self-interested intentions of others. In other words, these interlocutors stated that, in cases of betrayal and abuse of trust, the trustor will be criticised and blamed for the naïve decision to trust. They claimed this behaviour not as an exclusive feature of interactions between strangers and downright warned me that taking advantage of others would be common also in close social relations such as between colleagues, neighbours, friends, kin, romantic partners, etc. Argentinians therefore would be accustomed to being attentive, wary, sceptical and mistrustful.

Like Mühlfried's description of mistrust as a defensive arrangement (2018: 7), they consider mistrust as a precaution to prevent being cheated and abused. For my conversation partners, mistrust and suspicion therefore can be read as an expression of smartness and alertness, whereas trust and trustworthiness are seen as expressions of naiveté and carelessness. The ATAJO employees believed that Bolivian migrants' unawareness of cultural differences and their difficulty adapting to these differences as the central problem.

Therefore, the ATAJO employees believed it to be necessary to support people who they consider cultural outsiders and help them to get used to circumstances and particularities in the Argentinian context, where, unlike trust-based relations in some rural settings, knowing how to protect oneself against scammers is expected to be a cultural competence. Bolivian migrants, who are accustomed to social transactions that are built on trust, social control and a certain notion of stability, need to acquire this cultural competence in their host country while also being aware of how informal settlements are marked by their own rules as set out by violent actors. The ATAJO employees identified them as a group prone to becoming victims of abuse and, therefore, in need of advice or guidance to understand the different trust and mistrust settings. The team members emphasised that it is advisable in these particular Argentinian settings to brace oneself with scepticism and generalised mistrust. Mistrusting, however, should not be narrowed down to being selectively or internally mistrustful. On the contrary, the street-level bureaucrats explained that performing, demonstrating and openly expressing a mistrustful attitude is the best way to dispel the impression of being naïve and careless. For them, being openly mistrustful signifies presenting oneself as smart, attentive and versed in Argentinian social interactions. Being vigilant and mistrustful, in their opinion, prevents people from being betrayed.

Attending the office of ATAJO and obtaining information there is regarded by the employees as a potential way to demonstrate such vigilance and mistrust. In other words, the ATAJO employees view their services in part as an invitation for people to make use of the office and its services: an opportunity to get a second opinion, have contracts reviewed and receive professional advice. Accordingly, they invite people to visit ATAJO whenever they enter an agreement or have a legal issue. To get first-hand information on legal principles in Argentina is seen by these street-level bureaucrats as a way to openly express the need to be wary and to prevent abuses.

Despite the staff's advocacy for mistrust, the state agency ATAJO, however, has the declared objective to foster trusting relations between local communities and the state institutions of the justice system (Axat 2014). ATAJO employees viewed the fostering of such trusting relations as mediated by personal encounters between advice-seekers and state personnel (Rohrer 2018). They refrained from considering trust in institutions as a more abstract relation as suggested by trust researchers who differentiate between social and political trust (e.g. Uslaner 2018). This perspective moves beyond views in the scholarship, where trust in institutions depends on images of legitimacy, performance and guiding ideas (cf. Endreß 2002: 59–60; Joxhe 2020). ATAJO employees are convinced that only personal and positive experiences with the state agency staff can contribute to a favourable perception of a state institution – especially when addressing situations where migrants need to extend their cultural competences into the Argentinian setting. This is where the ATAJO team still generally strives to create a positive experience for advice-seekers, even if their expectations cannot be met and despite the emphasis on teaching mistrust as a competence. As elsewhere, the rational legal system is designed to address issues with laws intended to provide justice. However, as this example shows, some issues fall outside the scope of the law – the problem is compounded when the issues relate to inadequate cultural competencies and interpretive issues of trust. In this context, with the issue being outside the scope of the legal system, it remains for the ATAJO team to place emphasis on other forms of support: they strive to act in a caring and supportive manner, aiming to still create a positive experience. Against this backdrop, as indicated above, the staff advocated for mistrust in all social relations but, at the same time, aspired to build trusting relationships (Rohrer 2018), which may seem contradictory.

The employees do not see ATAJO as a bastion of trustworthiness either but allow advice-seekers to take a critical stance. ATAJO employees

expose themselves and their unit to critical and mistrustful scrutiny and encourage scepticism towards other state institutions as well. For example, they urge those seeking advice not to trust the information provided by police officers, as certain officers may prioritize their own interests and internal power structures of the police force over the interests of the citizens. This perspective reflects the belief of street-level bureaucrats that such police in informal settlements follow their own agenda, focusing primarily on repression, showing little concern for the challenges faced by the residents, and possibly being involved in criminal activities themselves. The staff explained that it is their best option to be frank and honest also about their own powerlessness to provide short-term solutions for the affected individuals, instead of arousing false hope and expectations. They state that there is no legal solution for the advice-seekers' problems. Here, they stress that it is not their own unwillingness and lack of motivation that impedes the prosecution but the prerequisite that the property specified in an *anticrético* contract be registered in the corresponding public registry. Since such legal recourse is not available to informal settlements, it is more appropriate to speak of *anticrético* agreements or arrangements instead of legally binding contracts. I observed that the state employees also share their critical views about the problem where no formal regulation of property rights is possible in informal settlements, as well as about the reluctance of political actors to advance the urbanisation and legalisation of the shantytowns. This contributes to the perceived limitations about the justice system without appreciating that it cannot intervene in conflicts arising from agreements. They thus disseminated knowledge about the capacities of the juridical institution in relation to migrants' expectations. Since these information sessions as 'teachable moments' are limited to brief interactions between advice-seekers and the team, often occurring only once, the legal counsellors sometimes felt unsure about the outcome when they advocated for mistrust. The bottom line is that the interventions of ATAJO staff are not aimed at convincing people of the trustworthiness of state judicial institutions. The staff rather emphasizes empowering citizens, particularly migrants, to become critically aware – and adopt a mistrustful stance – whether in direct social interactions or in relation to state institutions. Further, they allow people to decide for themselves whether the services of ATAJO are to be trusted or not. This approach to incorporate an understanding of how scepticism is used as a cultural competence relates to an image of critical citizenship as proposed by Pierre Rosanvallon (2017), who believes that democracy not only requires political participation but

also contestation. Those seeking advice are prompted to embrace a critical citizenship mindset and to understand that a sense of mistrust as a critical mechanism should be deployed generally, including towards the staff and the state's judicial agencies.

Conclusion

The ethnographic example examined in this article has illustrated how informal credit practices, which originate in Bolivia and are applied in neighbourhoods with a high percentage of migrants in Argentina, cause conflicts. Scammers understand that in informal settlements they can operate outside the law with minimum attention from the police, taking advantage of people and convincing them to enter into fraudulent agreements. Scammers operate in a comfortable zone where prosecution is very difficult and in which they can stop other types of complaints by resorting to threats and violence. In the special prosecutor's office, ATAJO, where underserved communities are provided access to the justice system, the staff see themselves unable to help victims of scams and to provide legal solutions, because there is no formal regulation of property rights in informal settlements and because state authority and the law are weakly enforced in these areas. They therefore take on a caregiver role and strive to empower the advice-seekers in their development into critical citizens. Instead of understanding the scamming as a problem of the limits of the rule of law and its enforcement, the ATAJO employees frame it in terms of trust and mistrust as concepts embedded in a social and cultural context. This perspective aligns with the anthropology of mistrust, which also highlights the significance of the social and cultural framework of trust and mistrust (cf. Carey 2017; Mühlfried 2018). However, these works do not focus on or address the encounters between people from different cultural backgrounds. As the example illustrates, such inter-cultural issues and contexts can not only lead to problems but also make street-level bureaucrats aware of their own powerlessness in settings characterised by forms of injustices that exceed the scope of available legal solutions. For them, the way to counter such sentiments of powerlessness is to give advice-seekers brief guidance on the use of mistrust in Argentina and to offer the services through the state institution they represent by utilising a practice of mistrust for advice-seekers to consider. This may seem contradictory when one considers that their intention is to develop trustful relations with the local community. However, they do

encourage general mistrust and consequently also expose themselves to the mistrust of advice-seekers. They see this form of vigilance as a competence needed to avoid pitfalls and to understand how to deal with scammers ready to fool those who are unaware of such practices. In their role as caring street-level bureaucrats committed to fostering an empowered citizenry, this promotion of mistrust also aligns with their view that citizens should maintain a certain degree of scepticism towards the state.



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