ARTICLE

"The state is something that disappoints": legal consciousness amid institutional dissatisfaction

Mayra Feddersen[1] (iD), Javier Wilenmann[1], Julia Cavieres[2] and Maite Gambardella[3]

[1]School of Law, Universidad Adolfo Ibáñez, Santiago, Chile, [2]Social Sciences, Universidad Diego Portales, Santiago, Chile and [3]Legal and Legislative Division of the Ministry General Secretariat of the Presidency, Chilean Government, Santiago, Chile

Corresponding author: Mayra Feddersen; Email: mayra.feddersen@uai.cl

Abstract

Through the lens of legal consciousness, this paper analyzes institutional dissatisfaction within the backdrop of profound skepticism directed at formal institutions, particularly within the context of post-October 2019 Chilean society. It aims at inquiring into the relationship between the expression of deep state antipathy and the stance that individuals manifest regarding legality. The paper reports on the findings derived from 12 focus groups, categorized by age, gender and location. We find that despite prevalent negative sentiments harbored by individuals toward these establishments, interviewees continue to use the language of law, expressing their dissatisfaction as frustrated formal entitlements or a lack of enforcement of the law regarding corrupt elites. We conclude that the existence of a gap between normative expectations and the acute rejection of the fulfillment of those expectations by institutional actors points to a structure of opportunities conducive to the emergence of more authoritative forms of state power.

Keywords: legal consciousness; institutional dissatisfaction; state antipathy; legality; everyday lives; legal alienation; state authority; legal hegemony; social unrest; institutional consciousness

Introduction

On October 18, 2019, a massive – and, at times, violent – uprising ignited in Chile, a country often touted as the most stable and prosperous in Latin America. While years of polls and surveys had consistently revealed remarkably low levels of trust in formal institutions, October 2019 saw these sentiments transformed into anger and aggression. "Let Chile end" was a common motto of the protests; a short statement of rejection of the political and institutional order *tout court* in a country whose self-portrayal emphasized legalism and compliance (Wilenmann and Feddersen 2023).

Internationally, dissatisfaction with institutions has gained significant attention as a pressing contemporary concern. Scholars in legal studies (Scheppele 2018: 582) and sociolegal research (Chua 2019; Yarbrough et al. 2023) have called for an exploration of its implications for the rule of law and the rise of authoritarianism. Remarkably,

however, only a limited number of sociolegal researchers have investigated whether the pronounced estrangement from formal institutions leads to shifts in individuals' interactions with the law. Do contemporary phenomena of deep state antipathy point to changes in how citizens experience formal law and the expectations that they hold toward it?

This very question has been the subject of recent legal consciousness scholarship (Halliday 2019: 867–0). Legal consciousness scholars have long delved into the role that law and legality play in the everyday lives of citizens. According to a research tradition that has been labeled "the hegemony school" of legal consciousness (Chua and Engel 2019), even when citizens frequently exhibit strong resistance toward formal law, the cultural practice of legality contributes to the continual reinforcement of state and legal hegemony (Ewick and Silbey 2020; 1998; Merry 1990; Sarat 1990). In 2018, Marc Hertogh introduced the concept of legal alienation to challenge this notion of legal hegemony. His research indicates that contemporary citizens are increasingly distrustful of legal institutions, and the laws of the state play a diminishing role in their day-to-day existence (Hertogh 2018: 9–11). That research suggests that during times of acute hostility toward state institutions, the assumption of legal hegemony can no longer be taken for granted (Halliday 2019). Contradictorily, citizens simultaneously hold elevated expectations of legal enforcement, while recent trends in state antipathy have led to a shift toward greater popular support for more assertive forms of state and legal power. How can we explain this puzzle?

In examining this seeming paradox, our paper leverages the profound alienation felt toward state institutions in the aftermath of the Chilean Spring to examine whether institutional dissatisfaction translates into legal alienation. To achieve this objective, between October 2021 and January 2022, we convened 12 focus groups consisting of ordinary participants from Santiago, strategically grouped by age, gender and locality. Our sampling approach aimed to leverage both similarities and distinctions along these dimensions, thereby identifying shared perspectives concerning the state and the law in conversations with everyday Chileans. In total, we engaged with 72 individuals residing within the same county, a few miles away from each other.

Within these discussions, as anticipated, participants expressed strong antipathy and rejection of state authority. However, we discerned recurring yet ambivalent frameworks that evoked the practice of legality. In other words, while many frameworks reflected cynical outlooks toward state authority – i.e., participants frequently depicted state regulations and their enforcement ("the law") as instruments manipulated by politicians to exploit ordinary citizens – the language of the law often served concurrently to delineate their often-unmet expectations as entitlements to rights, prospects for stringent enforcement against elites and a rationale for rejecting or expecting the delivery of state services.

Building upon these findings, we argue that the concept of legal alienation inadequately captures the relationship contemporary citizens maintain with the law in their expression of institutional dissatisfaction. Even in contexts where individuals openly reject state authority, they frequently engage with notions of legality and hold firm beliefs in formal legal entitlements, accompanied by substantial expectations of rigorous enforcement. Our contention aligns with the initial findings of Ewick and Silbey (1998), and our discoveries may even amplify their assertions in a more profound manner: the existence of a disparity between expectations tied to the law and a robust

rejection of the fulfillment of those expectations by institutional actors might indicate a framework of opportunities conducive to the emergence of more authoritative forms of state power.

Our study contributes to the ongoing discourse around legal alienation and legal hegemony by presenting evidence of the enduring cultural utilization of legality in a context of deep state antipathy (Ewick and Silbey 2020; Halliday 2019). In the wake of a major moment of political unrest, our participants commonly held views hostile to state institutions but expressed and justified them in terms connected to formal law. Moreover, it underscores the significance of exploring legal consciousness in conjunction with broader outlooks and attitudes toward state institutions. Our study reveals the interconnections and interdependence of interpretations and meanings linked to legality with viewpoints concerning formal establishments, encompassing perspectives about the role of state and local politics.

In the following sections, we position our study within the context of the legal consciousness tradition and the discourse on legal alienation; provide contextual information regarding the Chilean uprising; outline our methodologies and case selection; and detail our findings and introduce theoretically and empirically grounded discussions.

Legal consciousness in times of dissent

Our study connects the examination of legal consciousness within contexts marked by profound antipathy toward state institutions. Legal consciousness pertains to the body of literature exploring individuals' "experience, understanding, and action" in relation to a specific institution, namely "law" (Chua and Engel 2019: 336). For legal consciousness scholars, law or "legality" is a cultural practice embedded in intricate practices of constructing meaning (Marshall 2003; Marshall and Barclay 2003) and interacting with others (Clair 2020; Young 2014; Young and Billings 2020). Individuals invoke and thereby actualize "law" or "legality," employing various frames for distinct purposes in their daily lives. This encompasses endowing their arguments with authoritative weight by referring to the law, opposing or illustrating resistance against external forces or utilizing it strategically to achieve outcomes (Ewick and Silbey 1998).

Cultural sociologists relate attitudes toward institutions to the set of shared collective beliefs used by individuals in navigating their surroundings and comprehending their daily lives, accentuating certain facets while downplaying others (Small 2002: 22; Small et al. 2010). We broadly term this cultural shaping of institutions as "institutional consciousness." Here, we are concerned broadly with frames related to government and state institutions. We label as "institutional consciousness" the frames that define and give meaning to the views that individuals hold about the state and its agencies and services. Such frames shape individual perceptions of what institutions are, their operations, legitimacy and viability (Desmond et al. 2016: 858; Kirk and Papachristos 2011). These frames disseminate within social groups delineated by spatial (neighborhood), class or cohort proximity, with contemporary mass communication expanding their reach beyond enclosed circles (Gupta 1995; Thelen et al. 2014). They influence the attitudes and behavior that individuals develop toward state institutions. We specifically label "institutional dissatisfaction" attitudes and practices that manifest rejection of state institutions.

Legal consciousness refers to the subset of the circulating cultural frames that concern law or legality. Legal consciousness researchers have commonly used the concept of legal consciousness to relate to both informal processes defining rules and expectations and formal state law. Just as our interest resides in state institutions in general, our concern rests solely with the cultural frames related to formal law. Legal consciousness consequently represents a specific manifestation of the broader notion of institutional consciousness to which we refer in this paper.

As institutional cultural frames circulate through social groups, they exhibit heterogeneity. These frames do not conform to a singular elite perspective, but rather display variations in attitudes and interpretations both *between* and *within* social groups (Cowan 2004: 929; Hilbink et al. 2022: 5; Koch 2017; 2018). Structural disparities and inequality undoubtedly influence between-group differences in their grasp of institutions. As underscored by legal consciousness researchers (Chua 2012; Chua and Engel 2019; Merry 1990; Nielsen 2000), the myriad images and perceptions linked to the law "are inseparable from the conditions of possibility within [people's] legal, economic, and institutional environments" (Ellen et al. 2012: 7).

The discourse on legal alienation targets a strand of legal consciousness research focused on unpacking the cultural hegemony of formal law (Chua and Engel 2019: 339). Emerging from the foundations of critical legal studies (Halliday 2019), the hegemony perspective within legal consciousness aims to expose the dominant role that "law" assumes in contemporary societal contexts, despite the consistent disappointment of its ideals of equality and justice (Ewick and Silbey 2003; 2020; 1998; Halliday and Morgan 2013; Sarat 1990).

While sharing similar objectives with critical legal scholars, legal consciousness departs from the discursive and speculative approach of earlier critical work (Liu 2015: 3–4; Munger and Serron 1984). Pioneers in this field attempted to uncover the underpinnings of state hegemony in the experiences of ordinary citizens, tracing its cultural mechanisms of perpetuation through sophisticated qualitative research that explores how everyday individuals employ cultural frames in their narratives (Ewick and Silbey 1998). According to them, legal consciousness stands as a pivotal mechanism in the perpetuation of hegemony because of the multiple cultural uses associated with the language of legality. Does this view hold in times of institutional dissatisfaction?

As far as we can see, the literature does not provide direct answers to these inquiries. The primary contribution, thus far, centers around Hertogh's (2018) attempt to revive the concept of legal alienation. According to Hertogh (p. 54), contrary to the hegemony thesis, contemporary individuals display broad indications of distrust and dismissal of the law. An individual voices dissatisfaction and ire regarding the handling of a car accident that led to the death of relatives, gaining substantial online support; members of school communities feel disconnected from the legal handling of anti-discrimination matters. Contrary to perceiving "an American romance with law," Hertogh (2018: 15) notes a "progressive divorce" from it in his Dutch case studies. In contrast to "hegemony," Hertogh characterizes this condition through the concept of legal alienation: "when people are listening to the discourse of the law, they can no longer identify their voice at all" (p. 55).

However, it remains uncertain whether the practices Hertogh highlights signify profound shifts in the cultural utilization associated with legality or whether they represent mere minor acts of resistance embedded within the spectrum of legality's uses

Table 1. Attitudes toward institutions and cultural frames of justification

	Low legalistic justifications	Strong legalistic justifications
Limited antipathy toward institutions	Non-legalistic institutional hegemony	Legalistic institutional hegemony
Strong antipathy toward institutions	Legal and institutional alienation	Legal insufficiency

(Silbey 2005: 333). "All that is required is that the order of things seem inevitable" (Ewick and Silbey 2020). These practices might even constitute opportunities for stronger manifestations of legal and state hegemony, at least within specific social groups. Much like the desire for stricter penalties illustrated in Hertogh's initial case, many contemporary critical movements and individuals do not entirely reject legal authority; rather, they advocate for more robust manifestations of it, demanding stricter enforcement (Koch 2017; 2018), expressing discontent with the appropriation of the law by elites and fostering potential for the emergence of legalistic authoritarianism or analogous outcomes (de Sa e Silva 2022; 2023; Halliday 2019; Payne and de Souza Santos 2020; Yarbrough et al. 2023).

The differences in outcomes observed by Hertogh and the proponents of legal hegemony stem from differing interests. In Hertogh's formulation, legal alienation signifies the aggregation of attitudes of rejection toward formal institutions that stand in contrast with an idealized conception of the law ("they can no longer identify their voice"). Conversely, as championed by the hegemony school, legal hegemony manifests in the persistence of social linguistic practices and actions that materialize the institutions. Hegemony would manifest in resigned compliance without requiring consent. Even though individuals or social groups may harbor unfavorable opinions of institutions, including resistance, they still engage with them in ways that actualize their functions.

To establish how and when contemporary frames point to deep estrangement toward the law, we need to look beyond simple expressions of rejection. During periods of antipathy, adverse perceptions of institutions and individuals holding institutional roles are likely prevalent among social groups. These negative views correspond with unmet expectations regarding state behavior.

Inquiring into the construction of those unmet expectations can help solve the puzzle of the coexistence of deep state antipathy and political views sympathetic to abstract legal authority. Rather than solely inquiring whether individuals utilize language favorable to legality ("consent hegemony") or if they exhibit attitudes of frustration or rejection of institutional authority ("alienation"), exploring the interplay between the attitudes and discourses of individuals in diverse social groups offers a more comprehensive understanding. Table 1 presents a straightforward analytical model to unravel this interplay and its implications for our research objectives.

Table 1 illustrates four simple relationships that social groups may establish with state institutions, delineated by two analytical dimensions: explicit stances toward said institutions and the cultural frames underpinning their validation.

Expressions denoting minimal or no antipathy toward state institutions signify acceptance or consent. Social groups can cultivate acceptance of state authority, either with or without recurring reference to legalistic frameworks. Acceptance or

valuation of state establishments may be founded on positive perceived outcomes, moral rationales beyond legal authority or other non-legalistic grounds. Alternatively, acceptance might stem from an aura of authority ("beyond the law") intrinsically linked with the law. Conversely, in contexts of strong antipathy toward state institutions, a limited use of legalistic justifications may point to a deep phenomenon of legal alienation in a group. But individuals may also exhibit attitudes of rejection of state authority and base those attitudes on deeply legalistic expectations: illegality, lack of enforcement, a will to enforce the law on them and other similar frames may be mobilized to justify institutional dissatisfaction.

As we will see, the difference between both situations is significant and points to different structures of opportunity for political action. If institutional dissatisfaction expresses itself by reference to unmet expectations regarding legality – legal insufficiency – it might indicate propensities toward more authoritarian frameworks.

Data and methods

Research design

To study legal consciousness in the context of institutional dissatisfaction, we studied the frames mobilized by ordinary individuals to give an account of their relationships to formal institutions. To achieve this, we employed focus group research.

The central methodological benchmark in legal consciousness research is still Ewick and Silbey's (1998) groundbreaking work, who carried out in-depth interviews of ordinary citizens about their daily affairs in an effort to capture common narratives about the law. Researchers have often followed on their footsteps, using interviews of more specific groups of the population such as radical environmental activists (Fritsvold 2009), community and student activists (Masiangoako 2019), same-sex couples (Hull 2003), HIV caregivers (Heimer and Tolman 2021), immigrants (Abrego 2019) or anti-torture activists (de Sa e Silva 2020). Interviews are often linked to ethnographic participant observation, providing a richer understanding of daily interactions. These methodologies offer advantages over group-based instruments, facilitating access to personal narratives and contextual comprehension.

Nevertheless, focus groups fit well with our research assumption that institutional consciousness manifests and reproduces in group-specific frames that vary across space, class, age and gender. They allow to observe similar and dissimilar discourses and narratives developed in within-group settings and serve to connect them to similar or dissimilar stances toward institutions between-groups. Given that cultural frameworks form and circulate along these dimensions, a focus group design structured around pertinent dimensions aligns with the research focus. Focus groups also facilitate the examination of discursive interactions indicative of cultural practices associated with legality (Hendley 2017; Hilbink et al. 2022; Liu 2023).

Our sampling strategy partitioned our groups of interest along three dimensions: geographical, via the clustering of participants according to historical neighborhoods within our research site; gender, by distinguishing between male and female participants; and age, by categorizing individuals as either over or under 35 years of age, with all participants aged 18 years or older.

Considering the substantial segregation in our research area and the diverse socioeconomic profiles exhibited by our neighborhoods, we determined that the

territorial dimension suffced to explore variances linked to socioeconomic disparities. Consequently, we assembled 12 groups ($N = 3 \times 2 \times 2$), ultimately comprising 72 participants in our focus group sessions.

Research context and site

Conducted against the backdrop of the 2019 social uprising in Chile, our research was set in a context of pronounced aversion toward legal, political and institutional domains that defied the elite portrayal of the country as a bastion of stability (Somma et al. 2020). This event underscored the deep-seated rejection of institutions that local researchers had been denouncing for decades based on plummeting reported trust in institutions (Bargsted et al. 2017; Jara 2014; Segovia et al. 2008), declining electoral participation (PNUD 2017; 2019) and a rising number of violent protests (Donoso 2017; Medel and Somma 2016; Somma 2017; Somma et al. 2019).

Local research on institutional dissatisfaction has been dominated for decades by structuralist discussions on the causes of the "Chilean social malaise" (González 2016; Orchard and Jiménez 2016). Under this label, local scholars discuss the structural causes of the enduring perceptions of dissatisfaction with social life, despite a substantial increase in economic outcomes connected to working and middle classes. "Capitalist modernization" – the downfall of authority in the passage from a traditional society to abstract interdependence and anonymous exchanges – following the Pinochet dictatorship (Brunner 1994; Peña 2021) or neoliberal emphasis on the irrelevance of political institutions (Moulian 1997; lately, Ruiz Encina 2019; Ruiz Encina and Boccardo 2014) would explain the acute levels of institutional antipathy in a rather successful country. Despite this, bottom-up, cultural accounts have started to acquire increasing relevance in explaining specific aspects of institutional dissatisfaction, including trust in authorities (Araujo 2019; 2022; Gerber et al. 2021) and access to justice (Hilbink et al. 2022). We build on these insights but focus on the so far unstudied subject of legal consciousness.

Our research sites encompass the neighborhoods of Lo Hermida, La Faena and Peñalolén Nuevo within the Peñalolén county in Santiago, Chile. Situated on the eastern side of Santiago, Peñalolén is an urban expanse nestled against the Andes mountains. Originally rural, it witnessed the emergence of informal slums (referred to as *poblaciones callampas*) in the 1950s as impoverished rural migrants sought refuge from the congestion in the city's central and western regions. This gave rise to communities characterized by a strong sense of collective action. Bolstered by state assistance, these informal settlements eventually evolved into two historical urban neighborhoods for social housing in Peñalolén: La Faena and Lo Hermida (Corporación Villa Grimaldi 2019: 5). These developments aimed to provide affordable housing in semi-urbanized and formalized surroundings for economically disadvantaged families across the city. However, the living conditions in these neighborhoods remained poor and detached from essential services for several decades.

Up until the late 1980s, Peñalolén continued to be perceived as a semi-urban area grappling with socioeconomic challenges, particularly within areas like La Faena and Lo Hermida. Despite this perception, the presence of available land and the picturesque mountainous backdrop rendered Peñalolén appealing to more affluent buyers during a period of economic growth. Thus, unlike much of Santiago, Peñalolén comprises
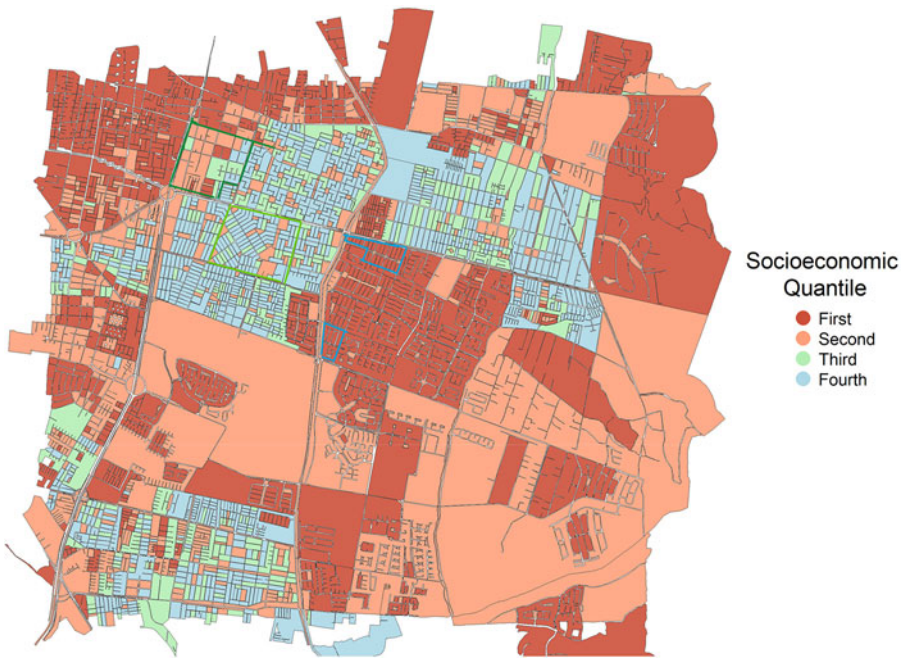
Figure 1. Socioeconomic profile of Peñalolén and sampled neighborhoods. *Source*: Observatorio de Ciudades UC after Chile census 2012.
Note: The plotted socioeconomic quantile corresponds to the discretized distribution of an indicator of socioeconomic level by urban blocks provided by Observatorio de Ciudades. The three highlighted areas show our recruitment zone (blue = Nuevo Peñalolén, light green = Lo Hermida and dark green = La Faena).

a juxtaposition of densely populated lower and working-class neighborhoods, gated communities inhabited by middle classes and expansive regions inhabited by the wealthy.

Peñalolén boasts several attributes making it an apt research site for our investigation. Both La Faena and Lo Hermida are historical, populous neighborhoods in Santiago with distinctive urban cultures. Their contrast enables us to observe variations while maintaining socioeconomic continuity: Lo Hermida has a history of political resistance against state authority that La Faena lacks. Moreover, Peñalolén exhibits significant socioeconomic diversity, enabling us to leverage disparities while holding constant some formal institutional factors, such as county authorities. This characteristic is atypical in the highly segregated context of Santiago. Figure 1 graphically delineates these diverse profiles and pinpoints our recruitment sites.

Recruitment process

Employing a purposeful sampling approach, we engaged a seasoned consultant firm with expertise in territorial recruitment. By delineating the boundaries of La Faena and Lo Hermida and leveraging our familiarity with less constrained areas in Nuevo Peñalolén, we meticulously canvassed the designated locales and furnished the map to

the consulting firm. Their directive encompassed traversing the three neighborhoods and enlisting participants by personally visiting residences.

The firm's personnel approached an average of 178 households in each neighborhood, totaling 535 houses. During their interactions, the recruiters sought residents willing to partake in a study conducted by a university-affiliated research center.[1]

Across the three neighborhoods, responses were garnered from 535 households. From this pool, 227 residents declined participation, constituting 66% of the total approached. Conversely, 307 individuals affirmed their willingness to engage. Within this set, the recruiters applied criteria centered around age and gender, subsequently requesting contact information. These identified individuals were subsequently contacted both a few days prior to the scheduled focus group and on the day meeting to remind them of the event and of the stipulated incentive for their involvement – a gift card valued at approximately USD 20. Owing to the possibility of last-minute withdrawals, the firm secured between 20 and 10 participants for each neighborhood. In aggregate, 127 individuals were contacted again, of whom 72 ultimately participated and remained engaged until the culmination of the Zoom session, reflecting a response rate of 56%.[2]

Due to prevailing health-related constraints during our fieldwork, we harnessed the Zoom platform to facilitate 12 online focus group sessions spanning the period from October 2021 to January 2022. One of the authors moderated all sessions.

Focus groups script

We structured our script into three distinct segments. In the initial part, our focus centered on the associations linked to the term "state." The script prompted the moderator to ask participants to provide the first three words that came to their mind in relation to that term. Our choice to initially emphasize the multifaceted concept of the "state" rather than "law" (derecho, ley) served two specific purposes: to establish the framework of discussion and to help break the ice.

First, institutional dissatisfaction as a systemic phenomenon hardly expresses itself in connection with the term law – at least in Chile. Instances of discontent or unease tend to align with constructs such as "state" or "system" as opposed to "law" (Araujo 2019; 2022). In addition, legal consciousness research conventionally sidesteps direct inquiries into individuals' perceptions of the law in order to avert potential biases. Researchers link the cultural frameworks associated with the law to individuals' narratives or discourses on broader subjects. A final rationale rests on our specific research objectives: our intention to investigate legal consciousness in conjunction with broader perceptions of institutional dissatisfaction necessitated a more encompassing approach than confining ourselves to the narrower realm of the "law."

In the following phase, the script provided that the moderator asked the participants about "their experiences with state institutions and its agents" and instructed her to guide them to share concrete encounters and to justify and follow up on their evaluative viewpoints. Where conversations remained purely on an abstract plane, the moderator's role encompassed motivating participants to provide specific examples, organizations and personal experiences. This phase aimed to transform theoretical deliberations into tangible discussions, thereby alleviating the inherent ambiguities often associated with dialogues on institutional dissatisfaction.

Concluding the discussion, the third segment involved the moderator presenting inquiries concerning participant inclinations to comply with authoritative rules and to call the police. The script provided that the moderator asked the participants "how they would react if they saw young males using drugs in their neighborhood." This segment sought to prompt participants to engage in conversations about normative authority. In tandem, participants were invited to complete an online survey during the Zoom session, soliciting their viewpoints on their willingness to engage with state authorities when confronted with instances of local youth consuming drugs in public spaces or protesters vandalizing public property in their vicinity – topics imbued with controversy and political significance in the aftermath of the 2019 upheaval. After collecting their responses, the moderator shared them with the entire group to foster the discussion.

The duration of each Zoom meeting averaged between 60 and 90 min. Comprehensive audio recordings of all sessions were obtained and subsequently transcribed verbatim to facilitate thorough analysis.

Analysis strategy

Our analytical approach aimed to capture both similarities and difference in the frames employed by participants across the dimensions of grouping, pertaining to their interactions with institutions and the strategies that they used to justify their stance.

We used the Dedoose software for transcription analysis. Our coding strategy followed an inductive path. We started by conducting a comprehensive review of all focus group sessions, deriving codes directly from the data. This preliminary phase yielded a total of 63 codes.

A second inductive refinement led to the consolidation of these initial 63 codes into 29 distinct codes. This categorization predominantly revolved around recurrent themes concerning participants' conceptions of the state (e.g., aspirations, disillusionment, personal interests and apathy), the values they associated with it (e.g., noble intentions, the protection of rights, justice and duties), the perceived disparities between values and state actions (e.g., ambition, inadequacy, resource scarcity, oppression and lack of control) and the general responses toward legal scenarios in hypothetical conflict contexts.

In a third stage, we meant to generate meaningful categories to relate our participants' stances toward institutions with the uses associated with the language of law and to link these findings with legal consciousness' categories.

As Ewick and Silbey's categories remain the benchmark in this area of research, we built our categories in this final stage by reference to them. Ewick and Silbey (1998) describe three different categories enacted by ordinary individuals to both resist the actions of individuals acting according to them as much as to draw on symbolic sources of power or influence of legality. "Before the law" describes a cultural use wherein individuals invoke an entity imbued with notions of authority and fairness. "Against the law" refers to the treatment of legality as a constraining external force that justifies resistance actions. Finally, "with the law" implies treating legality as a strategic tool, akin to a game, that serves to satisfy divergent interests. Delving specifically into expressions of profound rejection of state authority, we incorporated insights from

researchers like Fritsvold (2009), Halliday and Morgan (2013) and De Girolamo (2022). These scholars have underscored the limitations of Ewick and Silbey's frameworks in capturing overt collective dissent concerning legality ("under the law"). They show that more radical groups generally use frames of rejection of state authority and formal law, show willingness to cynically mobilize the law to fulfill their objectives and consciously reject reifying state authority through "before the law" frames.

Findings

Recurring institutional frames and different stances of institutional dissatisfaction

During our focus group discussions, we discerned the presence of seven persistent frames. Table 2 summarizes their content and uses, their parallels with known legal consciousness frames and the noteworthy patterns of distribution in their use. Given the broader conceptual scope of our script (involving "state" and "institutions" rather than just "law"), we assigned labels and descriptions aimed at faithfully representing participant expressions. This table also highlights certain correspondences with legal consciousness frames, which we delve into more extensively in the ensuing discussion section.

Coping with the state entails narratives of grappling with state actions either directly or indirectly. Individuals employing this frame depict institutional processes as laden with emotional distress, challenges in attaining desired outcomes and the need for strategic coping mechanisms. For instance, a young woman from La Faena shared the experiences of people like her, remarking, "This place has two totally different scenes, you know. Uptown, it's a whole other world where people can afford things. But for us, it's a struggle because we are left to suffer with these (state) processes. It's just how things are for us, you know?" A young woman from Lo Hermida also remarked, "I don't want to offend anyone. But you often go to make an appointment to the doctor or to any public service and they treat you in an awful, awful way. So … no. As I was saying, there is nothing I can take positive from these experiences. It's all wrong for us, for common people that struggle. And we work our ass off anyway."

Beyond the state reflects dissatisfaction with areas of life connected to entitlement, necessitating adaptation and the pursuit of alternative solutions. For those with the means to access market-based alternatives, going beyond the state is seen as a privilege. A young man from Nuevo Peñalolén recounted his experience of obtaining private health insurance as "a lucky job perk. That's it." The contrast becomes more pronounced in less privileged cases.

Most prevalent among interviewees, *the state as conspiracy* frame portrays public institutions as part of an oligarchic conspiracy led by powerful figures (primarily politicians) benefiting at the expense of the poor. Individuals invoke this image to justify resistance to rules or explain the negative outcomes associated with public institutions. An older male from La Faena asserted that "the government, the president, all of them – just a bunch of thieves. They work together to keep the working class down and help themselves."

The *messy bureaucracy* circulates predominantly among the upper classes, linking unfavorable outcomes to inefficiency and warranting market-based actions due to state ineffectiveness, often tied to minor corruption. An older male from Nuevo Peñalolén summarized, "They (the state) might have good intentions or

Table 2. Recurring frames regarding institutions

Frame	Legal consciousness concept	Use	Higher group use
Coping with the state	With the law	Description of interaction with state institutions based on suffering and practical adaptation	Class (Lo Hermida and La Faena) and gender (females)
Beyond the state	–	Portrays the inefficacy of state processes or institutional absence. Need to look for market or community solutions	Use varies by class, but ubiquitous
The messy bureaucracy	Against the law	Structural explanation of state inefficacy. Justifies need to move beyond it	Upper middle class, older males
State as oppression	Under the law	Justifies rejection and resistance of institutional processes based on domination	Lo Hermida, older cohorts
The state as conspiracy	Against the law	Explains negative performance of state processes based on political corruption. Sometimes justifies noncompliance	Class (La Faena and Lo Hermida)
The state as aspiration	Before the law	Describes the state based on mainstream, elite conceptions. Typically used to express a gap and deception	Use varies by class, but ubiquitous
State as normative authority	Before the law	Authoritative invocation of rules and values to justify opinions and aspirations	Use varies by class, but ubiquitous

ideas, but they struggle to put them into practice, in real life. Why? Instead of hiring capable individuals, they often choose their friends or members of a political party."

The *state as oppression* frame depicts institutions as manifestations of authoritative power aimed at dominating others. Although less common, it circulates extensively among the older groups in Lo Hermida. As described by an older female, "You know, the state is just an oppression system of the poor. I'm talking about all these local institutions like schools, hospitals and the municipality. They hardly bring any real benefits to the people. Let's take schools, for example – they're just shaping individuals to be like puppets for the state."

The *state as aspiration* aligns with democratic governance, social rights and similar conceptions of what government and law should be. These expectations are linked with abstract ideas and typically underscore a pronounced disconnect from the real world. A young woman from La Faena, when asked about her reference to law and justice in describing the state, explained, "What I'm saying is, those things aren't

Table 3. Recurring stances of institutional dissatisfaction

Group	Frames used	Stance
Lower-income groups	State as conspiracy and the state as normative authority	Institutional dissatisfaction as perception of unjust treatment and privilege
Lower-income females	Coping with the state, beyond the state and the state as aspiration	Institutional dissatisfaction as suffering, lack of (comparative) dignity. Betrayal of entitlements
Higher-income males	Messy bureaucracy, the state as conspiracy and beyond the state	Institutional dissatisfaction as justification of seeking private success
Lo Hermida	State as oppression. Often combined with state as conspiracy	Institutional dissatisfaction as resistance

obvious. You can't actually see them. Instead, it's clear that there's a lack of equality and justice. I mentioned justice, but it's more like corruption is prevalent."

Finally, the *state as authority* frame serves to rationalize viewpoints on proper conduct, regulations and values derived from authoritative sources, often highlighting expectations of compliance from others: As voiced by an older male from Nuevo Peñalolén, "There are laws I disagree with, but what holds our society together is having a set of rules, a rule of law." This corresponds to Ewick and Silbey's "before the law" frame. The frame emerged sparingly through direct association in the initial stages of our script. However, it surfaced more frequently – particularly for the purpose of critiquing the behavior of the privileged – when prompted during the latter part of our script, specifically in the context of discussing expectations regarding rule compliance among peers.

These frames do not constitute a mutually exclusive typology of attitudes toward public institutions ("the state"), but rather represent prevalent scripts mobilized within our groups, reflecting taken-for-granted combinations of ideas about institutions. Our central contention is that these recurring combinations and usage patterns across grouping dimensions signify distinct connotations associated with expressions of institutional dissatisfaction, portraying varied modes of engagement with institutions. In this context, Table 3 offers an overview of the divergent stances intrinsic to institutional dissatisfaction, as per our analysis.

In the following subsections, we structure the presentation of our findings according to Table 3.

The state as manifestation of unjust treatment and privilege

The first stance of institutional dissatisfaction originates from a viewpoint prevalent in lower-income neighborhoods. Participants often link the term "state" with the privilege and corruption of a few individuals that come at the expense of the broader population. They present morally charged narratives of state shortcomings based on these attributes, rationalizing their skeptical and offended attitudes due to perceived injustices and inequality. This perception extends to the notion of the law,

where regulations and processes are easily depicted as tools used by the powerful to serve their interests.

This viewpoint becomes evident primarily through participants' immediate associations with the term "state." In both La Faena and Lo Hermida, individuals from various age groups and genders swiftly connect "state" with concepts grouped within the state as conspiracy frame: *distrust and incompetence, corruption and fraud*, or *power and lies*. A young female participant eloquently conveyed this rapid connection of ideas:

> *When you asked us about the state, the first words that popped into my head were "fraud" and "corruption." Like, when you asked, I was like, yeah, "corruption," that's the first thing that comes to mind.*

Responses linking "the state" to these adverse phenomena generally surfaced rapidly and garnered agreement from other participants. This pessimistic perspective often originated from the perception of a disparity between the ideal concept of the state and the actual conduct of public and political entities. Consequently, the notions of the state as aspiration and the state as conspiracy intertwined frequently. A young female participant from Lo Hermida succinctly encapsulated this viewpoint:

> *I hadn't spoken until now, but after hearing the others, I thought, "Yeah." The state, you know, like the first girl said. It's what we learn, what laws are supposed to be about. But then, yeah, we realize that the state doesn't really help the people, that it's messed up. In the end, it's all tied to bad stuff like corruption—even the President is connected to corruption. That's the whole picture: they're not keeping their promises, things are just done badly.*

This quote accentuates the disparity between the ideal and reality by contrasting the notion that "the state does not serve the people." Individuals from lower-income neighborhoods were undoubtedly aware of the lofty ideals underlying the concept of the state, but its invocation typically served to highlight its purely normative, even deceptive, nature.

This frame also frequently emerged when participants recounted negative experiences or outcomes stemming from state actions. Participants would quickly characterize the state as conspiracy to justify *perceptions of privilege and corruption* intertwined with inequality. An older female participant from Lo Hermida eloquently expressed this sentiment:

> *I'm on the same page as the other girls. So, what drives the state? I'd say it's power, money, ego—their need to fill their pockets. Just look at the history of each minister and president, and everything tied to the state. You'll see there are guys who've made millions and millions of pesos.. We had a President who's been elected twice, despite legal troubles, and yet the state just turns a blind eye.*

The state is essentially a collection of individuals reaping advantages. Accounts of privilege and self-indulgence among politicians provide a morally charged and legalistic explanation for state shortcomings. As articulated by a female participant from Lo

Hermida, the aspiration should be effective public service, but the prevailing perception of how the state operates is one of oligarchic entitlement, best encapsulated by envisioning the state as an individual or a collective entity:

> *The thing is, we need an honest state—above all else. If they're honest, things can actually change. But when you're dealing with dishonest folks, even the best intentions won't cut it. You can have all the right intentions, but if everyone else is just focused on lining their pockets, living luxuriously… There are so many who've flat out lied, and nothing ever happens to them… It's really a shame. So, if you're surrounded by people like that, who lack values, it's just not going to work.*

In contrast to these prevalent views in the Lo Hermida and La Faena groups, discussions in Nuevo Peñalolén typically commenced with abstract definitions of the state, often linking it to abstract concepts such as *national organization, authority, responsibility, social agreement* or specific government agencies (such as Congress, the Presidency and the courts). The formal and structured image of institutions predominantly influenced immediate associations.

Initial connections with feelings of disappointment or betrayal did not tend to emerge right away. Nonetheless, despite this initial difference, discussions in Nuevo Peñalolén also frequently shifted toward addressing the disillusionment with the functions or values that the state was intended to uphold. Participants often acknowledged that positive values or functions were theoretically attributed to the state, stating "of course, this is in theory," and then went on to explain the stark disparity between theory and reality.

The gendered experience of the state and institutional dissatisfaction

A second stance of institutional dissatisfaction materializes through narratives of disillusionment concerning the realization of entitlements related to the provision of social benefits and services. Across all neighborhoods, participants quickly associated the state with the delivery of social services like healthcare or education.

Most discussions concerning these entitlements emerged in the context of expressing dissatisfaction. Despite some accounts of positive experiences with state services, participants from lower-income backgrounds often conveyed strong feelings of rejection. These experiences were particularly vivid among lower-income females, the group that mobilized more prevalently in the "coping with the state" frame.

Three key concepts encapsulate the narratives employed by females in La Faena and Lo Hermida to describe and elucidate this frame: they associated institutional actions with *arbitrary requests, waiting periods* and *feelings of inequality* when compared to higher-income individuals who could afford these services. For instance, a young female participant from Lo Hermida combined these three categories to describe a single experience:

> *About five years back, my dad got cancer. We had to hop around various public hospitals just to find out what he was dealing with. We had to arrange raffles and fundraising events to gather money for his tests. Then this doctor comes along and says, "Get me a million pesos, and I can operate on him right away." But we didn't have that kind of cash at the*

time. It was like he was saying, "Pay up and we save your dad." It felt so degrading, not being able to save your dad's life because you can't afford it. So, I said to him, "Look, doc, we don't have that kind of money." And since we were near the Salvador Hospital, he goes, "Well, your only other option is to head to Salvador, wait however long it takes in the emergency room with your dad, so they're forced to admit him." It's just demeaning, you know? No money means you wait for hours just so they'll finally agree to admit him. In the end, after two days, he had the surgery. It's a real blow to either pay up or go through all that just to save a life.

The amalgamation of waiting, dealing with arbitrary requests and acknowledging the contrast between public and private services is evident in this story. Furthermore, this account highlights an experience that most participants associate with their interaction with public services – the realization that they are left to survive on their own. Individuals feel compelled to navigate through alternative means and resources. Coping with the state eventually leads to a rationale for seeking alternatives beyond the state.

The pervasive negative association of institutions with privilege or wealth, particularly prominent among lower-income groups, contributes to a sense of identity formation. The term "state" becomes synonymous with the challenges of daily life and the privileged class that is perceived as responsible for these challenges. This identification of a distinct, privileged group as the cause of such outcomes has been previously identified in the literature (Araujo 2009).

Male participants in lower-income groups also directed their attention toward the provision of social outcomes and generally held a pessimistic perspective. However, unlike their female counterparts, their accounts often centered around specific, isolated incidents. Consequently, their views appeared to hinge on their assessment of these individual encounters, as exemplified by a young male participant from La Faena:

Last year, my mom had a stroke. It was kind of an eye-opener for me because, in serious situations, the public system actually steps up. She got the necessary intervention within an hour, and everything turned out fine. So yeah, they might be slow sometimes, but they really do come through and do their job when it's really needed.

Participants from the higher-income neighborhood of Nuevo Peñalolén shared partially similar perceptions, albeit stemming from the experiences of others. Many of them had limited direct encounters with the provision of services by public institutions, and their opinions were often based on anecdotes they had to recall. Although they held varying positive or negative views rooted in these isolated experiences, they commonly acknowledged the inefficiency of state services and expressed their gratitude or relief for their ability to afford quality education and healthcare in the private sector.

In contrast to lower-income participants who frequently navigated state services and had accounts of seeking support beyond the state, a similar perspective emerged among higher-income individuals who enjoyed the privilege of not relying on state services. This perspective was characterized by the frame of the "messy bureaucracy." This particular frame converged at the intersection of class and gender. Specifically, older males in higher-income groups critiqued state services for their inefficiency,

convoluted procedures and lack of emphasis on effectiveness, seeing it as a structural characteristic:

> *Let me share a comparison. My daughter worked in public healthcare while I was at a private institution. In the private sector, we hustle to get more clients, serve more patients efficiently, and do it all within the coverage of public insurance. We practically worked miracles to cut costs. On the other hand, in the public sector, they did some odd things. They'd put up reading materials in waiting rooms just because some guy in an office thought it was a good idea. They even had these "administrative days," where they got paid to attend training sessions at the university. It's like a tale of two worlds.*

The prevailing notion in this context is that of the state being akin to a messy bureaucracy. The state is largely perceived as an inefficient and irrational apparatus that falls short of fulfilling individuals' social rights, as illustrated by the reference to people's right to health in the previous quote. This perception creates a structural necessity to adjust and rely on personal initiatives to thrive in Chilean society:

> *Whenever I've had to deal with the state, it's been a nightmare. The only path I've found to make any progress in this country is to rely on yourself and not count on anything from the state. Maybe collaborate with others who are in the same boat. That's also the way to truly help others.*

In contrast to the stance centered on enduring and struggling against the state and its laws, older, higher-income males constructed a form of institutional dissatisfaction rooted in triumph. They perceive the state as a disorderly hindrance that is bound to breed frustration. However, they view themselves as individuals who have successfully surmounted this hindrance and base their stance on this notion of resistance.

The state as normative authority across classes

Attitudes and beliefs concerning the law and rules imposed by authority displayed less diversity within the groups. Connections between the concepts of the state or law and matters of fundamental rules or security typically only emerged when directly queried during the final segment of the focus group. At this point, participants conveyed positive sentiments toward public order and adherence to rules in an abstract sense.

In all groups, there was a shared anticipation of compliance among their peers within the neighborhoods. However, participants seldom invoked state-imposed rules (referred to as "las leyes") to validate these expectations, instead drawing upon alternative sources. Frequently, they referenced an abstract notion of the rights of others. An older male participant from La Faena articulated this sentiment: "For me, the general criterion is that if my actions do not harm others, the community, or the neighborhood, then they are acceptable." Similarly, a young male from Lo Hermida stated, "If there are things that the law prohibits that don't negatively impact society, I won't follow. Laws are made for control. They need to address cases like sexual assault, which harm society."

On the topic of enforcement, variations were more pronounced across different groupings, replicating those beyond the state frame, particularly in the lower-income groups. Before discussing the hypothetical scenarios, we conducted a poll through the Zoom platform, querying participants about their willingness to contact the police in situations involving drug consumption in a neighborhood park or witnessing the destruction of public property, as we explained in the methodology section. In the Nuevo Peñalolén group, a majority expressed readiness to involve the police in such instances. Conversely, the majority in La Faena and Lo Hermida favored solutions rooted in family or community collaboration ("discussing with neighbors to find the best approach").

The rationale behind these responses was predominantly practical in nature. In the lower-income neighborhoods, many participants pointed out that the police would rarely respond, even to cases involving violence, rendering it futile to expect their intervention in less severe conflicts. In La Faena and Lo Hermida, the police were viewed as conspicuously absent, leaving residents with little confidence in their ability to respond to most problems. A young male from Lo Hermida captured this sentiment:

> In our area, we only reach out to the police for serious incidents like armed robbery or major violence, particularly if weapons are involved. However, for less significant matters, the neighbors tend to handle things amongst themselves. We no longer bring these minor cases to the police. We don't believe they'll pay much attention or care about these issues.

The inclination to refrain from involving the police except in cases of extreme violence is closely aligned with the distinct use of the beyond the state frames prevalent in lower-income neighborhoods. References to law enforcement were frequently linked with feelings of abandonment, leading participants to rationalize the necessity of seeking alternatives beyond state intervention. This contrasted with the sentiment in Nuevo Peñalolén, where participants exhibited a strong willingness to engage the police and were less inclined to attribute their absence to their relationship with law enforcement. However, some males did highlight the inefficacy and disorderliness of the police force in that context.

In La Faena and Lo Hermida, participants also identified two recurring practical factors influencing their reluctance to involve the police: a desire to prevent escalation and an anticipation of a significant need for police intervention. A sentiment shared by an older female participant from Lo Hermida encapsulates the first perspective:

> I mean, what's the benefit of calling the police? It could escalate into a bigger conflict where someone might end up dead. Maybe they lose a limb, maybe a person gets run over by a police car, or someone gets killed in a shootout or knife fight. I'm not sure. It seems like those who get into these situations have some kind of anger. And if you intervene or involve others, things are just going to get more chaotic and worse.

Other female participants echoed similar sentiments, expressing concern about the behaviors of "*los chiquillos*" ("the guys") while emphasizing that the only effective solution would be community engagement and providing constructive activities to occupy their time. Despite acknowledging problematic behaviors among these young

males and the resulting insecurity, older neighbors frequently resisted resorting to authority-based measures to address the issue.

Conversely, the widespread utilization of the state as a conspiracy frame was most commonly linked to the sole instance in which lower-income participants held high expectations for law enforcement: addressing corruption. Participants perceived politicians and businessmen as deeply corrupt figures who should, but often did not, adhere to regulations and faced minimal consequences even after being exposed. As expressed by a young male participant from Lo Hermida:

> *You know, it's like any politician can just break the law and get away with it. Take Piñera, the President back then, for example. He strolls on the beach without a mask, and it's not like he faces the same consequences we would. And these politicians, they can drive drunk, cause accidents, even fatalities, and nothing happens to them. Me? If I did any of that, I'd be in prison for sure. Look at what's happening now. If I threw a party with like 50 people at my place, we'd get punished. But what about those politicians' kids we saw in the news? I can't remember where it was exactly. Rich youngsters just seem to get off easy. They probably paid some kind of fine, but I doubt it was much.*

In summary, participants from all neighborhoods generally acknowledged the authoritative power of the law on an abstract level, yet their disposition toward compliance and enforcement was often influenced by consequential reasoning. An exception was when they expected consequences for corrupt behavior, although a pervasive sense of impunity prevailed.

Neighborhood and cohort-level variation: the state as oppression in Lo Hermida

In line with our research design, neighborhood-level differences became apparent when comparing responses from the Lo Hermida and La Faena groups – two groups sharing a similar socioeconomic background. Our analysis consistently revealed strong similarities between these groups, indicating that class plays a more pronounced role in shaping frames related to institutional dissatisfaction and legal consciousness in Chile. However, a significant divergence emerged at the neighborhood level: the frequent utilization of the "state as oppression" frame by participants from Lo Hermida, which was notably absent in La Faena.

The "state as oppression" frame aligns with politically articulated images of resistance, portraying state processes as instruments of control wielded by a dominant group. This perspective perceives the state as a tool for exerting power over the people. Within the older Lo Hermida groups – both among males and females – narratives and explanations grounded in this view were prevalent. They manifested primarily through direct associations of the state and the law, with descriptions of oppression rooted in Chilean history and politics. As articulated by an older male participant:

> *To me, the state embodies the military control in the Araucania region. And I agree with what the other person mentioned: the state represents dispossession, those nationalist symbols of the homeland. It's like this blind patriotism, this mindless nationalism. These are the things that directly come to mind when I think about institutions.*

Similar sentiments were also evident in the older female group. A succinct summary of this perspective came from one participant: "Honestly, the state is just a system of oppressing the people."

We did not observe a significant prevalence of this politically charged discourse among younger participants in Lo Hermida. While the reasons behind these generational differences remain unclear, it is possible that the history of resistance against the dictatorship in Lo Hermida contributes to the heightened use of this language by older individuals.

A second aspect of this frame emerged across all four Lo Hermida groups during discussions about policing. Much like their La Faena counterparts, participants commonly shared experiences with the police and explained their compliance behavior as a response to police absence. However, in contrast to La Faena, policing in Lo Hermida was also directly linked to oppression and repression. This association is particularly pronounced in Lo Hermida, a neighborhood with a history of high levels of conflict with the police. A young female participant encapsulated this dual nature of their relationship with the state and policing:

> *Everything the others are saying is spot on: the police hardly respond when we need help. But I want to add that they also exhibit a really aggressive behavior towards our neighborhood (Lo Hermida). There was this one day when some guys were protesting on the streets, and the police fired tear gas at us. One tear gas canister even landed in a baby's room. It's their job to keep us safe, but they show a lot of aggression towards us. Not everyone in the neighborhood is causing trouble on the streets. And what about the baby? It's not their fault they were born here in Lo Hermida. So why are they so harsh with us? I get that they need to handle the violent individuals, and I don't have a problem with that. But why target our homes like that?*

Unlike in La Faena, the "state as conspiracy" frame in Lo Hermida was directly linked to perceptions of oppression. While in La Faena, this frame primarily explained service-related shortcomings and justified attitudes toward rule-following, in Lo Hermida, it also justified a broader stance of political resistance.

> *I believe everything that has unfolded, the social upheaval, especially in our neighborhoods where repression was so evident. The politicians' lies, corruption. Just today, I read about an investigation into corruption related to gas supply. So, all of this is on my mind now, especially because our neighborhood bore the brunt of repression in the city. So, yeah, when I think of the state, it's mostly about the negative aspects.*

What emerges is more significant than what may initially seem: in La Faena, institutional dissatisfaction reflects a working-class perspective marked by disappointment in corruption, difficulties in accessing basic rights and enforcement challenges – largely rooted in inequality. The state as conspiracy and coping with the state frames aptly capture the daily life aspects highlighted by these participants when expressing dissatisfaction.

In Lo Hermida, in contrast, the scope of dissatisfaction extends beyond service-related issues and political corruption. It involves a sense of neighborhood identity and

a perception of political oppression. Here, corruption is seen as a symptom of structural oppression, where poor services expose the falsehoods underlying the promises of the rule of law and democracy. This could explain the differing responses to state actions during protests, as collective dissent narratives align with using protests to symbolically challenge state oppression through acts of violence.

Discussion and conclusion: legality in a time of high entitlements and extended perceptions of power as privilege

This paper sought to enhance our understanding of institutional dissatisfaction and alienation in Chile and explore their interplay with legal consciousness. We analyze our findings by grouping the frames associated with institutional dissatisfaction into four distinct collective experiences.

First, in lower-income neighborhoods, institutional dissatisfaction often relates to perceptions of privilege and corruption. This is the most frequently mobilized frame. Public institutions are frequently depicted as symbols of inequality. They spotlight participants' burdened experiences dealing with these institutions, while privileged individuals may simply bypass them. At times, public institutions are seen not only as symbols but also as tools to impose privilege. Indeed, participants attribute a "with the law" attitude to the privileged – elites use official law simply to get away with it – correlatively portraying themselves as "against the state."

Second, most participants view the state as ineffective, but higher-income males connect this ineffectiveness with notions of personal worth, rooted in overcoming obstacles and succeeding beyond the state. This contrasts starkly with the images lower-income groups invoke, where the state and formal institutions connect with privilege. Higher-income males link the state to failure and messiness, a world of losers, and believe that citizenship entitlement leads to failure.

Third, lower-income participants assert strong entitlement to public needs, including security. They associate the state with these entitlements as much as their frustration. Female participants, having more frequent interactions with state transfers and public provision (Auyero 2011: 20; Hays 2004: 20; Korteweg 2006), describe public services with anger. This stems from experiences of *prolonged waiting, arbitrary requests* and *perceptions of unequal treatment.* Higher-income individuals accessing private services are seen as exempt from compliance expectations. Women stress the need to adapt, utilize diverse means and rely on community support. They define their relationship with formal institutions based on suffering, escape and necessary means to obtain state support, often resulting in failure. This stance also reflects an identity of resilience, resourcefulness and pragmatism.

For our inquiry into the content of legal consciousness in times of state antipathy, this sheds light on ambivalent stances. Participants often express entitlements to social services in the language of legality, linking them to "social rights." They also frequently desire strict enforcement of rules for politicians and moderate expectations for peers. Their speech is often imbued with law-like normative statements. While they recurrently reference the "law" to justify their views, they express frustration regarding unfulfilled expectations. This echoes Hertogh's findings on legal alienation. However, when incorporating the use of frames of justification connected to law, we emerge with different conclusions. Cultural frames tied to legality play a robust role in

most groupings' speech. These frames serve to build a gap between individuals' expectations and what authorities and state institutions do. Legal insufficiency, as defined in Table 3, rather than alienation captures this gap better.

These stances encompass moments of both hegemonic and counter-hegemonic affirmation. Hegemony materializes through the frequent use of authoritative legal language, appeals to state citizenship entitlements and high expectations of normative compliance. The law is pivotal in defining state actors' actions as normative or deviant. Expressing ideas of corruption often evokes those of under-enforcement and demanding harsh punishments. Behind the widespread view of the state as a conspiracy are recurrent appeals to the authoritative power of the law and expectations of punishment. While frustration is prevalent, it does not lead to abandonment – both are core to defining stances of institutional dissatisfaction. Anger encompasses disappointment in dealing with basic needs, and noncompliance or nonenforcement connects to the oligarchic image of the state and failure. But the image of the self is still tied to compliance. The image of reluctant (and sometimes boasting) compliance evoked by Ewick and Silbey (2020) resonates with our findings.

Counter-hegemony implies the perception that individuals should seek satisfaction and solutions beyond the state, negotiating the use of state infrastructure based on practical reasoning. Practical adaptation underpins estrangement from public institutions, yet it does not signify a complete departure from expectations associated with the law and public institutions. Conversely, frustration commonly accompanies these expectations.

Notably, Lo Hermida presents a distinct narrative of collective dissent, diverging from the other groupings. Similar to Fritsvold (2009) and Halliday and Morgan (2013), we found that several Lo Hermida participants claim that they reject state authority, often relying on other sources to justify their normative views – primarily personal rights and community solutions. This unique frame does not appear in La Faena, supporting the contention that some frames circulate only at the neighborhood level. Rooted in both politicized and refined frames and policing experiences, many in Lo Hermida adopt a more direct anti-hegemonic stance. Older participants share a collective identity tied to oppression and resistance during the Chilean dictatorship. While younger cohorts emphasize this view less, younger males criticize the state for lacking a moral compass and failing to fulfill its duty, resulting in them being constantly "trampled" (*pisoteados*).

These four groupings emerge from distinct patterns of frame usage tied to institutional dissatisfaction and their justifications. While both higher- and lower-income groups use beyond the state, state as conspiracy, or state as authority frames, the usage patterns significantly differ. Lower-income groups employ the state as aspiration frame to describe their sense of entitlement, pointing to betrayal due to state capture, forming an identity in opposition to corrupt officials and adopting a life beyond the state. Higher-income individuals, however, associate shortcomings with corruption and primarily messiness, leading to a divergent definition of their relationship with formal institutions as a realm of obstacles.

Our study indicates associations between general perceptions of state life and legal consciousness. Cultural frames linked to the "against the law" frame often align, in our study, with broader stances encapsulated by the "state as conspiracy" and "state as messy bureaucracy" frames. "With the law" frames, in the context of high state

antipathy, tend not to be expressed in the first person. Participants employ "with the law" frames to highlight the instrumental use of institutions by the privileged. Amidst state alienation, this becomes a prevalent usage linked to legal language.

We conclude our paper with a more speculative takeaway that may be relevant for future research. Following our fieldwork and resonating with contexts like Brazil or the USA, where progressive growth has led to authoritarian reactions, Chilean politics have undergone a significant conservative shift. On September 4, 2022, a progressive, albeit occasionally disorderly, proposal for a new constitution was overwhelmingly rejected in a national referendum. Although agenda setting by conservative media groups likely plays a role, the political agenda now centers around security concerns, migration control and police support. Public opinion has embraced order, hinting at the rise of authoritarian populist movements. In the subsequent election of representatives for drafting a new constitution on May 7, 2023, the ultra-conservative *Republicanos* party won by a landslide.

Our research, conducted shortly after the Chilean Spring of 2019, when progressive preferences seemed dominant, reveals elements in the structure of opportunities for a conservative backlash. The prevailing image of state institutions portrays them as conspiracies that favor private powers, particularly politicians. Problems in service delivery are often linked to these portrayals. They are all connected to betrayals of normative ideals, to legal insufficiency rather than deep legal alienation. Framing citizens' needs as demands for greater state efficiency, removal of security constraints, strict law enforcement and targeting corrupt politicians resonates abstractly with many participants' discourse. We do not mean to claim that legal insufficiency inherently leads to authoritarianism and harsh law. Nonetheless, it offers strong opportunities for their emergence.

Notes

1 Feddersen and Wilenmann. 2021. IRB 234/2021 "Legal consciousness in the Chilean neoliberal crisis," July 22. Universidad Adolfo Ibáñez.
2 We provide more details about the recruitment process in the annex.

References

Abrego, Leisy. J. 2019. "Relational Legal Consciousness of U.S. Citizenship: Privilege, Responsibility, Guilt, and Love in Latino Mixed-Status Families." *Law & Society Rev.* 53 (3): 641–70.

Araujo, Kathya. 2009. "El Ordinario Trabajo Moral Del Sujeto." In *¿se Acata Pero No Se Cumple? Estudios Sobre Las Normas En América Latina*, edited by Kathya Araujo, 91–117. Santiago: LOM.

Araujo, Kathya. 2019. "Desmesuras, Desencantos, Irritaciones Y Desapegos." In *Hilos Tensados: Para Leer El Octubre Chileno*. Santiago: USACH.

Araujo, Kathya. 2022. *The Circuit of Detachment in Chile: Understanding the Fate of a Neoliberal Experiment*. Cambridge: Cambridge University Press.

Auyero, Javier. 2011. "Patients of the State: An Ethnographic Account of Poor People's Waiting." *Latin American Research Rev.* 46 (1): 5–29.

Bargsted, Matías, Nicolás Somma and Juan C. Castillo. 2017. "Dynamics of Political Trust in Latin America." In *Handbook of Political Trust*, edited by Sonja Zmerli and Tom W. G. Van der Meer. Cheltenham: Edward Elgar Publishing.

Berrey, Ellen, Steve G. Hoffman and Laura B. Nielsen. 2012. "Situated Justice: A Contextual Analysis of Fairness and Inequality in Employment Discrimination Litigation: Situated Justice." *Law & Society Rev.* 46 (1): 1–36.

Brunner, José J. 1994. *Bienvenidos a la Modernidad*. Santiago: Planeta.

Chua, Lynette J. 2012. "Pragmatic Resistance, Law, and Social Movements in Authoritarian States: The Case of Gay Collective Action in Singapore." *Law & Society Review* 46 (4): 713–48.

Chua, Lynette. J. 2019. "Legal Mobilization and Authoritarianism." *Annual Rev. of Law and Social Science* 15 (1): 355–76.

Chua, Lynette J. and David M. Engel. 2019. "Legal Consciousness Reconsidered." *Annual Rev. of Law and Social Science* 15 (1): 335–53.

Clair, Matthew. 2020. *Privilege and Punishment: How Race and Class Matter in Criminal Court*. Princeton: Princeton University Press.

Corporación Villa Grimaldi. 2019. "Peñalolén En la Memoria: De Historia Popular Y Resistencia." Corporación Villa Grimaldi. http://villagrimaldi.cl/wp-content/uploads/2019/07/Folleto_Penalolen_26.06.pdf, (accessed January 03, 2024).

Cowan, Dave. 2004. "Legal Consciousness: Some Observations." *The Modern Law Rev.* 67 (6): 928–58.

De Girolamo, Debbie. 2022. "Collective Dissent as Legal Consciousness in Contemporary British Theatre." *Social & Legal Studies* 31 (1): 99–118.

de Sa e Silva, Fabio. 2020. "'Not falling for that': Law's Detraction and Legal Consciousness in the Lives of Brazilian Anti-torture Activists." *International J. of Law in Context* 16 (1): 39–56.

de Sa e Silva, Fabio. 2022. "Law and Illiberalism: A Sociolegal Review and Research Road Map." *Annual Rev. of Law and Social Science* 18 (1): 193–209.

de Sa e Silva, Fabio. 2023. "Good Bye, Liberal-Legal Democracy!" *Law & Social Inquiry* 48 (1): 292–313.

Desmond, Matthew, Andrew V. Papachristos and David S. Kirk. 2016. "Police Violence and Citizen Crime Reporting in the Black Community." *American Sociological Rev.* 81 (5): 857–76.

Donoso, Sofia. 2017. "'Outsider' and 'Insider' Strategies: Chile's Student Movement, 1990-2014." In *Social Movements in Chile: Organization, Trajectories and Political Consequences*, edited by S. Donoso and M. von Bülow. New York: Palgrave Macmillan.

Ewick, Patricia and Susan Silbey. 1998. *The Common Place of Law*. Chicago: The University of Chicago Press.

Ewick, Patricia and Susan Silbey. 2003. "Narrating Social Structure: Stories of Resistance to Legal Authority." *American J. of Sociology* 108 (6): 1328–72.

Ewick, Patricia and Susan Silbey. 2020. "Looking for Hegemony in All the Wrong Place: Critique, Context and Collectivities in Studies of Legal Consciousness." In *Research Handbook on the Sociology of Law*, edited by Jiří Piriban, 163–76. Cheltenham Northampton, MA,: Edward Elgar Publishing.

Fritsvold, Erik D. 2009. "Under the Law: Legal Consciousness and Radical Environmental Activism." *Law & Social Inquiry* 34 (04): 799–824.

Gerber, Monica M., Cristóbal Moya, Aleajandro Castillo, Macarena Orchard and Ismael Puga. 2021. "Acting Collectively to Confront Injustice: The Mediating Role of the Legitimacy of Authorities (*Actuar Colectivamente Frente a la Injusticia: El Rol Mediador de la Legitimidad de Las Autoridades*)." *Studies in Psychology* 42 (1): 76–103.

González, Ricardo. 2016. "¿malestar En Chile?", https://www.cepchile.cl/cep/site/docs/20170627/20170627093424/informe_encuesta_cep2016_malestar_en_chile_1.pdf (accessed January 04, 2024).

Gupta, Akhil. 1995. "Blurred Boundaries: The Discourse of Corruption, the Culture of Politics, and the Imagined State." *American Ethnologist* 22 (2): 375–402.

Halliday, Simon. 2019. "After Hegemony: The Varieties of Legal Consciousness Research." *Social & Legal Studies* 28 (6): 859–78.

Halliday, Simon and Bronwen Morgan. 2013. "I Fought the Law and the Law Won? Legal Consciousness and the Critical Imagination." *Current Legal Problems* 66 (1): 1–32.

Hays, Sharon. 2004. *Flat Broke with Children: Women in the Age of Welfare Reform*. Oxford: Oxford University Press.

Heimer, Carol A. and Arielle W. Tolman. 2021. "Between the Constitution and the Clinic: Formal and de Facto Rights to Healthcare." *Law & Society Rev.* 55 (4): 563–86.

Hendley, Kathryn. 2017. *Everyday Law in Russia*. New York: Cornell University Press.

Hertogh, Marc. 2018. *Nobody's Law. Legal Consciousness and Legal Alienation in Everyday Life*. London: Palgrave Macmillan.

Hilbink, Lisa, Valentina Salas, Janice. K. Gallagher and Juliana Restrepo Sanín. 2022. "Why People Turn to Institutions They Detest: Institutional Mistrust and Justice System Engagement in Uneven Democratic States." *Comparative Political Studies* 55 (1): 3–31.

Hull, Kathleen. 2003. "The Cultural Power of Law and the Cultural Enactment of Legality: The Case of Same-Sex Marriage." *Law & Social Inquiry* 28 (3): 629–57.

Jara, Camila. 2014. "Democratic Legitimacy under Strain? Declining Political Support and Mass Demonstrations in Chile." *European Rev. of Latin American and Caribbean Studies* 0 (97): 25–50.

Kirk, David S. and Andrew. V. Papachristos. 2011. "Cultural Mechanisms and the Persistence of Neighborhood Violence." *American J. of Sociology* 116 (4): 1190–233.

Koch, Insa. 2017. "Moving beyond Punitivism: Punishment, State Failure and Democracy at the Margins." *Punishment and Society* 19 (2): 203–20.

Koch, Insa. 2018. *Personalizing the State: An Anthropology of Law, Politics, and Welfare in Austerity Britain*. Oxford: Oxford University Press.

Korteweg, Anna. C. 2006. "The Construction of Gendered Citizenship at the Welfare Office: An Ethnographic Comparison of Welfare-to-Work Workshops in the United States and the Netherlands." *Social Politics: International Studies in Gender, State & Society* 13 (3): 314–40.

Liu, Sida. 2015. "Law's Social Forms: A Powerless Approach to the Sociology of Law." *Law & Social Inquiry* 40 (01): 1–28.

Liu, Qian. 2023. "'Wrong' Cases and 'wrong' Plaintiffs: Intergenerational Relationships and Legal Consciousness in China." *J. of Law and Society* 50 (1): 39–58.

Marshall, Anna-Maria. 2003. "Injustice Frames, Legality, and the Everyday Construction of Sexual Harassment." *Law & Social Inquiry* 28 (3): 659–89.

Marshall, Anna-Maria and Scott Barclay. 2003. "In Their Own Words: How Ordinary People Construct the Legal World." *Law & Social Inquiry* 28 (3): 617–28.

Masiangoako, Thato. 2019. "Rationalizing Injustice: The Reinforcement of Legal Hegemony in South Africa." *South African Crime Quarterly* 66: 7–18.

Medel, Rodrigo and Nicolás Somma. 2016. "Demonstrations, Occupations or Roadblocks? Exploring the Determinants of Protest Tactics in Chile." *Política Y Gobierno* 23 (1): 159–94.

Merry, Sally. E. 1990. *Getting Justice and Getting Even: Legal Consciousness among Working-Class Americans*. Chicago: The University of Chicago Press.

Moulian, Tomás. 1997. *Chile Actual: Anatomía de Un Mito*. Santiago: Arcis.

Munger, Frank and Carroll Serron. 1984. "Critical Legal Studies Vs. Critical Legal Theory: A Comment on Method." *Law & Policy* 6: 257–97.

Nielsen, Laura Beth. 2000. "Situating Legal Consciousness: Experiences and Attitudes of Ordinary Citizens a Bout: Law and Street Harassment." *Law and Society Review* 34 (4): 1055–90.

Orchard, Macarena and Álvaro Jiménez. 2016. "¿malestar de Qué? A Propósito de Ciertos Malentendidos Entre Malestar Social Y Sufrimiento Psíquico." In *Malestar Y Destinos Del Malester*, edited by E. Radiszcz. Santiago: Social Ediciones.

Payne, Leigh A. and Andreza Aruska de Souza Santos. 2020. "The Right-Wing Backlash in Brazil and Beyond." *Politics & Gender* 16 (1): E6.

Peña, Carlos. 2021. *Pensar El Malestar: La Crisis de Octubre Y la Cuestión Constitucional*. Santiago: Taurus.

PNUD. 2017. "Diagnóstico Sobre la Participación Electoral En Chile." https://www.cl.undp.org/content/chile/es/home/library/democratic_governance/diagnostico-sobre-la-participacion-electoral-en-chile.html (accessed January 03, 2024).

PNUD. 2019. "Diez Años de Auditoría a la Democracia: Antes Del Estallido." https://www.undp.org/es/chile/publications/diez-a%C3%B1os-de-auditor%C3%ADa-la-democracia-antes-del-estallido (accessed January 03, 2024).

Ruiz, Encina and Giorgio Boccardo. 2014. *Los Chilenos Bajo El Neoliberalismo*. Santiago: NodoXXI.

Ruiz Encina, Carlos. 2019. *La Política En El Neoliberalismo*. Santiago: LOM.

Sarat, Austin. 1990. "'The Law Is All Over': Power, Resistance and the Legal Consciousness of the Welfare Poor." *Yale J. of Law and the Humanities* 2: 343–79.

Scheppele, Kim L. 2018. "Autocratic Legalism." *University of Chicago Law Rev.* 85 (2): 545–83.

Segovia, Carolina, Andrés Haye, Roberto González, Jorge Manzi and Héctor Carvacho. 2008. "Confianza En Instituciones Políticas En Chile: Un Modelo de Los Componentes Centrales de Juicios de Confianza." *Revista de Ciencia Política (Santiago)* 28 (2): 39–60.

Silbey, Susan. S. 2005. "After Legal Consciousness." *Annual Rev. of Law and Social Science* 1 (1): 323–68.

Small, Mario. 2002. "Culture, Cohorts, and Social Organization Theory: Understanding Local Participation in a Latino Housing Project." *American J. of Sociology* 108 (1): 1–54.

Small, Mario L., David J. Harding and Michele Lamont. 2010. "Reconsidering Culture and Poverty." *The ANNALS of the American Academy of Political and Social Science* 629 (1): 6–27.

Somma, Nicolás. M. 2017. "Discontent, Collective Protest, and Social Movements in Chile." In *Malaise in Representation in Latin American Countries*, edited by A. Joignant, M. Morales and C. Fuentes. New York: Palgrave Macmillan.

Somma, Nicolás. M., Matías Bargsted, Rofolfo Disi Pavlic and Rodrigo. M. Medel. 2020. "No Water in the Oasis: The Chilean Spring of 2019–2020." *Social Movement Studies* 20 (4): 495–502.

Somma, Nicolás. M., Federico. M. Rossi and Sofia Donoso. 2019. "The Attachment of Demonstrators to Institutional Politics: Comparing LGBTIQ Pride Marches in Argentina and Chile." *Bulletin of Latin American Research* 2019: 1–18.

Thelen, Tatjana, Larissa Vetters and Keebet von Benda-beckmann. 2014. "Stategraphy: Toward a Relational Anthropology of the State." *Social Analysis* 58 (3): 1–19.

Wilenmann, Javier and Mayra Feddersen. 2023. "Contesting Authority in the Crisis of Neoliberalism: The Chilean Spring and the Mobilization of Human Rights Frames." In *Research Handbook on Law, Movements and Social Change*, edited by S. Boutcher, C. Shdaimah and M. Yarbrough, 391–407. Cheltenham: Edward Elgar Publishing.

Yarbrough, Michael, Corey Shdaimah and Steven Boutcher. 2023. "Introduction to the Research Handbook on Law, Movements and Social Change: On 'Legitimate Political Discourse' in the Global Twenty-first Century." In *Research Handbook on Law, Movements and Social Change*, edited by Steven Boutcher, Corey Shdaimah and Michael Yarbrough, 1–20. Cheltenham: Edward Elgar Publishing.

Young, Kathryne M. 2014. "Everyone Knows the Game: Legal Consciousness in the Hawaiian Cockfight." *Law & Society Rev.* 48 (3): 499–530.

Young, Kathryne. M. and Katie R. Billings. 2020. "Legal Consciousness and Cultural Capital." *Law & Society Rev.* 54 (1): 33–65.