

ALL IN THE FAMILY:  
THE INFLUENCE OF SOCIAL NETWORKS ON DISPUTE PROCESSING  
[A CASE STUDY OF A DEVELOPING ECONOMY]

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I certify that I have read this dissertation and that, in my opinion, it is fully adequate in scope and quality as a dissertation for the degree of Doctor in the Science of Law.

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## ABSTRACT

This dissertation presents the results of an empirical investigation of the influence of social networks on how individuals choose to process their legal disputes. The research focuses on business disputes and disputants in Venezuela, a developing economy. Two interconnected research questions are addressed: what dispute processing systems are preferred by business disputants, and what explains these disputants' preferences. Previous socio-legal research adopts a dichotomous view of societies, labeling them as either traditional or modern, and argues that certain forms of disputing processing are differentially preferred by most disputants in each system. This dissertation research finds a mix of so-called traditional and modern dispute processing processes and preferences in the Venezuelan business sector. Applying social network theory, I argue that rather than stage of development explaining dispute processing preferences, social networks within the Venezuelan business sector explain when and why business disputants choose different fora (formal or informal) and different mechanisms (adjudication/arbitration, mediation or shaming). The research that informs this dissertation was conducted using a multi-method approach, but the overarching research strategy has been that of a case study. Five areas of disputes processing within the business sector have been analyzed, each one referring to a different mechanism and/or forum that is available to disputants in Venezuela. The first two cases investigate the use of institutional fora and mechanisms (courts and publicly-sponsored ADR institutions). The next two investigate non-institutionalized settings and the formal (diamond arbitration) and informal (debt-collection agencies) processes that take place within them. The last case explores how disputants decide to use foreign fora (the U.S. in this case) and identifies the various incentives and obstacles that inform their choices.

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