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Introduction

Legal regimes under pandemic conditions: A comparative anthropology

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As it has spread globally, the pathogen SARS-CoV-2 (known colloquially as the coronavirus) has already caused untold suffering, with more most certainly to come. Yet as the virus afflicts, it has also encountered a range of human responses – from initial indifference and outright denial in parts of the Anglo-American West to society-wide mobilizations in much of the rest of the world. In doing so, the virus has become a sort of diagnostic tool that can reveal a lot about any body politic that it happens to enter, something we attempt to leverage in this issue's forum through reflections from ethnographers working in both India (Dey) and the United States (Brinkworth et al., McGranahan).

To take my own ethnographic field of Jordan as yet another point of comparison, my Jordanian friends and interlocutors inform me that the Kingdom initially followed what they termed the 'Chinese model', but with many distinctively Jordanian characteristics. In implementing quarantine measures, authorities first shut down borders and large gatherings before moving the army into position around population centers and cutting off major arteries with checkpoints while imposing a strict curfew and fining and impounding the vehicles of those who violated it (Al-Naber et al. 2020 14–16). In this regard, the response leveraged an infrastructure shaped by decades of counterinsurgency planning, dating back to before the expulsion of the PLO from the country's refugee camps in 1970 (Massad 2001: 204–245) and encompassing later 'squatter settlement standardization' initiatives aimed at '"straightening out the lines", "widening the roads", and "organizing things"' (Hughes 2016: 1102). Reflecting a long-running politics of bread (Martínez 2016), authorities next attempted to effectively flip the country's transportation infrastructure into reverse and use it to deliver bread and other necessities to all of its citizens via bus and public taxi (Al-Naber et al. 2020: 16–17). While this eventually proved counterproductive, as citizens crowded the main thoroughfares anxiously waiting for supplies, it is

indicative of how quickly a veneer of neoliberal consensus can give way to a diversity of local constructions of state capacity and community organization amidst a crisis. As of this writing, Jordanians have emerged from lockdown relatively unscathed while communities, especially in the US, continue to struggle to contain the outbreak.

Especially for anthropologists who study how humans shape and are shaped by local institutional, political and legal contexts, the pandemic constitutes a ready-made comparative framework and context for illuminating how different human societies function in the present political moment. Unsurprisingly, the wide range of reactions to (and experiences of) the pandemic reveal the complexity and diversity of humankind at the present moment. Yet these reactions also bear the hallmarks of preexisting power relations, with the wealthy characteristically able to shield themselves somewhat from most risks while the poor have borne the brunt of both the virus and the punitive measures that have been put in place to control the spread. In particular, inequalities of gender, race (Brinkworth et al.), nationality (McGranahan), and Caste (Dey) have often been exacerbated, even weaponised against the most vulnerable.

The simultaneously global and highly particularistic nature of the pandemic has posed numerous challenges for anthropological description, though. The discipline's preferred methods of 'participant observation' have been distinctively problematised amidst widespread restrictions on movement and gatherings. As Tridibesh Dey argues in his account of how India's lockdown impacted those who toil amidst the country's municipal solid waste infrastructure, the human body has increasingly been figured as a dangerous vector of infection. While this is accentuated in particular ways by the specific politics of purity, order and caste distinction promoted by India's ruling party, the impulse has been much more widespread and everywhere challenges anthropological practices as diverse as international travel and shared commensality.

Yet at the very moment pandemic responses have made human interaction more difficult (often following carceral logics of quarantine), it has produced an explosion of interest in wide swaths of human society that were often previously considered to be better ignored. The contagiousness of the virus has spectacularly shown up fantasies of isolating oneself completely from poverty and other human struggles, both in general and specifically by focalising attention on prisons, slaughterhouses, sweatshops and other key sites of exploitation and marginalisation as particularly prone to spreading the virus. The result-

ing concerns about contagion have both victimised and (often belatedly) focused minds on the problems of the many of the most vulnerable in society: women and children at risk of domestic violence, the homeless, prisoners, migrants (McGranahan) and those deemed essential workers (Brinkworth et al., Dey).

Yet in doing so, the fear of contagion also draws attention towards the 'hidden abode of production' (Marx 1976: 279), a world of 'private government' and what Foucault called 'the underside of the law' (2012: 223). In fact, it is little wonder that the pandemic has provoked its own resurgence of interest in Foucault and his notions of governmentality and carcerality (Hannah 2020). After all, Foucault begins his widely read chapter on 'Panopticism' and the birth of the prison with an extended description of early modern quarantine procedures. For one thing, carceral institutions like prisons, schools and factories themselves have again become primary sites of infection. More subtly, forms of population management that were once limited to specific (usually classed and racialised) communities have been generalised in the wake of the pandemic – though carceral practices remain (as ever) unequally distributed. White-collar employees with the privilege of 'working from home' and having their necessities delivered to their front doors by private couriers occupy a veritable velvet prison when compared to the conditions the majority of the world's people are now being subjected to.

Such a conjuncture of virus and diverse legal orders offers rich material for anyone struggling to understand how institutional and normative frameworks operate in various corners of the contemporary world. There are hints that the pandemic might prove to be, as Dey suggests in his contribution, a 'binding crisis' establishing new norms as it remakes the infrastructures that local normative orders depend upon. Such a conjuncture also allows us to see how the same virus enters the lives of the most disparate types of human being living in the contemporary moment, whether they're in the United States, Jordan, India or anywhere else.

First, Tridibesh Dey explores how his interlocutors in India's informal recycling sector are coping with a strict lockdown that has seen much of their work deemed non-essential. Based in Gujarat, a long-time laboratory for Indian Prime Minister Narendra Modi's experimentation with a distinctively 'Hindu' form of neoliberal developmentalism, Dey looks at how a pre-existing initiative to remake the country's waste management infrastructure has been rebranded as a pandemic response. Dey argues that Modi's lockdown has exacerbated

pre-existing disparities of class and caste, increasingly forcing workers in the country's sprawling informal recycling industry who already faced stigmatisation and discrimination to seek employment under the terms set out by officially sanctioned outfits. Surveying his interlocutors varyingly trapped at home with no means of subsistence or forced to work with inadequate personal protective equipment under conditions of others' choosing, Dey concludes that the emerging 'waste regime' will pose numerous challenges to the aims of social justice in future.

Shifting our anthropological gaze back to America, a team from the University of Illinois at Urbana-Champaign comprised of Jessica F. Brinkworth, Korinta Maldonado, Ellen Moodie and Gilberto Rosas explores the ethical and practical challenges of understanding how the massive meat processing facility near their university has become an epicentre for infections in their community. Picking through the raw physicality of the abattoir as well as the complex histories of racialised exclusion that have brought thousands of African Americans and Mexican Maya to these cornfields, they conclude that they must find better ways to make their research responsive to the needs of their interlocutors. Reflecting upon the weariness with which the victims of this first community outbreak regard the prospect of their fifty thousand mostly privileged university students returning soon, the team is acutely aware of just how fragile attempts at collaboration and solidarity remain in this political moment. The team's intervention in these pages itself seeks to serve as a sort of accountability mechanism, drawing the attention of their academic audience back to the fraught ethical conditions of possibility for their collaboration with these slaughterhouse workers.

Our final intervention comes from Carole McGranahan, who reflects on her ethnographic work on the US asylum system, as well as the primarily Tibetan and Nepalese asylum seekers she advocates for – who have seen the pandemic become yet another obstacle in their path as hearings have been cancelled and postponed. In a moving reflection on hope, anger and the uncertainty of being at the mercy of forces and systems beyond one's control, McGranahan takes inspiration from the hard-won optimism that can drive people who have suffered immensely to nevertheless dream of freedom and happiness. Taking us to the edge of the carceral state and the vast machinery of deportation and detention that has grown up in recent decades to control those populations deemed by the state to be undesirable, she reflects on what it means to be complicit with systems that shouldn't even exist yet can

nevertheless offer life-changing assistance to those often so arbitrarily deemed worthy.

Incorporating anthropologists from a range of backgrounds at different stages in their career inhabiting different positionalities within global hierarchies of citizenship, class, race and gender, participants in this forum help us see the general as well as the particular in the human condition amidst the pandemic. They reveal how systems of regulation, both public and private, are being transformed in response to the virus while alerting us to the myriad dangers these changes pose to society's most vulnerable. The hope is that an anthropological sensibility can help reveal both how the virus has disparately impacted so many while simultaneously revealing shared vulnerabilities inherent in being human at this historical juncture.

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