

## Pandemic Documents

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#### Résumé de l'article

Je réfléchis à la manière dont la pandémie de COVID-19 au Chili est devenue une question de savoir bureaucratique et de documents officiels. Par l'intermédiaire de l'analyse des permis COVID-19, un outil mis en place par le gouvernement chilien afin de gérer la mobilité dans les zones confinées, je me concentre sur deux caractéristiques de ces documents : leurs propriétés dénotatives et leur marginalité performative. Je soutiens que les permis COVID-19 au Chili ont fonctionné comme des « anti-documents ». Bien qu'ils n'aient pas établi de liens stables, ni significatifs avec la vie quotidienne des individus, ils ont produit une série d'effets considérables sur eux ; l'effet le plus tangible étant probablement la détention et la poursuite pénale des individus arrêtés dans la rue sans permis approprié. Contrairement à la manière dont les documents participent aux configurations socio-juridiques, en étant un moyen de parvenir à une fin, les permis COVID-19 étaient au cœur de la mise en oeuvre de la politique de confinement.

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# Pandemic Documents

## The Case of Mobility Permits During Lockdown in Chile

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**Abstract:** I reflect on how the COVID-19 pandemic in Chile became a question of bureaucratic knowledge and official documents. Through the analysis of COVID-19 permits, the tool implemented by the Chilean government in order to manage mobility in zones under lockdown, I focus on two features of documents: their denotational properties and their performative marginality. I argue that COVID-19 permits in Chile functioned as an “anti-document.” While they did not establish stable and meaningful connections with individuals’ daily lives, they produced a series of considerable effects on them, the most tangible of these effects probably being the detention and criminal prosecution of individuals caught on the street without the appropriate permit. In contrast with how documents participate in socio-legal configurations – being a means to an end – COVID-19 permits were central to the implementation of the confinement policy.

**Keywords:** Bureaucracy; documents; COVID-19; Chile; lockdown

**Résumé:** Je réfléchis à la manière dont la pandémie de COVID-19 au Chili est devenue une question de savoir bureaucratique et de documents officiels. Par l’intermédiaire de l’analyse des permis COVID-19, un outil mis en place par le gouvernement chilien afin de gérer la mobilité dans les zones confinées, je me concentre sur deux caractéristiques de ces documents : leurs propriétés dénotatives et leur marginalité performative. Je soutiens que les permis COVID-19 au Chili ont fonctionné comme des « anti-documents ». Bien qu’ils n’aient pas établi de liens stables, ni significatifs avec la vie quotidienne des individus, ils ont produit une série d’effets considérables sur eux ; l’effet le plus tangible étant probablement la détention et la poursuite pénale des individus arrêtés dans la rue sans permis approprié. Contrairement à la manière dont les documents participent aux configurations socio-juridiques, en étant un

moyen de parvenir à une fin, les permis COVID-19 étaient au cœur de la mise en œuvre de la politique de confinement.

**Mots-clés :** bureaucratie ; documents ; COVID-19 ; Chili ; confinement

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## Introduction

It is 24 July 2020 and COVID19 is in full swing. I am in Santiago de Chile and we have been in total confinement for over 100 days in the house where I am staying during my fieldwork. This means that we cannot go outside the house, even just to walk, without a permit issued by the police. Today however, the friend with whom I am staying needs to go to another part of the city, about 15 kilometres away, to do something that she can no longer delay. Since I have a car and do not want her to get exposed to the virus by using public transportation, I offer to drive her. But we have to think carefully; we can ask for up to two permits per week and they only last a limited amount of time. Permits are tailored to specific situations, but there is no type of permit addressing our specific problem. We decide that my friend will request a permit to “buy groceries” and I will request one to “buy essential goods.” We each go to the police’s website, fill out a form, click “download” at the same time, wait the 15 minutes before the permits are validated, and quickly run to the car. We have three hours to be outside and need to use them wisely. If we are approached by the police or by the military on the streets and do not have the permits – or they have exceeded their duration – we could be detained.

Since the pandemic hit and the government put Santiago under lockdown, obtaining permits, understanding them, joking about them on social media, talking about them with friends, hearing or reading about people not having them, and showing them to the police have been an important part of most Chileans’ daily lives. Confinement and its consequences, particularly the need for mobility permits, have been a significant way in which residents of Santiago experience the pandemic—the permits mediated how they felt “the cataclysmic” (Werbner 2010) in their everyday lives. In this article, I explore the COVID-19 pandemic in Chile through these permits. As official documents, how did they work and how did authorities conceive of them? With authorizations necessary for activities as simple as walking the dog, how did individuals use them?

I trace how COVID-19 permits participated in the social construction of the pandemic as a public problem that deserved the intervention of the criminal justice system.

Drawing on anthropological literature about documents and bureaucracy, and as a partial intellectual exercise given the recent character of the COVID-19 pandemic and the constant changes suffered by the policies implemented to contain it, I postulate that the COVID-19 permits in Chile functioned as an “anti-document” in two ways: by lacking denotational capabilities and by being central to the implementation of the confinement policy. With ambiguous connections to what COVID-19 permits were supposed to represent, the permits became disconnected from people’s actual practices. At the same time, since they constituted the key for enforcing lockdowns and the grounds for detaining more than 200,000 people,<sup>1</sup> the permits became too visible. As described in the next section, bureaucratic documents themselves are supposed to remain almost irrelevant, to function as if they are just means to other – more important – ends, exactly the opposite of what happened with the COVID-19 permits in Chile.

### **What Can Documents Do?**

“Latour famously wrote that files and records were ‘he most despised of all ethnographic objects’ (Latour 1990, 54). At a time when ethnographers did not seem particularly interested in studying documents in their own right, the invitation was timely. Social sciences and humanities scholars were looking *through* documents, trying to identify the message or discourse they contained, rather than *at* documents (Kafka 2009). Documents are mediators, representations of something else, and could therefore be overlooked when searching for whatever they were deemed to represent (Hull 2012a).

Addressing this gap, social sciences have acknowledged that documents are part of the everyday situations they explore and that their everydayness does not make them any less deserving of the scientist’s suspicious regard. On the contrary, they can be made the object of the same reflexivity we apply to any other mundane feature of everyday life (Pigg, Erikson, and Inglis 2018). Social sciences have shown how Indigenous people in the Chaco can fetishize the identity documents long denied to them (Gordillo 2006); how fictive residency documents and fake work permits are a moral and social necessity for Kyrgyzstani migrant workers in Russia (Reeves 2013); how passports issued by

the “illegal” Turkish Republic of Northern Cyprus generate different affectivities depending on where Turkish-Cypriots show them (Navaro-Yashin 2012); and how documents that are not mandatory are those on which Congolese refugees living in Tanzania’s Nyarugusu refugee camp put the most effort for their asylum applications (Thomson 2018). Looking *at* documents (Kafka 2009) involves understanding documents as knowledge devices that mobilize their own internal epistemological claims (Riles 2001). Identification documents, for example, are based on assumptions about how to match a person, an individual considered unique, to a sole register (Vogel 2001), while a personal name is presumed to be the most self-evident and definite way of identifying someone, which is, in itself, questionable (Caplan 2001).

Looking *at* documents means looking at techniques and mechanisms of representation, as well as observing *what* is being represented. Documents are supposed to account for something else, to prove something. Marriage or birth certificates, driver’s licenses, sale contracts, and police reports are used to confirm that people are indeed married, born a certain year, capable of driving, the owners of something, or the victims of a theft. Documents do this through a mixture of always potentially contested denotational and potentially shifting indexical references: sometimes straightforwardly establishing that someone did sign another document, sometimes contributing some information to a situation to be judged in situ, and sometimes precisely preventing people from asking too many questions regarding the document itself. Whatever the mechanisms through which documents produce effects on the world, they do so by standardizing and stabilizing realities. As mechanisms of evidence, documents “fix, define, secure and otherwise make certain a world that seems incapable of fully obliging” (Maguire and Rao 2018, 7). This does not mean that the things that documents are supposed to represent necessarily exist or happen independently of the document itself. But it does mean that, in order to work as such, documents should be considered as giving symbolic access to something else.

Despite the different analytical paths taken by different studies, and in direct relation to their presumed representational qualities, two characteristics of documents seem to be widely acknowledged by the literature: their denotational materiality and their performative marginality. Documents’ materiality refers to the fact that they are, above all, things. Whether sheets of paper, folders containing sheets of paper, small pieces of plastic that people carry in their wallets, or electronic documents occupying bytes in some server, these are all

things. They contain some kind of text or message, but people interact with these texts, messages or discourses through the materiality of documents. In Paraguay, for example, the government scanned and uploaded a series of documents to the internet in order to make them public and increase the transparency of the state's affairs, even if some of these documents were completely illegible (Hetherington 2011). As aesthetic objects (Riles 1998, 2001), more than—or besides—what documents say, it is how they say it, with which logo and carrying whose signature, that matters. Graphics such as signatures, stamps, calligraphy, and seals are important parts of documents, along with ways of wording sentences, quoting other documents, using capital letters and punctuation, among many other features.

Documents *mean* things, but they also *index* others. As a property of language and culture, indexicality refers to the way in which meaning is inferred through context, and not only through the referential or denotational capabilities of signs. Indexicality is “a non-representationalist (i.e., nonsymbolic) form of mediation” (Nakassis 2018, 286), one in which what is mediated is done so through an “existential” or “real” relation. The index points to the object by being actually, perhaps materially, connected to it, not by representing it. Peirce (1932,142) defined an index as “a sign which refers to the object that it denotes by virtue of being really affected by that Object.” Applied by ethnomethodology, an interest in indexes implies that the “analysis is concerned with the *relation of action-to-action*, rather than with the relation of sign-to-referent” (Peyrot 1982, 269; italics in the original). In other words, documents also *do* things just by virtue of existing and playing a role in a situation, beyond what they mean or the text they contain. Stamps and logos index certain people and authority regimes; material supports – paper or cellphones – index certain verification techniques.

The second characteristic I focus on in this paper is documents' performative marginality. I understand this as a feature that makes documents seem peripheral to what they are supposed to represent, an assumed hierarchization of content over form, which essentially gives documents their power in the first place. Being married, older than 18, a homeowner, or a citizen of a certain country are important characteristics that documents prove – they are the means to access this information. However, as mediators, documents “transform, translate, dislocate, distort and modify the meaning or elements they supposedly carry” (Latour 2005, 39) and, despite their apparent simplicity, they “may lead in multiple directions which will modify all the contradictory accounts attributed to [their] role” (Ibid.). The apparent invisibility of the mediation properties of

documents notably applies to paperwork involved in situations regulated by formal law which, as “a larger practice of collateral knowledge, a sidelined, technical activity” (Riles 2011, 20), brings documents to the margins. What then becomes relevant for researchers and ordinary people alike is the substantive result of their use, namely guaranteeing rights, protecting societies, organizing trade, controlling crime, and so on.

Acknowledging that documents tend to hide behind what they are deemed to represent, researchers on legal documents show that this is not accidental but rather an intrinsic part of how modern law works, producing its apparent autonomy and independence through written records (Caplan and Torpey 2001; Goody 1986). Bureaucratic documents in this context draw renewed attention from researchers, who now need to account for something appearing, at first sight, uninteresting and irrelevant. Furthermore, researchers in what has been called the anthropology of the state have progressively turned their attention to those producing the documents, describing “how insignificant people working only with papers and signs become the most powerful of all” (Latour 1990, 60). Questioning the performative marginality of documents, they have discovered that, although bureaucratic documents do not seem to have the symbolic richness anthropologists tend to look for, this does not make them any less a part of state-sanctioned violence (Graeber 2012).

For the sake of this analysis, and rather crudely given the growing complexity of the literature, I propose to keep in mind these two characteristics of documents: their denotational capabilities and their performative marginality. As I will show, permits implemented by the Chilean government in order to control mobility in zones under lockdown make these two aspects particularly salient, precisely because the COVID-19 permits lacked them, or at least were highly ambiguous in relation to them.

## **The COVID-19 Permit**

Santiago de Chile was a city with one of the longest pandemic lockdowns in the world. People residing in the first neighbourhoods (*comunas*) placed under this strict measure could no longer leave their homes as of 27 March 2020. On 25 May, the whole city – about 6.5 million people – went into lockdown<sup>2</sup> and had a nightly curfew imposed. Albeit a severe measure, the establishment of a lockdown to contain the spread of the virus benefited from large support across the political spectrum and great legitimacy among professional associations, local authorities, and civil society in general. Public discussions about the

lockdown seldom questioned its adequacy. Chile had at that time one of the worst COVID-19 outbreaks in the world and the circumstances were critical. After some reluctance from the central government, strict confinement was widely assumed as a necessary preventive action.

Under lockdown, the key distinction between people who could be outside and those who had to remain inside came down to whether their job, or what they were doing outside, was deemed *essential* – the word used by the authorities. The city never completely shut down. Rather, it functioned according to a fluid and changing definition of what was, and who were, considered indispensable. Since public transportation was still functioning, bus drivers and subway workers were allowed to be outside. Workers at supermarkets, drugstores and farmers' markets (*ferias*), which were still open, as well as restaurant workers making deliveries, could circulate with their work IDs. This was also the case for health workers, journalists, bank workers, and public servants, among other occupational categories. Individuals whose jobs were not considered essential had to apply for a temporary permit to do something essential, such as buying food, going to the hospital or walking the dog.

Who is an *essential* worker and what is an *essential* activity, and for how long? Answering this question forced authorities and ordinary citizens alike to stretch common sense and come up with creative solutions for what was going to become a bureaucratic nightmare. In four months, the authority in charge of managing the permits and safe-conducts during lockdown – ultimately, the Ministry of the Interior and Public Security – produced at least nine versions<sup>3</sup> of the bylaw regulating more than 20 different types of authorizations. Residents had to ask for these authorizations – some of which were valid for as little as 30 minutes – should they be outside in a *comuna* under lockdown. Changes responded to the fact that, despite restrictions, mobility in the city did not seem to decrease. As reported by the vice-minister of crime prevention (*subsecretaria de prevención del delito*), who became the visible face of the permits policy, people were being negligent and irresponsible. One person had even requested 21 permits in one week, causing authorities to progressively reduce the number of permits that could be requested to only two per week. When they discovered that some people would download the permit online just before being approached by police, they changed the website configuration such that permits were only valid 15 minutes after having been requested.

The issue was not only that people were supposedly taking advantage of the system, it was also that some daily situations strongly resisted the categories



imposed by the permits, especially when months under lockdown were adding up. Parents who did not live with their children wanted to see them, elders over 75 years old needed to get food even though they were categorically forbidden to go out, healthcare workers needed someone to take care of their kids, people still wanted to get married, home plumbing and electrical systems sometimes needed fixing, and hospitals needed blood donations. Faced with these needs, the government created new permits—with their own series of restrictions and requirements to be met—making them more sophisticated and accurate in relation to the activities they were regulating, but also more complicated and difficult to understand. The permits also sometimes created new needs for permits and for trips outside to get them. For example, obtaining the permit necessary to move to a new residence—an increasingly likely situation as the confinement extended past four months—required a notarized document which, in turn, required another permit so the person moving could physically go to the notary.

Permits regulating mobility associated to occupations (*permisos únicos colectivos*) also became more intricate. After the authorities discovered that many companies and businesses were requesting permits for their employees, they made the rules for accessing them stricter. They defined a list of essential industries and services, and only businesses legally registered in such industries and services could apply for COVID-19 permits. However, this adjustment opened up a new space for creativity from employers, who changed the legal registration details of their businesses or interpreted them in a very broad way. One clothing retailer had registered as a security company, a telecommunications company had its workers selling cellphones (Andrews et al. 2020), a non-essential activity, and someone who had once legally registered a business – which was no longer operating – sold more than 500 permits at \$20,000 Chilean pesos (\$25 USD) each (Cerna 2020). Every attempt by authorities to regulate businesses more thoroughly (that is, with more categories and paperwork) was met with more creativity, resourcefulness, or downright fraud. In a crafty though ultimately unsuccessful move, managers of an H&M store allegedly modified the addresses of several employees' contracts by hand, drawing the attention of authorities and resulting in its closure (Salgado 2020).

Obtaining permits and safe-conducts could also be an obscure task, especially for individuals who did not have access to the internet or who lacked the skills needed to understand the intricacies of bureaucratic identification mechanisms, such as the code that appears on every Chilean's mandatory ID card (*carnet*

*de identidad*). In order to obtain a permit, residents could either apply for it on the website of *Carabineros de Chile*, one of the two national police services in the country, or go to a police station in person. For understandable reasons, however, too many people chose this latter option, and the media reported large crowds outside police stations. For those who had access to the internet and the necessary skills, requesting the permit online was easier; after filling out a form, it was possible to automatically download a PDF file, like the one shown in Figure 1.

**Carabineros de Chile**

<http://www.carabineros.cl>

Folio: [Redacted]

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**PERMISO TEMPORAL**  
(Estado de Catástrofe COVID-19)

Considerando lo dispuesto en el Decreto 104, de 18 de marzo de 2020, del Ministerio del Interior y Seguridad Pública, que declara Estado de Excepción Constitucional de Catástrofe, y en el Decreto 269, de 12 de junio de 2020, del Ministerio del Interior y Seguridad Pública, que dispone su prórroga, se otorga la siguiente autorización a:

Nombre completo: Javier Femanda Araya Moreno  
Cédula de identidad: [Redacted]  
Edad: [Redacted]  
Domicilio: Metropolitana de Santiago, Ñuñoa, [Redacted]  
Motivo: Compra de alimentos, Compra de insumos básicos

**LIMITACIONES**

Fecha y hora desde: 23-07-2020 17:27:27  
Fecha y hora hasta: 23-07-2020 20:27:27  
Trayecto: Ida - Regreso  
Origen: Metropolitana de Santiago, Ñuñoa, [Redacted]  
Destino: Vespucio con Grecia

No válido en horario de toque de queda.

**AUTORIZADO POR:**

Fecha de Emisión: 23-07-2020 17:12:27

[QR Code] [Carabineros de Chile Seal] [Signature]

Juan R. Velásquez Villarreal  
Teniente Coronel de Carabineros  
Comisario

Código de Verificación:  
[Redacted] 76d07944-e2b7-4ec4-bca4-4af422ae9952

Figure 1. Mobility permit downloaded from the police's website.

Downloading a permit from the internet was not exempt of difficulties. The website – called “virtual police station” (*comisariavirtual.cl*) – existed before the pandemic for common police-related certificates. With the lockdowns, however, its traffic increased exponentially, causing it to crash a few times. While the police service progressively fixed technical glitches and improved

its overall functioning, the website never reached complete coordination with either recurrent changes to the bylaws regulating permits or with other public services' databases. In fact, a report issued by the Comptroller General (*Contraloría general de la república*) showed that 1,744 people who had been diagnosed with COVID-19 were able to download permits, which revealed that the information gathered by the Health Minister was not synchronized with the permits' website (Contraloría General de la República 2020). Maybe the website issuing the permits was not designed from the outset as the tool it became: one that was supposed to effectively manage the mobility of half of Chile's population. At the beginning, like many other legal certificates and documents, the permits were but one part of a broader mobility reduction policy. With time, however, they became the policy.

From a legal perspective, in order to adopt severe measures regarding the pandemic, the Chilean government had, like many other countries, declared a state of emergency (*Estado de excepción constitucional de catástrofe*). Legally, this made possible the curfew, the lockdowns, and the deployment of the military, which assisted the police in their work to check if people had the necessary authorizations to be outside. When the police or military found someone walking, driving, queuing, or doing anything outside, they could approach this person and ask for their COVID-19 permit, in addition to their ID. If the person did not have one, he or she could be detained, taken to the police station, and eventually to a criminal court to be accused of a criminal offence. With the pandemic, prosecutors had to quickly dust off their criminal codes and review an article they had likely never applied before: Article 318, which penalizes putting public health at risk. The Chilean Supreme Court pointed out the inadequacy of Article 318 to prosecute people whose only fault was to circulate without the COVID-19 permit, ultimately pushing the government, the police, and the national prosecutor's office to review their strategy. The decision was only issued by the Supreme Court in March 2021, after the police had already detained hundreds of thousands of people for not having the right permit to be on the streets.

Moreover, the permits' policy created a significant area of activity for a group of public employees, those in charge of issuing the permits, controlling whether people on the streets had them, detaining them if not, and processing their cases. This all translates into a great deal of mundane work verifying fingerprints, filling out forms, and creating general bureaucratic data. If arrestees had to appear before a judge, even more bureaucrats had to chip in, more police force

and gendarmerie members had to be involved, and more paperwork was needed, not to mention the labour involved in the handling of human bodies in custody in the context of a pandemic. Between June 22 and July 20, at least 1,400 people on average were arrested every day on the grounds of Article 318 of the criminal code.<sup>4</sup> The permits policy that aimed at reducing the city's activity ended up paradoxically expanding one in particular—the policing and criminal prosecution of people circulating outside without a permit or safe-conduct, who found themselves sometimes involuntarily gathered with other detainees during a pandemic.

### **An Anti-Document**

The COVID-19 permit invaded my fieldwork in Santiago during the pandemic. I wondered if I needed it, filled out the form on my cellphone or computer, downloaded the PDF file, calculated how many permits I had already used in a given week, and heard about friends who were detained. These were common activities during my compulsory stay in Chile. TV channels would broadcast many stories in evening prime-time news segments during which reporters would follow police while they inspected different parts of the city, filming the explanations of individuals being detained for not having the permits. “Stubborn,” “irresponsible,” and “careless” were some of the many adjectives media used to refer to those caught by the police, strongly condemning their behaviour. Newspapers would report every day on how many people were detained in recent hours, and pundits would ponder over these numbers, speculating about Chileans' cultural proclivity to follow the rules. Government officials would explain, multiple times, the many details involved in the permits' functioning—are the two permits a week counted from Monday to Sunday, or any given continuous period of seven days?—while the police officer in charge of the *Comisaría virtual* website would give many interviews answering journalists' questions about how and when to obtain the permits.

Doing my fieldwork on the administration of criminal justice in Santiago, I had seen many documents covering how this administration is carried out. As any ethnographer interested in bureaucracies, I had seen case files, forms, certificates, signatures, legal decisions, affidavits, and IDs being gathered, read, copied, scanned, printed, or sent by e-mail. None of these documents, however, were in themselves as paramount in the structure of a criminal case as the COVID-19 permit. Some documents, for different reasons and in exceptional cases, were difficult to obtain in a timely fashion – a medical report before

a hearing, for example – but bureaucrats and prosecutors would make every effort to get them or replace them with another document that could play a similar role in the case. In fact, a significant part of their job is precisely this work of physically and symbolically articulating different types of documents, making them appear as if they were only documents proving the important part, that is, the situation considered a criminal offence. The COVID-19 permit, on the contrary, was not just another document to be included in the file; it produced the criminal offence itself. The only difference between walking outside and walking outside committing a criminal offence was whether the person in question was or was not in possession of the permit.

COVID-19 permits lost denotational capabilities. The relation between documents and “that about which they speak is oblique” (Hull 2012b, 246). Yet, for them to operate, we need to believe that such a relation exists, even if it is to challenge it. In the case of the COVID-19 permits, it was impossible to suppose that what the permits said people were doing outside was indeed what they were doing. Not because they were lying – although this could happen too – but because the different types of permits mobilized an unreasonable conception of people’s daily lives. A person would ask for a permit to buy groceries, indeed buy them, and then bring them to elder members of their family without having asked for the specific permit designed for this last situation. Others would go with their pets to the supermarket, walking them and buying groceries at the same time, two things the permits wanted them to do separately. In any case, it was difficult to pretend that a complex system of authorizations would actually, with some level of accuracy, account for all of the genuinely essential reasons that individuals had to get out of their houses, let alone for a standardized period of time.

The indeterminacy of the relation between the permits and what they were supposed to represent was also explained by how they were – or could be – controlled by police. In general, simply having a valid permit while outside was enough to avoid detention; police or military would not inquire into whatever the controlled person had declared was going to do with the permit. In fact, left- and right-wing protesters would reportedly ask for COVID-19 permits to go buy groceries and then gather in a public place and express their demands through public demonstrations. Aside from the arguments exchanged in the controversies these protests provoked, the fact that these controversies even existed shows the public acknowledgement of the permits’ weak representational capacity.

The ambiguous relationship between documents and what they are deemed to represent is the very object of the anthropology of documents (Pigg, Erikson, and Inglis 2018). When the USSR created an internal passport (Garcelon 2001), members of collective farms were subjected to mobility restrictions not because of what they were doing and when they were doing it, but because of who they were according to a stabilized definition of their identity. Similarly, identity cards in Rwanda represented the attributed ethnic identity of an individual, and while this attribution could be contested over time, it was stable in that it was used for identification purposes (Longman 2001). However, in the case of the mobility permits in Chile, it was difficult to find stability as to what they were deemed to represent.

While COVID-19 permits were losing their denotational power, they were in turn gaining indexical complexity. To begin with, not only could they not be used to prove that the bearer was indeed COVID-19 negative or doing whatever outside activity they had declared, their impact on the situation of a person found without a permit was dependent on the time and place at which the person was found; a factor completely determined by context. For a person to be detained, they had to fulfill two conditions. First, not having a permit at the moment of the police control – or having one that was not valid at that moment. Second, physically being in a confinement zone.

The permits also produced other effects; in addition to being prosecuted, not having one meant being associated with the group of people considered stubborn and irresponsible, those who were putting public health at risk. The Ministry of the Interior and Public Security had implemented a website for ordinary citizens to report when they thought others – such as their neighbours – were doing something without the necessary permits or were using them in an inappropriate way. Security guards at banks and at supermarkets were legally allowed to check if customers had the necessary permits to be there, which modified how these workplaces functioned. And, referring to those who did not make proper use of the permits, the vice-minister of crime prevention exclaimed, “this [behaviour] costs human lives, human lives!”<sup>5</sup> There is no doubt that the piece of paper or the downloaded PDF file on a cellphone carried a heavy weight.

At the beginning, it was very easy to forge permits since there was no way for the police to confirm that they were indeed downloaded from the website. Progressively, the police implemented technical mechanisms to verify that a permit had been downloaded from the website and was not a counterfeit.

However, the permits also created another kind of forgery, one that more clearly illustrates the indexicality of COVID-19 permits. The forgery not of a permit to be used in a specific situation, but the forgery of the existence of a type of permit itself. At least twice, the police service had to officially and publicly refute the existence of false categories of permits, created as a parody or as a joke by some social media user. One such permit supposedly authorized its bearer to go somewhere to have sex, and another was one to party in the name of a Chilean national hero, seemingly only available the day that commemorates his heroic jump to an enemy ship (see Figure 2). These fake versions of permits caused humorous reactions, precisely because it was unclear whether they existed. What made them funny is that it was somehow plausible for the authorities to have deemed these activities as essential. These fake permits confirm the creative dimension of documentation practices, as “sites for strategic opportunity, benign neglect and selective ignorance” (Pigg, Erikson, and Inglis 2018, 170), and the indeterminacy of what they represented, but especially their effects on what they directly invoked. Suddenly, permits made people think of parties, national heroes, and sex.

The objective of the permits was clearly to restrict mobility. However, as the large number of permits issued seems to show – nearly one million permits per day during the first months of the pandemic – rather than inhibiting people’s circulation, the permits managed it. Literature in socio-legal studies have already demonstrated that the criminal law system, more than adjudicating guilt, ends up managing populations and their behaviour (Feeley 1992[1979]; Kohler-Hausmann 2018), which was precisely what the permits policy seemed to do. COVID-19 permits also established an immediate connection between a criminal offence and a behaviour, despite the fact that documents are supposed to be imperceptible, a detail of the case and not its core. Like law, they are supposed to be “collateral,” a “technicality” (Riles 2010, 2011). The important objective, in this case, was reducing mobility as part of a public policy aimed at containing the spread of the virus. However, the COVID-19 permit was not collateral to the policy, the permit was the policy. Its centrality was revealed in an extreme way when, according to the news, a woman who was going to the police to report that she had just been raped was detained for not having a permit (Navarrete and Reyes 2020). The centrality of these permits in public discussions about the pandemic, in the measures implemented to contain it, and in the ways in which the pandemic was handled on the streets – with police and military deployed to approach individuals and check if they had



Figure 2. Screenshot of the Chilean police's Twitter account, denying the existence of a mobility permit that would allow its bearer to party in the name of a Chilean national hero.

their permits—showed that they failed at what other documents do precisely by appearing marginal and by drawing their effectiveness from that marginal position—“the effectiveness of form in generating the effect of effectiveness” (Riles 2001, 172).

## Conclusion

The COVID-19 pandemic required prompt policy responses from governments confronted with the tension between a need to restrict the population's mobility and assuring the respect of their rights. It is in this context that mobility permits were created and implemented in Chile, shedding light on how official documents have both an oppressive and an emancipatory dimension (Caplan and Torpey 2001). The permits represented the paradigmatic vision of the state, making citizens “legible” through transparent and standardized measures (Scott 1998).



They were a way of assuring that everybody had equal and transparent access to the limited mobility that was permitted to each person, a way of standardizing the amount of time that people could spend outside, and a way of producing evidence of the exercise of this right. Contrasted to police discretion, the permit was the objective means by which a person could prove that they were either authorized to be outside or not. At the same time, residents were forced to ask for such permits and were susceptible to punishment if they did not. The permit both criminalized a practice and created it.

How do governments use documents to respond to the pandemic? How does this unsettle, reorganize, and affect people's everyday lives? What does this reveal about the ways in which documents operate in current times? Throughout this text I analyzed the mobility permits implemented in Chile in zones under lockdown during the COVID-19 pandemic, interrogating their denotational and indexical properties. As an exploratory hypothesis, the idea of an "anti-document" proved useful. By qualifying them as "anti-documents," I emphasized the fact that mobility permits were at odds with the ways in which documents, as identified by the literature, typically interact with people and play a role in social contexts. As "anti-documents," mobility permits in Chile missed denotational capabilities and performative marginality. In other words, they did not mean much while, at the same time, they were too important, both in the overall virus containment strategy and in the life of an individual caught outside without a permit who risked being detained and even imprisoned. The COVID-19 permits not only created a new space for police discretion, they also unsettled and made precarious the legitimacy of law and state rule, producing experiences of tension "between threat and guarantee" (Poole 2004) during which people moved unsteadily over time and space between the threat of being detained and the guarantee of having their right to mobility recognized.

The policy of mobility permits could be studied for their consequences on different groups of people, probably revealing that poorer, less educated, and more marginalized groups were disproportionately impacted by the policy. Individuals who did not have access to the Internet to download the permits, to a car to move quickly from one part of the city to another, or who lived in neighbourhoods already under greater surveillance were more prone to be caught without a valid permit. As noted above, the rules for getting the permits were complex, constantly changing, and required a minimal familiarity with websites, forms and bureaucratic identification devices, which a part of the population lacked.

For the purposes of this paper, however, I partially deviate from this kind of analysis. Not because the permits did not enable a particular type of legitimate violence from the state – after all, the permits made possible the detention of individuals simply on the basis of being in the street without one – but because this violence was exerted through a sophisticated technology: an official document. In this way, rather than operating as meaningful tools for the management of mobility, these permits “live mostly as traces of the state” (Butt 2018, 209), reinforcing its presence in people’s daily lives. As bureaucratic tools, “dead zones of imagination” (Graeber 2012) and “technicalities” (Riles 2011), we tend to avoid documents as research objects or to understand them as part of a bigger political project altogether. Turning the researcher’s attention to the documents themselves allows us to unpack and question this very feature – their apparent marginal role – perhaps corroborating their function in broad processes of criminalization and surveillance while shedding light on the ways in which documents play a role in the contexts, situations, places, and communities we are drawn to observe as ethnographers. This kind of approach invites us to explore the difference between the ever-present threat of physical violence on which law is based and actual physical violence, precisely because between them lies a fair amount of paperwork, as police officers, prosecutors, judges, defense attorneys, and bureaucrats of the institutions involved in the application of criminal law know all too well.

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## Notes

- <sup>1</sup> According to official figures published by the Ministry of the Interior and Public Security, in 2020, between 19 March and 7 July, 228,258 people were detained. <https://www.interior.gob.cl/noticias/2020/07/07/ministro-blumel-valora-accion-policial-carabineros-ha-detenido-a-340-personas-con-covid-positivo-desde-que-inicio-la-pandemia/> (accessed 1 July 2021).

- <sup>2</sup> Chile adopted a strategy of “dynamic quarantines” (*cuarentenas dinámicas*), which meant that mobility restrictions were imposed or lifted in relation to a series of indicators at the level of a *comuna*, an administrative division smaller than a city, similar to a county or a borough. The metropolitan region of Santiago, highly interconnected and urbanized, is composed of 52 *comunas*.
- <sup>3</sup> As of 25 July, official documents (*oficios ordinarios*) issued by the Ministry of the Interior and Public Security numbers 8,935, 9,460, 10,623, 11,694, 12,695, 13,556, 14,784, 15,346 and 16,695, each included a new version of the bylaw (*Instructivo para permisos de desplazamiento*).
- <sup>4</sup> Average of the data issued by *Carabineros de Chile* each day, gathered by the author.
- <sup>5</sup> The video is available on the Twitter account of the vice-ministry of crime prevention. <https://twitter.com/SubPrevDelito/status/1291409326486237187> (accessed 12 December 2020).

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