

A Different Kind of “Emergency Law”: The Days of Coronavirus in Argentina

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The “Emergency” as a Non-novel Concept in Argentina

The last months of 2019 and the first ones of 2020 were not peaceful times in South America. In different levels of manifestation, social movements took the streets for multiple reasons, mainly to protest against governments (both left-wing and right-wing, according to the State), inequality and corruption in many countries: Venezuela, Peru, Ecuador, Colombia, Chile and Bolivia.

In the same semester, in Argentina, elections were held to choose a new President and to partially renew the Congress. Between the Primary Elections (PASO) in August and the General Elections in October, an economic disaster happened that is complex to describe. The (at that time) President and candidate Mauricio Macri came in second and with a great difference below the opposition’s candidate, Alberto Fernández. Popular discontent was evident in the vote and the results created uncertainty about future. The main consequences were the devaluation of the national currency (“Peso”) in a drastic way (almost 100% of its value) and the return of the exchange clamp (inability to buy more than US\$ 200 per month). The rumor of a possible “corralito”¹ reminded the crisis of 2001. Inflation, which was already increasing, was intensified to be around 53,8% per annum.

When the international crisis caused by the Coronavirus reached Argentina, the idea of a state of emergency that could justify an alteration of institutional power over citizenship was not new. It was not even recent. The country has a long political and legislative tradition which, as a result of successive states of economic and social emergency, from the 1920s to the present, has continuously granted special powers to the Executive Power so that it could take extraordinary decisions in economic and tax realms. These include affecting rights in order to overcome a crisis. The right to property has been the most recurrently affected one to fulfill a social function.

On December 10, 2019, the new President, the deputies and senators took office. One of the first actions was the enactment of the Law 27541, on December 20, which declared, once again, the economic, fiscal, sanitary, administrative, pension and energy emergency in the country. This rule established a large number of measures that raised controversy that it is not possible

¹ A regulatory measure that prevents taking savings out from the bank in cash.

to describe here. The most important one was to give the President more power of action for six months to review the legal conditions in those emergency areas and to regulate some issues. In this context, it must be added that the period of ordinary sessions of the Congress had ended on November 30. It began again on March 1 but shortly after that, the Congress meetings were suspended because of the pandemic. Therefore, any urgent decision that would require treatment by the Legislative Branch could be made by the President through a Decree of Necessity and Urgency (DNU), which has the force of law. In other words, the Executive Power can legislate to replace Congress (this institution, later, will review the actions). If we add to this context that the Argentine government system is presidential and, as some authors describe “hyper-presidential”, granting special powers to the Executive Power in an abnormal and exceptional instance does not seem like a measure that draws attention at all.

In Argentina, normality is the emergency, although the phrase might seem paradoxical. Despite what has been said, the emergency that was unleashed by Coronavirus was different, not in relation to politics, or to the regulatory powers of the Executive Branch over the citizens’ rights, but because of the major impact it had in everyday life. This time, the crisis hit the economy, but also life itself in several dimensions: life in the biological sense is at tangible risk, life as a way of social and cultural relations changed. Words like "positive case", "testing", "authorization to circulate", "face mask", "alcohol in gel", "imported cases", "community circulation", "recovered", "stranded", among other, have been incorporated into daily use. Nowadays, we work and study at home, we can no longer visit the family, we won't share mate or “asado” on Sundays. There are no open churches, there is no football, there are no open banks. Going to the supermarket or to a pharmacy involves making long queues. Circulating in the streets without a very valid motive, far from being part of individual freedom, can be a crime against a collective good. More every day, the idea of implementing a face mask as a mandatory clothing is debated; there is an appropriate method for sneezing; face should not be touched; exercising in a park is a crime against public health and one should learn how to wash hands properly.

The first positive case of Coronavirus, in Argentina, was confirmed on March 3, 2020. It was a national citizen arriving from Europe. After that, the cases increased. By 12 April, the majority of cases are “imported”, this is, people that have come from abroad recently (37,3%) or are people directly related to them (34,8%). However, there is also community circulation (14,4%)². The mortality rate is 4,3%. Along with the increase of the number of cases, xenophobia grew too. Although the majority of imported cases come from Europe and the United States, discrimination grew, but mainly, against Chinese population. In social imagination, Coronavirus appears to have oriental features.

Since March 12, among other measures, the mandatory quarantine in some cases, the suspension of shows, the closure of public spaces and the prohibition of flights from Europe, the US, China, Japan, South Korea and Iran were established. A few days later, on March 19, social, preventive and compulsory isolation (hereinafter, ASPRO) was decreed for all citizens

² The rest of the cases remain under investigation.

(with the exception of those that work in the considered as essential services) and the complete closure of the borders. Now the risk was also in the countries of the region (the "patria grande" or the "big homeland").

Since then, the emergency is not the same as always. The effects over citizens' rights are much more noticeable. The principle of legality, formally, is intact: everything that is not forbidden is allowed; materially, it seems to have been weakened a lot or to have been reversed: outside from home, permission is the exception. The emergence of COVID-19, even in a country accustomed to crisis, has had a strong impact on various spheres of life.

"Argentine Anomie" and Compulsory Isolation

One of the most interesting and remarkable effects of the Corona-crisis is that Law is quite well complied and respected. Most people are obeying legal rules that involve social distance and isolation despite it is hard. This is not the usual behavior. Carlos Santiago Nino, a philosopher of Law, linked what he called the "Argentine anomie" or "dumb anomie" to the underdevelopment of Argentina. He explains that this kind of anomie, unlike the one described by Durkheim, is actually a trend to illegality that involves a general violation of a rule, not because there is a lack of rules, because rules are not clear, because normative realms are contradictory to each other or because rules do not satisfy interests, but it is violated just in order to obtain an advantage for one's own, with the expectation that other citizens do comply (for example, not respecting traffic rules might help the offender getting faster and safer to his destination if the other drivers do behave properly)³.

In a context in which public and individual health require collective abstention from circulation, respecting distances and changing social habits, the cultural factor that tends to systematic non-compliance can relativize the emergency rules. Let's see an example: a few days after the first official announcements on the suspension of events that would agglomerate people and the emphatic recommendation not to circulate except for extreme needs, that is, when there was no mandatory quarantine, news was published about the massive turnout of families to tourist destinations in such a way that there were delays in the access to cities and beaches. These events derived in the ruling of compulsory isolation with strong control by the security forces (police and military) and interpreting its violation as a crime against public health in the terms of the Penal Code. During the first ten days of ASPRO, there were 23111 criminal files opened for quarantine violations and 3778 seized cars. A recurring case is one of a businessman from Rosario who violated the ASPRO fifteen times. The most famous image that is now the symbol of the "quarantine dumb anomie" is that of a surfer who returned from vacation from Brazil with the surfing boards on the top of his car. Apart from these examples, the quarantine has been generally obeyed.

³ Nino, Carlos Santiago. *Un país al margen de la ley. Estudio de la anomia como componente del subdesarrollo argentino*. Buenos Aires: Emecé, 1992.

In discourse and in practice, measures taken by national authorities demand constant justification grounded in emergency, health and the possible risk of death of population since they affect fundamental rights that have been the result of historical struggles. For example, the restriction of the freedom to circulate without being able to invoke a specific and allowed cause, the prohibition to work in cases of non-essential services, the prohibition of entry to the country for nationals who were stranded abroad unless they are rescued by the State, the restriction of seeing children in cases of divorced parents, the prohibition of practicing sports in common places or attending public events, the restriction of religious freedom which was completely relegated to the private sphere, are measures that were accepted by citizens. Even when a state of exception is not formally declared in constitutional terms, these measures show how formal Law yields to an informal form of social interpretation during the emergency.

On the other hand, the surveillance carried out by the security forces of the quarantine compliance has been one of the concerns that required an explanation by the President. He clarified that everything that is done is done within the framework of what democracy allows⁴. This is due to the fact that the intervention of the armed forces in cases of restriction of civil rights has been a sensitive issue in the country since the last military dictatorship that left serious human rights wounds.

The Dilemma between Health and Economy

In a speech delivered on March 30 to announce the extension of the quarantine, the President said that there is no dilemma between health and economy. He explained a series of actions that were taken in order to take care of the economic aspects, but he also stressed that the government's priority is health. To do this, he made an analogy: in 2003, he was part of the government of the then president Néstor Kirchner. Back then, the country was going through a deep economic, political and social crisis that can be symbolized in the succession of five presidents in eleven days in December 2001. However, there was a recovery. "An economy that falls always rises again, but a life that ends cannot be arisen anymore" were the president's words in his speech⁵. The phrase seeks for legitimacy showing the President's expertise in situations of economic crisis and invoking the probability of the most extreme consequence of the pandemic: death. It can be seen that, deep down, there is a message about the relationship between the State, citizen obedience and biological control: The State can overcome an economic crisis and the latter is not as serious as death. The State cannot solve a death, but

⁴ Palabras del presidente de la Nación, Alberto Fernández, luego de su reunión con los Gobernadores, para analizar la pandemia del coronavirus, COVID-19, desde Olivos. 20 de marzo de 2020, Disponible en <https://www.casariosada.gob.ar/informacion/discursos/46783-palabras-del-presidente-de-la-nacion-alberto-fernandez-luego-de-su-reunion-con-los-gobernadores-para-analizar-la-pandemia-del-coronavirus-covid-19-desde-olivos>

⁵ Palabras del Presidente de la Nación, Alberto Fernández, acerca de la pandemia del coronavirus COVID-19, desde Olivos. 30 de marzo de 2020. Disponible en: <https://www.casariosada.gob.ar/informacion/discursos/46803-palabras-del-presidente-de-la-nacion-alberto-fernandez-acerca-de-la-pandemia-del-coronavirus-covid-19-desde-olivos>

obedience to the State can prevent death by Coronavirus. Disobedience, on the contrary, can generate an irreparable risk and collective damage.

It is interesting in this combination between the biological realm and obedience to the rules that the greatest citizen contribution to combat the pandemic is staying at home, that is, avoiding physical proximity to others. The collective good is cared for from the separation of individuals. The message is that individuality is what saves the community. Isolation is the legal response to a biological threaten. A virus that attacks one person should not spread. Neither the infected nor the healthy should go out. For that, surveillance is the way.

Changes in Communicative Acts

In general terms, the culture of Latin America is usually characterized as collectivist in the sense of the relevance of interactions between individuals and socialization groups, among them, family, friends and communities nucleated around some interest (neighborhood, sports, etc.)⁶. Physical contact between people is something common in the framework of communicative acts in Argentina as a way of showing the bond⁷. Greeting each other with a kiss (not only with very close friends or family, but with colleagues or even someone who one has just met), touching the shoulder or arm of another person during a conversation, hugging for a few seconds at a farewell are part of daily life and that, as codes, their non-practice may seem impolite. Physical closeness is not an invasion but a sign of comfort. Since the emergence of the Coronavirus, the greeting has become an elbow bump and the distance of two meters between person and person is a new rule that is difficult to comply with (we can see the queues outside supermarkets or pharmacies). However, the violation of these new emergency social rules might be considered as a way of putting others at risk. How will the safety and hygiene rules be designed for public spaces, for example, a university classroom, during this pandemic? A space that previously could be considered safe and adequate, can now be unsafe if it does not have space to maintain the same authorized capacity of people with the respective space of 2 meters. The regulations may not have formally changed, but their “reasonable” interpretation in light of the pandemic invalidates it and changes its meaning.

A practice that is extremely widespread in the country is drinking “mate”. This is an infusion that is prepared in a small container (“mate”), yerba mate is placed inside it, hot water is served and the bulb is shared among those who are part of a round. There is a whole ritual of preparation, for “cebar” it and for communicating (for example, saying “thank you” means that you no longer want to drink mate). “Matear” alone when there are other people around can be understood as a rude and a lack of consideration for others. Integrating a round of mate is not an obligation, although not doing so is a way of distancing. Mate in meeting should be shared,

⁶ Hofstede, Geert. *Culturas y organizaciones, el software mental: La cooperación internacional y su importancia para la supervivencia*. Madrid: Alianza.

⁷ Cerda-Hegerl, Patricia. “Dimensiones centrales de la cultura y la comunicación en América Latina hoy”. *Actas del Programa de Formación para el profesorado de Español como Lengua Extranjera del Instituto Cervantes de Múnich*. 2005-2006. Múnich: Instituto Cervantes, 2006, pp. 328-343.

since this drink is actually an excuse for social interaction. In a context of great potential for contagion, this practice has been suspended at least in public, probably, not in the majority of homes. Sharing a mate, since the emergence of COVID-19, is a symbol of unconsciousness and contempt for the health of others. A renowned case in this regard was the death of an infected woman who would have shared the mate with the considered patient 0 from the province of Chaco (one of the most affected provinces of the country and certainly the most surprising one because it has not so much population and no international frontiers). Now then, could someone make a criminal complaint against others for drinking mate? Would this, in the Coronavirus times, be a penal typical behavior?

Another relevant change has occurred in the framework of the funeral ritual. There are no longer gathering of friends, family and relatives for hours at a wake. The regulations indicate that there are no open rooms for this purpose. The farewell must be done briefly and only with the immediate direct family of the deceased. If the person has died of Coronavirus, then their relatives must be quarantined and cannot attend to see the body for the last time.

Regarding religious practices, there are no open temples and they have been relegated to the private sphere. Masses and preaches are transmitted on line and, for example, Catholics are invited to spiritual contemplation as a way of communion. Only religious services for spiritual assistance in extreme cases are considered an essential service (for example, extreme unction of the sick). However, a priest could not attend to pray for a deceased at his funeral.

Coronavirus and the Political Crack

A particularity that COVID-19 disease has taken in Argentina is that, until now, it seems to mainly affect the upper and middle social classes. This is because the vast majority of those affected are people who have been abroad (mainly in Europe and the United States) during the summer vacation period⁸, that is, they had enough money to pay for tickets and stays abroad. It is important to consider that paying services abroad after the devaluation of the dollar that occurred in 2019 and plus a 30% tax, is very expensive. Coronavirus is associated with purchasing power.

In the last two decades, in the country, a political phenomenon has occurred that the contrast between liberal and populist ideologies, has generated a great social division. Explained in very simplistic terms, this division has implied whether supporting the Kirchner party (originally, “Frente para la Victoria”, today, “Frente de Todos”), with a center-left tendency, or supporting the party of Cambiemos (today, “Juntos por el Cambio”), with a center-right orientation. This phenomenon has been called “the crack” (“la grieta”) since one is on one side or the other; in the middle, there is only an irreconcilable break. In this framework, the role of the State vis-à-vis the poor and tax policies have been discussed endlessly. Should the State grant subsidies for the most vulnerable sectors at the cost of increasing taxes for the middle and upper social strata?

⁸ In the Argentine summer (December-March).

This was one of the central questions. In another group of ideas, also under the focus of the disputes was the national airline "Aerolíneas Argentinas" which, for the Kirchner government, was a relevant part of the country's connection system and got many subsidies; and, for the liberal opposition, it was an icon of corruption.

The appearance of the COVID-19, as a disease that has mainly affected those who have been abroad and their relatives, has made the crack vivid again. After national borders were closed, many Argentines were stranded abroad. Their repatriation could only be made through Aerolíneas Argentinas since other companies are not allowed to enter to the country. So, it was pointed out that those who once criticized the company (the supposed upper classes) now depended on it for their return.

It should be noted that these are the discourses that can be found in the framework of the media and social networks as a form of expression of the crack and what has been generated during the pandemic times. There are inconsistencies between the premises: who is abroad does not necessarily belong to a high class (many were with scholarships or for work reasons), not everyone who was abroad criticized Aerolíneas Argentinas, not every member of middle or upper class is liberal, etc. However, in symbolic terms, the Coronavirus was associated with upper classes and the oppression of capitalism and economic liberalism over the poor.

In these examples it can be seen how the growing role of the State is considered as essential to save collective goods such as health, also to care for merchandise prices against excessive increases, to ensure rental contracts (prices are "frozen", contracts are extended and eviction is prohibited) and loan interests, and to repatriate the stranded. As the collective becomes important, individuals are configured as reciprocal risks (each one can infect another person and each one can be infected by another one) that can only save the common realm by separating and isolating. Before, the political motto to invoke solidarity was "homeland is the other" ("la patria es el otro")⁹; in times of pandemic, "the risk is the other". What is shared is separation, paradoxically. Coronavirus has changed the way of creating the public sphere and of bonding.

Football Suspension

Football is the most famous sport in Argentina. It is not only a sport or a spectacle, but it is a means of building citizenship since its massive transmission by television or other media considers everyone under the same category: the one of "fans"¹⁰, it does not matter if someone is rich or poor, it is about following teams and games. Watching the games of the most important clubs is a ritual that many Argentines enjoy. Not only that, but during the week, friends often get together to play a "picadito" (an improvised and informal soccer game). Quarantine has

⁹ This phrase was used in a speech in 2013 by the then President and current Vice President, Cristina Fernández de Kirchner. It became very popular and is a motto of populist groups.

¹⁰ Alabarces, Pablo. Fútbol y patria: el fútbol y las narrativas de la nación en la Argentina. Buenos Aires: Prometeo, 2002, p. 29.

changed habits in this regard. However, in some places, citizens could not hold their desires. For example, in Chaco, a group of 11 women was detained for violating the quarantine¹¹.

In his speech of March 12, when requesting social distancing (still without quarantine) and suspending public shows, the President pointed out that the matches of the first league could be played behind closed doors. He asked television companies to show the football games for free so that all Argentineans could enjoy them (typically people must pay to watch the games)¹². A day later, the River Plate Club decided not to show up to play a game since a player had symptoms compatible with Coronavirus. Thus, the club denounced the risk for the health of the players of continuing with the Super League Cup. Finally, the Argentinean Football Association decided to suspend the activity.

The President's request for the continuity of the show and for the free broadcasting of the entertainment has a strategic background. The lack of soccer on television and on the fields eliminates one of the most relevant distractions that Argentine society has had in recent decades. Through the homogeneous mass media transmission, without paying, everybody can attend the same games. This erases on an imaginary level other barriers that in reality remain¹³. So, the continuity of football would have been a sort of a gate to avoid the isolation of the quarantine.

Asphalt Law and Poverty in Times of Pandemic

Poverty is one of the deepest stigmas of Argentina. The year 2019 ended with 35.5% of poor according to official data. Poverty not only implies measuring a per capita income as low, but also encompasses observing its effects: poor housing conditions, overcrowding, unhealthiness, little or no access to basic services, bad nutrition, informal jobs, contexts than facilitate domestic violence, etc. In the context of the pandemic, the first recommended sanitary measures have been social isolation and hygiene habits such as washing hands. These have certainly been difficult to fulfill in deprived neighborhoods where there is no access to water or where large families live in small rooms. Income is usually barely enough to live one day at a time and not being able to look for jobs makes it impossible to buy basic food. The government has taken economic measures to lessen the problems. Until April 12, contagion has not occurred in slums. However, if that would happen, it would be catastrophic. The speed of the spread would be very high. The risks over there are huge and health and sanitary devices and institutions are scarce.

A case that should be highlighted is that of the slums (“villas miseria”). A characteristic phenomenon of the city of Buenos Aires is the existence of these extremely poor

¹¹ “Coronavirus en la Argentina: detienen a 11 mujeres por violar la cuarentena para jugar al fútbol en Chaco”. *La Nación*. 4 de abril de 2020. <https://www.lanacion.com.ar/sociedad/coronavirus-argentina-detienen-11-mujeres-violar-cuarentena-nid2350802>

¹² Mensaje por Cadena Nacional del presidente Alberto Fernández ante la emergencia por coronavirus. 12 de marzo de 2020. Disponible en <https://www.caserosada.gob.ar/informacion/discursos/46767-mensaje-por-cadena-nacional-del-presidente-alberto-fernandez-ante-la-emergencia-por-coronavirus>

¹³ Sebrelli, Juan José. *La era del fútbol*. Buenos Aires: Penguin Random House, 2011.

neighborhoods, generally usurped, with precarious housing and little degree of urbanization. The “villas” have their own logic, they are redoubts with different codes, the State is absent there. In the framework of the pandemic, the interference of the armed forces is seen with fear since their entry and surveillance now have extra legitimacy: they are there to care for the inhabitants. Priests (“curas villeros”) have become key actors in this framework since they are interlocutors between the poor and the government and have offered the churches as refuges to house the most vulnerable.

The “Law of the asphalt”, as Boaventura de Sousa Santos named it while showing the contrast of state regulations against those of the Pasárgada favela¹⁴, it is not the natural one for the villas. How can a mandatory quarantine be imposed from the State where the State does not arrive or is not always welcomed? Contagion has not yet reached the villas. This allows the quarantine to be done, in facts (not by legal permission), in a “neighborhood” way, this is, without crossing the limits of the villa. Inside, life continues in an almost normal way, that is, people circulate, go to common places, shops are open, etc.¹⁵. However, “almost” is due to the fact that the income has decreased: the national economy outside the villas is paralyzed the effects are felt everywhere.

Adapted Rituals

The quarantine brought changes in social dynamics. Those with artistic gifts go out onto the balconies to sing, for example. At 9:00 p.m., every night since the isolation began, the doctors, nurses, security personnel, garbage collectors, licensed shop workers, etc. are applauded. These are new forms of expression, a way to participate in collective practices despite isolation. Some facts were particularly interesting. The first of these occurred on March 24. This is a significant date for Argentineans as it commemorates the starting date of the last and bloodiest dictatorship. Every year, on this day, events take place in the Plaza de Mayo (Autonomous City of Buenos Aires), a symbolic place since the mothers of the “disappeared” (people kidnapped, tortured and killed by the non-democratic government in 1976-1983) marched during the dictatorship, demanding information of their children. To identify themselves, they wore a white headscarf. This year the congregation in that special place was impossible. The commemoration of that milestone is not merely a formality, but is a ritual of collective memory that shows the social commitment to not forget what happened and thus avoid that something similar occur again (“Never again” is the slogan) in addition to an invocation to human rights against state terrorism. During the quarantine, the rite was changed: no act was attended, but a white handkerchief was placed in windows and doors as a symbol. This was the new way of showing that, despite difficulties, the spirit remains alive.

¹⁴ de Sousa Santos, Boaventura. *Sociología Jurídica Crítica*. Madrid: Trotta, 2009.

¹⁵ “El hambre se ensaña con las villas miseria de Argentina por la pandemia”. *El País*. 3 de abril de 2020. <https://elpais.com/sociedad/2020-04-03/el-hambre-se-ensana-con-las-villas-miseria-de-argentina-por-la-pandemia.html>

Another interesting event occurred in relation to the deepening of the economic crisis. Because many sectors are paralyzed, revenues have decreased, but costs remain. The financial crisis is growing and the confrontation between the government and the business sector increases. In this framework, citizens began to demand politicians to reduce their salaries. On March 30, an ancient form of expression against politicians was revived, albeit in a different way: the “cacerolazo”. The "cacerolazo" is a peaceful practice of the middle classes, in which the citizens march against the government with the noise produced by hitting saucepans or any other metal device than can be easily found at home. The calls are not partisan and are a sample of the low representativeness of government decisions¹⁶. That night in quarantine, there was no march. Citizens protested from their balconies, but with pans in hand.

Some Reflections

1. Law in and of emergency is not new in Argentina. Neither are the extraordinary powers of the Executive Power. Some restrictions on rights, mainly those on property, are not new. Others, the most extreme, are novel.
2. The State is configured as a guardian of collective goods and is present in every space outside the domestic. Only home is exempt from state interference.
3. When it comes to fighting for health as a human right, even in a “global war” against a common invisible “enemy”, strategies are to be taken with closed frontiers.
4. In the pandemic, the collective is built from the individual as isolation. Not contacting physically is the way to take care of the health of others. However, there are many ways to build relationships and renew participation in social fields: Masses on line, hanging on pots on balconies, applause at night, etc.
5. The state of exception is shown beyond what is formally declared. Democracy is still in force and guards the tensions created by Law in emergency. Health and emergency justify that Law changes. It is a transitory Law, which suddenly breaks in and is also legitimized by an emergency culture that enables it. Regardless of the legitimacy of the measures, the restriction of rights exists.
6. Until now, there has been no contagion among indigenous peoples. If there were, how will communal habits, forms of housing, family relationships, non-traditional medicine and even mortuary rituals be regulated by the State? How can the State intervene in communities responding to other normative conceptions and customary in a world that is imposing global protocols of safety?

¹⁶ Kammerer, María Luján & Sánchez Roncero, María Victoria. “El cacerolazo como nueva forma de expresión popular”. *Question*, 1(6), 2010.

The Corona Crisis in Light of the Law-as-Culture Paradigm

<http://www.recht-als-kultur.de/de/aktuelles/>

7. What will happen to law when the state of emergency of the Coronavirus is reduced? What will happen to the penal causes initiated for circulating? Will there be lawsuits for damages to those who, allegedly ill, put others' health at risk?
8. How will the relationship between the social uses of greeting, physical contact and the "mateada" beyond the domestic and legal regulations be conceived?
9. Will there be changes in family law that, during the emergency, has reminded the responsibilities of the youngest of taking care of the older adults? How will the best interests of the child and the parenting regime be interpreted in isolation? Should the parents who did not live with the minors financially compensate the one who did live despite not being guilty for the breakdown of the parental responsibility regime? How can the State take care of people shut at homes where there is domestic violence?
10. What criteria will be taken for prisons has prison overlap and where prisoners have requested house arrest? Will the criteria for granting such a measure change to accept possible risk or fear as grounds for making a request?
11. Under criminal law, the alleged criminals who would have violated the quarantine by circulating without justification, in case of being judged post-emergency, will they fall under the emergency Law or will the most benign law be applied to them, that is, the non-emergency one?
12. What is the reason for closing borders in a globalized and interconnected world where a virus cannot distinguish between nationalities? What is actually protected: human health, the national's health, the virus non-circulation, the prevention of resources (human resources, health system buildings, artificial respirators, COVID-19 tests) not to scarce?

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