# Borderland Political Regimes in Latin America

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# Borderland Political Regimes in Latin America

*by*
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One of the characteristics of contemporary political geography is the transformation of international borders into resources for capitalist value creation. This has been accompanied by the emergence of new identities and practices that challenge the nationalist doxa. Borderland political regimes seek to account for this complexity as it is expressed in the way in which the nation-states perceive and try to govern these spaces of overlapping territorialities. An analysis of the ways in which Chile, Colombia, and the Dominican Republic perceive their borders and produce regulations and institutional frameworks based on both their particular histories and the requirements of neoliberal capitalist accumulation concludes with a series of proposals for inclusive governance systems that take the aforementioned complexities into account.

Una de las características de la geografía política contemporánea es la transformación de las fronteras internacionales en recursos para la creación de valor capitalista. Esto se ha acompañado de la aparición de nuevas identidades y prácticas que desafían la doxa nacionalista. Los regímenes políticos fronterizos tratan de dar cuenta de esta complejidad, expresada en la forma en que los Estados-nación perciben y tratan de gobernar estos espacios de supuestas territorialidades. Un análisis de las maneras en que Chile, Colombia y República Dominicana perciben sus fronteras y emiten regulaciones y marcos institucionales basados tanto en sus historias nacionales particulares como en los requisitos de la acumulación capitalista neoliberal concluye con una serie de propuestas para sistemas de gobierno inclusivos que tomen en cuenta las complejidades antes mencionadas.

Keywords: Border, Latin America, Borderland political regimes

A few decades ago, the idea of studying borderland political regimes in Latin America would have aroused little enthusiasm, to put it mildly. Although at the time there were border settlements and regions, these were ancestral communities separated by boundaries that had been determined with no regard for their identities, thus generating borders that traditional nationalist geopolitics would call "inorganic" to convey the idea of "inconclusive" (Nweihed, 1990). Given that they were perceived only as boundaries between states, borders were considered geopolitical issues and were explained as barriers for the

protection of the societies concerned. The borderland regimes derived from this state of affairs were almost exclusively mechanisms for nationalist control aimed at preventing cross-border contact—considered unnecessary—and inciting local societies to look inward, into their "vital cores." To a large extent, this explains why some of the most prominent specialists in border studies—Glassner and de Blijt (1980), Prescott (1987), and Nweihed (1990) come to mind—did not deal with the subject beyond such formal aspects as delimitations and demarcations.

Since the last quarter of the twentieth century, the approach to boundaries has begun to change. The acceleration of the flows of capital, cash, persons, and information in the context of the new neoliberal[1] order challenged the nationalist doxa and argued for the undisputed matching of the boundaries of states with the boundaries of their societies within "natural" territories. This paved the way for a geography of power that included a new approach to structures, functions, and spatial displacements in borderland zones.[2]

For the purposes of our research, the distinctive result of this new geography of power has been the emergence of cross-border regions (Jessop, 2001) understood as territorial systems under different national jurisdictions and regularly organized around urban axes that amount to cross-border urban complexes (Dilla, 2015). As we have seen, these regions have always existed in a marginal way as territories resisting the boundary lines that pulled traditional societies apart. The difference is that now they are new spaces for capitalist accumulation—on different scales and at times strongly integrated into the global system—making the most of earnings differentials, cost reductions, and permissiveness on the part of the state. Because of this, they may be the object of the prodevelopment policies of the government or international bodies and attract the interest of developing communities.

Obviously, the use of border territories as resources (Sohn, 2014) in a context of increased opening of the markets has changed their role in a substantial way. Whereas under Fordist accumulation regimes triggered by nationalist policies (Esser and Hirsch, 1994) borders were essentially uncontested national buffers, with the advent of neoliberal capitalism they have become dynamic spaces that have done away with checkpoints staffed by surly customs officers and soldiers. The use of borderland territories as economic resources has prompted their articulation as selective filters that facilitate some types of cross-border actions, prevent others, and make everyone submit to the norms necessary to secure unequal exchange (Kearney, 2003: 61). Credit for the fact that this dilemma is now being openly debated goes to Mezzadra and Neilson (2013: 7), who point to the increasing dissimilarity between capital boundaries and political boundaries: "We claim that borders are equally devices of inclusion that select and filter people and different forms of circulation in ways no less violent than those deployed in exclusionary measures. . . . We see inclusion in a continuum with exclusion rather than in opposition to it. In other words, we focus on the hierarchizing and stratifying capacity of borders." Stated in other terms, borders become disciplinary mechanisms that facilitate the temporal and spatial control of individuals and processes (Foucault, 2003) for the sake of capitalist accumulation and the political power relations that guarantee their governance.

From this standpoint it is not difficult to understand the growing complexity of borderland political regimes—the regulatory and institutional frameworks governing the contradictory interaction of actors in relation to resources and values in borderland contexts. Their nodal point is the state, since they involve civil-society or international-cooperation organizations. When these organizations intervene in borderland strips and take over public decision making or policy implementation (for example, on matters of health, education, environmental management, or human mobility), there is an increase in contradictions with government policies. The reason for this is the divergence between the government's perceptions of the problems and methodologies and those of these organizations because of the latter's cross-border approach. In previous decades, borderland political regimes were essentially the outcome of a traditional geopolitical approach in which contact/separation was considered as a mutually exclusive relation that governed the whole spectrum of interchanges. This dyad is still relevant (consider, for instance, the xenophobic offensive along the United States/Mexico border), but neoliberalism has robbed it of the heuristic potential it had decades ago when it was the touchstone of border studies.

One fact accounts for this growing complexity: with the exception of the European Union, where what has prevailed is a concerted political will associated with integrationist programs, nation-states tend to react to these situations incoherently in terms of market strategies, community social practices, and the requirements of geopolitics. This has meant that an increasing number of interaction spaces have moved into a gray area in which legal and illegal, formal and informal are lumped together, making it impossible at times to differentiate between them. This is the state of affairs in Latin America, where nation-states and regional organizations continue to view borders as boundaries. What is more, whenever they have opted for a cross-border approach, they have succumbed to nationalism in the implementation of policies. Thus our continent experiences very different forms of borderland political regimes resulting from specific geopolitical histories and circumstances.

The main objective of this paper is to discuss the variations found in the countries selected in the ways in which they conceive of their borders and, related to this, the factors that may have particular influence on the different types of borderland political regime configurations in neoliberal contexts. Drawing from a review of documents and academic studies dealing with them, we have contrasted several Latin American national experiences in terms of the ways in which institutions, regulations, and procedures are articulated. Our focus has included the types of constitutional references and the contents of border legislation and other laws, such as municipal ordinances, that may have a bearing on this issue. At the institutional level, we have paid special attention to specific border management institutions and to de jure adaptations in national institutions. In two of the cases analyzed, the Dominican Republic and Chile, we have carried out field research.

This article is divided into seven sections. The present introduction is followed by a second section presenting an overview of the underlying theory and suggesting some ideas on the nature of the borderland political regimes derived from it. The third section discusses some Latin American specificities

and suggests three perspectives from which the continent's nation-states approach the issue of borders. The three sections that follow analyze the cases of prototypical countries: Colombia, the Dominican Republic, and Chile. Finally, in the conclusions we present some comparisons and suggest some ideas for optimizing the way in which borderland situations are managed.

## COMPLEXITY AND CONFLICTS OF BORDERLAND POLITICAL REGIMES

Borderland political regimes are complex institutional arrangements. Their function is the governance of "overlapping territorialities" (Agnew and Oslender, 2010: 193) in which the tensions derived from the exercise of sovereignty are resolved not only between nation-states and nonstate actors (market, civil society, communities) but also between neighboring states. This does not invalidate the nation-state as a key sovereignty factor in borders that have continued to be fundamentally nationalistic—in which there are no cross-border political regimes but, at most, a system of communicating bodies between national border strips. However, it does mean that these nation-states are increasingly unable to account for the territorialization processes that take place within their jurisdictions. Donnan and Wilson (1999) attributed this complexity to the fact that the traditional powers are "shared, diluted, contaminated, and scattered" in many flows and actions—commercial traffic, human mobility, paradiplomatic agreements, services sharing, etc.—all of which relativize both ownership and identity. The realization of key notions of governance—order, compliance, regulations, and power—is accomplished in a domain that is diffuse. All this generates confusion in the main actors—which wish for a linear and binary order—but is perfectly acceptable to the borderland inhabitants, who are used to getting on with their lives amid these intricacies.

Studies of contemporary borderland political regimes have been few and far between. There have been some thought-provoking studies inspired by the European Union, the practical experience that has gone the farthest on the issue of borders. Among other work we would mention Leresche and Sáez (2001), Perkman (2003), Newman (2003), Oliveras, Dura, and Perkman (2010), and Moisio and Paasi (2013). For the purposes of this study, the seminal article by Leresche and Sáez entitled "Political Frontier Regimes: Towards Cross-Border Governance" has been indispensable. The central point of their argument is the advent of a new territorial paradigm in Europe in the heat of the emergence of cross-border regions and the consequent peer cooperation modalities in which two interacting logics operate—an affiliation logic and a functional logic. This is not simply a case of cohabitation or lineal evolution but a conflictive relation resolved by means of "depoliticization" and "de-ideologization" with respect to traditional nationalist values "that do not signify transposition of a single decision making mode to another scale; instead, they relate to the appearance of a new cognitive framework for public action" in which such a framework potentially becomes "multiterritorial, multisectoral, and multi-institutional" (2001: 94). On this basis, they establish an opposition between what they call a

traditional *topocratic* political logic and an innovative *adhocratic* logic. Whereas the former is based on a "classic relationship between a political authority and a clearly delimited territory," the latter aims at describing a situation based on "territories of variable geometry, with vague and multiple boundaries that change according to the scale on which problems are treated" (95). The former relates essentially to categories and the latter to relations, and the two coexist in decision-making spaces and processes. Although, as already mentioned, their analysis is centered on the European paradigm of a political act that was a precedent for regionalization, Leresche and Sáez's article sheds some light by pointing to the existence of two trends, as is also suggested by Jessop (2001): destatization, as more nonstate actors take part in the governance of cross-border regions, and decentralization, with local public actors gaining protagonism by means of adaptive actions and practices involving increasing deviation from the norm.

As far as Latin America is concerned, border studies are in even shorter supply. This is undoubtedly related to the absence of stake-holding public actors and professional networks—a key element for the maturation of epistemic communities—in contrast to the situation in Europe and the Mexico/United States border.[3] There have, however, been some valuable studies on particular territories that deal with this issue in an indirect or general way or refer to related areas of interest such as geopolitics or integrationist pacts. These studies include Ramírez (2006) on the Táchira/Cúcuta border, de Jesús (2007) on the Haiti/Dominican Republic experience, Paikin (2012) on Mercosur, Morales (2014) on Central America, Mantilla and Chacón (2016) on circum-Caribbean borders, and Zárate, Aponte, and Victorino (2017) on Colombia's Amazonian borders. In particular, there is a stimulating study by Molano (2016) that centers on a juridical and geopolitical analysis of the borders of Colombia. We shall discuss and refer to some of these contributions below.

There are even fewer studies that have gone beyond national boundaries with analyses embracing the whole region. We can mention Benedetti and Bustinza (2017), Oddone et al. (2016), and Barajas, Wong, and Oddone (2015). They represent a step in the right direction but are limited because of the prevalence of an institutionalist perspective that has lost sight of the systemic and historico-cultural matrices of which these legal and political regulations are part. This means that they have failed to deal with the multiple overlapping territorialities stemming from social practices in borderland territories, in which the *informal* has become a crucial fact of daily life. A case in point is the article by Benedetti and Bustinza (2017), which ambitiously calls itself "a comparative study of the definitions of boundary in South American regulations." This is actually a painstaking empirical compilation that is not much help methodologically in which borderland political regimes are presented in a fragmented way, divorced from their contexts and lacking the promised comparative analysis that was to have provided information on the merits and demerits of each configuration.

Another problem derived precisely from the absence of a theory of borders on the continent is the prevalence of Eurocentric approaches that perceive the configuration of borderland regions and of the systems that govern them as the outcome of formal cooperation and concertation, as explained at the time by

Perkman (2003) for the European context. Thus, borderland regimes are virtually dissolved in an institutionalist perspective of rational decisions—the concertation regimes by the Economic Commission for Latin America and the Caribbean's notion of a "territorial pact" (that is, a formal act between legal peers) and the cooperation regimes by being considered as an extension of planning policies. Oddone et al. (2016) and Barajas, Wong, and Oddone (2015) are worth mentioning here, and the latter is the best academic systematization of this analytical stream.

## THE ANATOMY OF BORDERLAND POLITICAL REGIMES

In analytic terms, every borderland political regime—considered as a space for public action not limited to the state but determined by it—has at least three functional components in which institutions, norms, discourses, and procedures interact.

In the first place are the norms and institutions that govern borderland strips as part of the nation. In institutional terms, borderland strips house all of the decentralized organizations that at the national level are responsible for the administration of public matters: ministries, local governments, and institutions established in the course of development. By definition, the operation of these institutions—particularly in centralized regimes—does not fundamentally differentiate them from those in other subnational territories. In practice, they may assume ad hoc coordinated cross-border functions (for example, in the case of epidemiological emergencies)—or functions derived from their cross-border condition (in the case of the elementary education system, which has a large number of immigrant students). Although in exceptional cases these actions may be formally incorporated into procedural protocols, they frequently take place in the absence of normative frameworks and may therefore be considered deviations. It may also be possible to find alliances with civil society, which usually contributes additional resources and methodologies.

A second institutional component is border control organizations and norms: customs, immigration and zoo-phyto-sanitary control offices, specialized security bodies, and military contingents. These institutions are typically found on "harsh" borders. When the source of danger shifts from a neighboring state to so-called new threats such as narcotrafficking, terrorism, and pandemics, institutions for cross-border concerted action may emerge. An increasingly common example is the integrated border control systems at some South American checkpoints, which aim at expediting customs procedures for persons and goods. In extreme cases, control institutions may lead to situations that Rosière and Jones (2012) have called "teichopolitics"—extreme tension in the performance of the functions of control and normalization. The important thing about these institutions is that, even without regulatory or organizational adjustments, they take on all of the complexity of border control in situations in which economic factors are an inevitable component of their operation. This may lead to limited agreements or to situations in which exchanges continue to take place but under conditions of informality and illegality, which increases costs and generates opportunities for corruption. As a rule, there is not much

involvement of the civil society in this area except for supervision, mainly in connection with the transit of persons.

Finally, borderland strips prompt the appearance of institutions that support cross-border contacts and exchanges by operating as channels or platforms for what is currently known as "paradiplomacy" (Cornago, 2016). Some Latin American countries have made progress in the formulation of legal entities that sponsor these exchanges, but isolated practices are generally more common than formal instances. In addition, when municipal and regional governments have significant autonomy and cross-border vocation, they become outstanding actors of this type. However, the involvement of representatives of civil society is decisive for this to happen. Two typical institutions in South America are the committees for borderland integration and development in the Southern Cone and the border integration zones of the Andean area.

The reasons one or another institutional component may predominate in a particular border context are varied. Undoubtedly, one of them is the intensity of economic flows. We can assume—as often happens—that a border with a dynamic economy will have more flexible and sophisticated controls. If, in the context of integration projects, there were a tendency to shift from what Sohn (2014) calls an instrumental "geo-economic" relation based on the simple exploitation of earnings differentials to a "territorial" relation with deliberate areas for multidimensional convergence, the conditions for the appearance of institutions for contact and exchange would be created. This will not necessarily happen when there are other extraeconomic factors, such as a high degree of cultural difference, at play and particularly when such differences are used in antithetical ideological constructs.

## THE LATIN AMERICAN SITUATION: THE DISTANCE BETWEEN THE FORMAL AND THE REAL

During most of the twentieth century, formal exchanges in the Latin American border political regimes were restricted to occasional interactions, and the contacts in everyday life were "gray" areas that were obscured or subjected to repressive scrutiny. The demarcation, colonization, and institutional setup of (cross-) border areas resulted from geopolitical pressures that did not take into account various informal customary relations unrelated to formal politics.

Since the 1990s—in the context of neoliberal policies and "open regionalism" projects—borders and their neighboring regions have experienced the intensification of formal and informal exchanges and the emergence of actors at various levels. This has increased the complexity of the regulatory and institutional structures intended to govern them. Although this has involved some discordance with regimes based on a nationalist worldview, there have been differences across the continent. In a preliminary way and for the purposes of our discussion, this multicontext diversity may be limited to three types, although there may be combinations and eventual movements in one or another direction:

In the first place, there are states that have progressed toward a developmental approach and perceive cross-border relations as a condition for success.

Accordingly, they resort to integrationist discourses and practices. This type of positioning has been gaining increasing favor in constitutional and legal texts, sometimes endorsed by auspicious integrationist projects[4] and by national policies. Its paradigmatic outcome has been the border integration zones implemented by the Andean Community of Nations. On the other side, there are nations that perceive borders as a threat to essential national values and therefore concentrate on the implementation of secession policies. They are differentiated not by a specific degree of institutional or regulatory density—which may vary from case to case—but by the way in which borders are explicitly or implicitly conceptualized. These are the cases of the Dominican Republic (de Jesús, 2007) and Costa Rica (Mantilla and Chacón, 2016). Finally, there are states with indifferent and partial border policies, which may sometimes involve the complete absence of a related discourse. These states exert control that may at times be quite rigorous. Still, it is not discursive hostility that guides their policies but silence: constitutional and regulatory omissions, a weak institutional framework, and the absence of specific policies. Argentina and Chile are two paradigmatic cases. The usual procedure is that these two countries, which must sort out different border situations, deal with them as part of their bilateral agendas.

These ways of conceiving of borders and their political regimes are the result of particular histories subsumed by the new roles of borders in neoliberal contexts of open regionalism. Even when these practices coexist with advanced institutional formulations, this temporal confluence results in the persistence of racist and xenophobic attitudes that facilitate capitalist accumulation.

## COLOMBIA: AUSPICIOUS BORDERS

In formal terms, in Latin America, Colombia is the country that has made the most progress toward cross-border policies involving the creation of local spaces of interaction.

Colombia shares 6,300 kilometers of borders with five countries—Brazil, Peru, Venezuela, Ecuador, and Panama—involving more than 10 cross-border departments and municipalities. This results in immensely varied border situations that range from the busy cross-border urban complex of Cúcuta and Táchira (Venezuela) to the sparsely populated cross-border Amazonian settlements—a strip characterized by its lower than average levels of development and by the negative effects of drug trafficking and warfare, which government agencies consider a priority because of their geopolitical consequences (Cancillería, 2013). Colombia and at least three of its neighbors are or have been members of the Andean Community of Nations, the integrationist pact that has undoubtedly devoted more and longer attention to the creation of integrated border spaces.

The 1991 Colombian constitution emphasizes the commitment of the state to the development of borders in the framework of regional integrationist projects. It stipulates the need to promote international cooperation for the management of environmental resources on the border (Article 80, "Collective and Environmental Rights") and respect for the "indigenous peoples that share

border territories" through the creation of "territorial indigenous entities" (Article 96, "Nationality"). It also grants powers to the departments and municipalities located in cross-border regions to work with neighboring countries in "cooperation and integration programs aimed at promoting community development, the provision of public services, and the protection of the environment" (Article 289).

A key juridical landmark was the Law on Borders (191 [Congreso de Colombia, 1995]), which established a special border regime. Some of its objectives were consubstantial with a traditional perspective (coordination of security actions, infrastructure to guarantee connectivity, inward-looking development, etc.), but others present what at the time must have been an unusual perspective underscoring cross-border cooperation and goals. In particular, the second objective prioritizes the "strengthening of integration and cooperation processes between Colombia and its neighboring countries and [the] elimination of artificial obstacles and barriers that hamper the natural interaction of border communities on the basis of reciprocity criteria" and emphasizes a commitment to "provide the necessary services that promote border integration" and seek "cooperation with neighbor countries and their institutions" (Article 2).

An innovative singularity of the law is the legal recognition of a series of territorial entities stemming from the Andean Community agreement, such as the special units for border development and the border integration areas. Although they address different territorial spaces and levels, they share goals and tasks aimed at "creating special conditions for economic and social development by facilitating integration among border communities in neighboring countries, establishing productive activities, the exchange of goods and services, and the freedom of movement of people and vehicles." This idea of regionalization is taken up again by Law 1454 of 2011 on planning, which authorizes borderland municipalities to create regions by combining with others (Benedetti and Bustinza, 2017). The main agency in charge of border development is the Office for Border Development and Integration, which is part of the Ministry of Foreign Affairs.

Obviously, it would be naive to take the law at its word. There are often differences between formal procedures and their practical application, and this works against decentralization and local autonomy. The deviation of Colombian state policies on borders has been subject to severe criticism by various analysts, who agree in questioning the extreme centralization that has characterized decision-making processes (and the consequent weakness of local actors) and the incomplete regulatory and organizational guidelines. In an exhaustive study on the Amazonian border region shared by Colombia, Peru, and Brazil, Zárate, Aponte, and Victorino (2017: 151) argue that although state policies "in intention proclaim decentralization, in practice they are still excessively centralist, [for which] they pay a high price to the discourse of sovereignty and national security." In turn, Hurtado and Aponte (2017: 84) criticize "an institutional framework . . . that is precarious, inefficient, and limited, as well as exclusive in terms of management, design, and implementation" and argue that this produces a "certain lack of coordination between the evolution of the legal framework and its effective local implementation" (71). Ramírez (2007: 88–89)

detects a disadvantageous "overlap of spontaneous cross-border relations . . . and intergovernmental agreements made in the exercise of national sovereignty" that creates a need for "central changes in the relations of local and national, subregional, and regional issues."

This is not simply a problem of the political will of the political class. The Colombian balance is very unstable, with policies trapped in the crisscross of contradictory logics that range from sovereignty to neoliberal accumulation incubated in Andean Community projects and everyday life. A typical case is the Cúcuta/Táchira strip, with one of the most intensive cross-border dynamics on the continent and a history of interactions that has been thoroughly studied by Valero (2008). Although here it is possible to find very busy networks of formal and informal long-term interaction, Viera and Ramírez (2004: 7) observed behaviors in the respective border integration zones that indicated the prevalence of nationalist exclusions among the same local actors:

> People from border settlements continue to speak of spontaneous integration with the main cities but resort to nationalism . . . when they face the problems they share with their neighbors. There is an uninterrupted prevalence of widespread criticism devoid of proposals, informality of relations, exploitation of advantages derived from exchange rate differences on either side of the border, political pressure arising from particular issues rather than a discussion of collective problems, and a short-term and circumstantial perspective.

Despite these weaknesses—clear indicators of a more moderate impact than predicted by the legislators—it is undeniable that we are facing one of the most comprehensive proposals for the institutional development of borders on the continent in at least three senses. The state of Colombia considers borders specific regions in a relatively comprehensive regulatory and institutional framework; it recognizes local border actors as subjects of law with their own areas of action; and it perceives national borders as inseparable from cross-border situations, and therefore its design includes explicit bridges for interaction. This approach is functional to the territorial redesigns shaped by neoliberal capitalism in the establishment of bioceanic corridors that connect the continental economy with the dynamic Pacific Basin (Herrera, 2019). In contrast to other integrationist projects that perceive borders as places of traffic, borders emerge here as another possible step toward increasing the value of capital.

## THE DOMINICAN REPUBLIC: THE BORDER AS A TRENCH

The flip side of this experience is the Dominican Republic, which shares around 300 kilometers of border with Haiti and is the Latin American country that has made the least progress in overcoming an extremely traditional geopolitical view—that the border is a boundary and distance is a virtue—despite the fact that since the 1980s the two countries have vertiginously increased their economic links and that Haiti is crucial as workforce provider and consumer of goods to the Dominican capitalist operation. Two main factors explain this imbalance.

First, since 1929–1936, when the treaty on borders was negotiated, there have been no binational agreements on border management and no integrationist agreement between the two countries (Ogando, 2008). Secondly, the official discourse understands the border as a trench to hold back an antithetical country. A year after the 1936 agreement on borders, there was a horrific massacre of Haitians and Dominican-Haitians orchestrated by the newly installed dictatorship of Rafael L. Trujillo, and the border was closed for all purposes with the exception of limited trade and the annual crossing of contingents of migrant workers. This was accompanied by public investment and incentives to attract population to a strip that was virtually uninhabited. The name given to this area— "the farthest outpost of the motherland"—had the connotation of "ghetto" and an antithetical other, the antimotherland. The border became trapped in a racist and anti-Haitian ideological construct still endorsed by the Dominican state.

Obviously, today's border is different from the dictatorship's border. There are shared markets, many people crossing, sociocultural interaction, and even cross-border activism, all of which predicts the emergence of a cross-border regions. Transnationalized Dominican capital has noticed Haiti's comparative advantages (low salaries, environmental deregulation, weak fiscal pressure, access to markets through its poverty) and—what is relevant on a global scale— has been setting up maquiladoras on the border itself. However, this opening to trade coexists amicably with ideological and historical prejudices on both sides of the border, sometimes subordinated to and underpinned by this unequal relationship (Dilla, 2016). This is not a case of institutional and regulatory neglect but rather the opposite. Besides the regular institutions of the Dominican administrative system and those responsible for border control, the Dominican border is overseen by five specialized institutions (de Jesús, 2007), three civil and two military, that report to different ministries. However, symptomatically, there is nothing like a border municipal regime that might confer some capacities on municipalities (which have very little power in an exceedingly centralized system) or any other formal cross-border space for self-governance.

The various constitutions of the Dominican Republic have always paid attention to the border but have considered it a boundary that separates and protects. The border has historically been the only national region mentioned as the object of development. In its Section 2 the current constitution, promulgated in 2010, expressly refers to a "border security and development regime" consistent with the national interest in "security and the economic, social, and touristic development of the Border Zone, the integration of roads, communications, and productive activities, and the dissemination of the patriotic and cultural values of the Dominican people" (*Gaceta Official*, 2015). Although there is no specific law on borders, laws, decrees, and regulations that address this issue have been enacted.

As might be expected, the result of this archaic institutional setup has been not the end of interactions but their materialization through de facto loopholes that increase uncertainty and add to the vulnerability of the "others" who are the object of rejection. This creates a gap between formal restrictions and actual dynamics, with the consequent distortions of practices involving standard

procedures. Both sides of the border survive through interaction, and rigid regulation does not stop it. Consequently, activities on this border are characterized by a marked departure from legal procedures. Sometimes this leads to altruistic outcomes, such as the several collaboration projects developed by local Dominican and Haitian actors, often supported by international cooperation arrangements, the most relevant example of which was the creation of a cross-border intermunicipal committee between 2008 and 2013 (Dilla, 2016). However, because of the high degree of political centralization, the weakness of local governments, and militarization, these projects have had to contend with harsh conditions and have yielded few real results, often ending in anomic situations and very high levels of corruption.

## CHILE: THE INVISIBILITY OF BORDERS

Chile's borders are places of intense traffic of goods and people. Along its extensive border with Argentina there are several points that act as crossing places for large shipments on their way to the Pacific Ocean, whereas the small strip shared with Peru is one of the most active crossing points of people on the continent (Tapia, Contreras, and Liberona, 2019). The strip shared with Bolivia—regardless of the tenor of the border conflicts—also has large flows of people and goods. However, this has not elicited innovative border policies or even a promising political discourse. In contrast to Colombia, which has opted to include the issue of borders in its regulations from an integrationist perspective, and the Dominican Republic, which has held onto a conservative position of functional denial and institutional variegation, the Chilean state has historically obscured and opted for a bilateral approach to dealing with border issues (Dilla and Hansen, 2019).

Although Chilean society has undergone very dissimilar political/ideological moments—in the latter part of the twentieth century, for instance, the country experienced the populist approach of Carlos Ibáñez, the reformist approach of Eduardo Frei, the socialist approach of Salvador Allende, and the neoliberal approach of the dictator Augusto Pinochet—it is impossible to find substantial differences in the ways these regimes addressed (or failed to address) border issues. There were differences depending on the existence of conflictive situations or development perspectives. The inhabitants of the border region of Arica, for example, long for the days when General Carlos Ibáñez (1952–1958) implemented an industrialized model aimed at the internal market with large public investments and have little regard for the 1973 military dictatorship, whose administration penalized Arica with economic dismantling and geopolitical conflict. What is more, both policies aimed at denial of the border as a sociocultural reality, either by promoting economic ties with the Chilean domestic market or by abandoning the zone to strictly geopolitical plans.

Chilean political constitutions have not given borders their due; the current one (that of 1980) does not mention borders at all. Nor is there a border law, and the legislation expected to deal with this issue omits it. The Municipal Organic Law (18,695) issued in July 2006 mentions the word "border" only once and for secondary purposes. These limitations have influenced the fact that the state

does not have an approach for the development of border zones based on the dynamics generated by this situation. Thus, on this point, Chilean and Dominican policies coincide in the implementation of development programs that prioritize an inward perspective and thus overlook the probable synergistic effects of cross-border dynamics. An example of this is the "extreme zones" investment programs that have benefited some national border areas. The definition of "extreme zone" entails a notion of "border" that is not international but domestic. In other words, it identifies areas a long distance away from the economic center that are to be integrated into the rest of the country through economic development. According to the official definition (SUBDERE, 2013), they are essentially "geographically isolated territories, of difficult access, with a low and highly dispersed population, scarce and very low access to basic public services, which as a result of these factors are in a position of disadvantage and social inequality with respect to the development of the [rest of] the country."

In this context, the positive aspect has been the gradual updating of concepts and policies in the light of the globalization and regionalization processes that have assigned new roles to borders, a fact to which Chile cannot remain indifferent. An example of this is the creation and restructuring of the National Office of Frontiers and Borders of the State, a Ministry of Foreign Affairs department responsible for borders and boundaries, which is the living expression of the contradiction between the nationalist doxa and the cross-border claims of the present. The office was created by law in 1966 under the reformist administration of Eduardo Frei Montalva (1964–1970), who also formalized Chile's adherence to the Andean Pact in 1969. In describing its role, President Frei was emphatic that it was providing advice to the government on border issues. However, as explained by Ovando and Alvarez (2011: 98), although there has been some progress, such as the creation of border integration and development committees (Alvarez, 2019), a comprehensive approach is still lacking and the practical results have been modest:

> Apart from cross-border economic interaction, there is no political interaction at different governmental levels to deal with the complexity of the cross-border dynamics. While trade and development activities are producing incipient changes in strategies, regulations and initiatives concerning the border regime, along with the emergence of new identities, some matters to consolidate this regime at a politico-governmental level are still pending.

Finally, a historical conditioning factor is worth mentioning: the Chilean borders have been the traumatic result of a series of past confrontations in the Greater North and in the course of its relations with Argentina. Thus, the country regards itself as an island-state marked by "historical rivalry between Chile and its neighbors" (Leyton, 2011: 15–16). In addition, as is suggested by Santis (1998: 138), the political class has prioritized notions drawn from the nationalist geopolitical literature. What is more, relations between Chile and its neighbors have never been mediated by integrationist agreements that stimulate cross-border prospects. The immovability of boundaries, rather than cross-border development, is the guiding principle of Chilean border policies. To the same extent that its borders have turned out to be very active trade corridors—and

ultimately places for cross-border interaction—the state has opted for bilateral approaches with each neighbor government, ignoring local interests in favor of centralist policies.

## CONCLUSIONS

As a result of the neoliberal economic opening and policies of open regionalism, Latin American borders have been going through crucial functional shifts. These range from strict contact/separation relations to the regularization and discipline of the flows of capital, goods, people, and information either in the form of accumulation strategies or as social survival practices. This has determined the emergence of new cross-border regions understood as overlapping territorialities (Agnew and Oslender, 2010) and implies increased complexity in borderland political regimes, among other reasons because they take this reality into account on the basis of the socio-historical characteristics of each border.

Thus we suggest three different borderland political regime situations defined in terms of the ways in which nation-states perceive and manage their borders, ranging from a developmental approach endorsing cross-border policies (Colombia) through a nationalist approach that continues to regard borders as trenches built on explicit racism and xenophobia (Dominican Republic) to yet another approach that ignores them and lacks a legal framework and specialized institutions (Chile). In all cases, however, cross-border political regimes promote the flow of factors—goods and services, maquilas and human mobility to satisfy economic sectors with low productivity, etc.—from a neoliberal perspective that favors the appreciation of capital and eventually facilitates social survival. At the same time, as we have noted, borders may respond to historico-cultural factors—racism, xenophobia, nationalist exclusion, and ancestral solidarity—that operate as reinforcing factors when borders are considered as a resource (Sohn, 2014). The stronger institutional framework in Colombia accounts for intense trade flows in the framework of an integrationist project that has historically given priority to border spaces as the locus of accumulation, while on the opposite end Dominican capitalism has resorted to nationalism and anti-Haitian racism as an ideological value for the sake of unequal exchanges and the overexploitation of the Haitian workforce. In the case of Chile there are various border situations and, accordingly, a series of accumulation opportunities coexisting with the obscuring of borders and the absence of a complex institutional design. These examples illustrate what we have identified as the capacity of the neoliberal accumulation regime to parasitize different political and sociocultural structures.

While the literature has contributed incisive case studies from which this article has benefited, there are few comparative studies, and therefore we have made limited progress in terms of generalizing analyses. In addition, some of the comparative studies available have a strong institutionalist bias or are markedly Eurocentric. Latin American borderland regimes differ considerably from the European experience, given our lack of an integrationist political will other than the market-related, the prevalence of racist and xenophobic

ideologies, and the decisive weight assigned to informal relations and social practices over institutional frameworks.

All things considered, it is not difficult to imagine the conditions under which borderland regimes capable of providing a democratic governance that suits the requirements for regional development—regimes that account for the multidimensionality of cross-border regions and cannot be reduced to territorial restructurings for the purposes of neoliberal accumulation secured by and in counterpoint to the nation-states. As suggested by Leresche and Sáez (2001), all border regimes must be based on the framework of democratically accepted objectives and principles and the flexibility and "adhocratic" vocation of institutions and norms. In a situation in which the dimensions and scales of interactions overlap, it is irrelevant to insist on rigid regimes. Neither is it advisable to maintain the same parameters in societies in which the concepts of formal and informal, legal and illegal, ethnicity and nation, migrant and visitor, are diluted in a myriad of customary social practices. Therefore, what is needed is a system capable of conferring on local governments and decentralized agencies the powers and resources necessary to meet the challenges of cross-border development. One of the features shared by the three cases discussed in this article is the burden of high centralization, which impedes the implementation of initiatives from social practices and popular knowledge and exhausts the best institutional experiments. This inevitably implies the opening of spaces of popular participation and the direct involvement of organized civil society and communities.

In addition, dynamic border regimes cannot coexist successfully with the approach of control agencies, for which citizenship is defined as the relationship of the individual with the state (which these agencies represent). On the contrary, they are obliged to advance toward another definition emphasizing a different notion of membership that takes into account the intense daily human mobilities—what Tarrius (2000) called "circulating territorialities"—and includes cultural, identity, and practical relationships. Paikin (2012) refers to this as "regional citizenship," and it inevitably involves intercultural education. This is a major challenge for nation-states, and it is their perceptions of dynamic border zones whose discussion deserves further attention.

## NOTES

1. By "neoliberalism" we understand a type of accumulation and social regulation regime (based on the regulationist conceptual apparatus) articulated around the idea that markets that are deregulated and free of state intervention and social control constitute the optimal mechanism for development and well-being. Rather than involving institutional uniformity, neoliberalism adopts different political and cultural forms because—as Brenner and Theodore (2002) and Harvey (2007) have warned—neoliberalism parasitizes the diverse political and sociocultural frameworks and generates contradictions that must be resolved by what is expressed through the different forms of "actual existing neoliberalism." There is no concrete Latin American neoliberalism but only particular realities (national, regional) and therefore different ways of using, organizing, and perceiving borders.

2. Saskia Sassen (2010) has developed an interesting approach to this phenomenon in terms of a conceptual device called "analytical border areas." For her the issue is the emergence of new space/time dynamics in contexts of more or less unstable meanings in which the traditional

conception of territoriality and its scalar hierarchies are challenged "by material, organizational, and discursive practices that come into play when displacement is under way" (482). Although Sassen refers to a more general space/time overlap phenomenon than the one that concerns us, her approach is interesting particularly because of its emphasis on mobility.

3. The Mexico/United States border is not of interest to this article.

4. The only regional integrationist project developed from a cross-border perspective has been the Andean Community of Nations. In 2001 we saw the start of the process for the creation of border integration zones and binational border assistance centers. Regardless of how its results are evaluated, they undoubtedly added value to the project (Ramírez, 2007). Other regional projects—such as Mercosur—have taken late note of this issue and have finally perceived borders as places of passage of goods and people—sociological "nonplaces."

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