

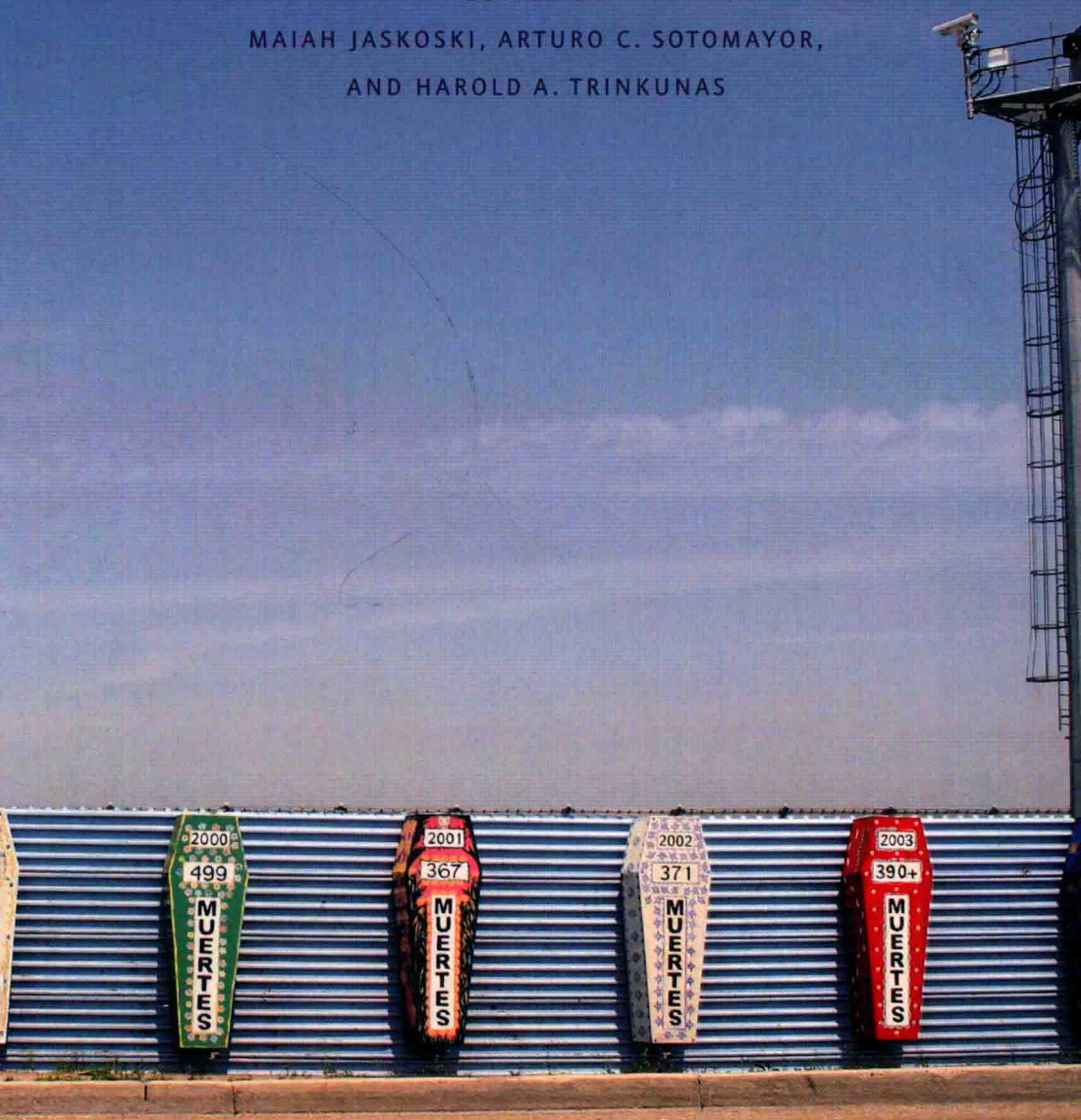
American Crossings

Border Politics in the Western Hemisphere

EDITED BY

MAIAH JASKOSKI, ARTURO C. SOTOMAYOR,

AND HAROLD A. TRINKUNAS



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Borders in the Americas

Theories and Realities

Maiah Jaskoski, Arturo C. Sotomayor,
and Harold A. Trinkunas

By the summer of 2014, it had become clear that the United States was witnessing an unprecedented surge in the number of children attempting to cross its southern border; many of them were traveling alone. These children, taking the same routes that are used to transport illicit goods and undocumented adults, were especially remarkable because they voluntarily turned themselves over to border patrol agents once they crossed into the United States. Although historically less than 20,000 unaccompanied minors were apprehended per year at the United States–Mexico border, these numbers climbed steadily beginning in 2011, to reach over 60,000 between January and August 2014. In a notable change, most originated in Central America rather than Mexico, as had been the previous pattern. A surge in violence in Central America’s Northern Triangle (El Salvador, Guatemala, and Honduras) and misinformation about changes in US immigration policies had led many Central American parents—both in the region and residing illegally in the United States—to conclude that the risky, unaccompanied trip was preferable to their children remaining in their countries of origin. In the United States, the Department of Health and Human Services, which was normally charged with the care of illegal migrant minors, was overwhelmed, and the armed forces assumed responsibility for housing and caring for the detainees.¹ The public, and many in Congress, reacted with alarm to the apparent unpreparedness of government agencies to deal with unaccompanied minors crossing US borders, and some even used the issue to call attention to what they saw as the

country's vulnerability to covert entry by threatening actors, such as international terrorists.

The human tragedy of this surge in unaccompanied children entering the United States from Mexico highlights the complexity of borders, even in a region as peaceful and integrated as the Americas. In particular, this case of migrant children demonstrates how questions of economics, security, governance, and identity can interact to produce unintended consequences. The long period of peace between the United States and Mexico has created a border that is largely free of military tensions but is paradoxically becoming ever more heavily securitized, with an increased presence of US Border Patrol agents and drones; this has been in response to the September 11, 2001, terrorist attacks on the World Trade Center in Manhattan and a growing anti-immigrant sentiment. It was in this context that many Central Americans traveled to the United States in pursuit of economic opportunities, and since they faced a highly restrictive visa regime barring legal entry, an infrastructure to facilitate illicit border crossings flourished. In addition, Central America has experienced a recent surge in criminal violence as a result of a shift in illicit drug trafficking routes across the Americas. Increased drug interdiction efforts in South America, particularly in Colombia and Peru, led transnational criminal organizations to shift their operations toward Central American countries, principally Honduras, where sea and air boundaries are more weakly enforced. In the last few years, human traffickers increasingly spread deceptive rumors, leading many in Central America to believe that a change in US immigration policy allowed women and children easier border crossings. Faced with the ever more violent reality of the Northern Triangle, parents assessed the risk of unaccompanied children traveling to the United States through illicit trafficking networks to be lower than that of remaining at home, thus producing the surge.² In response, the United States, the Inter-American Development Bank, and the Northern Triangle governments have recognized the multidimensional causes for the recent migration of children northward; in November 2014, they announced a plan to improve cross-border cooperation and governance in Central America that would address public safety and create economic opportunities in the region.³

As this case shows, in a globalized world, borders still matter. In fact, borderlines demarcating international boundaries, and borderlands—that is, the physical spaces near those boundaries—can become increasingly salient precisely because of peace and more open trade policies among states, both of which have existed for decades between the United States and Mexico. This book examines

the Western Hemisphere, where dramatic political and economic shifts have taken place with important implications for borders. The end of the Cold War and widespread democratization from military rule in Latin America provided strong incentives for governments to resolve international territorial disputes and demilitarize borders. Simultaneously, countries shifted from state-led to liberal economic models, opening borders to trade. This opening has created challenges for the state, which has been historically weak in Latin America, to regulate the legal transit of people and goods, reduce illicit crossings, and offer border security. In some cases nonstate actors operating in borderlands may be the only providers of order, albeit not the type national governments would prefer.

Through rich analyses of borders in the Americas, this book develops and builds on existing scholarship. It includes broad analyses that span important historical periods (Andreas) and cover cases across the Americas (Thies, Sotomayor). The volume also contains in-depth research on crucial borderlines and borderlands that are renowned for extreme and, in some cases, varying insecurity, international conflict, and/or dynamic trade relations: the United States–Mexico border (Isacson), the Tri-Border Area connecting Argentina, Brazil, and Paraguay (Aguiar, Kacowicz), and the Argentina–Chile (Mani), Colombia–Venezuela (Trinkunas), and Colombia–Ecuador (Jaskoski) borders.

Traditionally, border research has focused on cases from Europe and North America, treating borders as (1) external limits demarcating sovereignty (geopolitics), (2) boundaries of internal security and the rule of law (policing), (3) spaces of economic transactions, or (4) lines or areas defining imagined communities (identity). In those regions, the effect of globalization and liberalization as trends has been overdetermined. Recent research on Europe, which enjoys a surplus of regional institutions (i.e., NATO and the European Union) and consolidated democracies, has tended to analyze borderlines as mostly peaceful delimitations between liberal, democratic states with a low predisposition for domestic conflicts.⁴ By contrast, this book analyzes a region that includes borders that vary across space and time in terms of degree and trajectory of international border disputes, level of illegal trafficking and smuggling and their implications for international trade and border security, and how illicit practices affect political and economic stability. Using key cases from the Western Hemisphere, this volume reveals the complex interplay among border components and its consequences for security, international relations, and borderland inhabitants. Added to its focus on interactions among border features, this book also highlights the influence of domestic factors—most prominently, limited state capacity—on borderlines and borderlands.

This chapter elaborates on the four features of borders mentioned above, and then draws on the contributing authors' analyses to highlight how a focus on important borderlines and borderlands in the Americas deepens our understanding of borders by revealing surprising interactions among the border characteristics and by demonstrating the particular roles of the state regarding Latin American borders. The chapter concludes by outlining the rest of the volume.

Borders in Theory

As a "physical demarcation allowing territorial divisions to be secured and marked on a map,"⁵ borders separate states from one another. This definition of borders enables scholars not only to identify "the state," but also to define an area of state administrative organization and control. Borderlines delineate this space, either topographically (e.g., rivers or mountains) or geometrically. These borderlines and surrounding borderlands are sites for the convergence of four domains of concern to states and their inhabitants: national security, police security, economic development, and identity construction.

BORDERS AS GEOPOLITICS

In the field of international relations, classic realism has analyzed borders to understand conflict, stressing the importance of territorial competition, in which "borders are strategic lines to be militarily defended or breached."⁶ As such, traditionally borders have been seen as a source of tension; conflict arises when borders are contested, and belligerents share borders. Territorial and border conflicts are exponentially costly.⁷ As Paul F. Diehl argues, "conflicts over territory are more likely to involve military force and escalate to war than are disputes over other issues . . . not only are territorial concerns significant in generating militarized conflict, they also play a role in the dynamics of conflict behavior between disputants."⁸ For example, international tensions in the forms of security dilemmas, arms races, and spirals are often caused by troop movements that take place along contested borders. The main insight of this perspective is that cooperation among states will be limited as long as border and territorial disputes remain unresolved.

BORDERS AS ECONOMIC INSTITUTIONS

By contrast, liberals often see international frontiers as sources of cooperation and wealth. It is through borders that states interact and engage in economic transactions.⁹ Logically, the natural geography and human-made infrastructure

associated with borders establish the basic parameters of the costs associated with transactions across borders. However, borders are also sites where states regulate cross-border flows of goods, borderland markets, and human migration, thus imposing their own costs and perhaps creating opportunities for profit. State agencies might even respond to the market by seeking to shut it down, particularly in the case of cross-border flows based on the supply and demand of illicit goods in different countries.¹⁰ At the other end of the spectrum, the state itself may compete as a market actor, such as when security forces sell their services to the private sector in border zones.¹¹

The confluence of states' different rules, procedures, taxes, and definitions of legality creates the opportunity for market actors—licit and illicit—to profit from jurisdiction shopping, locating their activities in the zones where they can realize the greatest gains. It is noteworthy how it can be highly lucrative to participate in crossings precisely where they are illegal; when states define certain activities as illegal, they create a risk premium for undertaking the activity.¹² The opportunity for increased gain naturally leads actors engaged in both legal and illicit transactions to seek to influence the politics of border control, and thus rules governing economic exchanges.

BORDERS AS POLICE JURISDICTIONAL BOUNDARIES

Overlapping with but distinct from the economic dimension, borders can also be analyzed in terms of internal security and police control. For example, Malcolm Anderson argues that as institutions, borders mark and delimit state sovereignty and rights of individual citizens.¹³ As institutions, borders entail specific state practices that have become institutionalized over time: passport controls at official crossing points, policing, restrictions on imports and exports, and the collection of customs duties. In so doing, borders organize political and public life and define the scope and domain of sovereignty.

By marking the limits of the state's jurisdiction over individuals and territories, the border is a potential site of coercion and extraction.¹⁴ Peter Andreas argues: "As territorially demarcated institutions, states have always imposed entry barriers, whether to deter armies, tax trade and protect domestic producers, or keep out perceived 'undesirables.' All states monopolize the right to determine who and what is granted legitimate territorial access."¹⁵ Within this paradigm, the borders that separate states are an institution that signals, in George Gravilis's words, "the point at which a state's authority ends and provides officials and populations with a point of reference beyond which their activities are not authorized."

Gravilis goes on to say: "Borders, in short, are local manifestations of the claims of a state's authority. They enable coercion and extraction and signal ownership."¹⁶

BORDERS AS IMAGINED COMMUNITIES

Borders can also be understood as makers of identity that have played a key role in the construction of national cultures.¹⁷ For example, constructivists and anthropologists often see borders beyond their material dimension by focusing on how frontiers help establish identity narratives that distinguish between the "in group" and the "out group." Jean-Pierre Cassarino argues:

The boundary has a significance which results from the interaction between two social systems or between an individual and a group . . . borders carry a heavy weight of symbolism which impacts on the ways in which the individual lives the border, as well as the entry and exit of the bordered area. The most important analytical breakthrough may lie in understanding the subjective meaning that is attached to the boundary and whether it coincides with the material border that is designed by the state.¹⁸

That is, the process of identity formation not only produces difference between those who live on each side of the border, but also between border inhabitants and those residing in the core of their respective states.

THE MORE THINGS CHANGE: MARITIME AND AIR BORDERS

For thousands of years, evolving technology, first extending humankind's reach across oceans, then below them, and finally above into the atmosphere, has made sea and air boundaries comparably important to traditional land borders and borderlands. But while technology produces new borders, many of the theoretical considerations first developed to understand land borders may extend to other boundaries as well. For example, geopolitical tensions arising from competing maritime boundary claims among states bordering the South China Sea threaten a conflict that could quickly become global, and they are leading even relatively poor states, such as the Philippines, to invest in their navy and air force.¹⁹ The renewal of long-range Russian air force bomber patrols along the boundaries of NATO countries suggests that air borders, too, can be used for geopolitical signaling.²⁰ In addition, air and sea boundaries are of critical economic importance for the flow of goods and persons, far more so than land borders in many parts of the world. Airports and seaports, precisely because they are choke points, are sites of intensified police presence and government control,

for strong and also weak states. Finally, sea borders are crucial in the formation of national identity, contributing to a maritime identity for countries such as Portugal and Great Britain; and, by their absence, to landlocked Bolivia's national obsession with recuperating its access to the Pacific Ocean that it lost in war to Chile. Although this volume focuses largely on land borders, we will touch upon the role of maritime and air borders where they become relevant for understanding dynamics in the Americas.

Borders in the Western Hemisphere

Looking across the Western Hemisphere, we see the four facets of borders—geopolitical limits, policing boundaries, economic transaction points, and spaces defining imagined communities—interacting in ways not anticipated in traditional studies. From a policing perspective, several borders in the hemisphere experience great insecurity, which has intersected with international relations; in many cases conflicts in borders zones have escalated amid border banditry and the smuggling of people, drugs, and guns, creating tensions both between countries and among actors in borderlands. Other border zones are peaceful precisely because of the actions of illegal actors that establish and maintain order.

From a geopolitical perspective, though there are multiple international territorial and maritime border disputes in the Western Hemisphere, few states are willing to fight militarily over contested boundaries, and some highly tense, long-standing disputes have been resolved through surprisingly smooth and brief bilateral processes. Cameron G. Thies shows in his chapter that it is not militarized border conflict but identity-based nationalist sentiment that keeps international territorial rivalries alive in Latin America. Yet nationalist sentiment appears to be limited in important ways. As illustrated by Kristina Mani's analysis of Argentina-Chile territorial disputes, state actors focused more on technocratic questions than on nationalist sentiment have, through regular cross-border interactions, depoliticized and resolved border conflicts. More broadly, in a context in which technical expertise often overrides nationalism, many Latin American territorial disputes have been historically settled without the use of force, relying on diplomatic as well as judicial means.²¹

The relative infrequency of international warfare in the Western Hemisphere has significantly influenced border relations more broadly. That states can peacefully settle their boundary disputes suggests they may also be able to resolve other conflicts, including those related to trade and finances. Following this line of argument, Beth Simmons has argued that in Latin America, the peaceful resolution

of territorial conflicts has improved the terms of trade, thus allowing for regional and economic integration. Her finding implies that territorial dispute settlement via international arbitration can set precedents to solve outstanding economic issues. Borders then become the source of cooperation by allowing states to overcome their mutual distrust.²² At the same time, the realities of the Western Hemisphere's borders push us to problematize this association of reduced border conflict in terms of militarized conflict on the one hand, and international trade on the other. As the chapter by Harold A. Trinkunas shows, in the case of the Venezuela-Colombia border rivalry, escalated border tensions have been accompanied by increasing economic openness between the two countries.

If the relationship between international border conflict and international trade is multifaceted, linkages between border openings and illegal activities also prove difficult to pin down. As Arie M. Kacowicz vividly demonstrates in this volume, when international peace and increased trade do occur together, a potential consequence is the rise of different kinds of conflicts, including security challenges in borderlands posed by smugglers and transnational terrorist organizations. And yet, in contrast to the Tri-Border Area, other borderland violence may not follow increased economic trade. Adam Isacson and Peter Andreas emphasize in their respective chapters that, in fact, illicit actors using open borders to transport their illegal shipments depend on and enforce peace in borderlands as a means of ensuring smooth economic transactions. Maiah Jaskoski shows how armed guerrillas relying on regular passage across the international borderline for economic as well as military strategic reasons also may enforce that international border, as in the Ecuador-Colombia case.

Just as problematic as the relationship between open borders and borderland security is the assumption that economic liberalization results in open borders at all. Focusing on the supposedly open borders caused by liberal economic reforms across the region can blind us to the new regulatory structures that necessarily emerge to monitor legal exchange and prevent illegal crossings. José Carlos G. Aguiar's analysis of the Tri-Border Area shows how, in the neoliberal context, a new regulatory regime has been constructed to formalize and regulate much of what previously had been considered illegal smuggling.

The State

The Western Hemisphere serves as a rich setting for studying borders not only because of the complex interactions among border features, but also due to the particular characteristics of the state and its functions with regard to borderlines