

## Borders and Latin American cross-border agreements

## Fronterización y concertaciones transfronterizas en América Latina

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### Abstract

This article discusses the emergence of a field of studies on cross-border agreements in Latin America as a positive feature in favor of the construction of a critical theory of Latin American borders, but at the same time weighed down in heuristic terms by its theoretical and methodological dependences to the mainstream of European and North American studies. A theoretical approach is proposed that, without ignoring the stock accumulated in these studies, considers the characteristics of the neoliberal bordering in Latin America and the reality of its experiences of agreements. In this sense, several cases are analyzed from a preliminary typology based on their institutional/scalar origins.

Keywords: borderlands, cross-border agreements, Latin America.

### Resumen

Este artículo discute la emergencia de un campo de estudios sobre las concertaciones transfronterizas en América Latina como un rasgo positivo en favor de la construcción de una teoría crítica de las fronteras latinoamericanas, pero al mismo tiempo lastrado en términos heurísticos por sus dependencias teóricas y metodológicas al *mainstream* de los estudios europeos y norteamericanos. Se propone una aproximación teórica que, sin obviar la riqueza acumulada en estos estudios, tome en cuenta las características de la fronterización neoliberal en América Latina y la realidad de sus experiencias de concertaciones. En este sentido se analizan varios casos a partir de una tipología preliminar basada en los orígenes institucionales/escalares de ellos.

Palabras clave: fronteras, concertaciones transfronterizas, América Latina.

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## Introduction

One of the most significant aspects of the studies on international borders in Latin America is the proliferation of analyses on those cross-border relations referred to as para-diplomacy—as defined early on by Soldatos (1993)<sup>1</sup>—and which this study calls cross-border agreements.<sup>2</sup> Thus, in recent years at least a dozen books dedicated exclusively or predominantly to the subject have appeared in Latin America (Barajas et al., 2015; González et al., 2016; Molano, 2016; Moya, 2012; Oddone & Ramos, 2018a; Oddone et al., 2016; Rhi-Sausi & Oddone, 2013; Soto & Ramírez, 2014; among others). Furthermore, both specialized journals and academic meetings have created discussion spaces regarding how and for what purpose border actors agree to create new management spaces.

All this constitutes a contribution to border and territorial studies in Latin America. In addition, these studies have managed to go beyond the traditional aspects of geopolitics that had usually prevailed in the subject and incorporate into their analysis the actions of a greater variety of actors and situations than those offered by previous studies anchored in centralist visions. This provides border studies with an infinite number of case studies susceptible to more intense comparative analysis and contributes to forming a theory of their own on the subject. In any case, it encourages a debate of which this article aspires to be a part.

The achievements made, however, do not omit a major heuristic difficulty. A considerable part of these studies—which could be considered the mainstream—has been strongly influenced by the two world paradigms in border studies, the European Union and the border shared by Mexico and the United States. Latin American specialists had direct influence from the former from 2007 to 2012 with the Open Borders Program (Rhi-Sausi & Conato, 2009) of the *Centro Studi Politica Internazionale* (Cespi). Its purpose was to disseminate the European experience as a “theoretical frame of reference”, with funding available for research, training, publications, and consultancy for projects in Central and South America. In North America, studies on cross-border cooperation have had a solid network of academic institutions on both sides of the border that have produced interesting intellectual work. Some still share the euphoria of convergence and hybridization that marked the 1990s.

This is not a problem per se. Symbiotic relationships with pre-existing fields and schools of thought are constitutive of scientific research; therefore, the existence of these influences is not surprising. On the other hand, it is convenient to establish these relationships with these two academic currents that have achieved notable theoretical and methodological advances in studies on the subject. The heuristic drawback lies

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<sup>1</sup> Soldatos (1993) provides one of the broadest seminal definitions on the subject, “(...) any direct international activity carried out by subnational actors (regions, federated units, urban communities, cities) supporting, complementing, correcting, duplicating, or challenging the diplomacy of nation states” (p. 48).

<sup>2</sup> A conceptual clarification is essential at this point. Here, the present authors speak of cross-border agreements when regular approaches are made, and agreements are adopted for the present or future functioning of territories distinguishable by the density of flows and relations between communities located around international boundaries. Although these agreements may be organized at the national level, their essential hallmark is the active involvement of local stakeholders. It is this territorial or local dimension that makes the critical difference between a transnational and a cross-border agreement. Unfortunately, specialized studies on the subject of para-diplomacy often confuse the two situations and everything that crosses borders is simply referred to as cross-border.

in the fact that sometimes this relationship is based on an uncritical adoption to the detriment of the accumulated intellectual production of the continent. A conceptual apparatus has been generated from here, which, without ignoring its merits mentioned above, frequently relies on metaphors of little heuristic value. Consequently, the emergence of a “consensual and relatively homogeneous voice” that Oddone and Ramos (2018b, p. 279) perceived as a prelude to an epistemic community<sup>3</sup> is not fundamentally the result of a theoretical critique of the concrete reality and the accumulated cognitive stock, but rather the anteposition to a reality of canons and theoretical paradigms consecrated in other regions.

Just to illustrate the above statement, it is worth studying a document issued by the Economic Commission for Latin America and the Caribbean (ECLAC) —although not assumed as an official position— and signed by four prestigious Latin American academics (Oddone et al., 2016). Under the suggestive title of “Territorial pacts in the construction of cross-border regions: for greater integration at multiple levels”, it defines borders as “interstate spaces” whose relations are constituted “(...) depending on the degree of permeability of their boundaries, the level of autonomy of subnational governments and ongoing decentralization processes, the weight of national policy and inter-jurisdictional agreements, regional initiatives that promote integration, or the rigidity of the international security agenda” (p. 19). It also recognizes the existence of informal spaces but recommends that they be “(...) formalized and denaturalized” (p. 12). The “common good” would be achieved through states which are “(...) guarantors of progressive rights” (p. 12) and integration projects, supported by greater physical connectivity that generates “(...) the necessary conditions to attract investment and reduce asymmetries, moving toward greater equality” (p. 16).

Although the excellent intentions of the document should be recognized, if the authors had paid more attention to the concrete reality they intended to study and to the accumulated knowledge on the subject, they would have discovered that the processes of creating borders in the specific case (although not exclusively) of Latin America have not been characterized by equitable negotiated arrangements, but by unequal relations, high levels of informality, and militarized, undemocratic, and corrupt border political regimes. They would also have learned that there are notable discrepancies in Latin America between states, societies, and identities the former are not entities with institutionalized operations subject to public scrutiny that requires transparent management of the “common good”. No less important, they would have been forced to admit that supranational integration projects have sometimes induced —by action or omission— more exclusionary and discriminatory border processes, as argued by Jaquett (2008) and Giménez (2010) regarding Mercosur. They would then conclude that border processes in Latin America —their economic correlates, their social organization, and their historical and cultural roots, among other vital aspects to understand these cross-border spatial-temporal assemblages— are, starkly, “(...) relational systems sustained by conflict” (Grimson, 2000, p. 18).

In this argumentative presentation, the present authors intend to contribute to the debate on the issue of cross-border consultations in Latin America, understood as any process of regular negotiation that occurs between cross-border actions and

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<sup>3</sup> An epistemic community, according to Haas (1992), is a network of professionals legitimized by their proven levels of competence in a field, from where they can substantially influence both the production of an academic discourse and public policies.

whose agential value lies in the adoption of agreements to manage regular processes of exchanges that shape these territories, and the nature of the processes of establishing borders that take place. First, the article discusses the borderization processes conceptually in neoliberal capitalism. Second, it discusses how these processes have incubated forms of border agreements in the two regions that have most influenced Latin American academic thought, the European Union and the Mexico-United States border. Finally, the authors advance some ideas on Latin America, its borders and the real experiences of cross-border cooperation, proposing a preliminary typology of cooperation experiences for complete operational purposes based on their origins.

This article consists of a deductive methodology, supported by analyzing existing academic production and empirical information available to the authors from their work in various continental border situations. However, as readers will note, the ideas are presented in an essayistic manner and have a polemical tone. This pursues a vital objective for the intellectual exercise, that is, to motivate discussion as an epistemological procedure, inseparable from what Morín (2000) called “the right to reflection as opposed to the blind confrontation of facts or the stubborn verification of futile hypotheses” (p. 59).

### The processes of establishing borders in neoliberal capitalism

One way of perceiving the history of capitalism is as a complex process of counterpoint and complementarity between what Tilly (1990) called the logic of capital and coercion. In each of these moments, territorial re-formations have redefined interstate borders, both in terms of their spatial-temporal deployments and their systemic uses. These are the so-called processes of establishing borders, considered here (according to Van Houtum & Van Naerssen, 2005, p. 127) as those continuous processes of territorial power restructuring that occur in international border areas and that determine the dynamics that people, capital, goods, information, and discourses sustain in relation to them.

Historically, border territories have constituted “overlapping territorialities” (Agnew & Oslander, 2010) affected by the confluence of different political sovereignties and cultural fabrics, always contradictory and sometimes contending. However, during the phase of internalist market capitalism, dominant in the 20th century —with “a protectionism so defensive it bordered on autarky” according to Hobsbawm (2015, p. 142)—, and of the regulatory apogee of nation-states, borders turned out to be liminal places, “confines of the homeland” obliged to look toward “the vital cores” of nations. They aimed their institutional forces at managing contact and separation regarding others. They could be clearly defined from their instrumental nature (as Raffestin claimed: see the compilation of Cerrarols et al., 2018) expressed in five protectionist functions: legal, fiscal, control, military, and ideological. Borders were a subject of classical geopolitics and, consequently, the establishment of borders accounted, first and foremost, for an enabling of boundaries that Prescott (2015) explained as a sequence of actions —location, delimitation, demarcation, and administration—

consistent with “(...) state functions applied to boundaries” (p. 63). The notion of cross-border was then liminal and residual.

The advent of neoliberal capitalism —whose decisive feature for this article is the acquisition by capital of unprecedented mobility resources far beyond the containment capacities of both national states and communities— led to the conversion of borders into economic resources (Sohn, 2014) based on the exploitation of differential profits and the consequent localization of unequal exchange. For Soja (2005, p. 33), this implied a particular complexity of the “ontological choreographies” of border processes, full of “binary paradoxes”<sup>4</sup> constructed from a re-functionalization that does not renounce former uses of controls but rather incorporates and redefines them. This turned, for example, old central dilemmas, such as the contrast between contact and separation, into a phenomenological result that, while retaining its political significance, is of less heuristic value.

International borders still separate and contact according to convenience. However, above all, they classify subjects and discipline them according to the economic and political processes that shape the cross-border.<sup>5</sup> Workers become aliens without rights, more profitable as providers of labor, and without the additional cost of reproducing the family life they leave behind (Kearney, 2008). Customary goods and commodities, which constitute vital resources for the survival of communities, become contraband, and the cultures of others become innocuous products rendered folkloric. Furthermore, by dint of contacts, the others themselves become sorts of acquiescent, intimate others, benefiting from quotas of tolerance constitutive of a cosmopolitan order with which neoliberalism coexists.

These general considerations do not omit the existence of different types of border processes based on empirical realities, which are vital for analyzing the agreements. Ultimately, a territory is a multidimensional product. Its multidimensionality refers to factors such as the historical, cultural, and environmental setting in which it exists; to the “structural coherence” of its political economy (Harvey, 2014), which is built both from social survival practices and accumulation strategies; and, finally, to the nature of its political regime, the balance of its topocratic and adhocratic practices (Leresche & Saez, 2002) and its geopolitical contexts.

Christopher Sohn (2014) offers a taxonomic exercise based on the configuration of two ideal types of what he calls “cross-border integration”, and from them, diverse situational crossings. In the first instance, Sohn describes what he calls a “geo-economic model”, which would correspond to the type of relationships that gives life to the

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<sup>4</sup> Soja writes:

Note the binary paradoxes and attracted opposites that comprise the bordering process: circumscribing/connecting, isolating/embracing, separating/meeting, confining/approaching, limiting/touching. Borders by definition lead to creating and taking sides, to producing and occupying opposing spaces, and to many associated dichotomies: inside/outside, inclusion/exclusion, us/them. However, they also simultaneously invite transgression, a movement beyond the defined limits and enclosures of our lives to open new places and spaces, to seek conciliatory alternatives, creative syntheses, to resolve hybridizations (2005, p. 33).

<sup>5</sup> According to Mezzadra and Neilson (2013), borders become “methods” of neoliberal capitalism for the multiplication and intensification of labor processes in contexts of greater heterogeneity of the labor force. Consequently, they are not only places of flows but also organizers of these: “Clearly, they argue, capital seeks border relations as a means of organizing and reinforcing its operations” (p. 7).

vast majority of contemporary cross-border regions. Its main reason for functioning is the exploitation of differential gains; thus, it coexists with great territorial disparities magnified by the functioning of the model. It implies the perpetuation of the border as a source of gains, so that “(...) this type of cross-border regime goes hand in hand with a strong division of social and functional space, which conditions any political will in favor of territorial convergence” (Sohn, 2014, p. 597). Although it may contain cooperation that reduces uncertainties and increases revenues, this is often optional and marginal to the decisive processes for the functioning of the model. At the other extreme, there is a second model called “territorial” that contains an integration process based on a logic of “cross-cultural hybridization and mobilization of the border as an object of territorial and symbolic recognition” (p. 598). The intention is to go beyond a simple territorial marketing operation to give rise to a form of integration that transcends and blurs the boundary. Here, cooperation is a fundamental element of cohesion and may eventually produce totally or partially merged political regimes.

It is a question of two ideal types that Sohn united in gradations and combinations that are omitted in this consideration. This article emphasizes that the territorial model—clearly located in a post-nationalist perspective that generates borderization aimed at the negation of the border—has only been present in European integration and consequently has only affected the internal borders of that space. This is to the same extent that the European Union has been endowed with a post-nationalist ambition (within the European confines) of reconstruction of the border communities from substantive legal adaptation—the starting point of which was the European Charter of 1981—and a notable allocation of billions of euros in funds from the well-known Interreg programs. In contrast, the geo-economic model has been the rule for the functioning of active international borders and has had its typical application on the Mexico-U.S. border. Both experiences, due to the great number of studies and the influence of the entities involved, have become paradigmatic cases from which Latin American academia has been unable to escape. Therefore, it is impossible, for reasons of space, to exhaustively discuss what has been produced theoretically on the subject—a rich, extensive, and growing bibliography. The authors examine some studies that have tried to explain the nature and scope of the agreement processes in each context and which indicate considerable shortcomings even in the most optimistic projections.

### The two experiential points of reference: Euroregions and the Mexico-U.S. border

The territorial and cross-border coordination mechanisms par excellence of the European Union have been the Euroregions—units with their own formal identities, institutions, and resources, different from the national states that share them—, which Markus Perkmann (2002) described early on in a detailed study that is still a point of reference. Starting from the fact that these cross-border regions were built from negotiations of formal actors, mainly state actors, the arguments Perkmann presents refer to formal cross-border cooperation. According to the author, formal cross-border cooperation predates the programs of the European Union, and its origins

can be found in various “institutional undertakings” that took place in the 1950s. The European Union, since the 1990s, has added to this trend a more coherent multilevel coverage —political and technical— and substantial incentive funds, which increased the number of “undertakings” exponentially and made their agendas more complex and ambitious. Nevertheless, a considerable number of the cooperation projects remained “(...) technocratic entities, through which local authorities make their projects viable” (Perkmann, 2002, p. 121). He emphasized that, in all cases, “(...) the participating actors are strongly oriented toward their own territorial and organization interests” (p. 109), which generated unilateral uses of the allocated funds. In a later study (Oliveras et al., 2010, p. 38), however, Euroregions were granted a historical safe-conduct as “(...) a new institutional model (...) that redefines the Westphalian model”, calling for caution in optimistic predictions.

Sohn (2018) calculated the existence of 130 cross-border consultation structures on the European map, 80 of which are Euroregions, formally organized as autonomous public or private entities with their own administrative and technical apparatuses and, eventually, representative bodies. In particular, he focuses on the emergence of “cross-border metropolises”, a controversial term adopted from North American border urbanism that curiously could have greater applicability here than in its place of origin. Sohn (2018) states that “these cross-border regions developed some of the most advanced forms of cooperation in urban planning, transportation, and economic development, and some even developed cross-border infrastructures” (p. 304), and thereby place themselves advantageously in the investment circuits. Nevertheless, he was pessimistic about the lack of shared identities and the proliferation of resentment among the coalition partners.

If these obstacles have been present in Europe, most of whose borders do not contain major socioeconomic inequalities, and where integration policies consider them atavistic scars of history, it is plausible that in the Mexico-U.S. border space, where the “geo-economic” uses of borders have prevailed, the processes of cross-border agreements have taken a less benevolent course.

Although the so-called North American Free Trade Agreement (NAFTA) is an agreement with a strong political connotation, which was concluded between states and involved partial cessions of sovereignty, it does not aspire to be a political community. Its driving force is the market, and its leitmotif is greater profits from a political economy that exploits and intensifies inequality. Furthermore, although it has incorporated programs to control negative externalities —either by social pressures or by adopting codes of social responsibility— these are marginal and prioritize inequality expressed in the geopolitical and economic hegemony of one of its members, the United States.

Studies on the subject reveal a large number of projects and organizations working on agreements, which have been described by authors such as Scott (2002) and, more recently, Barajas (2015), who counted 83 “institutional actors” with diverse agendas and levels that had an impact on the subject. Some of these projects are functionally significant and cover the entire border, such as the International Boundary and Water Commission of 1944 or the more recent but significant North American Development Bank. Others are more limited in their scope of action, resources, and ability to influence public decision-making. According to Mendoza and Dupeyron (2020, p. 73), these projects were mainly aimed at “(...) promoting businesses on both sides of the border and are structured as a field of strategic actions focused on economic

activity”, while the other proposals which aimed at creating areas of cooperation on cultural, environmental, and educational issues were driven by emerging actors with fewer resources and less experience.

Scott (2002) warned early on that while these projects had some value in terms of breaking down psychological barriers and fostering a common risk culture—in the case of the Arizona-Sonora area—, “the actual results achieved by these cross-border initiatives may appear meager” (p. 201). A decade later, Tony Payan (2010) reiterated the same arguments and outlined a two-pronged critique. First, he noted that the overwhelming majority did not go beyond a level of “cooperation”, identifying common objectives and issues, thus maintaining the institutional individuality<sup>6</sup> of each party, and condemning cross-border interactions to a “(...) spontaneous exercise with narrow results and temporary objectives” (p. 234). Secondly, the absence of cross-border governance is supported by “(...) a system of institutional incentives, which creates, formalizes, and legitimizes mechanisms (...) to develop concrete capacities for collaboration” (p. 241).

In a vigorous study, Josiah Heyman (2010) situated the discussion of cross-border territories on the Mexico-U.S. border in the coexistence of two “sources of hegemony”. One derives from the power of nation-states involving forces of control and symbology. The second stems from the requirements of capitalist globalization that imply greater fluidity in the transit of economic factors. Both are, Heyman affirmed, “rival structures”. However, it is an unspoken, relative rivalry since, in the end, both hegemonies aim at reinforcing the status quo: “(...) they reinforce the accepted, the normal, the unalterable” (2010, p. 31). Furthermore, both assume different cultural alignments that the author attributes mainly to the class positions of the subjects in each structure.

The proposal by Heyman contains an appreciable analytical value in studies of the Mexico-U.S. border, where there have been systematic studies that have sought to demonstrate scenarios of hybridizations, convergences, and mergers of two complex realities (Herzog, 1990; Martínez, 1994; Alvarez, 1995; Anzaldúa, 1999; Dear & Leclerc, 2003), explicitly or implicitly criticized by Vila (2003), Alegría (2008), and Grimson (2000), among others. However, his vision insists on a fragmented notion of cross-border territories—nationalist politics and the globalizing economy as “rival structures”—making it difficult to understand the underlying systemic reality.

However, above all, for the purpose at hand here, it opens the door to the illusion that from the second “source of hegemony”, a more propitious scenario of integration can be conceived with the generation of cosmopolitanism with a strong classist stamp that constitutes “(...) the appropriate cultural framework for the conduct of globalization (Heyman, 2010, p. 30)”. Therefore, if institutional adjustments were adopted in pursuit of greater “structural harmony” between the states on both sides—as Payan (2010) and Ganster and Collin (2017) have also suggested—the creation of true integration processes through superior collaborative policies could be assumed.

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<sup>6</sup> Payan (2010) explains an interesting taxonomy of cross-border projects. The most precarious level corresponds to coordination, which occurs when the parties pursue different objectives and coordinate to avoid mutual interference and for limited periods of time. At the higher end, he mentions collaboration, when there is a sharing of objectives and interests, with permanent institutions and mutual trust, which favors the regulation of processes in a sustained, effective, and equitable manner. Right in the middle is the aforementioned cooperation, which is the highest level that cross-border agreements can usually reach.



That is not to say that what the authors mentioned above is unnecessary, only that it is procedural in the face of the great tension that occurs within the processes of economic production and reproduction of these territories and that is inherent to these geo-economic border situations (Sohn, 2014). It is not simply that cross-border economic interaction relies on and coexists with the exploitation of inequalities, but that in doing so, it generates a political economy based on an unequal exchange that deepens inequity, as has been demonstrated—for the same Mexico-U.S. border—by Gerber and Anderson (2015) and from a spatial point of view by Fuentes and Peña (2010). Moreover, politics accounts for this through structures that would only be able to negotiate secondary aspects of the cross-border relationship.

### Latin American borders: informality, centralism, and authoritarianism

Few Latin American cross-border regions have been constituted based on large-scale accumulation strategies, as is the Mexico-U.S. border. Nevertheless, it is possible to find regions whose political economies are linked to the global economy, such as the case of the cross-border region located in the department of Alto Paraná in Paraguay and the states of Matto Grosso do Sur and Paraná in Brazil (Massi & Falabella, 2005). Other regions are organized around international trade flows as is the case in the Corumbá-Puerto Quijarro region on the border of Brazil and Bolivia (Batista da Silva, 2013), or the departments of Santander Norte (Colombia) and Táchira (Venezuela) before the crisis in the latter country (Valero, 2008). However, most of these regions are what Dilla et al. (2020) call “self-contained regions”, whose economic exchanges—even when they maintain links with other scales—are resolved at the local level. At all scales, informal relations play a significant role in the survival of family economies and a myriad of actors operating in gray areas and whose views do not go beyond the mere existential level.<sup>7</sup>

None is the result of a post-nationalist political agreement in the European style. Latin American states continue to be fundamentally Westphalian, to which has been added the strong military and paramilitary presence on Latin American borders. These have historically suffered from high levels of dominance by armed institutions, with variations in their levels of specialization, leaving less room than in other regions for civilian authorities. This presence has been reinforced by the increase—real or constructed for political purposes—of the so-called “new threats”, such as illicit trafficking of drugs, arms, or people (with the increase of intracontinental migrant flows), and terrorist threats or epidemic transmissions. About the South Andean region, Ovando et al. (2020) noted that the latter element, intensified by

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<sup>7</sup> For reasons of space, the authors refrain from discussing the relationship between informality, illegality, and criminal activities. It is worth mentioning that, according to Dorfman (2020),

(...) the profits from these commercial operations do not accumulate in border areas; little remains in the marginal nodes of these networks. The surplus value generated by smuggling also has its geography: little accumulates at the borders since “night work” is a weak link in the chain that makes its profits in the consumer centers. (p. 159)

the COVID-19 pandemic, turned borders into settings for the exercise of the crudest biopolitics. These securitization processes add to the geo-economic form of Latin American borderization new ingredients of control and disciplining others and further obstacles to cross-border cooperation. Although the continent has known different integrationist projects, ranging from developmental protectionism to neoliberal “new regionalism” as discussed by Molano (2007), not one of them has proposed a post-nationalist overcoming of international borders, and rarely have they had specific projections toward borders as territories.

In this context, it is understandable that in Latin America, the experiences of cross-border agreements are limited in their aspirations and achievements. As noted, although high-quality studies have been produced, there is no fairly exhaustive inventory of these experiences, a matter that should be resolved by future research. However, hypothetically and preliminarily, these experiences can be grouped into three types, according to their organizational origins and scales: (i) those stemming from local initiatives; (ii) those originating from within existing integration projects; and (iii) those stemming from binational border governance models.

### *Experiences of cross-border agreements from local developments*

Many of the cross-border community forms of coexistence in Latin America are social conglomerates that precede the borders themselves or the moments when the national states decided to demarcate them and enable them as controlled points. Sometimes borders separate native peoples, and nationalist socialization has only partially succeeded in modifying identitarian self-perceptions. In other cases, customary relationships, whether family, friendships, or local loyalties, continually challenge borders. In spatial terms, these are populations so close to each other that they blur the boundaries with hundreds of daily crossings, as in the cases of Chui and Chuy on the Brazilian-Uruguayan border (Domínguez, 2010); of Tabatinga and Leticia on the Amazonian border of Colombia and Brazil (Nogueira, 2008); or of the two towns called Desaguadero on the border of Bolivia and Peru (Sánchez, 2019).

Thus, it is common for state authorities and social leaders to establish contacts to seek solutions to specific problems that hinder the progress of mutually advantageous relations. They do so in relation to crossing schedules, patron saint festivities, and other daily issues, constituting what Blatter (2003) calls “connections”, understood as informal, unstructured, and non-hierarchical actions.<sup>8</sup> This type of interaction is enduring but limited to very local issues. However, these connections may be influenced by external agents —international cooperation, national governments, technical groups— which lead to their transformation into more structured agreements. Examples of these have been the Intermunicipal Cross-Border Committee (Comité

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<sup>8</sup> In the article cited above, Blatter (2003) establishes four ideal types of cross-border agreements: commissions, when they are institutions created by international agreements to resolve specific issues affecting interdependence; connections, understood as institutions aimed at specific solutions and which are informal, unstructured, and non-hierarchical; coalitions, based on idealistic affinities, regularly politicized with aspirations of solidarity; and, finally, consociative institutions that combine idealism with a high degree of formalization, have strong political content, and push broad agendas.

Intermunicipal Transfronterizo, CIT) on the Haitian-Dominican border and the Aymara Without Borders Strategic Alliance (Alianza Estratégica Aimaras sin Fronteras, AEAf) on the triple border of Peru, Chile, and Bolivia.

The first case took place between 2006 and 2012 in the border strip where the Dominican province of Elías Piña and the Haitian central department meet. This fragment of the Dominican-Haitian border strip has historically been characterized both by its exceptional levels of poverty and by its porosity and the proliferation of micro-commercial, cultural, and religious links. In the first decade of the 21st century, several cooperation agencies and groups came together on the Dominican side to provide funds and human resources, which led some Dominican mayors to believe that a joint action that included the Haitian side could lead to a greater influx of resources to promote various development projects. This external impulse—which received the added support of a technical association called Cities and Borders—led to the formation of the CIT with biannual meetings of the mayors, a technical office that provided advice to implement micro development projects, and some specific investment for the improvement of economic and social services from the municipalities. It was also an opportunity for mutual recognition and cultural exchanges that the communities of both places could enjoy. At its height, six Dominican and eight Haitian municipalities, bordering or close to the border, were members.

The project, however, showed early signs of exhaustion. First of all, there was never a multilevel strategy. It survived despite the apathy and eventually the hostility of the national authorities, jealous of a border that they considered a matter of central administration. With very few economic and human resources, the local governments were incapable of producing a self-sustaining synergy. Moreover, when external support ceased and the founding mayors changed, the CIT abruptly declined, and, although it continued to exist (even being replicated in other parts of the Dominican-Haitian border), it was reduced to a rhetorical space with no practical impact.

Although its achievements—material and symbolic—are unquestionable, it should be noted that its work was successful while it was in a soft area of the cross-border relationship—specific interventions, cultural exchanges. However, it balked at analyzing the key elements of that relationship based on unequal exchange and the discriminatory treatment of Haitians at trade fairs, which were always located in Dominican territory. In operational terms, the CIT reproduced this unequal relationship in a sort of dependence of the Haitian side on the Dominican side (Dilla, 2016), which had greater material and human resources in its favor.

An even more complex and better known project, the Aymara Without Borders Strategic Alliance (Alianza Estratégica Aimaras sin Fronteras, AEAf), operated between 2001 and 2015 in the Central-Southern Andean region, where the Chilean, Bolivian, and Peruvian jurisdictions converge, and whose distinctive feature is an Aymara cultural influence. These cultural characteristics, and their location in geopolitically rugged territory, attracted the attention of diverse actors—the Italian Cespi, Belgian cooperation, the World Bank, the Inter-American Development Bank (IBD), and some Chilean state bodies—who initially supported it with vital technical and economic resources. By 2012, some 57 municipalities were reported to be involved, most of them Bolivian, an unprecedented phenomenon in the region in which, according to Rouvière (2014, p. 38), the mayors “(...) politically manage the border by setting up networks at multiple scales, both with international banks and with political centers and their border counterparts”.

However, despite their media glitter and the attention they received from the intellectual world, which González (2019) referred to as the influence of the Foucauldian mirror, this project always navigated amid strong tensions that weighed down its development.

On the one hand, the AEF was an entity with post-national aspirations based on ancestral identities in a geopolitical context that never considered this possibility. This implied frequent clashes between the municipal authorities involved and their respective regional and national counterparts in conditions of legal defenselessness (Rouvière, 2008), without the existence—beyond some procedural interventions—of a multilevel strategy. As these clashes took place to the detriment of access to resources and the foreseeable possibility of success in local development, they generated a climate of solidarity. However, when conflicts between the nations involved escalated, particularly between Chile and Bolivia, they eroded the agreement processes. From 2012 onward, the project began to die out until it became limited to an essentially Bolivian alliance with no cross-border pretensions (Aranda & Salinas, 2017).

The second source of tension, probably the most important, was the distance between the goals proclaimed by the AEF leaders and the felt needs of the communities. The alliance had a medium-term action program whose main aim was to raise the standard of living of the Aymara population in a context of extreme poverty, absence of social policies, and basic infrastructural deficiencies. To achieve results in this regard, the mayors envisaged a strategic plan to position the region in the global economy based mainly on cultural and tourist services supported by its identitarian resources. However, the AEF agenda was not based on participatory opinion and, in fact, became a top-down agreement, so that the ethnicization of the political, incisively analyzed by Rouvière (2014), was an attempt by local elites to gain more effective control of two resources, the border and ancestral identity. As a result, the actions of rural Andean mayors tended to perpetuate vertical power relations to the detriment of the people of the communities.<sup>9</sup>

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<sup>9</sup> The newspaper *El Morrocotudo* reported an example of this:

On May 16, 2008, in the tripartite Peru-Chile-Bolivia border, the mayors of Charaña, Palca, and General Lagos of Bolivia, Peru, and Chile, respectively, held a South American Camelid Fair, which caused the discontent of the local Aymara communities. Each of the mayors made available from each of their municipal coffers, more than one hundred thousand dollars for a celebration where the communities have gained nothing. (Quoted by González, 2019, p. 121)

And in the same text González quoted the speech of a community leader:

We are unprotected, we are not happy with the town authorities, we want our Jilakatas to return to take authority in our territories, because we want to take care of our mother earth, we do not want our surface water and groundwater to continue to be plundered, because they are sacred to us and because we want to bequeath to our future generations a future of peace and true joy for all. (González, 2019, p. 122)

### *Experiences of cross-border agreements within existing integration projects*

Another source of experiences of cross-border coordination comes from supranational integrationist projects, which, as has been said, have made little progress in the subject that concerns this article. An example of this is Mercosur, the Latin American project with the greatest spatial, demographic, and economic importance. Compared to other Latin American integrationist projects, Mercosur was late in incorporating the border issue. After doing so, the projects were limited in scope and short-lived due to a lack of political will. An example of this is the so-called Ad Hoc Group on Border Integration (2002) that functioned for some years amid the apathy of the member states until its extinction (Oddone & Matiuzzi, 2017). Recently (December 2019), another provision was enacted —the Agreement on Linked Border Localities (Acuerdo sobre Localidades Fronterizas Vinculadas)—, which homogenizes lawful contacts throughout the Mercosur territory; however, it refers to urban areas and contains a limited and conservative repertoire of new rights (work and uses of social services) without explicit recognition of the transnational dimension as a subject of law. The agreement envisages the promotion of conurbation processes through infrastructural works in some three dozen urban agglomerations. The recentness of this agreement and the occurrence of the COVID-19 epidemic prevent an assessment of its real effects.

Paikin (2012), in a thoughtful essay, saw these spaces as contradictory condensations of:

(...) the logic of economic competitiveness, characteristic of private actors, tensions concerning inter and intra-state competencies, similar but different business and organizational cultures, nationalist resentments, and concrete problems in infrastructure and logistics (...). (p. 107)

Furthermore, he agreed with Giménez (2010) and Jaquet (2008) —already cited—in that:

(...) the arrival of Mercosur and the new bilateral relations generated further complications for border transit than those that already existed, causing a feeling of disillusionment and rejection of the integration that, rather than bringing them closer to their neighbors, drove them away. (Paikin, 2012, p. 112)

He concluded that “(...) there will be no possibility of joint development without the deepening of regional citizenship” (Paikin, 2012, p. 122). Therefore, it is no coincidence that Mercosur has had no significant effect on the national border legislation of its member states.

Of greater interest for this article is the Andean Community of Nations (Comunidad Andina de Naciones, CAN). In 1999, the CAN took a step forward with the promulgation of the first set of guidelines grouped in the document “Community Policy on Integration and Border Development” and the constitution of a high-level group. At the same time, its member states were motivated to introduce legislation that substantiated their respective constitutions, recognized cross-border spaces as subjects

of law, and provided them with formally recognized coordination mechanisms, as discussed by Dilla and Hansen (2019) in the Colombian context.

The key piece of this institutional framework was the creation in 2001 of the Border Integration Zones (*Zonas de Integración Fronteriza*, ZIF). The ZIF were the institutional response to a spatial typology that characterized border regions, according to Sanchez (2015), as isolated and peripheral areas “(...) in relation to dynamic centers” (p. 88) and, consequently, their evolution was understood to be linked to strengthening their relationship with the respective national territory. According to the constitutive document (CAN, 2001), its basis was the adoption of policies and projects “(...) to promote sustainable development and border integration in a joint, shared, coordinated, and mutually beneficial manner, in accordance with the characteristics of each of them” (p. 16). The ZIF were designed as cogs in the bureaucratic apparatus, without attention to the cultural conditions and potential of the border areas.

In an exhaustive study on the Amazonian borders of Colombia, Zárate et al. (2017) stated that the ZIF suffered from dysfunctional territorial designs and fundamental inadequacies in complementary legislation and regulation, so that “(...) bilateral integration instruments (...) have been not only inadequate and insufficient but also exclusionary and, worse still, do not take into account the border reality of our countries” (p. 161). Nilo Meza (2011) offers an eloquent example: ZIF Peru-Bolivia has an area of 905,226 square kilometers, larger than Paraguay and Uruguay combined, covering 70% of Peruvian territory and 82% of Bolivian territory. In such a context, says Meza, “any planning proposal would be shipwrecked even at the design stage” (2011, p. 102).

Undoubtedly, the emblematic ZIF was the one around the cross-border urban complex of Cúcuta in Colombia and San Antonio-Ureña-San Cristóbal in Venezuela (Norte de Santander Department and State of Táchira). This cross-border region (analyzed by Valero, 2008) has historically sustained intense commercial, demographic, and cultural relations. However, it had a tortuous incubation process (described by Linares, 2005, and by Aparicio et al., 2016) until it finally succumbed to the unfavorable state of binational relations. According to Ramírez (2008), there was never a multilevel perspective, but rather a dysfunctional overlapping of different levels with non-coinciding visions, which subverted the ability to build a common vision and common interests regarding development and border integration or to formulate joint medium and long-term projects. Often, Ramírez (2008) noted, “(...) proclamations of being the most integrationist are common when faced with the need to negotiate with their respective capitals but disappear when it comes to sharing resources with their neighbors and leaving national advantages behind” (p. 164).

Central American integrationist projects have been consistent in showing a willingness for cross-border coordination relating to the long-term history of the region. In 1976 the countries of the isthmus adopted a plan in this regard (under the sponsorship of the IDB). Since then, there has been no shortage of plans, programs, and projects, regional or binational, aspiring to produce cross-border institutions, but, as Matul (2012) noted, these have been

pilot or short-term experiences [and] it has not been possible to consolidate a structure that progresses from the pilot to the institutional. It is possible to conclude that, so far, the institutional management of collaborative border efforts has been taken lightly or has not received adequate attention. (p. 71)

Possibly the most successful experience has been a project located in an area of 7.5 thousand square kilometers, with 700 000 inhabitants, which surrounds the convergence of the borders of Honduras, El Salvador, and Guatemala, called the Trifinio Plan. Born in 1986 under the auspices of the Organization of American States, its main objective was to achieve the sustainable development of a depressed region based on the integrationist programs of the Central American Integration Systems (Sistema de Integración Centro Americano, SICA). The plan had a complex institutional structure that began with a tripartite commission of high-level officials from the central governments involved and gradually descended into secretariats and technical units, where the involvement of local actors—governments and civil society—was secondary. According to Rhi-Sausi et al. (2011), this was a serious shortcoming that hindered the autonomy of the spaces in which a genuine cross-border relationship should occur. In other words, the Trifinio Plan is an unusual project in terms of its far-sightedness and its success in terms of a tri-national regional development project. However, these successes are undoubtedly minor when it is evaluated as an experience of cross-border coordination.

### *Experiences of cross-border cooperation from binational border governance agreements*

These experiences have had numerous manifestations in the continent, often in utilitarian coordination interactions (Payan, 2010). In some cases, they have been local experiences with specific agendas, later added to larger projects. This is the case, for example, of the Lake Titicaca Autonomous Authority (Meza, 2011), whose purpose has been the management of water resources related to the lake, but which includes diverse villages that have historically maintained traditional relationships. Two of these villages, both called Desaguadero and on the river of the same name, have maintained diverse exchange and cooperation relationships on a local level, which has been studied by Sánchez (2019).

Perhaps the most illustrative cases are the so-called Border Committees, initially created in the 1980s on the Paraguayan-Brazilian border and of which up to 35 currently exist along the borders of the southern cone (Chiani, 2019). According to Valenciano (1990), in an early assessment, border committees were international mechanisms “(...) whose main function is to resolve or else channel for decisions to other decision-making levels, whether national, provincial, or departmental, matters of diverse content relating to the border relationship in its different manifestations” (p. 42). According to Colacrai (2016), these committees have been important mechanisms for introducing local issues into binational agendas, which she has studied extensively on the Chilean-Argentine border.

Unfortunately, there is no on-site evaluation of these institutions. From partial studies (Colacrai, 2016; Dilla & Álvarez, 2018; Chiani, 2019; Álvarez, 2019), it is possible to intuit that the border committees have followed different paths because of two variables, the existing binational relationship and the intensity and nature of

cross-border relations and flows. This explains —limited to the Chilean case— that the Bolivia-Chile committee is an entity with little activity and limited to occasional state coordination, or that the committees along the Chilean-Argentine border have regularly functioned, as described by Colacrai (2016), in a context of fluid binational relations, sparsely populated areas, and relations marked by customary practices.

This situation changes at the border with Peru, where the Tacna-Arica cross-border urban complex exists, involving approximately seven million annual crossings and intense cross-border activity (Dilla & Álvarez, 2018). Consequently, the committee evolved to consider broader issues related to cross-border development and social relationships, included other non-state actors, and reorganized its work into several commissions addressing a range of issues from those of traditional border control to cultural and social ones. Then, in 2012 it adopted the more ambitious name of Border Integration and Development Committees (Comités de Integración y Desarrollo Fronterizo, CIDF).

In a study that reviewed this interaction viewed from various sectors, particularly from the business sector, Álvarez (2019) positively evaluated the experience “(...) the CIDF constitutes a political-social space for cross-border agreements in which the social world sees the opportunity to transform the high foreign policy of the national states and bring it closer to the border territory” (p. 64). She also noted its numerous deficits, some stemming from the inertia of the social sectors involved and others from the very design of the mechanism as parts of two states that maintain their nationalist worldviews. To use the typology by Blatter (2003), it would be a “commission” that coexists with more advanced forms of agreements such as cross-border “coalitions” of civil society, but without fundamentally altering their functioning.

Therefore, it should be recognized that CIDF has contributed to resolving technical problems in managing the border, the generation of mutual knowledge and trust among border actors, and has served as a platform for coordination among actors on various issues. However, it has failed to address the burning issues of the cross-border relationship such as governance structures, which revolve around the irregular use of Peruvian labor in the economy of Arica, the proliferation of a repressed but vital “Ant Trade” (cross-border arms trade) for the survival of hundreds of families on both sides, or the nationalist obstacles that prevent a more active investment relationship between business groups on both sides.

## Conclusions

The emergence of a field of studies on cross-border agreements in Latin America is a positive feature in the construction of a critical theory of Latin American borders. These studies have gone beyond traditional views of geopolitics on the subject and incorporate into their analyses the actions of a greater variety of actors and situations than previous studies anchored in centralist visions could offer. Its evolution toward an epistemic community capable of influencing public decision-making would be a particularly happy moment that should be celebrated by a profession that occasionally manages to be heard beyond specialized professional fields.



The critical attitude of the authors on the subject explained in this article lies in the fact that a significant part of the studies carried out has dispensed with the analysis of the continental reality and with a critical review of the accumulated stock of studies. This results in studies on cross-border agreements in Latin America having strong European and North American biases, which have prevented a more effective heuristic contribution to the Latin American debate on the character of neoliberal border processes in the continent. In order to advance in this theoretical construction, it is essential to dialogue with these strong and diverse intellectual points of reference. However, this should not lead to an uncritical application and to consider reality as imperfect to the extent that it diverges from the North Atlantic reality and as perfectible as it approaches it.

It could be affirmed that the forms of borderization that occur on the planetary level are, essentially, the expression of how neoliberal capitalism considers the cultural and political realities of each cross-border region and eventually parasitizes them, increasing its profits from the unequal exchange and the exploitation of differential gains. At the same time, from these territories—from the different state levels and the communities and their social practices— processes of resistance or accommodation to the dominance of the neoliberal economy are generated. In general terms, this produces a type of border that has fundamentally surpassed the old contact/separation dilemmas to assume more significant functions in the control, filtering, and disciplinization of the factors that cross borders. Latin America is no exception; however—unlike Europe with its supranational political project or North America with its powerful accumulation strategies—a type of border marked by informality, strongly nationalist policies, and omissive integrationist pacts predominates.

Dissimilar experiences of cooperation have been generated from this reality, some of which have been reviewed here only to demonstrate that they indicate an accumulation of some achievements and many frustrations that do not even reach the levels of the cross-border relationship between Mexico and the United States. Any one of the experiences analyzed in this article demonstrates that the European post-nationalist environment, and even more so the less benevolent North American situation of massive accumulation strategies that eliminate uncertainty factors, is not similar to the Latin American reality. The studies and methodologies developed in these places are undoubtedly points of reference for comparative analysis, but it is difficult to find a common theoretical framework beyond some generalities.

Further progress in these studies requires a systematic view of the empirical experiences and the production of a flexible taxonomic order that allows them to be contrasted. This article makes a preliminary attempt at this order by identifying the institutional or scalar roots of the projects—local, state, national, integrationist pacts—but this taxonomy is far from being the only one, or even the most important. An analysis of the agendas of these projects, for example, would suggest new aspects of evaluation, as would an understanding of how formal agreements relate to the myriad contacts made by civil society and the social practices of the communities. In a continental context where borders are increasingly feminine, no approach would be successful if it did not consider this gender perspective. Approaches to the value of customary relations, which sometimes rely on resurgent ancestral identities, should not be any less relevant. In short, a whole range of situations awaits the patient work of the academy.

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