INTRODUCTION: BORDERS AND MIGRATION

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When the Marquis de Curzon wrote his book, Frontiers (1907), he considered that borders were the main concern of any Ministry of Foreign Affairs in the “civilized” world and the subject matter studied in four out of five treaties or political conventions. For Curzon,

the borders were truly the edge of the knife in which to hang the modern problems of war or peace, of life or death of nations... Just as the protection of the home is the most important vital concern for citizens, for the State the integrity of its borders is the condition of its existence. (Curzon of Kedleston, 1907, p. 7)

Therefore, as a branch of government science, border policy was of enormous practical importance and which greatly affected peace between nations. However, what Curzon could not have possibly imagined was that a century later, border policy would become a key issue due to migratory movements and would create considerable political tension among states.

In this chapter, we will present a description of the stages created by the theoretical reflection on borders related to migration. The new concepts that are being used to understand these dynamics, the methods of study and analysis applied to the recent stages of border dynamics and the instruments to manage such dynamics.

Stages of the reflection on borders

It is now necessary to analyse border issues related to migration. This topic has been recently studied because traditionally, borders were analysed from military and geopolitical perspectives and the state negotiations that defined them. Now we come to the border reflection process and how it is related to migration.

The first border reflections of a geographic and political nature can be placed fundamentally between the two world wars and were focused
on geographic territorial borders (Curzon of Kedleston, 1907; Holdich, 1916). These authors dealt with the classification of natural borders (sea, mountains, and deserts) and those characterised as artificial. For example, Curzon emphasises that in the 19th century, the main issues were the borders of empires, which were fading into those of nation-states. In general, the authors consider that most of the wars in the 19th century were caused by border disputes (Curzon of Kedleston, 1907; Holdich, 1916).

However, this reflection evolves as the knowledge in the field grows. Mainly because since the 1950s the social sciences have acquired relevance by using new concepts that deal with borders as a temporal and symbolic space at the same time, that the importance of physical boundaries had diminished.

We will distinguish between four stages regarding border studies. In the first stage, studies focus on the interwar period considering mainly the nature of the border’s location and its history (Minghi, 1963, cited by Görentas, 2018). These studies were characterized by being mostly descriptive, from a military perspective, and tried to classify the borders as good, bad, artificial, and natural (Curzon of Kedleston, 1907; Holdich, 1916).

According to Görentas (2018), the first border studies, summarized by Minghi (1963), focused mainly on the nature of the location of the boundary and its history. The second stage deals with a change of approach regarding the criteria by which a border is designed focusing on the functions it performs (Görentas, 2018). This change of perspective is related to the recognition of borders as points of contact between territorial structures of power in addition to the demarcation of national sovereignty. ‘Function’ and ‘effect’ began to have much more importance than ‘form’ and ‘location’. After World War II, the concern was to diminish tensions in border areas due to the Cold War and tensions were military in nature.

We find the third stage developing at the end of the 20th century when border studies underwent a major transformation that Newman (2006) calls a rebirth of border studies. At the time, borders were understood as not only static natural lines between states, but also as social, political, and discursive constructions with its meaning being produced, re-produced or institutionalized. Therefore, the authors paid more attention to how borders are constructed socially and reflected on the discourses and practices of national identity instead of taking their existence for granted. By utilizing this perspective, the foundations of the borders are historically contingent
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upon social practices and discourses that are linked to national ideologies and identities.

This perspective led to new debates about the construction of borders; in other words, how borders were constructed in terms of their symbols, signs, identifications, representations, performance, and histories. This was the point where the proliferation of border studies began in recent decades.

The fourth stage is characterized by the more rigid state control of borders after the terrorist attack of 11 September 2002, in New York. The main focus of border studies shifted to new types of control such as new border limits, biometric borders, more exhaustive security measures in airports, border “technologization” and visualization practices, cognitive limits of categories and the relationship between territorial borders, and the so-called world without borders of networked topological space (Görentas, 2018).

In this recent period, the transnational perspective stands out as an approach that describes a condition in which multiple links and human or institutional interactions are connected across the borders of nation-states (Vertovec, 1999; Kearney, 1995; Schiller, Basch, & Blanc-Szanton, 1992). Therefore, the transnational perspective has become a popular area of study where the growing intensity and scope of the circular flows of people, goods, information, and symbols can be analysed within the scope of border mobility.

Another trend in border studies is the emphasis placed on spatiality. The first important change is regarding border locations. Borders are no longer located only on the borders of states, but are increasingly dispersed ‘everywhere’. Contrary to the thesis of the ‘world without borders’, Görentas (2018) quotes Balibar (2002), who suggests that “borders are being multiplied and reduced in their location and functions” (p. 160). There has also been

a shift from the downtown-centred approach to a concern for other non-territorial spaces such as public spheres, cosmopolitan communities, global civil societies, non-near or virtual communities, and transnational or global networks, none of which can be limited in a conventional way. (Rumford, 2006, p. 160)

According to Rumford (2009), borders and mobility are not antithetical. A globalized world is a world of networks, flows, and frontiers. Contemporary borders are taking the form of “asymmetric membranes” that allow the movement of certain goods and people while protecting against
the unwanted entry of others. Accordingly, this term seems more appropriate than the term “firewall” (from the computer field), used by Walters (2011), because it does not sufficiently describe the fact that the border on one side can be less restrictive and selective than on the other side.

Therefore, it is now appropriate to explain what a border is. Frontiers are bordering processes and not just a mere physical line or a fence. In this respect, creating boundary processes refers to the construction of socio-spatial categories or, in other words, the processes of socio-spatial differentiation and homogenization. Consequently, the border and the construction of identity are considered interdependent processes.

Then there is the symbolic character of borders. The territorial and political aspects have political meaning. The symbolic aspects are the mental and cultural constructions that separate people, groups, and societies. Symbolic boundaries are boundaries that separate groups and distinguish between one community and another, one race and another, and one gender and another. Both types and models work in different spaces and areas, but perhaps the differentiating qualification would be the context in which they are carried out.

Moreover, many participants contribute to delineate borders. Coelho Albuquerque (2012) points to the border strategies and tactics surrounding the migration and circulation of Brazilian immigrants between two national territories, especially by observing regional policies regarding the expansion of rights within Mercosur. These policies include methods used to control a fluctuating population in various social spaces and the various tricks of border residents to haggle and circumvent personal document controls in those border areas. The main interest is to understand the international border as a social experience, a continuous expression of social practices that is in constant dispute. Specific border situations that occur daily are a social and political resource. For example, on the boundary between Paraguay and Brazil, many pregnant women—brasiguas and Paraguayans—go to hospitals in Brazilian border cities to give birth to their children and register them as Brazilians. The reasons for these displacements are free health care in Brazil, access to education, free vaccines, and the possibility of registering their children so that they can have rights like any Brazilian while registering them in Paraguay as well. The Paraguayan women living on the border with Argentina do the same (Coelho Albuquerque, 2012).
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Boundaries, migration, and refugees

During the last few decades, literature has been written considering borders as a result of migratory movements, which is in line with what some authors have indicated (Alden, 2012; Walters, 2011; Casas-Cortes et al., 2014). This type of immigration is a topic that has acquired very significant relevance in light of recent globalization. Specifically, this is probably the turning point in terms of scientific reflection on borders.

For this reason, we have previously addressed the matter of the legal and socio-economic distinction that is usually made between migrants and refugees. The former is usually understood in economic terms and the latter as potential asylum seekers. However, in practice, this distinction becomes confusing and very difficult to demonstrate, given that there has been a growing refusal of many states to manage refugee applications or simply just making difficult their concession. Accordingly, the legal status of refugee and asylum at the international level is in crisis. These people usually remain in a no-man’s-land situation, in a legal limbo that affects them both in the countries they have entered and at the borders where police and administrative controls are usually carried out. In addition, it represents a significant obstacle for the daily work carried out by humanitarian organizations. Appropriately, Olayo’s assertion in the chapter on the US-Mexico border is relevant. Given the extent of vigilance and control throughout the Mexican territory, it has been transformed into a “border zone” or a “vertical zone.” Humanitarian organizations manage these methods that have been expanded to include migrant shelters.

The role of humanitarian organizations can often be contrasted with the institutional power of police authorities and criminal mafias that do business using the needs and sufferings of migrants. Their presence, whether of a civil or religious nature, is noted in all the borders studied in this book.

When it comes to the protection of migrants and refugees at the borders, the Global Migration Pact is more welcoming than the papal proposal and the Cartagena Declaration on Refugees adopted by several Latin American countries in 1984. Indeed, while the first makes a general mention of protecting them, the last two (the papal manifest and the declaration of Cartagena) clearly express their adherence to the principle of non-refoulement and their rejection of arbitrary and collective expulsions. In fact, the
Cartagena Declaration recommended an extension of the definition of the term “refugee” to include persons threatened by widespread violence, foreign aggression, internal conflicts, human rights, and other circumstances that seriously affect public order.

Migration is a co-constituent of the border, a site of conflict and as a political space. These migration forces and movements challenge, cross and remodel borders. They are creating a movement that is stabilized, controlled, and managed by different state agencies and political schemes. Besides, it is relevant to see how the frontier is used as a selective, stable, and controllable tool of differential inclusion. Because of this necessity, a theoretical challenge arises not only to describe migration as an active force but also to understand and accommodate how migration intervenes in the centre of our theoretical discourse (Casas-Cortes et al., 2014, p. 15).

These discussions have been modulating a series of new concepts that aim to explain the reconfiguration of migration and borders as a permanent dialogue between both actors. Thus arise issues such as border regime, protection policies, outsourcing/externalization, humanitarianism, reterritorialization, and deterritorialization.

**New concepts that try to explain recent phenomena regarding borders and migrations**

Let us begin with the term border regime. The term border regime signals an epistemological, conceptual and methodological change in the way we perceive and research borders. Walters (2011) encourages us to “de-naturalise” the border because the border regime symbolises a radically constructivist approach to studying the frontier. This means that “what is naturally given,” tends to understand the border as something fixed and immobile dictated from a higher instance. The constructivist approach understands that borders have been constructed gradually because of different political tensions. Therefore, we must analyse the processes by which that border image is generated. This includes not only a government’s perspective but also the production of borders from a migration perspective (Casas-Cortes et al., 2014, p. 15).

It is commonplace in the interdisciplinary field of border studies that the frontier can only be conceptualized as being formed and produced by multiple actors, movements, and discourses. An example would be the migratory flows that take place on the border between Angola and
the Democratic Republic of the Congo and others in Africa today. These migrants include refugees, economic migrants, temporary border workers, women, men, merchants, farmworkers, professional clandestine workers, children who cross the border to go to classes in schools in the Democratic Republic of the Congo, students who go to Kinshasha university, or people who are going to receive medical assistance at hospitals in the area. There are important family networks on both sides of the border, and many migrants cross without any documentation. They just cross based solely on ethnic affiliation to hold celebrations and ceremonies. This means that not only are the State and its institutions’ participant but also the hosts of groups and individuals (Tsianos & Karakayali, 2010).

Therefore, recent studies try to overcome the underlying binary logic of structure and agency taking into account that the border is a site of constant and repeated encounters, tensions, conflicts, and disputes instead of seeing the construction of borders as belonging to a unitary and straightforward organizational activity.

As Sciortino (2004, cited by Casas-Cortes et al. 2014, p. 15), a border regime is a

mixture of implicit conceptual schemes, a creator of territorial tensions between bureaucracies and waves and waves of ‘botched jobs’ to address emergencies causing cracks, ambiguities, and more tension. The life of a border regime is the result of constant repair work through practices or, in the words of the Transit Migration project; a regime is a “more or less ordered set of powerfully complex practices and knowledge”. (Karakayali & Tsianos, 2007, p. 13)

On the other hand, Protection Policies is the attempt to make visible the policies at stake in the current refugee protection regime. While the refugee protection regime tends to be presented as strictly humanitarian and apolitical, there is a growing awareness that such a claim of protection cannot be thought of outside the political sphere. For example, the status of UNHCR (United Nations High Commissioner for Refugees) stipulates that its work “will be entirely non-political...”. However, despite this, it is clear that the protection provisions can never be “entirely non-political,” since it is interrelated with the following highly political issues: Who can legitimately ask for protection? Against what dangers will the protections be offered? What are the terms and conditions of the protection provided? Moreover, whose voice is heard in the debates on these issues?
If migration is viewed as a force that defines and tries to produce what the frontier is and at the same time re-conceptualize the frontier conveniently, it should be noted that this requires a methodological change. This is what Walters (2011) proposes, reviewing Foucault’s work on governance and Poulantzas’s analysis on the organization of the state in which he defines it as an aggregate of struggles and societal forces. It requires considering the contextual perspective on power and addressing the particular sensitivity due to unstable dynamics and emerging phenomena. The border exhibits all of these characteristics.

Behind these negotiation processes between border and migration, there is a deep power struggle. Migration forces borders, when it can evade them, and they resist to be addressed. However, the power struggle is played out as a political one by establishing sectors in favour of hardening and closing the borders and others open to keeping them open or moderately open. The reflection of Alden (2012) and Walters (2011) on the development of government policies to make borders insurmountable leads certain sectors of several societies to assume a series of commitments that prevent such a situation. Nevertheless, it is also significant how the action of migrants can acquire a political and vindictive character as is the case of the caravan of Honduran migrants who have organized to reach the United States of America in concerted action in defiance of the President’s attacks and threats.

We refer to a recent phenomenon in an international context that is becoming increasingly relevant: the outsourcing of borders. The externalization of borders refers to the process of the territorial and administrative expansion of a State in the management of its migration and border policy affecting third countries. This process directly involves state officials in the outsourcing of borders, the territorial sovereignty of other countries, and the externalization or the outsourcing of border control responsibilities to the national armed forces of another country.

Consequently, the externalization of the borders modifies the understanding of what a frontier is by reformulating who, where, and how the frontier is developed. It is a process of rethinking borders beyond the dividing line between nation-states and by understanding the idea of borders as management practices and administrative-political management that includes several states. Outsourcing is an explicit effort because it intends to stretch the border “in such a way that it expands institutional management of the border and at the same time, reformulates sovereignty in new
ways” (Casas-Cortes et al., 2014, p. 19). Therefore, the definition of borders does not refer to the territorial limit of the State but to the management practices implemented to catch up with the migrant (potential or recurrent) wherever they may be.

Thus, it is not necessarily the case that third countries cede or lose their sovereignty. However, through agreements of a commercial-economic and political nature these third states assume the responsibility and management of migratory flows to “prevent” the departure of their nationals to other countries to European countries, or of those migrants who are in transit through their country. It is clear that this situation must be considered in terms of the negotiations between more powerful or developed states and developing states. This means that these negotiations are not carried out on a level playing field. It would be difficult to imagine, for example, that a sub-Saharan country could outsource its borders to other sub-Saharan states and even more so to developed states due to its institutional and economic weakness in the concert of nations.

In the few last decades, the practise of outsourcing includes several particularly significant examples. One is the Neighbourhood Policies and Migratory Routes Initiative of the European Union under the Global Approach to Migration signed in 2005. The second case refers to the historical background of prohibition and maritime detention in the Caribbean area, and the third concerns the current policy of the Pacific Solution by the Australian government. Each of them presents a series of issues related to sovereignty and territory, the blurred distinctions of inside and outside, the emergence of the safe humanitarian frontier, and the matter of an outsourced state agency. The management of border outsourcing maintains the idea of exteriority that is used to displace some sovereign responsibilities and border control technologies across the legally defined borders of state territory. It, therefore, reconfigures and acquires other dimensions not initially foreseen in line with the concept of “methodological nationalism.” This implies that the nation-state is the natural and political form of the modern world (Wimmer & Glick Schiller, 2002).

Its focus has been on tracking migrants and learn how they move through different political and geographical spaces as well as trying to govern before, during and after their movement across the border. Consequently, the movement of people and things, new technical surveillance devices and new processes of sovereignty and supranational government redefines border regimes. If borders are what we have come to assume as the limits
of legal sovereignty in International Law, we have to ask ourselves where do the jurisdiction and sovereignty of the state begin and end in these new border regimes.

In addition, one of the concepts that has been recently incorporated into the vocabulary of Borders and Migrations is Humanitarianism. Its main driver is Walters (2011) who understands humanitarianism as a complex field including specific forms of governmental logic and also the activity of certain non-governmental or organizational actors and not so much as a set of ideas and ideologies.

One of the main justifications of the externalization of borders arises in the language of humanitarianism. Here, outsourcing has become a fundamental strategy of what Walters (2011) has called the “humanitarian frontier.” Such humanitarian factors and discourse play an increasingly important role in contemporary border regimes (Mezzadra & Neilson, 2013; Walters, 2011). In such processes, humanitarian and security discourses are simultaneously used to protect the rights of immigrants and reinforce the police strategies of the border and how migration is governed. The enlistment of humanitarian and security agendas, the hallmark of the European Union border regime, has recently been reinforced through the handling of tragic events such as what happened on the island of Lampedusa in Italy. Agencies and politicians of the administration and migration management respond to such events with calls to mobilize agencies that manage European borders to block migrants before they attempt to cross dangerous sea borders and embark on risky journeys.

While humanitarian programs could disrupt certain norms of the state category, it is necessary to recognize how the exercise of humanitarian power is connected to the realization (materialization) of new spaces. Given the redefinition of particular places as zones and crises as humanitarian emergencies, authority confers certain experts legitimacy and the ability to move quickly through networks of help and intervention, or the willingness to consider those populations in those areas as “victims.” Therefore, Debrix’s observation (1998) that humanitarianism implies reterritorialization over deterritorialization should be considered, understanding that deterritorialization is when migrants “lose” their territory to go to another country. This often means leaving behind their traditions and customs, losing their identity, breaking with their region of origin, and adopting new customs and ways of life wherever they may reside. However, according to Debrix’s (1998), migrants tend to recover
and strengthen their local, territorial identities and values which is why they reterritorialize, that recovers the link with their history, traditions, and customs regardless of where they may be.

The civil society organizes across borders to support “victims” or migrants. Such is the case of the Jesuit Migrant Service (JMS) and other entities in the triple Andean border of Peru, Chile, Bolivia; the southern border of Spain; or the Patronesses that support the travellers of the train “The Beast” that crosses Mexico.

Humanitarian zones can materialize in various contexts, especially in conflict zones, to alleviate hunger and against the backdrop of a failed state, especially if the current borders of the states themselves become zones of humanitarian government. It is a significant step to overcome the predisposition to fundamentally consider the security of borders to the detriment of the rights of citizens. The Venezuelan exodus across borders in South America and the so-called “caravan of Honduran migrants” (in actuality it is a Central American caravan) emigration to the United States of America crossing several Central American and Mexican borders is one example. These states have not used violence to prevent their entry and have provided support and humanitarian attention to immigrants both institutionally and by way of civil societies.

Furthermore, two other interesting aspects deserve consideration, such as the materialization of the humanitarian frontier, in particular fields of knowledge, and the constitutive role that politics play by making and changing humanitarian borders. Fassin (2007) understands humanitarian government as the administration of human collectives in the name of a higher moral principle in which he sees the preservation of life and the alleviation of human suffering as having the highest value. For Fassin, it would not only be characteristic of a particular state or a non-governmental organization, but he understands it in terms of a complex assembly of particular forms of humanitarianism.

On the other hand, Walters (2011) considers that there are two different visions regarding migrations. The first is the logic of power based on security, and the second is the use of humanitarian logic at the border. However, both should be reconciled to carry out truly fair policies towards migrants at the borders.

From a humanitarian perspective, specific forms of authority (be it medical, legal or spiritual) as well as certain governmental technologies (such as mechanisms to obtain funding and training of volunteers,
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administrative assistance, shelters, documentation of injustice and the dissemination of abuses), should be much more flexible and capable of adapting. According to Walters (2011), this must awaken our ability to perceive “a broader political and moral logic that works on both levels, in and outside the institutional forms of the State” (p. 144).

Methods of study and analysis of borders and migration

Here we come to the methods that would be useful to study the link between migration and the border. The ethnographic analysis of the border regime starts from the perspective of human flows and migration trajectories. The border regime constitutes a multi-scalar and multidimensional space of conflict and negotiation and thus requires an approach using various methods. These methods include not only the stock of ethnographic methods such as participant observation, interviews, and discussion groups but also the political analysis and genealogical reconstruction of migratory processes at the border.

This mixed methodological approach seeks to understand transversal, micro-social, and porous migration practices and trajectories. The aforementioned facilitates a detailed analysis of the discourses, programs, large-scale institutions, points of intersection, and the interrelation of the intricate knowledge of power and its maps (Casas-Cortes et al., 2014).

Although it cannot apply to all borders, these approaches today are powerful methods for governing mobile populations and migration. Although the border constitutes a site of conflict and struggle, an analysis of the regime allows us to understand the current social, economic, political, and even cultural conditions at the border.

The genealogy of the frontier would surely give a central place to the study of changing regimes of knowledge in terms of which borders have been marked and defined by particular objectives and functions. These regimes plan to govern the borders. By the same token, the linear boundary is only able to emerge once the states begin to acquire the forms of knowledge and the administrative capacity that allows them to monitor, map, and mark their borders. Specialized knowledge also plays an essential role in the creation of the border.

Therefore, it is also necessary to study the techniques and the tools that have been designed by a variety of technologies and heterogeneous
administrative practices: maps of the territory, the creation of positions and training of specialized officials at the borders, and architectures of fortification in the daily experimentation of bio-digitized forms of surveillance.

Recent historical stages in the dynamic frontier and migration

Two recent events have exerted significant influence on the reformulation of border dynamics and migration. The Schengen agreement is a good starting point because, in terms of border control and regulation in the European Union, it has been key.

For Walters (2011), when the Schengen agreement was approved in 1985, it represented a crucial moment in the configuration of this “frontier-migration” dynamic. Schengen cannot be understood within the traditional dynamics of war and peace, nor can it be understood in terms of a geographic territory as a source of power, but rather as a site of biopolitical management. In fact, contemporary literature related to borders associates the border with immigration, and global population flows as if these concepts were the essence of the border.

Schengen is a globalization and regionalization economic policy project. The European Union aims to strengthen its borders in the face of the growing patterns of globalization migration (Walters, 2011). After the establishment of controls and surveillance of the internal borders of the European Union two decades after the first Schengen agreement, border externalization policies within which Spain has had an important role related to Africa, both Morocco as with the sub-Saharan countries.

A second world event that has caused a series of control policies was the unfortunate attacks of September 11 in the United States. Subsequently, the United States and other European countries developed a series of control and surveillance measures that have certainly restricted the freedom of movement between many borders. This has led to a policy increasingly focused on border security and often to the detriment of the rights of citizens to move and cross borders. In this respect, Alden (2012) has commented that the United States, which traditionally had not been especially concerned with border surveillance, has undertaken the most ambitious expansion of governmental power in modern history by enforcing border security and trying to stop illegal immigration. The US intends to ensure that the only migratory flow that accesses US territory is legal.
For this reason, measures have been implemented, such as fencing on the border with Mexico or agreements with Central American countries regarding control and surveillance of the southern border of Mexico along with Central America.

**Instruments to manage migratory mobility**

Below a series of instruments are referred to that are used to manage migratory mobility at the borders. These instruments manage not only land borders, but maritime ones as well.

As Alden (2012) points out, an enormous mechanism has been created to manage, monitor, and control the southern border of the United States with Mexico and with Canada, although to a lesser extent of the latter. This mechanism uses different types of instruments and technological devices that work to control people’s movements and is often carried out through the subcontracting of private surveillance services. There are also public mechanisms such as Frontex in the European Union that are used to monitor the Mediterranean.

One of the tools used by the European Union is the policy of outsourcing through the development of what has been called neighbourhoods for political mobility. Programs such as “Euro-Med” and “Euro-East” have been implemented in foreign countries, restructured as regions of influence of the European Union. Therefore, Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria, and Tunisia are included in the Euro-Mediterranean zone. While Armenia, Azerbaijan, Belarus, Georgia, Moldova, Russia and Ukraine are included in the “Euro-East” program. Both regions are in the process of “non-adhesion integration.”

Selected mobility programs and border patrol measures have been included as “clauses on migration” in economic and logical investment agreements, establishing, on the one hand, permits and visas; and on the other hand, agreements to reinforce borders and repatriation.

In addition, there are attempts to coordinate migration strategies articulated through experiments such as the Migration Routes Initiative. This reorients border management away from a line defence focus (even if it is a moving borderline) to establish border control as a series of points along an itinerary. It demands transnational coordination between the so-called “countries of origin, transit, and destination” to intercept and
detain migrants on their journeys, miles away from white borders. In particular, West African routes have been heavily inspected and closed by a series of transnational-level police operations such as Operation Hera by Frontex and Operation Seahorse run by the Spanish. These are now being introduced across the length and breadth of the Mediterranean (Casas-Cortes et al., 2014).

Frontex, the European Agency for the management of operational cooperation at the external borders of the Member States of the European Union, started operating in 2005. Its mission is to improve the integrated management of the Union’s external borders and strengthen cooperation between national border authorities. Its headquarters is located in Warsaw, Poland.

After an evaluation in 2011, and in response to calls from the Commission and the European Council to strengthen its role and operational capabilities against illegal immigration, the agreement by which Frontex was created was modified, increasing the cooperation potential of the Agency. This was included in the European Pact on immigration and asylum adopted in 2008 and the Stockholm Program adopted in 2009.

The main tasks of Frontex are:

- Planning and coordinating joint operations carried out by Member State personnel at external, maritime, land, and air borders.
- Coordinating joint return operations of foreign citizens
- Elaborating common standards and instruments for the training of national agents of the border guard
- Conducting risk analysis (for example, periodic assessments of the capacity of States to cope with threats and pressures at external borders)
- Assisting the Member States that require an increase in technical and operational assistance at external borders (for example, in the case of humanitarian emergencies and maritime rescue or when certain countries face specific and disproportionate pressure on their borders)
- Creating European teams of border guard agents (EBGT) for deployment in joint operations, pilot projects, and rapid interventions
- Developing a rapid response system in which teams of border guard agents participate and forms part of a database of equipment and resources available for deployment in the event of a crisis.
Therefore, Frontex can be studied as a tool used in the humanitarian frontier because of its role in maritime surveillance. This maritime monitoring saves lives by rescuing people who are in danger of dying due to poorly constructed vessels or victims of human trafficking. This area of study, although sometimes disputed, can be seen viewed as the previously discussed double logic: the logic of power centred on surveillance and control and the humanitarian logic more focused on migrants.

The Migrant Interdiction Program (MIP) is a program of the United States that includes the immigration detention facility in Guantanamo Bay. This program has been operating since 1991 and has been called Alien Migration Interdiction Operations in the Caribbean region. Ryan (2010) has defined it as the third form of extraterritorial control, the detention of vessels at sea as an action taken by the states to prevent non-citizens from “reaching their intended destination” (p. 22). Different from other forms of offshore control, this refers to migrant use of irregular channels to access a country and not maritime migrants that access a country through regular routes. Under the MIP, the United States intercepts maritime vessels outside U.S. waters to prevent the entry of non-American citizens into its territory without authorization. Most of the detentions carried out by the MIP take place in and around the Straits of Florida, the Canal de los Vientos, and the Mona channel where the United States maintains a constant presence of North American Coast Guard vessels (US Coast Guard).

At the Guantánamo Bay military base, the detainees are arrested to determine if they have well-founded reasons to fear persecution in their home countries and if they should be allowed to access the refugee system. Those who are not admitted are deported, while those at risk of being tortured in their home country remain in Guantánamo until they are relocated to a third country.

Finally, there is the Pacific Solution. This was the name given to the Australian Government policy that consisted of transporting asylum seekers to detention centres located in the nation-islands in the Pacific Ocean, preventing their access to Australian territory. This policy, implemented in the period 2001-2007, had support from the Liberal-National Party, the ruling party at the time, and the opposing Labour Party.

The Pacific Solution (Pacific Solution) consisted of three main strategies:

- Thousands of islands were separated from the migration zone of Australia or Australian territory.
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- The Australian Defense Force carried out Operation Relex to intercept vessels carrying asylum seekers.
- Asylum-seekers were held in detention centres in Nauru and in Papua New Guinea where their refugee claim was settled.

Laws were drafted to implement this policy. The Howard government developed this policy in response to the Tampa Affair in August 2001 and implemented by the then Australian Minister of Immigration Philip Ruddock shortly before the 2001 national election. Rudd’s Labour Party dismantled this policy in 2008. However, in 2012, the Labour government reintroduced a similar policy reopening the Nauru detention centre and the Manus Island detention centre. The successive governments continued this policy, thus blocking the access to Australian territory for asylum seekers.

It is forecasted that the use of other types of political and administrative instruments will increase in order to monitor and control borders. This is what happened with the humanitarian refugee crisis in Europe in 2015 and 2016. Countries in Eastern Europe such as Hungary, Slovenia, and Croatia established hurdles to stop and prevent the entry of migrants and refugees from Syria and other African and Asian countries.

Proposals for better governance of the migration and borders link

The Global Compact for Safe, Orderly and Regular Migration (GCM) (United Nations, 2018) signed in Marrakesh on 10 December 2018, by more than 150 countries represents a non-binding global work program. Its purpose is to achieve safe, orderly, and regular migration. This pact has five objectives that are directly linked, such as objective 11, or indirectly linked such as objectives 7, 8, 9, or 10 to migration at the border. Specifically, objective 11 refers to the management of borders in an integrated, safe, and coordinated manner with an emphasis on favouring regular migration and avoiding irregular migration. It protects the human rights of all migrants, regardless of their migratory status, it is non-discriminatory and that takes into account gender and children. The latter is also referred to in objective 7 in an attempt to address and reduce vulnerabilities for migrants. Related to these purposes is objective 8 that aims to save lives and undertake coordinated international initiatives regarding missing migrants. Objective 9 seeks to
prevent and combat the smuggling of migrants. Finally, objective 10 focuses on combating human trafficking. All of them refer to international cooperation as a key instrument for dealing with different situations, including cross-border ones.

The Catholic Church (2017) has also contributed its bit to the preparation of the Global Migration Pact with a document called Responding to the Challenges of Refugees and Migrants: Twenty Action Points for Global Agreements. It is based on four principles: Accept, Protect, Promote, and Integrate. The main proposal about the issue of migration at the borders refers to promoting the increase of safe and legal routes for migrants and refugees, “prohibiting arbitrary and collective expulsions,” and always respecting the principle of “non-refoulement” (no return). Likewise, it adopts humanitarian corridor programs that guarantee legal entry by providing humanitarian visas to people in, particularly vulnerable situations. It also develops adequate training for border agents; ensuring that migrants, asylum seekers, and refugees have access to basic services including legal ones; guaranteeing the protection of those fleeing from war and violence; and seeking alternative solutions to detention for those who enter a country without authorization.

Conclusions

The historical evolution of the conception of the frontier is centred on the definition of territorial limits between states. With the fall of empires at the beginning of the 20th century, a reflection focused on the changes caused by the emergence of a critical variable, migration appeared. At the same time, the development of social sciences, human geography, political science, sociology, and anthropology has been remarkable. These areas of study have enriched the discussion with new perspectives of analysis and the elaboration of new concepts. The third aspect refers to the use of new methodologies. Historical context influences these three aspects and often defines their functioning and explains them.

One of the salient features of the analysis of borders and migration is that the nation-state is present in both formulations. When we talk about borders and migration, the focus is on the nation-state as well as the conceptualization of a performative formulation. When we consider borders, we do so from the perspective of the nation-state. The nation-state defines
who is inside the territory and who is outside; therefore, who has a series of rights, and who does not? The question that arises is whether one can truly reflect on border and migration from a perspective different from that of the nation-state, being that many migrants put their life at risk because they do not have support for recognition of citizenship.

It is necessary to underline the confrontation that exists between the nationalist position and the cosmopolitan position regarding citizenship, the border, and migration. In the great battle between the cosmopolitan position counting on globalization and transnationalism on the one hand, and the nation-state on the other, it is still premature to say which side will win. If one observes the changes that the former has favoured regarding the notion of citizenship and how migration is configured transnationally, we might believe that they will emerge victorious. However, it has also been observed that the nation-state is resilient and that while it resists, it also makes its position more flexible by reformulating the notion of citizenship, incorporating perhaps the status of double nationality. This facilitates the crossing of borders for migrants who have it, but this status is still restrictive because irregular immigrants are left out. We can look at what has happened with the refugee crisis in Europe during the last decade. It reveals how states recover and strengthen borders to stop the entry of immigrants and refugees. Moreover, the more serious aspect is that it takes place within a supranational structure that seeks to overcome border restrictions.

From a cosmopolitan perspective, there should be recognition of citizenship for all migrants, regular or otherwise; respecting the rights of migrants settled in a country, travelling in several countries and crossing borders. In our study on migrations at the Ibero-American borders (Ares & Eguren, 2017), we can see precisely the strength of the nation-state. Border studies from the region point out that borders are the fruits of delimitation processes around the figure of the nation-state. These processes have taken time. So much that some of them have been formulated in Latin America and the Caribbean for less than a century. This supports the assertion of Lord Curzon of Kedleston (1907), more than a century ago, of the great challenge that it posed for states to define and agree on borders.

Another important aspect is that, although in the beginning borders were delimited nationally; that is, by the states themselves and according to the idea of the nation-state in the Ibero-American borders, three different situations occur:
1. The externalization of borders: The United States to Mexico and Central America and Spain to Morocco and sub-Saharan countries within the European Union’s policy. Now there is the agreement between the European Union and Turkey to stop the emigration of Syrian refugees.

2. The administration and management of borders within a dynamic of regional integration such as is the case of the Andean Triple Frontier (Chilean-Peruvian and Bolivian) when belonging to Mercosur.

3. The clearly nationalist or national methodological dynamic of Colombia with its neighbouring countries, Ecuador and Venezuela. This dynamic also has a strong presence in the countries above, including Mexico and Central America.

However, these three dynamics live a constant tension with the nationalist methodology or the rampant nationalism in each society. A variation in the definition and administration of borders are often the result of this dynamic. For example, in some states, the nationalist claim is reflected in the idea that this nation is only for nationals, and that has led to legislate against people of foreign origin. Even behind the concept of outsourcing, an expelling nationalist perspective lives there.

Another relevant characteristic is that, although national political motives delimited the borders in the 19th and 20th centuries, recent migrations and the populations settling on both sides of the border come into play as a relatively new critical element.

It is necessary to further our knowledge of the lives of those with common ethnic origin living on both sides of the border. This situation remains latent and relatively hidden because politically, states are interested in dealing with migration in transit or migration that intends to settle in its own geographical contours. The inhabitants of the borders see this interest as restrictive that now prevent them from moving as freely as they had before. This phenomenon is seen in Aymaras, at the triple border of Bolivia, Chile, and Peru; Mayas, at the southern border of Mexico with Guatemala; Mexicans, at the northern border with the United States; the Berber Rifeños between Melilla, Spain, and Morocco; and the ethnic communities that share the border between Angola and the Democratic Republic of the Congo. The current political borders are a significant obstacle for the traditional communities that have settled there for centuries.
The migrants want to continue negotiating, exchanging, and interacting on both sides of the borders, often having relatives on both sides. Political boundaries are more bothersome than geographical conditions because these usually do not involve a separation impossible to overcome since many times; there are no natural limits such as rivers, streams, mountains, or deserts. Traditionally migrants moved without much difficulty, and maybe they could do it today. A recent example is the Venezuelan exodus to border countries, especially with Colombia and Brazil (Koechlin & Eguren, 2018). Although states have indeed installed checkpoints, the territory is vast and often easy to access from another side.

On the other hand, nations sometimes use their populations, promoting their movement across borders to extend their territory, especially border. There is a compelling case where the Chilean border was extended by moving the landmarks that separate the borders after the 2001 earthquake in Tacna. The purpose was to gain territory in Peru (Rojas, cited in Ares & Eguren, 2017).

Finally, one of the most sensitive aspects of the borders is the issue of personal and physical security of migrants. All who have died travelling from Mexico to the United States due to mafias and the arbitrariness of the armed forces; or the thousands of deaths on the journeys from Africa to reach the Mediterranean should not be in vain. Physical borders have become very dangerous places for migrants. Thus, we suggest concerted international action to provide some security for migrants, because the safety of vulnerable, defenceless human beings should be above the protection of the state.

References


