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Practices of Resistance**

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Solidary and Collective Practices of Resistance: How civil society organizations challenge the migration regime in the city of Iquique, Chile

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Abstract

The city of Iquique is currently experiencing a new migration phenomenon characterized by migrants entering through unauthorized border crossings since the closure of the border legitimized by pandemic prevention. While previous studies have analyzed the negotiation of the global migration regime at the local level, they overlook the role of civil society organizations in this process. Nevertheless, pro-migrant CSOs play a crucial role in improving the situation of "irregular" immigrants. This study focuses on how CSOs challenge the global migration regime at the local level and what practices of resistance can be identified. For this purpose, six interviews were conducted with CSOs actively involved in migrant struggles in the city. The study reveals that the migration regime is challenged at the local level through various practices of solidary and collective resistance from below. However, the study also identifies that the governmental response to this local challenge of the migration regime is the criminalization of solidarity as a new tool for migration control.

Keywords: civil society organizations, practices of resistance, criminalization of solidarity

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1. Introduction

In the past 25 years, Chile has experienced a notable increase in migration, particularly from other Latin American nations. According to the National Institute of Statistics (INE), the estimated number of migrants in 2015 was 465,319, which accounted for 2.7% of Chile's total population (Canales, 2018). By December 2019, this number had risen to 1,492,522, representing almost 7.8% of the total population (INE, 2020). This increase is significant considering that in the 1980s, the percentage of foreigners in the total population did not surpass 0.7% (INE, 1982). Additionally, the number of migrants classified as 'irregular' was estimated at 300,000 to 500,000 in 2018 and 2019 (Rivera, 2020).

Furthermore, the Covid-19 pandemic and the subsequent economic fallout have increased the vulnerability of marginalized groups, leading to further vulnerabilization of migrants. This new factor has been identified as a new migration push factor for Venezuelans to Chile (Stefoni et al., 2022). However, even prior to the pandemic, the sustained rise in intraregional migration in South America, coupled with the emergence of the Venezuelan diaspora, especially since 2012, has prompted countries in the region to implement stricter border securitization measures and make entry and legalization procedures more challenging for certain groups of migrants (Stang, 2016). However, many migration scholars were able to show that restrictive migration regime measures are not able to stop the constant influx of migrants but promote the precarization of migration routes and their lives (Liberona, 2018). As a result, an increase in unauthorized border crossings, as well as cases of smuggling, and human trafficking have been registered

in Chile, with the Tarapacá region as a cross-border area, representing a regional focus in the national context (Dufraix et al., 2021). Similarly, the regional capital, Iquique plays an important role. As a response to the visibility of migrants in public places due to the lack of (state-provided) accommodation facilities, it became the scene of xenophobic anti-migrant protests in September 2021 and January 2022 and the violent raid of a Venezuelan camp by the police on September 24th, 2021 (Oyarzo, 2021). Nonetheless, as a reaction to the securitization of the border, and the anti-migrant sentiment in the city, numerous actions and initiatives have been launched in solidarity with those afflicted, which involve different actors and organizations of the local civil society (Oyarzo, 2021). These pro-migrant organizations got involved in migrant struggles in various ways and interfere in the migration regime at the local level from below. Consequently, this context highlights the occurrence of a new migration phenomenon in Chile, which is unprecedented in the region and establishes a new scientific focus (Tapia, 2022) and a research gap in migration studies.

Previous studies have analyzed the negotiation of the global migration regime at the local level (e.g., Schneider, 2022). The role that Civil Society Organizations (CSOs) play in this process is often overlooked with their contribution typically only viewed as relevant to the integration of migrants into society. However, pro-migrant CSOs are crucial actors in improving the situation of 'irregular' immigrants, advocating for the rights of migrants, providing assistance and support to them, and facilitating their access to essential services such as healthcare, education, and legal aid. Therefore, the significance of CSOs should be recognized as critical partners in the migration process (Schilliger, 2020). Based on this background this paper addresses the following

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research question:

How are civil society organizations challenging the global migration regime at the local level in the city of Iquique, and what practices of resistance can be identified in this context?

The aim is a) to understand how CSOs challenge the global migration regime at the local level in the context of a new migration phenomenon and b) to identify the resistance practices in this context. Along these lines, I will also c) analyze how local pro-migrant CSOs position themselves and their resistance practices within migrant struggles. Therefore, this work deals with the topic of the role of CSOs in negotiation processes of the migration regime through resistance practices at the local level, which has been only marginally addressed in the literature and in the Latin American context (e.g., Pedroza et al., 2016), and aims to fill a research gap.

Following Rass and Wolff (2018), I understand a migration regime as a model for describing and understanding a complex and decentralized power formation. It is not a verifiable entity or institution but is constituted, negotiated, and contested by heterogeneous actors and their practices and interactions. By focusing on the analysis of active subjects, it is possible to show how spaces are opened up, in which the migration regime is challenged (Stang & Stefoni, 2016). Therefore, the analysis of the specific case of Iquique is relevant because it allows to understand how global migration regimes can unfold similar dynamics in different geographic locations. For example, there is the global paradigm of border securitization (Bigo, 2006) which intersects with local processes, such as resistance practices that determine their specific materialization (Stang & Stefoni, 2016). Understanding these local specificities is crucial in comprehending how migration regimes operate, enabling organizations to challenge them from below and formulate effective political strategies for resistance and change. In this way, they can become an active and informed participant in the negotiation processes of the migration regime (Stang & Stefoni, 2016).

Furthermore, the focus of migration research is mainly on the Global North, while migration movements in the Global South are hardly considered (Schwenken, 2018; Mezzadra, 2012). Therefore, this paper aims to examine a migration phenomenon in the Global South, specifically in the city of Iquique in Chile, and make a contribution to the disproportionate focus on the Global North in critical migration studies.

In this contribution, I will first contextualize the global migration regime in chapter 2.1 and then present the local scenario and the associated new migration phenomenon in chapter 2.2. To analyze how CSOs challenge the migration regime at the local level from below and which forms of resistance can be identified in this context, chapter 2.3 develops a toolbox for analysis. Building on Lilja and Vinthagen's

(2018) framework, I conceptualize resistance as a multifaceted and nuanced phenomenon that requires detailed theorization and contextualization within specific environments and goals. Therefore, for this work, I connect the critical concepts of *autonomy of migration*, the *act of citizenship*, and various approaches to *resistance*. To clarify the methodology used in this study, the corresponding chapter outlines the approach, type of interviews, and participants. Specifically, six semi-structured interviews were conducted with representatives of different pro-migrant CSOs using the problem-focused interview method (Witzel, 2000). The target group of interviewees consisted of individuals who voluntarily or professionally participate in a CSO that supports migrants who have arrived in the city since 2020. In chapter 4, the conducted interviews are analyzed using the analytical toolbox developed in chapter 2.3. This analysis highlights how the interviewed CSOs challenge the migration regime at the local level and identifies the practices of resistance employed. Finally, a conclusion is drawn, and the research questions are answered summarily.

2. Contextual and Theoretical Framework

2.1 Contextualizing the Global Migration Regime

The perspective of the global migration regime is based on the fact, that regime-building factors cross borders when attempts are made to prevent migrants from doing so. Moreover, each specific migration flow impacts many states and societies simultaneously or sequentially, as even the most restrictive national attempts to control migration are not limited to the borders they seek to establish (Wolff, 2016).

Drawing on Rass and Wolff's (2018) work, I conceive of a migration regime not as a tangible entity or institution "out there," but as a framework for describing and comprehending a diffuse and decentralized power structure. This includes abstaining from an outcome-oriented projection on the type of regime and instead focusing on internal dynamics. The heterogeneous connections between the actors involved are the key elements for the emergence of a migration regime (Rass & Wolff, 2018). Therefore, it is heterogeneous actors who constitute, negotiate and challenge the migration regime through their practices and interactions (Eule et al., 2018; Rass & Wolff, 2018). These actors cannot be reduced to the "state" and migrants alone, but also include non-governmental organizations, civil society actors, lawyers, or other legal advisors, among others. This perspective foregrounds the migration regime as a "conflictual contact zone" (Rass & Wolff, 2018) in which asymmetric negotiation spaces arise due to unequal power distributions (Eule et al., 2018). This challenges an understanding of the migration regime as a static or coherent whole. Instead, its temporal and spatial embedding and situatedness are emphasized through continuous (re)production, contestation and

negotiation. In their conceptualization of the migration regime, Rass and Wolff (2018) suggest distinguishing between three levels of practices to identify different forms of action. While primary practices describe "actions and routines of immediate mobility or their preparation" (Rass & Wolff, 2018, 46) - practices without which such a regime would not exist - secondary practices claim definitional power and intend to control the process of migration. They are exercised by individuals, organizations, and institutions - from the individual to the multilateral and from the local to the global level - that define, exercise, shape, or pursue the control of migration. In contrast to primary practices, the actors of secondary practices are to a much higher extent of an institutional character, from governments to state administrations to CSOs. Their role in the migration regime often arises from their function and self-perception in the state and society. Apart from their relevance for mobility, secondary practices probably pursue other goals than the control of migration. In most cases, they are at least partially externally motivated. This applies, for example, to CSOs that legitimize their existence through the presence of migration or try to integrate religious or humanitarian values into the design of the migration regime (Rass & Wolff, 2018).

In this sense, the historical development of the regime and its multiscale from the local to the regional, national, and trans- and supranational levels must be considered, even though this work focuses on the local context of the City Iquique in northern Chile, as part of the migration regime - as a space "where the contested character of the migration regime and the entanglement of conflicting actors become visible" (Eule et al., 2018, 2719).

This approach thus allows for an analysis of the negotiating of the regime migration on the local level, but does not include the idea of isolated, spatially definable regimes. Moreover, it highlights that a migration regime is constantly subjected to negotiations involving multiple actors. This understanding of a migration regime enables the consideration of the role of CSOs as actors challenging the global migration regime at the local level, and the analysis of the resistance practices that can be identified in this context. Therefore, the next section will provide an overview of the local setting and the new migration phenomena to which this work refers.

2.2 Setting the Scene

Chile has been experiencing an increase in immigration in recent years, particularly from Venezuela due to the country's multi-faceted crisis (Dinamarca & Tapia, 2021). For instance, the highest absolute increase of 57.6%, from 166,554 to 455,494 people residing in Chile, was recorded between 2018 and 2019 for Venezuelans (INE, 2020). Moreover, the Regional Refugee and Migrant Response Plan (RMRP) (2022) estimates the number of Venezuelans living outside of Venezuela for the year 2021 at just over six million, 85% of whom reside in a Latin American country, and 562,000 Venezuelans are officially registered in Chile. However, there are differences in terms of the circumstances of entry. In this regard, it is important to highlight the Tarapacá region in northern Chile due to its strategic geographic location.

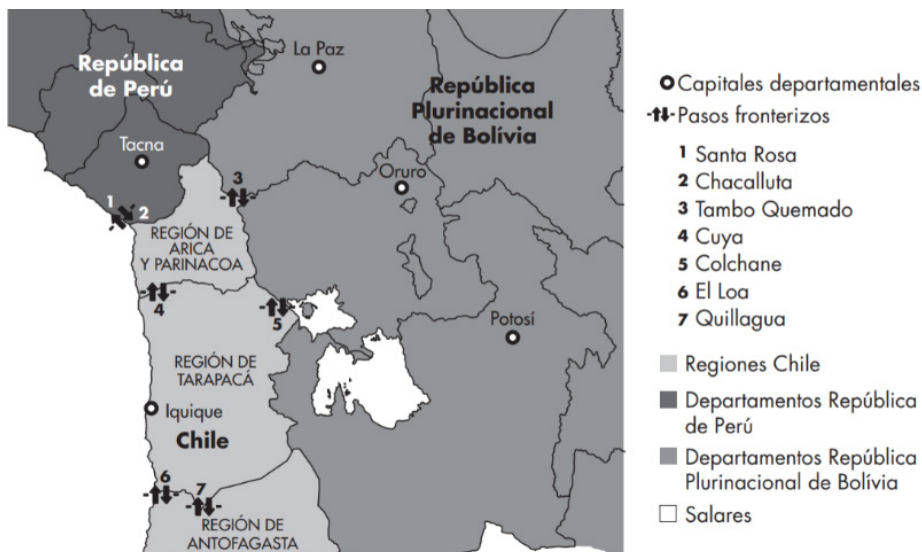


Fig. 1.: Map of the Tarapacá border area [Ramos & Tapia, 2019].

2.2.1 The Tarapacá Region

The Tarapacá region is located in the north of Chile and its regional capital is the City of Iquique. Until 2007, before the creation of the region called Arica and Parinacota, the Tarapacá region was a tri-border area with a common border with Peru and Bolivia (Ramos & Tapia, 2019). The number of migrants residing in the city of Iquique was reported to be 13.8% of the total population in 2018, thus higher than the national average, which, was estimated at 4% for the same year (INE, 2018). Several authors point out that international migration is not a new phenomenon for the Tarapacá region (Joiko & Cortés, 2022). In fact, it has a long-standing historical growth (Tapia, 2012). Marteles (2009) describes the triple Andean border between Bolivia, Peru, and Chile and highlights the territorial, discursive, and cultural interconnectedness resulting from migration, cross-cultural family networks, and cross-border religious festivals. The region also has a significant population of indigenous peoples, including Aymara, Atacameño, and Quechua communities (Salgado, 2013). Additionally, the free trade zone Zofri, which opened in 1975 under dictator Augusto Pinochet, to promote transnational circuits, plays a decisive role in the internationalization of the region. The attraction of foreign investment under the prevailing neoliberalism fostered an economy linked to border communities, whose (commodity) flows cross borders (Ovando & Ramos, 2016). Consequently, the Tarapacá region is considered a multinational and cosmopolitan area due to transnational and internal migration as well as the presence of indigenous peoples (González, 2007).

The official border crossing in the Tarapacá region is the Colchane-Pisiga border crossing with Bolivia, marked with number 5 in Figure 1. The so-called Paso-Colchane is situated 262 kilometers away from the City of Iquique and at an altitude of 3,695 meters in the Altiplano. Considering that the border between Colchane and Pisiga has been associated in the media with the attributes of smuggling and drug trafficking since the mid-2000s (Ramos & Ovando, 2016), with the outbreak of the pandemic in 2020 it has again been in the headlines denouncing it as the 'irregular' entry route for Venezuelan migrants to Chile (Dinamarca & Tapia, 2021), which will be explained in more detail in the next section.

2.2.2 The Colchane-Pisiga Border in the Context of Covid-19

The closure of the land borders to Bolivia and Peru and therefore also the Colchane-Pisiga border crossing, from March 18th, 2020, until May 1st, 2022, legitimized by the need for pandemic prevention, reinforces a series of measures and policies already implemented before the pandemic, making regular entry of certain groups of people enormously difficult. Although the closure of the border did not impede migrants from entering Chile, it became a new obstacle to people's mobility,

which in turn precarized the conditions for crossing the border (Stefoni et al., 2022). For instance, to avoid border control, people have to take a long detour. This route crosses a frozen wetland, at an altitude of 3,200 to 5,000 meters above sea level where breaking the crust poses a risk. Furthermore, the border crossing is characterized by harsh climatic conditions such as low oxygen air, high aridity, temperature fluctuations between 0°C and 18°C, and heavy rains during the summer month, increasing the risk of hypothermia, falls, and health issues due to inadequate clothing and poor physical condition (Stefoni et al., 2022). In this regard, in 2021, 21 migrants died while crossing the Atacama Desert (Ebert, 2022). Additionally, in a study conducted before the pandemic, Liberona (2015) identified other risks of crossing this border as exploitation by smugglers, robberies, arrests, violence and sexual abuse, as well as abandonment in the desert by coyotes. Hence, it can be concluded that the conditions of entry via unauthorized border crossings are extremely precarious and take place in distant locations, exacerbating the violation of human rights. Even though entry into Chile through unauthorized border crossings is not a new phenomenon (Liberona et al., 2021), the *Servicio de Jesuita a Migrantes* (SJM) (2021) describes that the number has risen since 2020, mainly at the Colchane border crossing. The Chilean Criminal Investigation Department (PDI) substantiates the information of this increase (Leal, 2021). As can be observed in Figure 2., while in 2019, 8,048 people entered the country through unauthorized paths, by 2020 the number doubled to 16,848, and from January 2021 until September 2021 there were 33,503 people counted (ibid.)ⁱⁱ.

Even though the Tarapacá region has historically been characterized by migratory phenomena, local resistance with nationalist imprints can be observed in the context of recent migratory flows into the region as a response from civil society (Joiko & Cortés, 2022). For instance, on September 24th, 2021, *Plaza Brasil* in Iquique, where many migrants were staying due to lack of shelter and difficulties in continuing their journey, was violently raided by the police. The following day, an anti-migrant demonstration took place in the city, with 3,000 people participating and hate speech being broadcast in the media and on the streets (Oyarzo, 2021). Furthermore, on January 30th, 2022, about 4,000 people protested against 'criminals' and 'illegal migration' and attacked the property of migrants and a Venezuelan man who had to be protected by the national police (DW(a), 2022). In this regard, in addition to racist and xenophobic narratives, the failure to control 'irregular' migration at the Colchane-Pisiga border crossing with Bolivia was particularly protested.

Thus, in addition to geographical characteristics of this border-crossing, political decisions regarding entry regulations, border closures, and border securitization measures also have an impact on the current migration phenomenon. Hence, the following section will describe key policies that influence the migration regime in the

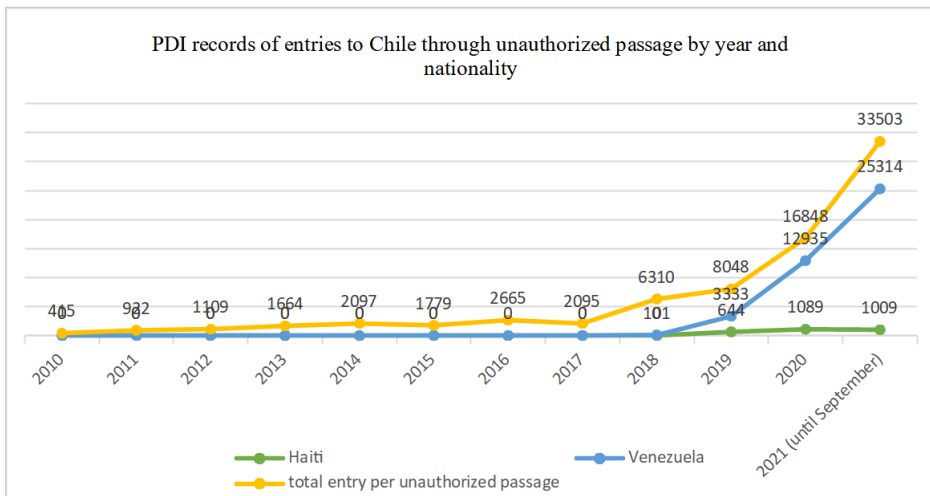


Fig. 2.: PDI records of entries to Chile through unauthorized border crossing by year and nationality. Own representation [SJM, 2021; Leal, 2021].

Tarapacá region, to further analyze how the local pro-migrant CSOs challenge the migration regime at the local level.

2.2.3 Securitization of Chilean Northern Borders

To understand the Chilean migration regime, it is first necessary to mention Decree-Law 1094 on Foreigners which was established in 1975 and drafted during Pinochet's military dictatorship. This Decree-Law was based on the doctrine of 'national security', in which the foreigner is considered an external enemy (Tijoux, 2016). Even though after long debates and several postponements this law was changed in 2021 (Chile Atiende, 2022), the doctrine has been partially preserved, which will become explicit in the further course.

For instance, in 2018, Chilean migration policies introduced entry restrictions on foreigners under the securitization paradigm. These measures aimed to protect "national security" and included prohibiting the entry of certain migrants, granting authorities wide discretionary powers. The mechanisms implemented to control immigration and border included (1) new procedures for regularization of "extraordinary" migration, (2) restricting the entry of Venezuelans and Haitians through consular visas, which however are hardly granted (SJM, 2021), and (3) strengthening the expulsion mechanisms for foreigners. Along with the announcement of this package of measures, former President Sebastián Piñera stated that "it is time to bring order to our common house" (Toro, 2018), which reinforced a nationalist discourse and highlighted the securitization narrative he used. Furthermore, it becomes clear that in addition to the legal dimension of the migration regime, there is also a narrative-discursive component that shapes the securitization

and current process of criminalization of 'irregular' migrants (Jaramillo et al., 2020).

Problems that arise in the context of human mobility are presented as existential threats and discursively legitimized accordingly. This framing constructs the "unwanted" migrant as the "other," and narratives of securitization are based on the notion of the "enemy within" (Stang, 2016, 86). In this regard, according to Ovando and Ramos (2016), the construction of "otherness" is particularly intense in the Tarapacá region, where human mobility is presented as a paradigm of danger and as an internal, cultural, and economic threat (Quinteros et al., 2019). This can currently be observed in the example of Venezuelan migrants, who are deemed a 'threat' to national security and criminalized in this regard (e.g., Ebensperger, 2021). Thus, the increase in Venezuelan migration dominates discourses and practices of securitization at present (Tapia et al., 2022).

In the context of the criminalization of the current Venezuelan migration and the related securitization measures, it is also necessary to consider the closure of the border between Colchane and Pisiga from the beginning of the Covid-19 pandemic until May 1st, 2022 (Tapia et al., 2022). The significant increase in migrants entering Chile through unauthorized border crossings (see section 2.2) prompted the Chilean government to declare a state of emergency in the Tarapacá province and El Tamarugal on February 14th, 2022 (BCN, 2022)^v. The enforcement of this state of emergency enabled the militarization of the border (Arcos, 2022), which underscores practices of securitization. Moreover, another state response to the 'emergency' of the border was the Colchane Plan, launched on February 9th and 10th, 2021, which included not only military support but also public health interventions to secure the border. The plan also

incorporated the objective of the expulsion of persons who entered through 'unauthorized' border crossings (Reyes, 2021). This broadened the scope compared to previous governmental plans, by addressing not only border control issues, but also public order and health control aspects, making them interconnected (Dufraix et al., 2022).

Nonetheless, migration regime measures do not only aim to restrict the mobility of 'unwanted' foreigners but also have the ability to construct the condition of "illegality" (de Genova, 2004, 116) and thus further impact a migrant's life.

Dufraix, Ramos, and Quinteros (2020) note that the migration and border control measures implemented before the pandemic have already led to the construction of a system of 'irregularity' that particularly affects northern Chile. For example, in an effort to promote 'orderly, safe, and regular' migration, an exceptional regulation procedure for 'irregular' migrants was implemented in 2018. However, various bureaucratic obstacles and delays in the processing of individual cases have increased the 'irregularity' among migrants (Briones, 2019). Furthermore, this system of 'irregularity' has become even more exacerbated. For instance, the mandatory requirement for 'irregular' migrants who entered through unauthorized border crossings to submit a self-declaration (*autodenuncia*) at the Chilean Criminal Investigation Department in order to use basic social rights, such as public transportation and receive basic health care, also provides the legal basis for migrants to receive an administrative deportation order (Llorente, 2021). Consequently, this type of migration management is an example of what De Genova (2004) defines as the legal production of 'illegality' (de Genova, 2004; see for the Chilean context Stang & Stefoni, 2016).

However, the condition of 'irregularity' leads not solely to actual deportation but to what de Genova (2004) describes as 'deportability', as the state's targeted deportations exceed actual possibilities to enforce them. To provide an example, in 2017, 1,389 individuals were deported, while in 2018 and 2019, 2,052 and 2,232 individuals were deported, respectively. Despite the tightening of expulsion mechanisms for foreigners in 2018, which led to nearly 8,500 deportation orders in 2019, only 9.1% of administrative deportation orders were enforced in 2018 and 8.6% in 2019. This represents a significant drop from the 30% of enforced deportation orders in 2017 (Dufraix, et al., 2020). Present figures show that this low percentage remained in 2020 (Cociña, 2022). Consequently, Dufraix, Ramos, and Quinteros (2020) argue that the objective of achieving effective deportation practices has not been met. Instead, the low number of administrative deportations enforced, coupled with the high increase in ordered deportations, has reinforced the condition of 'deportability' among migrants.

Furthermore, the conditions of 'irregularity' and 'deportability' turn migrants into highly exploitable

labor, and thus construct the condition of 'exploitability'. To give a current example, a woman residing in the refugee camp Lobito, which is located 22 kilometers from Iquique, reported that both she and her husband earn only half or even less of the usual hourly wage in the jobs they perform on an infrequent basis in the informal labor sector due to their 'irregular' status.

In summary, it can be stated that the current migration phenomenon in the Tarapacá region and the city of Iquique is shaped by various political, legal, and discursive components that affect the lives of 'irregular' migrants. However, in this context, different organizations and initiatives of the local civil society have also emerged, which show solidarity with the affected migrants, get involved in their struggles (e.g., Oyarzo, 2021). To answer the research questions and gain insight into how CSOs challenge the migration regime from below at the local level, as well as to identify their resistance practices, the next chapter introduces theoretical approaches that form the fundamental analytical toolbox.

2.3 Changing the Focus - Conceptualization of Resistance

To analyze the resistance practices of CSOs in the city of Iquique and to understand how these organizations have challenged the migration regime, I propose using the concepts of *autonomy of migration*, *acts of citizenship*, and various concepts of *resistance* as a theoretical toolbox. The selection and linkage of these concepts allow for an examination of the challenging and negotiation of the migration regime from a different analytical perspective at both the micro and macro levels. Likewise, this is an attempt to avoid perpetuating the "border spectacle" (de Genova, 2013, 1181) often emphasized in migration studies, which focuses exclusively on unauthorized border crossings and the dramatization of militarized border control. This narrow approach can create a range of images and discourses that portray migrant 'illegality' as an objective reality (de Genova, 2013), ignoring the fact that categories that emerge from the legal system do not inherently exist but are instead shaped by interactions between migrants and actors, mobility resources, and border control methods (Scheel, 2013). Additionally, it is crucial to acknowledge that migration and border regimes are constantly negotiated by various actors. Therefore, focusing on the local level, provides the opportunity to showcase that 'irregular' migrants are active agents who challenge global dynamics from the below, with civil society playing a key role (Fernández-Bessa, 2019), which becomes clear through the following elaboration of the analytical toolbox

2.3.1 Autonomy of Migration

The core assumption of the concept of *autonomy of migration*, which emerges from a constructivist

perspective, is that there are “moments of autonomy” (Scheel, 2015, 7) that occur despite all attempts at control and regulation by the state and can be described as “moments of excess and uncontrollability vis-à-vis state practices of regulation and control” (Scheel, 2015, 2). These moments of autonomy are characterized by the fact that “there is an irreconcilable conflict between migration and attempts to control and regulate it through practices of appropriation of mobility and other resources by migrants” (Scheel, 2013a, 281). This basic assumption underscores the fact that migratory movements, borders themselves, and all categories arising from the legal system do not exist as such. They are shaped by encounters between migrants and actors, resources and methods of mobility and border control, and are subject to constant processes of negotiation (Scheel, 2013b). In that way, migrants are involved in the transformation of border regimes, and on the other hand, border regimes shape migration (Papadopoulos et al., 2008). Nevertheless, it is important to emphasize that migrants are not understood as a sum of individuals, but as collective subjects (Schwenken, 2018). Additionally, the concept prevents falling into the trap of a control bias that perceives people on the move as passive targets of control and exclusion measures and practices, thereby overestimating the effectiveness of border controls because the entire system is seen as all-powerful (Scheel, 2013b). The concept further breaks away from the notion of formal citizenship and assumes that migrants act directly as citizens, regardless of their legal status (Mezzadra, 2012), which will be explained in greater depth in the following section. Additionally, the approach describes that migration is an active force, which is to be understood as a form of everyday resistance (Hess, 2017), whereby Wonders and Jones (2021) understand migration through a global perspective as a massive social movement for justice, as migrants all over the world reject borders and conduct processes of ‘undoing’ borders from below. Nevertheless, it also needs to be critically recognized that migration plays a key role in the routines and reproduction of capitalism, primarily because capitalism is not possible without migration (Casas-Cortes et al., 2015). Furthermore, the *autonomy of migration* approach has been heavily criticized for romanticizing migration on the one hand and downplaying the extent of border controls on the other (Scheel 2013b).

Codero, Mezzadra, and Varela (2019) argue that the *autonomy of migration* approach has not been sufficiently developed for the Latin American context and requires “a good dose of conceptual creativity and empirical research” (Codero et al., 2019, 15) to develop a Latin American perspective that “contributes to the epistemological archipelago of the *autonomy of migration*, a situated knowledge that has the capacity to dialogue with other knowledges and other latitudes” (ibid., 11). Based on this objective, I consider the analytical reference to this concept extremely useful, as it does not present migrants as passive objects of control mechanisms. On the contrary, it highlights that

the migration regime is subject to dynamic negotiation processes involving active subjects, and thus serves as a basis for the analysis in this study. Therefore, for this work, I propose to expand the concept to focus not only on migrants and their impact on the migration regime but also on local pro-migrant CSOs involved in migrant struggles.

Although the *autonomy of migration* concept breaks away from the notion of formal citizenship (Mezzadra, 2012), there is a lack of in-depth conceptualization of this theoretical approach to citizenship. Thus, it is necessary to explore this aspect in more detail. In this regard, I propose linking the concept to theoretical considerations on the approach to *acts of citizenship*. This will further emphasize the focus on migrants who act directly as citizens, regardless of their legal status, and highlight the role of CSOs in these processes, thus contributing to the epistemological project of a Latin American perspective.

2.3.2 Acts of Citizenship

By focusing on the practices of agency by ‘irregular’ migrants —actors traditionally considered apolitical subjects— the boundaries between citizens and non-citizens and the sovereignty of the state to distinguish between ‘insiders’ and ‘outsiders’ are challenged. According to Isin and Nielsen (2008), these acts of ‘non-citizens’ are to be understood as acts of citizenship, rendering citizenship a practice that produces citizens – socially, politically, culturally, and symbolically– rather than merely as a legal status. In other words, acts of citizenship analyze how subjects constitute themselves as citizens, as those who are entitled to have rights, regardless of their legal status (Isin, 2008). Consequently, public protests but also ‘irregular’ border crossings can be understood as a prefigurative *act of citizenship*, while in that way international migration challenges the foundations of citizenship, sovereignty, and global political-economic dynamics (Nyers & Rygiel, 2012). From this point of view, citizenship appears as its social relation, which is as contingent as the categories of ‘migrant’, ‘the other’, or ‘illegality’ (Casas-Cortes et al., 2015). By treating citizenship as a procedure rather than a naturally given phenomenon, “the lens of subjectivity brings out the materiality of the processes” (Casas-Cortes et al., 2015, 84). This reveals how labels of belonging and exclusion are defined, and also highlights that this categorization is fluid and therefore negotiable, fitting with the basic assumption of the concept of *autonomy of migration*, namely that all categories derived from legal frameworks do not exist as such, but are products of negotiations. Aside from this, ‘irregular’ migrants who publicly demand the rights to which they should be entitled by virtue of their human status, demonstrate the paradox of states committing to human rights while refusing to grant those human rights to some as externally constructed groups.

Yet, the focus on citizenship concerning migrant struggles may be too narrow, as not all struggles can be subsumed under the performativity of the appropriation of rights (Saunders & Al-Om, 2022). In this regard, Saunders and Al-Om (2022) criticize the concept for referring to practices that occur in the public sphere, thus overlooking the conditions under which acts of citizenship can (and cannot) occur and leaving out acts that are not public and act with overt political intent, such as migrant struggles where the primary concern is survival. Although many studies have been able to demonstrate the activism of refugees and migrants regarding the claiming of rights (e.g., Fernández-Bessa, 2019), it remains without a doubt that other people with, for example, precarized and vulnerabilized living conditions and uncertain residency status are unable or unwilling to engage in actions of performative rights claiming (Saunders & Al-Om, 2022).

Therefore, I consider it relevant to complement the concept of *autonomy of migration* by incorporating the role of CSOs as active subjects in the negotiation processes of the migration regime, as well as an expansion of the notion of formal citizenship, including other concepts of resistance that seek to capture less public and also collective practices of allied *resistance* and those that go beyond the claim for rights, thus complementing the considerations of the approach of *acts of citizenship*.

2.3.3 Resistance

Resistance is a complex and broad concept that must be elaborated on and theorized in its specific contexts and aims. Resistance is usually associated with power, and the nature of power influences the nature of resistance as well as the effectiveness of resistance practices (Lilja & Vinthagen, 2018). In other words, the form of resistance depends on the form of power (Scott, 1989). Here, for example, distinctions can be drawn between violent or nonviolent, open or hidden, organized or individual, and conscious or unconscious resistance practices (Lilja & Vinthagen, 2018). Resistance is thus, according to the authors, “a response to power from below – a practice that might challenge, negotiate, and undermine power” (Lilja & Vinthagen, 2018, 215). Also, Foucault (1982) argues that resistance practices bring power relations to light, and serve to “locate positions and figure out its point of application and the methods used” (Foucault, 1982, 780).

To capture resistance practices that are not as dramatic and visible such as rebellions, demonstrations, revolutions, or other organized collective and confrontational forms of resistance, James Scott (1985) developed the concept of *everyday resistance*. This concept notes that resistance can as well be silent, disguised, or otherwise seemingly invisible. However, Lilja and Vinthagen (2018) criticize Scott's concept for not capturing all forms of individual and small-scale resistance, as practices of resistance can

also be extraordinary and/or not always ‘everyday’. Therefore, they add the concept of *dispersed resistance*, overcoming the binary perception of everyday resistance and organized resistance/social movements that obscures a whole world of small-scale resistance practices that need to be recognized and explored more thoroughly. Furthermore, the authors emphasize that dispersed resistance can occur both uniquely, as well as inspire others to engage in similar resistance practices that, however, may differ in terms of space and/or time. Likewise, enduring and organized networks can develop, establishing collective practices up to social movements. Through this concept, dispersed practices of resistance can be understood as a cumulative and large-scale response to power that makes its political impact visible.

In this context, resistance can also be a practice that takes place on behalf of and/or in solidarity with a subaltern, which is described with the concept of *proxy resistance* (Saunders & Al-Om, 2022). This approach captures the resistance practices of civil society actors, from for instance pro-migrant organizations, who are not necessarily affected by a particular form of violence themselves, but who stand up as allies against forms of violence and the suppression of certain power constellations. However, it should be noted and critically evaluated that practices that can be subsumed under the concept of *proxy resistance* can also be understood as paternalistic gestures that may (re)produce power relations (Saunders & Al-Om). Nonetheless, according to Schiffauer (2017), civil society projects stand for alternatives to panic reactions to immigration and as a counter-hegemony to policies of solution based on securitized border controls and deterrence-based policies. The *proxy resistance* approach thus highlights that civil society actors are involved in migrant struggles out of solidarity. Moreover, this concept is highly advantageous for comprehending the role of CSOs in migration struggles and supports my argument to consider CSOs as active subjects in the *autonomy of migration* approach.

Moreover, in a joint paper by Casas-Cortes et al. (2015), de Genova, Mezzadra, and Pickles emphasize the diversity of migration struggles by stressing the heterogeneity of migration realities and the different ways in which migrants are affected by and have to deal with power relations. These struggles take place “at the border, but also before and beyond the borderline; struggles that are visible in the public arena or that remain relatively invisible” (Casas-Cortes et al., 2015, 80). They oppose dominant mobility policies, the labor regime, citizenship spaces, and also include everyday strategies, refusals, and resistances that can be political but do not have to be (Casas-Cortes et al.). In this regard, migrants' struggles are understood as practices and collective demands for equality and freedom that do not necessarily fall under the notion of formal citizenship and at the same time refuse to be codified in it (Domenech & Boito, 2019). Furthermore, Domenech and Boito, (2019) emphasize the relevance

of civil society actors in migrant struggles and the local level as a space for political negotiation processes, and in which the migration regime is challenged.

In summary, I argue that the nexus of the concepts of the *autonomy of migration*, *resistance*, and *acts of citizenship* allows us to understand how CSOs challenge and participate in negotiating the migration regime. This analytical toolbox permits the examination of practices related to advocating for legal and human rights, as well as those that go beyond legal struggles. Therefore, it is crucial to consider other concepts related to resistance that focus on less public practices.

Moreover, I propose that the connection of these concepts is a crucial first step toward the conceptual creativity that Cordero, Mezzadra, and Varela (2019) invite us to. In this sense, I argue that it contributes to an epistemological archipelago of the *autonomy of migration*, situated knowledge in the local context of Iquique. Its articulation with other concepts can be theoretically productive to generate theories and new understandings about a phenomenon that occurs in the Latin American context.

Based on these theoretical considerations and the juncture of critical approaches, it is feasible to ask how migrant-supporting CSOs challenge the migration regime at the local level in the city of Iquique. Furthermore, it raises questions about what practices of resistance can be identified in this context, and how local CSOs position themselves within the migrant struggles. To further explore these questions, which constitute a research gap in the Chilean context, I conducted six interviews with actors from CSOs. The methodology used for this research is explained in the next chapter.

3. Methodology

In order to explore the practices of resistance, and to answer the research questions, I conducted semi-structured, problem-centered interviews (PCI) according to Witzel (2000). The PCI method aims to record "individual actions and subjective perceptions and ways of processing social reality" (Witzel, 2000, 1) and is thus suitable for my research on subjective understanding regarding resistance practices in the local context. The target group comprised individuals who are involved either voluntarily or professionally in a civil society organization (CSO) that provides support to migrants who arrived in the city of Iquique since 2020. The group consisted of four women and two men who performed various functions within the CSOs. The six interviews were conducted in May 2022, both on-site and online, with a duration between 32 and 56 minutes.

According to Witzel (2000), the interview guideline serves as a memory aid and backdrop and does not have to be 'worked through' statically. Moreover, it ensures the comparability of the various interviews.

Thus, I developed a guide that addressed the following main topics by applying a summarizing matrix. Starting from the general and specific objectives of the research, I elaborated specific questions through the identification of subcategories, which were then summarized into categories: (1) Possibilities and Actions, (2) Difficulties and Criminalization of Solidarity, (3) *Autonomy of Migration*, and (4) Migration Policy. The interview guide was reviewed and approved by the ethics committee of the Universidad de Tarapacá. In addition, the interviewees were informed about the research project both verbally and in writing and gave their positive consent to use their responses in the analysis. The audio of the interviews was recorded and subsequently transcribed. To meet the ethical requirement of protecting the identity of the participants, all names, locations, and other information that could help identify them were anonymized.

To analyze the interviews, I employed Glaser and Strauss' (2010) grounded theory methodology. The grounded theory is widely used because it helps to ensure that the conclusions drawn from the interviews are as closely aligned with the interviewees' statements as possible. Initially, I conducted open coding of all the interview statements, which involved generating initial codes based on the collected data, thereby allowing me to closely approximate the statements (Glaser & Strauss, 2010). I color-coded all the areas of the interviews according to the themes addressed, in order to also estimate the frequency of certain phenomena. Then, I conceptualized them and grouped them into several deliberately kept broad terms, such as "humanitarian aid" or "legal and human rights." The so-called subsequent axial coding allowed me to concretely link the resulting concepts to each other (ibid.) and to the presented theoretical concepts. With the help of selective coding, I was finally able to link the concepts so closely that central categories emerged (Charmaz, 2004). This further reduced and condensed the data. The respective contents of these basic categories provided insight into the resistance practices of my informants. Based on this methodological approach, I analyzed the interviews using the data processing program MAXQDA. The following chapter presents the results according to the three main topics identified beforehand: (1) Solidarity and proxy resistance, (2) Resistance practices, and (3) Criminalization of solidarity. Thereby, the abbreviation 'CSO' is used for civil society organizations, whereby the selected statements refer both to a specific organization and to statements that can be attributed to the interviewed member of the organization.

4. Analysis

To begin with, I elucidate how solidarity functions as a prerequisite for the involvement of CSOs in migrant struggles. I clarify the meaning of solidarity and explore how the CSOs interviewed position themselves and their activities in the context of migrant struggles.

Building on this foundation, I subsequently present the identified resistance practices and contextualize these practices by examining how CSOs challenge the migration regime at the local level. Moreover, during the development of this work, it also became clear that the migration regime responds to these practices of resistance that operate from below. Thus, the criminalization of solidarity at the national and local levels is identified and presented in the final section of the analysis.

4.1 Solidarity and Proxy Resistance

Solidarity was identified as the foundational principle for the resistance practices of all the organizations that were interviewed. For instance, CSO3 describes the violent anti-migrant sentiment “provoked by the right wing of the previous government” and the resulting organizational response which was “first of all solidarity, [and] supportive networks.” In this context, he understands solidarity

as a concept in which one does not expect anything in return as long as one helps in a humanitarian matter, which is not only a donation but also a solidarity of labor, of time, to be able to enforce certain demands (CSO3).

CSO6 emphasizes that solidarity also includes the understanding that beneficiaries are subjects of rights regardless of their legal status. Furthermore, while Schiffauer (2017) categorizes civil society projects as an alternative response to panic reactions due to immigration such as the aforementioned anti-migrant protests in Iquique, and to state-authorized border securitization, CSO2 describes that solidarity and communality motivate her CSO to actions that are considered as counterhegemonic to the state and institutionalization. She emphasizes:

Exactly, our purpose is for solidarity to be ours, our network of links with everyone, also setting an example of how we can live within a community collaboratively, also demonstrating that many things can be done outside the institution. So no, no, we are like, we are super and extremely self-managed, [...], where we do not have to depend so much on what the state does or does not do, but simply through an organization, will and perseverance to transform little by little the realities of the people (CSO2).

In this context, CSO2 further includes the local level in her statement and describes a spatial connection of the organization to the city, and on the other hand, the precarization of the latter. This highlights how a sense of responsibility emerges through this connection to place, prompting individuals to take on greater responsibility for themselves and others. Rather than perceiving this as a burden, it is viewed as an opportunity (Schiffauer, 2017). For instance, instead of sitting back and calling on the state, civil society

itself becomes active and takes on tasks that the state authorities are unable and/or unwilling to cope with, as will be shown in the course of this analysis.

Aside from this, Saunders and Al-Om (2022) describe the nexus of solidarity and resistance, by emphasizing the *proxy resistance* approach. The concept highlights that CSOs forge alliances and/or resist power relations out of solidarity with those affected by some form of violence and/or injustices and inequalities. In this regard, CSO1 describes their engagement as directly targeting the violent criminalization of migration, while CSO2 and CSO3 describe their organizational goal more broadly and see their resistance practices as a response to the anti-migrant sentiment in the city. Yet, one risk that is described in the literature regarding proxy resistance, is that the practices of resistance for ‘irregular’ migrants can lead to paternalistic (re) productions of power relations (Saunders & Al-Om, 2022). In this regard, CSO1 emphasizes that certain solidarity can avoid falling into paternalistic structures, while CSO3, on the other hand, describes difficulties in cooperating with migrant self-organizations. He states:

Sometimes some leaders who, let’s say, or pro-migrant and migrant organizations also see that one is having a leading role but a leading role well done, a leading role that one seeks to contribute and that let’s say [...] that they see that they are not, they are not contributing or that they see that your figure is the one that is being put on the scene (CSO3).

Furthermore, CSO2 and CSO5 also describe that their support was not accepted in the same way by all beneficiaries, and they also experienced violent confrontations, threats, and slander from the migrant population. It can therefore be assumed that the proposed assistance services did not meet all the migrants’ expectations and/or needs, which however is not surprising given the diverse experiences migrants encounter.

In this context, it should be noted that in addition to the heterogeneous needs of people on the move, migration is always permeated by and involved in multiple and heterogeneous struggles (de Genova, 2010). Relatedly, the term *migrant struggles* encompass at least two different meanings and refer to a range of different experiences of migrants. On the one hand, more or less organized struggles in which the migration regime is openly challenged, defeated and escaped from, and on the other, everyday strategies of refusal and resistance (Casas-Cortes et al., 2015). Thus, in the nexus of *proxy resistance* and migrant struggles, the question arises of how CSOs situate themselves in the heterogeneity of migrant struggles.

CSO1 characterizes pro-migrant CSOs as playing a mediating role between the migrant population and state institutions. She identifies a significant issue in the fact that many institutionally funded projects presume the needs of migrants without engaging

in dialogue with them. Consequently, she views her organization as intervening in this respect by visualizing the mismanagement and providing feedback on weak points to the respective institution. She also emphasizes that her organization is closer to the migrant population than the institutions and therefore works in a more lifeworld-oriented way. CSO2 also positions herself in this regard, considering the way CSOs engage with the migrant population, as opposed to public policies that are often developed in haste. She sees a strength of the CSOs to identify the real needs of migrants, because “of course, when we work with them, they are the ones who end up proposing what they need.” In this context, she considers the involvement of CSOs in migrant struggles as an important factor for the “support to be able to live in dignity.” In addition, CSO3 sees the possibility of certain empowerment to enable migrant organizations to gain a speaking position.

By referring to postcolonial feminist theories that conceptualize the idea of ‘subalternity’, awareness can be drawn to the impossibility of speaking and being heard, as well as the absence of representation and lack of expression (Spivak, 1998). To be subaltern, then, is to be outside of decision-making, “and so their lives, voices, and resistances are constructed from the margins of societies” (Vazquez et al., 2015, 64). To leave this position is to amplify voice, to make it one’s own, to speak and be heard, and to denounce power relations of oppression (ibid.). In this regard, CSO3 recognizes the significance of creating safe spaces for migrants to speak out, which can aid in their liberation from subordination and enable them to actively participate in decision-making processes.

For example, we’ll invite an academic and two immigrant leaders, one at the national level or someone from [city], from radio station [name], or someone further south, as well as a leader at the local level, and we’d just have them talk, talk, talk, because we really believe that it’s the empowerment that, obviously immigrant leaders themselves have because they have the knowledge and they’re constantly implementing it in their community (CSO3).

In addition, he sees further interference in migrant struggles in the joint development of proposals with migrant self-organizations to encourage them to submit proposals to authorities and thus describes a point of civil society possibilities, which Domenech and Boito (2019) also consider in the light of political negotiation processes of migrant concerns. Furthermore, CSO2 explains how the first Venezuelan families, that her organization supported, are now using the acquired knowledge to help other families, as “they have built their own solidarity networks.” In the process, she hopes that the Venezuelan community further strengthens and organizes itself, actively engage in relevant decision-making processes and assume spokesperson positions. Hence, she also sees the work of CSOs within the migrant struggles as a kick-off point and bridging phase for the establishment of

migrant self-organizations.

Having established how CSOs legitimize their involvement in migrant struggles by highlighting their ability to mediate between the migrant population and state institutions, identify the actual needs of migrants, and empower them and their self-organizations to overcome positions of subordination, the practical implementation of this proxy resistance can now be analyzed within the local context of the city of Iquique.

4.2 Resistance Practices

Through the analysis of the interviews, I was able to identify different resistance practices of the CSOs in Iquique, which are analytically presented in this section. In doing so, the selection of these categories serves to simplify the presentation of my results, although the various practices of resistance, are not to be understood as separate and closed categories of analysis. Rather, the different types and forms of practices are intertwined and highlight the collective nature of CSOs resistance. Therefore, I will first present the *Intervention in the Political Scene* in the local context, and then, considering the concept of *Dispersed Resistance*, illustrate how a collective alliance of resistance was formed. Starting from this background, I will further explore the subcategories of *Resisting Governmental Absence*, *Supporting Acts of Citizenship*, *Resisting ‘Irregularity’ and ‘Exploitability’*, and *Everyday Practices of Resistance*, whereby individual aspects of these categories are also taken up elsewhere, highlighting the complexity of resistance practices. I utilized the grounded theory method of analysis to expand on these subcategories.

4.2.1 Intervention in the Political Scene

Resistance as a political phenomenon, according to Butler, Mecheril, and Brenningmeyer (2017) follows the simple normative logic that whenever and wherever inequality is experienced and articulated as injustice, there is resistance. This normative stance is fundamentally based on the assumption that constellations and power relations are contingent and changeable, regardless of whether these relations are one’s own experience or someone else’s, and regardless of whether they are subjectively experienced as injustices. Resistance practices are involved in the processes of negotiating inequalities and injustices. Thus, they are also involved in the negotiation of the migration regimes, because, as discussed in chapter 2.2, migration regimes generate inequalities such as the conditions of ‘irregularity’, ‘deportability’, and ‘exploitability’. In this regard, CSO3 states that their activities and practices of resistance are always carried out from a “critical stance and through transformative proposals that help the country” and with awareness of the inequalities created by the

state. In particular, CSO3 is actively involved in local politics, demonstrating resistance against constructed inequalities and injustices by directly intervening in local political discourses and practices. Yet, the organization does not work alone, but in a collective network with various migrants and pro-migrant actors on the local and national level to provide policy proposals to authorities. In doing so, issues related to migration are "approached from a humanitarian point of view, always with technical arguments."

Foucault (1978) notes that where there is power there will also be resistance. In this regard, CSO3 describes "because politics is power, so I think [migrants and migrant organizations] have the legitimacy to distrust politics as well." Nevertheless, or precisely because of this, he sees the need for CSOs to "directly [participate in politics] and also, [...] that they do not participate for the sake of participating, but that they participate with their experience, with their proposals, and systematize them." In practice, resistance takes the form of running for candidatures to political posts, assuming leadership roles, engaging in politics, and submitting laws, proposals, and norms. Even though he emphasizes that these interventions are costly, he further concludes that interventions of CSOs "have contributed a lot to the discussions and polemics in the Tarapacá scene," highlighting that CSOs directly challenge and influence the migration regime and the inequalities constructed by it at the local level and intervene in political discourses and practices.

This direct and intentional influence on the migration regime demonstrates what the nexus of the concepts of *autonomy of migration* and *resistance* describes: Migration movements and all the categories derived from the legal system do not exist as such, but are shaped by the encounter of different actors, resources, and methods of mobility control and are subject to constant processes of negotiation (Scheel, 2013b). The political level is a relevant space for negotiation in this context, as evidenced by the example of the influence of the CSOs on local migration policy. In this context, a collective character of resistance to the migration regime can be revealed at the local level in the city of Iquique, which will be further explained in the next section using the concept of *dispersed resistance*.

4.2.2 Dispersed Resistance

With the emergence of violent anti-migrant sentiment in the city, some organizations that previously did not work with or for the migrant population decided to change their work focus. The concept of dispersed resistance describes resistance practices between the poles of social movements and everyday practices, which do not necessarily have to be sustainable and organized but may inspire others to engage in similar resistance practices (Lilja & Vinthagen, 2018). Considering this approach, initial acts of resistance by individual CSOs were carried out close in time and space but were not

collectively organized. CSO1 describes the situation:

We were working with other organizations that weren't dealing with the migration issue, but we were getting to know each other, [...] there were a lot of dormant organizations and we didn't know each other. We knew those who had come out through the social networks, but many did not exist... that is, that we never imagined existed because we wanted to keep a low profile, but we decided to join together and say, "No, we can't go on like this, we are going to join together and work" (CSO1).

All the other interviewed CSOs describe this way of joining together similarly. Besides, CSO4 states that these collaborations were not planned, but resulted from necessity, such as financial resource shortages. "To deal with this whole migration crisis and the health and humanitarian crisis that we are experiencing was that we come together, join forces and try to move forward with everything that we do, but collectively" (CSO2). Furthermore, she clarifies that common values and trust were necessary for networking and that the organizations divided their work according to their previous experiences and thematic focuses. Besides, CSO1 stresses the importance of building alliances and joining forces to pool and strengthen knowledge and thus "to be able to live a better life in the region."

One analytical concept that Hill Collins (2019) describes regarding the black feminist movement in the US is that of "flexible solidarity." The author highlights that in the fight for freedom, people must be willing to have conversations with each other in order to work for a common goal rather than for one's own interests. Flexible solidarity is therefore an intersectional paradigm when actors enter into coalitions with others, who together aim to solve the problems that are concerning them. Taking this concept as a reference, it can be shown that the flexibilization of solidarity has led civil society actors in Iquique to enter new alliances in order to fight for a common goal, which included "often talking to the enemy and sitting down at the same table" (CSO1). Furthermore, when asked, CSO5 explains that the established networks and work structures still exist and are retrieved when a need arises. Besides, it becomes apparent that even when a common goal is worked out collectively, forms of resistance are characterized by complexity. For instance, CSO2 describes a physical level of resistance as "giving one's body, giving one's life, one's security, one's integrity, [...], it makes a conviction" and continues describing that resistance does not have to be everyday (Scott, 1985) but some cooperators also engaged in confronting practices of resistance, as "[t]hey are like that, confrontative, they are very brave."

Thus, it can be concluded that through *dispersed* acts of resistance, which nevertheless had a common denominator thematically, temporally, and spatially, and through the flexibilization of solidarity a collective and systematizing alliance has been formed, which

has led to collective resistance practices and is thus a cumulative and large-scale response to power. The collective alliance of CSOs also makes visible their political influence at the local level (Lilja & Vinthagen, 2018), which will become even more evident throughout the chapter by showing the different resistance practices through which the CSOs are engaged in migrant struggles.

4.2.3 Resisting Governmental Absence

All interviewed CSOs are involved in satisfying basic needs and describe these activities as humanitarian aid, especially in the context of the anti-migrant protests. CSO3 explains these practices as including the following: "From making breakfast to being able to place an appeal for protection." CSO1 complements, "always based on the basic baskets, tents, looking for help, a mobilization that is, we form a campaign [...] and from those [...] we distribute food, lodging, medicine, tickets." Another resistance practice identified is the hiding of migrants. A co-founder of a CSO explains that it was a way to protect migrants from racist and violent attacks, as well as situations of insecurity. "At that time, we had to be out there, sitting in the car and driving around, like a police patrol, I don't know, but we were the ones making sure that such a situation did not occur, and if it did, we intervened." In this regard, the situation in which the CSOs became involved with the rise of the protests is described as a "nightmare" (CSO4), and CSO1 mentions physically distressing situations and the need for psychological support for those involved in assisting migrants. In this context, the CSOs further describe the absence of the state. CSO6 highlights:

I think that unfortunately there is still a lack of support from the state, or I think that until today the state has not sufficiently perceived its role or the measures that it should take, I think that until today it does not take seriously what this particular migration flow means, which has never existed before (CSO6).

CSO4 further explains: "At a certain point we didn't think about it, [...] and when we realized we had millions of pesos in our hands, that's when I got the courage and said we can't do this, the state has to do it, with its resources." Both quotes reflect how CSOs have taken on tasks that are actually government obligations, derived from both human rights and national migration laws. In this regard, it can be argued, that Chile has signed the United Nations General Assembly Convention on Human Rights which was ratified on February 10th, 1972. Article 25 states the right to a standard of life that ensures one and one's family's health and well-being, including food, clothing, and housing. Furthermore, in Migration Law 21325, Title II "Of the Fundamental Principles of Protection" Article three states: "The State shall protect and respect the human rights of foreigners in Chile, regardless

of their migratory status." Therefore, by covering the humanitarian needs of migrants in addition to assuming a protective role, CSOs denounce the absence of the state and resist the state's negligence in the face of the emergent and constructed situation. Thus, they resisted the denial of access for migrants to social resources such as housing and food supply. In this way, CSOs support those who have the right to have rights, regardless of their legal status, and advocate for denied human and legal rights. Therefore, they support migrants through *acts of citizenship* (Isin, 2008).

4.2.4 Supporting Acts of Citizenship

The CSOs are also involved in migrants' rights struggles. CSO1 describes that these are macro goals. She states:

They need to know their rights and obligations and how the institutional apparatus is managed in terms of aid. And it's a bit like [...] giving tips and avoiding certain things or getting the hang of [...], the education, health, and housing system (CSO1).

She defines the importance of being conscious about what rights one has in rising from ignorance and becoming a "person with knowledge where the institution can't say, 'No, look, no' because you gradually learn the laws and that's your way of defending yourself" because "then the system suffers." In doing so, she defines that it is about providing knowledge about rights and responsibilities, about

the whole apparatus that also corresponds to us as citizens belonging to the national territory, be it regular and regularized migrants, migrants in an irregular situation through unauthorized border crossings, or migrants seeking refuge, or, depending on the situation, the LGBT community (CSO1).

In addition to these issues regarding the knowledge of migrants about their rights, and regardless of their legal status, CSO2 adds that they, along with other organizations, provide free legal, psychological, and sexual reproduction consultations. CSO5 and CSO6 also offer case-by-case processing, while CSO3 describes other legal issues such as the question of legal representation that have been addressed by the organization to protect migrants. He further underscores the significance of networking and alliance-building, particularly with regard to practices of resistance to administrative deportations. "We defended there quite a lot and also with the help of networks to encourage migrants to denounce and know their rights." CSO5 further delineates that they took on judicial-administrative representation of some cases and created alliances with legal clinics. "We all organized ourselves to try to accommodate people [...] who had been administratively expelled without a trial, without a prior procedure." It can thus be argued that the activities and practices of the CSOs regarding legal

issues support migrants in their acts of citizenship, in the performative claiming of rights regardless of their legal status. Consequently, they resist the construction of 'irregularity' and 'deportability'.

Another working point of the CSOs is the provision of information regarding access to regularization, applying for a visa, and getting access to temporary health and education cards (CSO4; CSO5). In this regard, CSO3 further highlights the contradiction between universal human rights and the state's refusal to grant them to certain groups. He further emphasizes that his organization considers regularization as a human right, regardless of how one entered the country. Yet, he states that "currently the Venezuelan community [cannot] apply for a regular visa through the consular visa, and so far, there is no procedure because I believe there will be a regularization procedure, I am very confident." Here, a basic assumption of the act of citizenship approach is apparent, namely that legal status is claimable, which drives the organization to advocate for these legal concerns of migrants. In this context, CSO3 understands human rights as achievements of humanity that need to be preserved and demanded as a minimum, thus providing a first basis for claiming rights.

Furthermore, as described by Aedo (2017), the body of the migrant is not only permeated by borders that are physical but also cultural. In this regard, CSO3 conducts an intersectional analysis by describing the characteristics of those people deported with high media attention in 2021^{vi}. He depicts:

[It] has two elements; an indigenous or Afro-descendant element, you look at the evictions, you look at the faces, all brown, with broad noses or Afro, that was very obvious, and the other side is also the issue of cultural level, that is, the people who are migrating overland now are people with precarious resources, so they also come with a slightly lower cultural level (CSO3).

He thus describes a group that was affected by actual deportation and not only by 'deportability', and how sorting those individuals 'suitable' for deportation was carried out. In addition to low cultural capital, the category of *race* also plays a role, exemplifying the racist structure of the migration regime and the function of the border as a 'sieve' (Liberona, 2015). By confronting these administrative deportations and supporting *acts of citizenship*, CSOs rise above the state's process of 'othering' (Stang, 2016) and thus challenge the regime and the categories issued by it. Referring to the approach of *autonomy of migration* and its basic assumption that all categories are framed through encounters between migrants and actors, resources and methods of mobility, and border control (Scheel, 2013a), the influence of CSOs in the process of negotiating categories of inclusion and exclusion at the legal level can be observed.

4.2.5 Resisting 'Irregularity' and 'Exploitability'

As described in chapter 2.2, the construction of the condition of 'irregularity' has different effects on the lives of migrants, such as an increased 'exploitability', as a workforce and in daily life. More recently, new migration policies implemented, such as sanitary measures, have further contributed to the precarious situation and exploitation of migrants. For example, in order to continue traveling by bus, a basic requirement was a six-day quarantine and a negative PCR test. However, many migrants were caught off guard by these measures and did not have sufficient financial resources to cover the cost of the quarantine period without having to use the money they had allocated for bus tickets. Regarding this situation, CSO4 outlines how the constructed precarity of migrants "has formed a kind of mafia [...] that has come together to demand money and take people's money away." However, the interviewed CSOs resisted this situation and intervened in the planning and purchasing of tickets, for example through contacts with bus companies. Furthermore, CSO2 and CSO4 describe that they got people out of cars and vans who were sold an overpriced onward journey to Santiago. This transport, however, would have taken them only a few hundred kilometers further south, to then be abandoned at the internal border with the Antofagasta region. In this context, CSO4 describes how they have understood the system and networks of exploitation of migrants piecemeal through their active interventions. As a response, networking with some cooperation partners, such as hostels was terminated and alternative alliances were sought.

Consequently, it becomes apparent, that on the one hand the migration regime is challenged through resistance practices of CSOs, and on the other that the regime responds with "quick fixes for emergencies" (Sciortino, 2004, 32). Hence, a migration regime "is the result of continuous repair work through practices" (Sciortino, 2004, 32), which gets particularly evident when considering migration management measures under the pretext of pandemic containment. It also demonstrates the influence of CSOs on the local level and the ability to quickly respond to and resist political implementations of migration management, highlighting once again the collective character and mode of operation of the alliance. Besides, it becomes also observable how a global regime trend, namely to re-frame pandemic restriction measures as a legitimization for restrictive migration control, is materialized in the migration regime at the local level and that resistance practices of CSOs impact this materialization from below.

4.2.6 Everyday Practices of Resistance

CSO2 addresses everyday practices of resistance, describing "basically [...] growing up and becoming a conscious adult is pure resistance, thinking that we are living day by day." Consequently, the forming

of conscious people is seen as a resistance practice. She describes a key assumption of the *autonomy of migration* approach by emphasizing that migration is something that has always existed and will continue to exist despite all the securitization measures. Thereby the defense of this empirical information is a way of resisting the anti-migrant sentiment in the city. Because “that it is something that happens, that it is natural, and that it is strange to receive a rejection for this.” CSO1 also refers to everyday practices of resistance and describes migrant struggles as something that happens everywhere. “The migrant struggle is happening in migrant politics, the migrant struggle is being taught in communities, it is being taught in local neighborhood councils, it is being taught in our environment and also in ourselves.” Likewise, Casas-Cortés et al. (2015) describe the heterogeneity of migrant struggles in terms of, type, location, and time, highlighting that migrant struggles are everyday strategies of refusal and resistance.

Furthermore, the educational workshops conducted by CSO2 to deal with racism in the local context can be categorized as another practice of everyday resistance. In this regard, CSO5 emphasizes the state’s responsibility for constructing anti-migrant sentiment and criminalizing migration. She stresses that: “the state has not taken responsibility, it has built over time this sense of resentment, xenophobia, racism, and aporofobia¹.” Consequently, education about the historical context of northern Chile as an area with a long migration history, as well as educating the ‘majority population’ about the situation of Venezuelans to create empathy, is an everyday resistance practice “for a social change we believe in” (CSO2). The meso goal here is regarding CSO2 to “fight on different fronts because we have to make a new socialization of what it means to be a migrant.” Aumüller and Bretl (2008) argue that civil society engagement with migrants offers the opportunity to bridge differences between the migrant population and the ‘majority’ society. By passing on the experience of the living situations of migrants to the ‘majority’ population, the acceptance of migrants in the local and the whole society is positively influenced. To engage in these struggles, the interviewed CSOs are also educating each other on migrant issues to provide tools and knowledge to those who have not previously advocated for the migrant population. Consequently, these practices of resistance point to a symbolic shift in citizens’ conceptions, and the public and political discourses on immigration.

Furthermore, in addition to the heterogeneous as well as collective practices of resistance that emanate from solidarity, solidarity is also considered an everyday practice of resistance and thus a way of achieving transformative change. Hence, solidarity is a tool of resistance against precarization, as a rejection of a

system from which one does not expect to be protected, and as a counter-reaction to fear and powerlessness. CSO2 states in this regard:

Above all, we channeled this anger, this rebellion that we had against the system that abandoned us, differently, through solidarity, and we strongly believe that solidarity is our tool, it is our soul, but not a solidarity help that can go with the wind, but something concrete that becomes a protective factor against the risks (CSO2).

To sum up, through the practices of resistance demonstrated here, it becomes evident that CSOs challenge the migration regime in various ways in the city of Iquique. At the political level, through interventions of regulations and rights, at the legal level in terms of protecting denied human and legal rights, regarding the accessibility of denied social resources such as accommodation and food supply, as well as on a symbolic level regarding a change in awareness of the local population and in political and public discourses. Nonetheless, these practices do not remain unanswered by the regime which will be further analyzed in the next section.

4.3 Criminalization of Solidarity

What has already been shown in current critical migration studies for the European (e.g., ReSOMA, 2020) and U.S. context (e.g., Rubio-Goldsmith et al., 2016) but is a new development for the South American region, is that not only migrants but also people who demonstrate and act in solidarity with migrants have become targets of migration containment policies, which will be explained in more detail in the following section.

According to ReSOMA (2020), the criminalization of solidarity refers to the increased prosecution by the police of people who support migrants. In this criminalization process, civil society actors, including volunteers, and non-governmental organizations, are portrayed as criminals and prosecuted as such. Martínez (2019) emphasizes that the criminalization of solidarity is another tool that states “use in their fight against irregular immigration” (Martínez, 2019, 8) and can therefore be identified as an element of the negotiation of migration regimes. The author thus explains what the *autonomy of migration* approach depicts, namely that various actors, including migrants and CSOs, are involved in the negotiation processes of the migration regime (Scheel, 2013a). Likewise, Foucault (1978) describes that resistance to power never functions outside of this power and that the resistance that opposes power also co-constructs it. Furthermore, resistance works as an attempt to tactically reverse the local balance of power (Sarasin, 2005). Alongside the practices of resistance, the criminalization of solidarity is thus a sign that CSOs are challenging the migration regime and the power produced by it and have therefore themselves become

¹ The concept *aporofobia* was coined by philosopher Adela Cortina (2000) and describes the hostility, rejection, and aversion to disadvantaged areas or neighborhoods and to poor people, who are destitute and have very few resources.

targets of the authorities (Amnesty International, 2020).

Borderline-europe (2020) describes that this criminalization occurs through a corresponding public discourse in which priorities and focus on the work of police and law enforcement shift and/or new offenses are created that formally criminalize a particular act. Furthermore, the non-governmental organization identifies four main features of the criminalization of solidarity. These forms usually build on each other and are mutually dependent. They specify (1) discrediting and delegitimization in public discourse, (2) bureaucratic hurdles, (3) police harassment and repression, and (4) legal prosecution. Given the interconnectedness of the global migration regime with the trans-regional, national, and local levels, these four steps, originally identified for the European context, form the basis for the analysis of this section. Thus, the question of how these four aspects can be identified in the local context in Iquique will be explored, while also including the national level in the analysis.

4.3.1 Discrediting and Delegitimization

In the interviews, the discrediting and delegitimization of CSOs, and their activities and practices were related. For example, CSO1 describes how the tasks carried out by CSOs in the city are made invisible and how their competencies are delegitimized. She states:

But this has also brought attrition of the organizations, a tremendous effort of the organizations that are not institutionally appreciated, so... just today we came from a meeting, [...] where we looked at a map that they had made of the networks, that the civil society organizations are not there, [...] where are they? And that's a big shortcoming, the way social organizations are looked down upon, the way they're understood, well, in an organizational sense, right? Organizationally, it is understood that they are people, that they are generally uneducated, that they are people who decide how to fight with violence (CSO1).

CSO2 likewise describes the difficulty of being taken seriously by politicians as a CSO with its skills and experiences. As mentioned, the discursive level plays a crucial role in the criminalization of solidarity and provides a legitimizing foundation for further repressive steps (Borderline-europe, 2020). In this regard, CSO1 describes the criminalization of solidarity on a discursive level by the local press. "On the one hand, there is the community that you help, and on the other hand, there is the tabloid press that attacks you day and night, with, with, with darts." CSO1 and CSO4 describe being criminalized as a CSO by media and on social networks, and facing accusations of terrorism, on the grounds that their activities in support of 'irregular' migrants increase the criminality in the region. Similarly, CSO5 and CSO6 describe their organizations as being accused of supporting criminals on social media. In

this process, CSOs become scapegoats for crises and emergencies that are in fact due to failure and/or neglect by the state and are increasingly associated with criminality in the public discourse (Borderline-europe, 2020). In this regard, according to Aris (2020), media plays a fundamental role in the construction of a 'border spectacle', as a form of producing signification and articulating the control of migration. The criminalization of solidarity as a controlling tool of migration (Martínez, 2019) thus becomes observable. Furthermore, the narratives about humanitarian aid as a scapegoat for 'irregular' migration highlight how the criminalization of solidarity is interlinked with the criminalization of migration. Consequently, concerned activists from Germany are calling for "not stopping at the demand to end the criminalization of solidarity" (ProAsyl, 2022).

Moreover, the role of political actors and their interventions in political and public discourses is decisive because "[l]inguistic criminalization thus often provides the legitimization basis for further repressive measures" (Borderline-europe, 2020, 24). These features, albeit in a modified way, were also mentioned in the interviews. For instance, CSO3 emphasizes that this criminalization also takes place at the political level since "suddenly doors are closed in politics" and that the CSO has also had experiences of exclusion by political actors. In this regard, he describes: "Marginalization also, let's say, from people in politics who see us as something like 'Hey, why are they defending migrants?' and say 'You know, this is very, very unpopular, don't talk about it.'" On top of that, he further describes experiences of criminalization, citing death threats and threats of being reported to the prosecutor's office. Even if the organization did not receive any report from the public prosecutor's office, a next step of the criminalization of solidarity described by Borderline-europe (2020) can be identified here – legal prosecution–. In addition, the criminalization of solidarity at the legal level was recently enshrined in Chile's migration law.

4.3.2 Criminalization of Solidarity at the Legal Level

As Borderline-europe (2020) highlights, the culmination of the criminalization of solidarity are politically motivated arrests and trials. For this purpose, new criminal offenses are created, already existing ones are misused, or people are confronted with disproportionately drastic charges. In doing so, laws that form the basis for the criminalization of solidarity are legitimized by aiming at combating smuggling and traffickingⁱⁱⁱ.

In Chile, a new law was passed in 2022, which criminalizes aiding or abetting entry and transit. In the *Ley de Migraciones y Extranjería* (Migration and Aliens Law) No. 21325, Article 112 states that "legal entities that facilitate or encourage the illegal entry or exit of a foreigner into the country shall be punished by a fine [...]." Further, the same article states: "natural

persons who are not public officials and who facilitate or encourage the illegal entry or exit of a foreigner into the country without the intention of making a profit shall be fined [...]” Thus, it becomes evident that the profit motive is no longer necessary to justify an administrative sanction^{viii}. This amendment to the law at the national level can be identified as a pivot into the criminalization of solidarity according to the ‘European model’, as it follows the logic of the *EU Facilitators Package*. Consequently, this development illustrates the interconnections and the influence of the different scales of the global migration regime.

However, since the law is still recent, the interviewed CSOs assume differently whether and in what way it will affect the criminalization of solidarity and thus their activities and practices at the local level. For instance, CSO1 did not know at the time of the interview, that the law had already gone into effect. CSO2, on the other hand, describes the criminalizing effect of the law and details that this very law has an impact on the question of institutionalization that was currently debated in the organization.

This very law, this fine print.... it kind of gave us a break on whether or not we could continue to be part of the legal entity. And of course, I think it's extremely criminalizing, in other words, it's basically pointing a finger at you, putting you in jail, prosecuting you, punishing you for believing in and promoting natural and safe migration. Not providing a solution, only providing punishment (CSO2).

In this context, she describes the dilemma of the need and dependence on the external financial support of the organization, for which, however, one must be a registered association, which is a legal entity, but which is criminalized by the law. In this regard, she continues by describing that the law “limits all the possibilities we have to help because our intention is not to promote illegal transit.” She sees that the legal conditions created by the state are not solutions, because “the only solution we have seen lately has been repression, has been the denial that migration exists, the trivialization of all that we experience as human beings, that we are witnesses of the migration process.” CSO3 becomes more explicit and states:

But I believe that the objective of this law is not to punish legal persons, fictitious persons, in this case [...] but to punish humanitarian aid, that is the objective of this law, even if it is not said, but that is the objective. There is an intention that is under the table, it is to punish humanity (CSO3).

Additionally, CSO4 refers to the novelty of the law and describes the complexity that results from the fact that many terms are not uniformly defined. “Where [for example] is the limit for promoting entry?” and is the legal advice provided by her CSO regarding regularization procedures for ‘irregular’ migrants considered promoting entry under this law? She details: “There are a lot of things in the new law that we’re not

clear on how they’re generally applied, and I would say they’re more complex because of that.” However, she also doubts that the law will be implemented in practice “because it is very much up to the discretion of the person who detects this violation of the law and how it can be defended as well.” Although the impact of the law on the activities of CSOs is not yet clear and requires a temporal dimension to further observe this development the criminalization of solidarity has affected the interviewed CSOs and their members, as will be explained in the last section.

4.3.3 Consequences of the Criminalization of Solidarity

The different levels of criminalization impact the personal and professional lives of the CSOs members (Borderline-europe, 2020). For example, it was described that people lost their jobs due to their activism or feared this loss and thus left the organization (CSO1; 3). Furthermore, members lost friends, family, and partners, preferring “not to meet with you for a while, not to share spaces with you because our values are not the same” (CSO6). CSO2 concretely describes the criminalization of solidarity by the local population and physical attacks that members experienced during actions. She adds: “In this region, we live in danger, either by the repression of public institutions or the police, the federal police, or by the people themselves, who do not believe in what we do and, on the contrary, criminalize us.” As it became clear in the further course of the interview, attacks were not just isolated situations. Rather, she details that although at the beginning it was only “shouting without words,” people’s hatred of migrant supporters became systematized. For example, they were able to identify the addresses and workplaces of members. This experience has led to an invisibilization of individuals with “those who are now older, [feeling] like they were living in the dictatorship again, that is, hiding, not saying what they were studying or not saying that they were part of a volunteer group.”

In addition to the impact on the personal lives of the active individuals, consequences of CSOs having to establish protection measures were also mentioned. For instance, CSO5 describes that in-person service was discontinued for a time and counseling sessions were handled online or by phone calls only. Furthermore, CSO1 describes that they had to move their donation warehouse several times because it was threatened to be set on fire. She likewise describes that the CSO, as well as its members as individuals, have “lowered the profile a little bit, meaning we’ve been hiding a little bit to survive.” CSO5 further describes being especially cautious when giving interviews for television or radio, “but you can feel the danger.” Also, CSO4 explains some precautions she took, such as not driving her car to activities, after having an experience of aggression at the bus terminal in Iquique. She details these aggressions of drivers who, as described above, wanted to take advantage of the vulneralized situation

of some migrants.

They told me, 'Why didn't I want to cook, why didn't I want to wash, look at this crazy woman, listen, you and that thing, you ruined our business.' They hit me with their cabs, very threatening, in the end, I left (CSO4).

Another mentioned consequence is an incredible decrease in donations. In this regard, CSO2 also details the dilemmas of having an anti-institutional stance, on the one hand, and being dependent on public funds to finance resistance practices, on the other.

We don't think [the state] can take care of us and we don't think it can take care of the citizens [...] but unfortunately it also requires us to be part of the system if we want to have more resources and be able to help more people (CSO2).

This example illustrates what Foucault (1982) describes as resistance to power within the framework of this power. However, it remains an open question to what extent there is a direct criminalization of solidarity through financial state cuts for CSOs in Chile, as it is reported for instance in the German context^{ix} (ReSOMA, 2020).

Furthermore, as described by ReSOMA (2020), the criminalization of solidarity and humanitarian assistance has a far-reaching deterrent effect, and as a consequence, more people refrain from assisting migrants. In this regard, Aris (2020) highlights that the stigma of criminalization has led activists to question and interrupt their work. CSO1 however emphasizes that "it was also a matter of defending one's convictions when one was attacked in one's environment." Likewise, CSO4 describes that while the experience of the criminalization of solidarity did not lead to doubting one's conviction, the fear that members of the organization would be physically attacked was constantly present. "Because we had never experienced anything like this, we had never witnessed violence against human rights defenders so close up." In this regard, Borderline-europe (2020) emphasizes that harassment and intimidation by the police and security authorities are intended to intimidate and deter CSOs and their members and to prevent or at least make their work more difficult. Although the interviewees did not report specific situations of harassment by state institutions, a general danger and a systematization of the criminalization of solidarity were nevertheless reported. Yet, despite the experienced criminalization of solidarity, the interviewed CSOs continue to be involved in migrant struggles. "We continue to work, we are in politics, in the social field and also in science. In other words: We do not exclude any space for struggles" (CSO3).

To summarize, the CSOs challenge the migration regime on the local level in various ways and have thus themselves become targeted of measures to control migration. Regarding the four criminalization of solidarity aspects outlined by Borderline-europe

(2020) for the European context, discrediting and delegitimization in public discourse and legal prosecution have been most apparent in the city of Iquique and impact the work of the CSOs and the life of their members, even though this development is still recent. However, given the linkage with the global migration regime, it can be surmised that the criminalization of solidarity, already a common practice in Europe and the United States, will continue to evolve while becoming part of the specific materialization of the migration regime at a local level. Consequently, ReSOMA's (2020) demand that "criminalization should only occur when there is 'unjust enrichment' such as in cases of human trafficking," in order to counteract the criminalization of solidarity, thus becomes relevant in the Chilean context as well. Moreover, the CSOs also emphasize that their response to the increasing criminalization of solidarity and humanitarian aid is solidarity among themselves. In this regard, CSO3 and CSO4 describe solidarity within the organization, while CSO2 refers to solidary alliances among the affected organizations, which has led to intensive networking. Solidarity is thus not only a tool of resistance but also a response to the criminalization of humanitarian aid.

5. Conclusion

My exploratory study has contributed to filling an existing research gap in migration studies in the Latin American context. Thus, I have focused my work on the role of CSOs, an actor that is rarely considered in migration studies, and chosen a local context currently characterized by a new migration phenomenon.

Observing and analyzing how local pro-migrant CSOs challenge the local migration regime led me to identify several proxy resistance practices carried out in solidarity with affected migrants in the region. Initially, these practices of individual CSOs were dispersed but similar in terms of time, place, and objective, which led to the formation of a solidarity network and collective resistance work. These resistance practices are: (1) Resistance through intervention in the political scene, (2) Resistance to governmental absence, (3) Supporting acts of citizenship, (4) Resistance to 'irregularity' and 'exploitability', and (5) Everyday practices of resistance.

Beyond identifying these resistance practices, my research shows that transformative effects manifest themselves on four levels that influence the power of the migration regime in its dynamics of exclusion and inclusion: (1) at the political level through intervention in norms and rights, (2) at the humanitarian level in terms of access to denied social resources such as housing and food supply, (3) at the legal level in terms of protection of denied human and legal rights, and (4) at the symbolic level through a change in consciousness in the local population and in political and public discourses. Thus, all types of resistance have the potential to impact the migration regime from below,

and demonstrate that CSOs exercise resistance.

Moreover, through my study, I was able to contribute to a situated knowledge of the epistemological archipelago of the *autonomy of migration* approach. I proposed to integrate the role of CSOs as active subjects into the concept to gain a more holistic understanding of how migration regimes are challenged and negotiated. For this analysis, the combination of the *autonomy of migration* approach with concepts of *resistance* and *acts of citizenship* was beneficial because it allows focusing on the analysis of active subjects and shows how various spaces are opened where the migration regime is challenged and resisted at the local level. Therefore, I emphasize the importance of further analyzing the role of CSOs in migrant struggles and the challenges of migration regimes in various local contexts to promote dialogue around a Latin American perspective and integrate CSOs as active participants in theoretical considerations. The nexus of concepts that has been theorized in the course of this work can be used as an analytical tool in future studies to more systematically analyze civil society activism in different cities and contexts and promote this dialogue. It is also essential for the involved CSOs to recognize their transformative and collective impact, so that they can become active agents in negotiating the migration regime from the below. Hence, the findings of this study hold significance as they provide a foundation for CSOs committed to migrant struggles to develop political strategies of resistance and change that specifically address the diverse transformative effects.

However, by focusing on the capacity of CSOs to challenge the migration regime, it became clear that the criminalization of solidarity, which is already common practice in Europe and the United States can also be observed as a new development in Chile and represents a new tool for governmental migration control. Yet, this criminalization of solidarity and humanitarian aid makes clear that CSOs are part of the negotiation of the migration regime and its power, and thus become targets of migration control themselves. However, given that the impact of the new Migration and Foreigners Law on the activities of CSOs has not yet been analyzed, a temporal dimension is required to observe in greater detail the expansion of the dynamics of police practices that legally legitimize the basis for the criminalization of solidarity, as well as the ways in which the legal and administrative structure and police control have become instruments of the state to control and suppress activists advocating for migrant rights. Therefore, a long-term study is relevant, which also analyzes judicial decisions referring to Migration and Foreigners Law No. 21325. In addition, the local-level approach poses an analytical limitation of losing sight of the overall picture. Consequently, it is relevant to add a spatial component in addition to a temporal one and examine the criminalization of solidarity in Chile also in other cities of the country and the consequent resistance reactions of organizations.

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Notes

ⁱ In this regard, it should not remain unmentioned that the Colchane border crossing (among others to Peru and Bolivia) was not reopened until May 1st, 2022, while the international airport in Chile's capital Santiago and the Mendoza border crossing to Argentina opened several months earlier (DW(b), 2022).

ⁱⁱ In comparison, it should be noted that an increase of 12.4% in the foreign resident population was recorded for 2019 and an increase of 0.8% in 2020. Thus, the increase in unauthorized border crossings is not proportional to the number of foreign residents in Chile. Thereby, the INE defines a foreign resident as a foreign-born person or a person with foreign citizenship who is habitually resident in Chile or has applied for a residence permit in the country (INE, 2021).

ⁱⁱⁱ This law was called in Spanish Decreto Ley N° 1.094 –Establece normas sobre extranjeros en Chile

^{iv} This state of emergency was extended on February 24th, 2022, as well as under the new president Gabriel Boric on March 16th, 2022, and March 24th, 2022 (See: <http://bcn.cl/31oax>, <http://bcn.cl/31oat>, and <http://bcn.cl/2zdzq3>).

^v While de Genova (2004) uses the term 'illegality', I decided to use the term 'irregularity' and put it in quotation marks to indicate that it is a label that nation-states apply to certain migrant groups in order to criminalize and obscure the legal construction of this condition (Aquino, 2015). Thus, I aim to emphasize the process of 'irregularization' and the construction of

irregularized migrants.

^{vi} In 2021, more than 800 people were deported in seven flights. The deportations, however, were sharply criticized by various migrants and human rights organizations such as Human Rights Watch (HRW) and the United Nations, which warned of serious violations of fundamental rights (DW, 2021).

^{vii} For instance, the EU's so-called Facilitators Package officially targets combating the smuggling of migrants but requires member states to criminalize the facilitation of 'irregular' entry, even if it is not for profit (Martínez, 2019). It should be noted, however, that Article 1(1)(a) of the Facilitation Directive gives Member States the discretion to exempt from prosecution persons who assist in the entry or transit of migrants "where the aim of the conduct is to provide humanitarian assistance to the person concerned" (Article 1(2) of the EU Facilitation Directive). Nevertheless, most EU states have not included this exemption in their national laws, because legislation in 26 EU member states does not require that financial gain or profit be the objective of a crime (ReSOMA, 2020).

^{viii} For comparison, Law 20507 of the Criminal Code, enacted in 2011, entitled *Describes the Offenses of Smuggling of Migrants and Trafficking in Persons and Establishes Norms to Prevent it and to Make Criminal Proceedings More Efficient*, states in Article 411 bis. that a person who, for profit, facilitates or promotes the illegal entry of a person who is not a national or resident shall be punished by imprisonment in the medium to the highest degree and a fine of fifty to one hundred monthly tax units.

^{ix} In 2020, the German Ministry of the Interior introduced new requirements for the funding of integration and refugee projects from the EU's Asylum, Migration and Integration Fund (AMIF), which is an essential economic source for organizations working in this area. Only organizations that undertake not to interfere with, disrupt, or prevent governmental measures in connection with the implementation of an existing obligation to leave the country will be eligible to apply for funding. Consequently, civil society actors who hold opinions on deportations that differ from those of the government fear that they will be silenced or brought into line (Borderline-europe, 2020).

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