

Navigating Irregularity: The State, Immigration Bureaucracy, and Surveillance in Chile

By

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## **Abstract**

The focus of this thesis is the political space of migrant irregularity in Chile, specifically the development and maintenance of this political space by the Chilean state and its bureaucracy, as well as the resilience and agency of the migrants who are often faultlessly irregular. It sheds light on how Latin American migrants are subject to debilitating living conditions characterized by extreme ambiguity and waiting, while constantly being forced to demonstrate resilience and resourcefulness to survive. Additionally, it examines how the hyper-surveillance of the Chilean community is detrimental to the lives of irregular migrants. This thesis argues that migrant irregularity occurs in Chile when the state and its bureaucracy conflict and encourage large-scale migration while simultaneously being unable to support such large numbers of migrants. The main goal of the thesis is to unpack the source of migrant irregularity as well as discuss how migrants navigate it in everyday life.

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## Chapter One: Chile, Immigration, and the Politics of Waiting

### 1.1 Introduction

As I sat on a woven Mapuche blanket in Santiago's famous *Parque Bicentenario*, staring at a banner hung between two palm trees stating "*Felicitaciones por su Libertad*" [Congratulations on your Freedom] and 20 or so Venezuelan and Colombian people cooking arepas on a portable grill, drinking *frescolita* and listening to reggaeton, it was clear how important and rare it is to get a permanent visa in Chile. I had arrived in Santiago five days prior and had only exited my quarantine hours before the party. I came from Halifax's cold fall and found myself sitting at a party in 35-degree heat questioning whether I should be there, both because of the nature of the party, and because of everyone's blatant disregard for COVID-19 protocols. It did not take much time in Santiago for me to realize that I was not going to make any friends, or get any work done if I treated COVID-19 as I had in Canada, nor if I did not take my participants' warm welcomes seriously.

The "PR" (permanent residency) party, as she called it, was for Yesenia, a 29-year-old Venezuelan woman who had first moved to Santiago in 2017, and only in late 2021 received her permanent resident visa. She arrived in Santiago during Chile's open border program, which allowed Venezuelan migrants to enter the country with a special visa designed to help Venezuelan people leave the political violence in their home country. This program, it is now clear, caused significant structural problems in Chile's immigration sector, and is blamed for much of the bureaucracy migrants must now navigate as residents from outside of Chile. The party signifies the end to her 5-year



battle with this bureaucracy; a battle that although feels complete, has many more requirements. Yesenia had two different temporary visas before finally landing her permanent visa and spent a total of three years awaiting a decision with no active visa at all.

Being in-between visas for an extended period is an unfortunate but inevitable step in the current Chilean immigration process. It is a unique political space caused by simultaneous open border policies and restrictive bureaucracy and can be described as migrant irregularity. Irregular migrants in Chile are legally in the country but face political and social obstacles that are particular to people in-between visas. They are over surveilled and simultaneously neglected by the state; their irregularity has been perpetuated and increased during the pandemic. The mere existence of migrants in Chile has resulted in the creation of policy intended to restrict their ability to exist in this space. As a result, the lives of irregular migrants are precarious and ambiguous, and their ability to succeed in the country is largely facilitated or impeded by regular people such as bank tellers and grocery clerks. In this thesis, I will argue that migrant irregularity occurs in Chile when the state and its bureaucracy conflict and encourage large-scale migration while simultaneously being unable to support such large numbers of migrants. The main goal of the thesis is to unpack the source of migrant irregularity as well as discuss how migrants navigate it in everyday life.

## **1.2 Important Terminology**

The concept of ‘migrant’ used throughout this thesis, although used to simply describe my participants as residents from outside of Chile, also represents their complex

political position in the country. Differing from ‘foreigner’ which describes short term tourists, temporary workers and expats from Europe or North America, the term migrant, in Chile, describes only Latin American people, including Haitians, who have permanently moved to Chile, and includes those who may not be able to stay. It does not simply describe someone’s documentation status or reason for being in Chile, but their experiences both coming to Chile and once they got there. It encapsulates the complicated nature of their situation, and differentiates them from other foreigners in the country, largely based on xenophobic policies and ideologies. Socially, what differentiates migrants from foreigners, among other things, is socioeconomic status, education level, and most importantly, nationality.

To understand the political position of Latin American migrants in Chile is to shed light on migrant irregularity, which occurs while migrants are in-between visas and in the process of waiting for their visas to be renewed. Academically, irregular migrants are people who have moved across borders outside the laws and regulations of their destination country (International Organization for Migration, 2021). In Chile, irregular migration refers specifically to migrants who are between visas. It is a commonly recognized term among Chileans, migrants in Chile, and even government agents and policy makers. It is important to stress the difference between irregularity and illegality that is commonly used in North America and Europe to describe specifically undocumented migrants who have crossed borders illegally or overstayed their visas. Differing from undocumented or ‘illegal migrants,’ granted that irregular migrants continue to fulfil Chile’s ongoing bureaucratic immigration requirements and they do not break the law, they are technically at no risk for deportation. Rather, they are a well-

known, and relatively accepted social group in Chile that is recognized for being legally in the country, though not always welcomed.

To understand migrant irregularity in Chile, one must also understand the role of bureaucracy as an intermediary between Chilean residents and the state (Schrupp, 2021). The Chilean state is “both an abstract, macro-level structure and a concrete, microlevel set of institutions,” that manifests its governing power through bureaucratic structures (Auyero, 2012, p6). In general, the macro structures in Chile work in favour of immigration, which has caused the significant rise of migrants in the country. In contrast, the micro-structures or institutions that migrants must engage with on a regular basis work against migrants and create migrant irregularity. My thesis will unpack immigration bureaucracy and discuss how the often ambiguous, arbitrary, and changing bureaucratic requirements that migrants must navigate to maintain a status that is deemed legal by the government, is both a failure and success of the Chilean state.

### **1.3 The Case of Chile**

Chile is a unique place to study immigration for a variety of reasons. It has extremely high numbers of migrants, but still has a relatively low population, and despite an influential far-right authoritarian regime making up the bulk of the country’s recent political history, it has a new far-left socialist President. Additionally, migrants make up a large percentage of the overall population, but the immigration system is famously restrictive and complicated.

The current population of Chile is just under 20 million and rising in the hundreds of thousands annually through international migration. However, Chile is still only the 7<sup>th</sup>

most populated Latin American country and falls behind the next most populated country of Venezuela by almost 10 million. Chile is a geographically diverse country that is recognizable for being long and skinny, extending 6437km along the Pacific Ocean (see figure 1), while averaging a mere 91km from east to west (National Geographic, 2014). Due to its length from North to South, it is one of the most diverse landscapes in the world, with the extremely dry Atacama Desert in the North, and the icy fjords of the southern cape.



Figure 1: (National Geographic, 2014)

Santiago sits relatively central from north to south and slightly inland from the coast, nestled in amongst the Andes Mountains. It has a temperate climate and is surrounded by fertile land, often used to grow wine grapes. The Maipo Valley, only one hour from Santiago's city center, is famous for having some of the best Cabernet

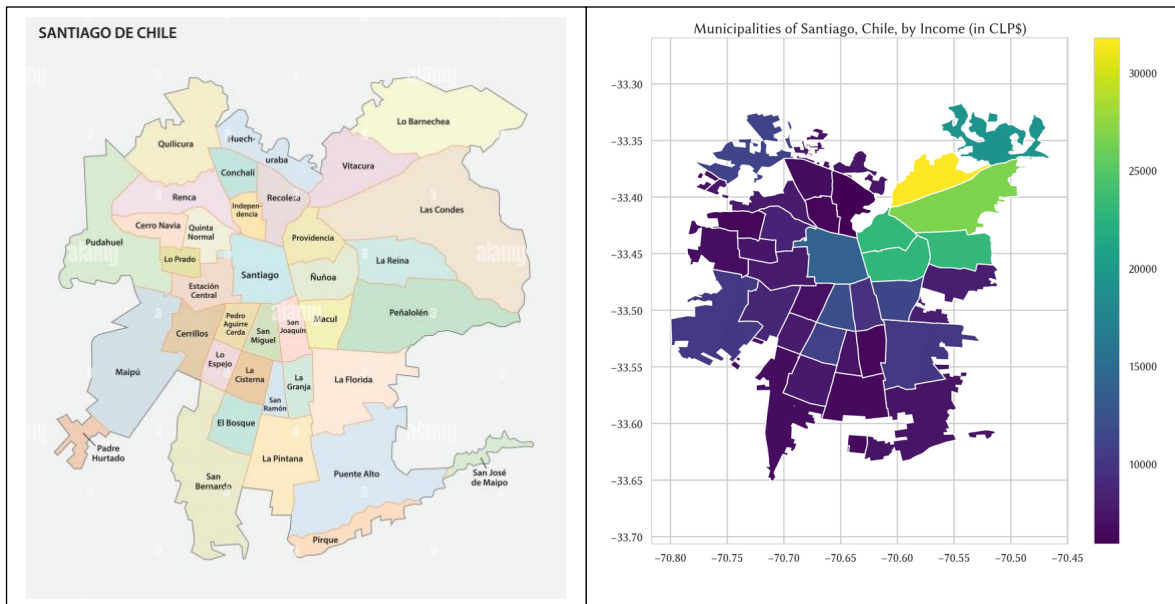


Figure 2: (Shutterstock, 2022)

Figure 3: (Denis Parra, 2021)

Sauvignons in the world. Winery tours in this region were the site of many of my informal interviews, and, as I learned on a tour, wineries are a popular employer of migrants. My favourite tour guide was a young man from Venezuela who gave us extra wine “to make his voice more interesting.” Santiago itself is geopolitically separated into *barrios* [neighbourhoods] that are different and identifiable based on population density, demographic, and income level (see Figures 2 & 3). The west side of the city is made up of high-income neighbourhoods and has a lower population density. Universidad del Desarrollo (UDD), where I worked for much of my fieldwork, is in Las Condes, the richest *barrio* in Santiago. The south of Santiago, including La Pintana, San Rimon, and La Granja, where my work as a Research Assistant with UDD took me, is extremely low income and is notorious for high crime rates, as well as higher numbers of international migrants. Santiago Centro has the highest concentration of migrants, as well as high numbers of unemployment and crime (Chen, 2012).

Wealth in Chile is highly stratified (Sheehan, 2020). As shown in Figure three, average wages between some neighbourhoods differ by 200%, leaving many without a livable wage. The average hourly wage in Chile recently increased to 5400CLP [\$8.50CAD] (Trading Economics Chile, 2021). However, irregular migrants often make significantly less, and many of my participants who work as teachers for Chilean companies earn closer to 3000CLP [\$4.75CAD] per hour, leaving them with dangerously low funds to facilitate their lives in the expensive city.

#### **1.4 Internal Latin American Migration and the Politics of Waiting**

Despite Santiago being expensive and, in many ways, economically inaccessible to migrants, internal Latin American migrants typically move there because it is their best economic option, and they become irregular somewhere along the way to permanent residency. Internal Latin American migration is a unique migratory flow that refers to the movement of people from one Latin American country to another within the region of Latin America (Itzigsohn, 2000; Orozco, 2005; Paerregaard, 2010; Weeks & Weeks, 2015). Although the United States is the preferred destination for many migrants from Latin American nations, migration within the Latin American region is increasingly common, increasing an estimated 8.4 million to 12.8 million in 2019 – an increase of over 50% (*Migration Flows in Latin America and the Caribbean: Statistics on Permits for Migrants | Publications*, n.d.). Chile has become a popular destination for international migrants in recent decades, with immigration to Chile growing at a faster rate than anywhere else in Latin America (Doña Revenco, 2018). Under Augusto Pinochet's repressive dictatorship from 1973-1990, Chile experienced mass emigration,

with more than 500,000 Chileans voluntarily leaving or fleeing the country, while the immigrant population hit a historic low of 84,000 (Reveco, 2018). The emigrant group was composed of political refugees, economic migrants, and highly educated people attempting to escape the military dictatorship (Cabieses et al, 2012). Immigration to Chile was primarily from Europe, Arab countries, and East Asia. Following the collapse of the dictatorship in 1990, Latin American immigrants of working age began seeking labour opportunities (Cabieses et al, 2012). Since this shift, significant numbers of Latin American migrants have migrated to Chile, increasing the foreign-born population more than four-fold, to nearly 500,000 in 2016 (Reveco, 2018). Since then, it has increased exponentially, to over 1.5 million in 2020 (Casen Survey, 2020). According to the Socioeconomic Characterization Survey (CASEN by its Spanish acronym) carried out by the Ministry of Social Development, this number is steadily increasing.

In the 1990s, the majority of immigrants to Chile came from Peru and Bolivia (Rosas & Gay, 2015). Later in the early 2000s and 2010s, Haitians, Colombians and Venezuelans began to make up most migrants (Rosas & Gay, 2015). This continues to be the pattern today (Reveco, 2018). While larger numbers of internal Latin American migrants are seeking to move to Chile, North American and European nationals have a much easier immigration process (Reveco, 2018), and also have more visa options.

Regardless of where a Latin American migrant settles, most leave their home countries for similar reasons. The region's political-economic history has resulted in Latin America being the most unequal region in the world (Sheehan, 2020). The primary 'push factors' for Latin American migrants, therefore, are economic instability (Remmer, 1991), the inability to access social services (Fay, 2005), political unrest (Krook &

Restrepo Sanín, 2016; Rosas & Gay, 2015), and rural violence (Balán, 2002; Kay, 2001). Despite numerous cases of political violence in the region, the United Nations High Commissioner for Refugees (UNHCR) estimated that there were only 1900 refugees and asylum seekers in Chile in 2010, suggesting that few migrants have official refugee status (Long, 2016). Political migrants are not provided the same assistance and services as official refugees, neither during nor after the immigration process, contributing to their irregularity.

The complex and changing political power of Chile has had a significant influence on immigration to the country. In 2016, center-left President Michelle Bachelet, who was openly pro-immigration, marketed Chile as a destination for migrants who wanted to contribute to Chile's booming economy and opened borders to many Latin American countries. This open border program encouraged almost one million people to migrate to Chile between 2016 and 2019 alone (Chile *International Migration Database*, 2021). Amidst the extreme influx of migration, new center-right President Sebastian Piñera took power. He believed that the amount of immigration to Chile was not sustainable long-term, and implemented stricter immigration policies, significantly limiting numbers of accepted visa applications. Despite these new policies intended to give the Chilean immigration system a much-needed break, the number of applications for visas has not changed, and still far outweigh the capacity of the immigration system and its officials. This has caused a backlog of applications, severely complicating the lives of migrants who wish to renew their current applications from within Chile. The increase in immigration has also caused demands to reform the country's Immigration Act of 1975, developed during Pinochet's dictatorship-era to increase national security



(Reveco, 2018). However, Chile still follows The Immigration Act of 1975, which famously began Chile's strict visa policy, requiring all residents from outside of Chile to obtain some form of visa to remain in the country (Long, 2016). Long (2016), reports that while contract visas must be sponsored by an employer, temporary visas are given more freely to those that are viewed as 'beneficial,' such as high-status intellectuals, usually of North American or European Origin (p10). My research suggests that getting a visa to enter Chile is relatively easy. The problems present themselves when it comes time to renew, which leaves migrants within the country as an irregular migrant. Until a migrant is able to regain 'legal' status, they are exempt from basic human rights such as healthcare and education, and in many cases recently, are deported or criminalized.

Although intra-continental migration is the dominant form of transnational migration globally (Uhde, 2019), most of literature on Latin American migration focuses on migration to the United States and Europe, taking an interest primarily in the ways that receiving countries perceive Latin American migrants (Ginieniewicz, 2010; Giralt, 2015; Vogt et al., 2006). Among the relatively few studies of internal Latin American migration in English are studies explaining why Chile is a preferred destination for Latin American migrants who must stay within the region. The most notable reason is the relatively strong economy and development compared to the rest of Latin America (Bata-Balog & Thomázy, 2020; Doña Reveco, 2018; Soto & Torche, 2004). Another common reason for choosing Chile, or any country, is family. Almost every one of my participants chose Chile, not because of the strong economy, but because their brother, sister, or cousin chose Chile for that reason. They chose to join them and have a support system, something that has proven to be extremely valuable for irregular migrants.

The process of becoming irregular in Chile always starts with a visa. There are many visa options advertised by the Chilean government. Beyond the basic tourist, working, and resident visas, Chile has at least ten different temporary visas that apply to specific people and circumstances (Extranjeria visa temporaria, 2021). Some of the temporary visa options include: a visa for foreigners with a link to a Chilean citizen, a visa for children born in Chile from non-resident parents, a visa for former residents of Chile, a visa for foreigners with a link to a family member in Chile who has permanent residency, a visa for religious workers, a visa for retirees and those with recurring income, a visa for investors and business owners, a visa for professionals and technicians, a visa for pregnant women and foreigners undertaking a medical treatment in Chile, a visa agreement for citizens of Argentina, Bolivia, Brazil, Paraguay, and Uruguay, a Visa by civil union, a visa for children and adolescents, and a visa for students. Despite the numerous visa options, obtaining a permanent visa is very difficult, and even those who meet all of the qualifications must jump through a plethora of bureaucratic hoops to both gain and maintain their visa status.

The major problem of the Chilean immigration system, and the primary way that migrants engage with bureaucracy, is through an extensive waiting time while renewing or reapplying for visas. Each temporary visa is active for a maximum of one year (Chile en Exterior, 2021). Applications to renew temporary visas may be started 90 days before the temporary visa expires, and each person is permitted to have two temporary visas adding to a total of two years before they must either apply for permanent residency or promise to leave the country. The government immigration website *Chile en Exterior* states that it takes approximately 20 business days to get an initial decision on your

application, and that the renewal process can take “slightly more time” (Chile en Exterior, 2021). However, currently, wait times are closer to 2 years, and some of my participants have waited upwards of 3.5 years to receive their permanent visas.

In ideal circumstances, when entering Chile, a migrant would receive a tourist visa and immediately be able to apply for a temporary work visa that would be activated before their 90-day tourist visa’s expiration. A migrant would then have a visa at all times while residing in the country. However, in Chile, this is not a reality, and migrants spend more time irregular than with an active temporary visa. The Department of Foreign Affairs and Migration claims to have attended an average of 4000 people per day in March of 2018. An estimated 1.1 million people passed through their offices in 2018 (United Nations, 2018). Consequently, wait times significantly increased and migrants attempting to renew their visas are without a visa for years at a time.

The long periods of time that migrants in Chile are between visas, and therefore irregular, is the focus of this thesis. In the pages that follow, I will draw on remote interviews conducted between June and August 2021 and fieldwork conducted between October 2021 and January 2022 to shed light on some of the experiences of irregular migrants, as well as to unpack the bureaucratic state systems that create irregularity, a political, economic, and social position that in many cases constitutes human rights violations.

## **1.5 Chapter Outline**

The thesis read as a whole follows the consistent theme of migrant irregularity. However, each chapter has a specific focus. Chapter 2 summarizes some of the influential

literature on immigration in Chile and discusses the current political context in Santiago, Chile. Relying on news articles and media coverage, I discuss the “Social Strike” (beginning in October 2019), and how Santiago has significantly changed since my previous time there only a few years ago. I also discuss how this change has influenced the lives of my participants, as well as describe my research methods in detail.

Chapter 3 outlines and theorizes migrant irregularity, the primary focus of this thesis. I discuss the role of the Chilean RUT ID number, and how that one institution alone causes significant structural problems for irregular migrants, even though they are legally in the country. Additionally, I will explain the effect of migrant irregularity by discussing some of the ways that their status creates difficulty for regular daily tasks.

Chapter 4 discusses some of the causes of migrant irregularity and connects Chilean immigration bureaucracy to the larger Chilean state. I will focus on the politics of waiting and how migrant irregularity is created and perpetuated through waiting for visa results. Drawing on participants’ narratives, this chapter discusses the variety of bureaucratic steps that migrants must follow to gain and maintain a visa in Chile.

Chapter 5 attempts to outline some of the resilient and often complicated strategies that irregular migrants have developed to navigate irregular life. It prioritizes the narratives of participants who utilize various tips and tricks to make their lives less irregular. It follows the same themes as the previous chapter, in an attempt to show that although bureaucracy is complicating their lives, irregular migrants have developed networks and resources to make it slightly less difficult.

Finally, Chapter 6 includes a concluding discussion where I connect each of the chapters to the several recurring theoretical themes that are essential to understanding the political context of migrant irregularity, followed by directions for future research.

## Chapter 2: Field Site and Methods

### 2.1 Historical Context

#### 2.1.1 *The Pinochet Regime*

Beginning in 1973, Chile was ruled by a far-right authoritarian military dictatorship headed by Augusto Pinochet (Hutchison et al., 2013). The Chilean dictatorship is a painful and dominant history for Chile, and Pinochet was famously one of the most gruesome and cold leaders in the world. Before becoming the self-declared President of the Republic of Chile in 1974, Pinochet was the leader of the country's Military Junta. In 1980, Pinochet was confirmed as the sole dictator of Chile through the approval of a new constitution that gave him full political power (Drake & Frank, 2004; Schmidt, 2020; Townsend, 2019).

Pinochet seized power of Chile in a U.S. supported coup d'état that overthrew previous leader Salvador Allende's democratically elected government, ending civilian rule (Barros, 2003). The Pinochet regime lasted for 17 years and was characterized by the systematic suppression of political parties and the forced assimilation of the entire Chilean population. During his time in power, Pinochet persecuted leftists, socialists and political critics, through a system of 'politicide' or 'political genocide' which scholars have named as the system of destroying an entire understanding of politics and governance (Hessel, 2019; Krain, 1997, 2005; Sjoberg et al., 1995). His regime left over 3000 people dead or missing (Hutchison et al., 2014), tortured tens of thousands of prisoners (Gómez-Barris, 2009), and exiled approximately 200,000 Chileans (Wright & Oñate Zúñiga, 2007).

The time when Pinochet was in power was a violent and terrifying time for anyone that did not openly align with Pinochet's extreme far-right ideologies. He sent troops into villages that were believed to have leftist beliefs, and in many cases, left anyone in their path tortured, detained, or even killed (Skidmore et al., 1992). His actions constituted not only human rights violations, but crimes against humanity.

The effects of the dictatorship are still felt in Chile today, and its consequences extend beyond the Chilean population. Many scholars including Cornejo and colleagues (2018), Paley (2001), and Townsend (2019) study the effects of the dictatorship on Chilean's who lived through the dictatorship themselves; however, few studies have addressed the effects of the Chilean dictatorship on international migrants living in Chile, and even fewer studies have looked at its effects on irregular migrants. Their experiences have been heavily influenced by both the neoliberal policies and ideologies passed down from the dictatorship, and the heavy surveillance that was famous during the Pinochet era.

During his time in power, surveillance of Chilean citizens was extreme and unavoidable. Pinochet's troops regularly raided poor neighbourhoods, questioned civilians on the street, and openly targeted poor Chileans. Shantytowns and small villages were under constant military surveillance, and anyone who moved even slightly out of line was subject to extreme punishment (Angell, 1985). In addition to surveillance on the streets, Pinochet took over several buildings in Santiago for surveillance purposes. He used these spaces for the telephonic surveillance of the public (White-Nockleby, 2020). Additionally, Pinochet and his government developed the country's restrictive ID identification system, an important topic for this thesis.

Today, Chile is still considered an example of a hyper-surveillance state (Falabella, 2021). What should become clear throughout the rest of this thesis is that the surveillance that Chilean residents are subject to are entrenched in how the society functions and the hyper-surveillance has become hyper-normalized. At the same time, the lack of surveillance, or inability to be surveilled as irregular migrants due to the status of their ID cards makes migrants' lives even more irregular, as they are unable to conform to the country's mandatory check-in system. As a result, they are excluded from many services, both due to policy and by those charged with enforcing it.

### **2.1.2 *Neoliberalism***

Another legacy of Pinochet's dictatorship is the country's neoliberal political and economic organization, which heavily influences current immigration policy. Chile's long history of private-market capitalism has resulted in restrictive immigration policies that prioritize migrants with 'marketable professions' from developed countries that are seen as likely to contribute to Chile's economy (Reveco, 2018). Information on the policies that restrict internal Latin American migration as well as attention to the bureaucracy charged with enforcing the policies can be found in the vast literature on neoliberalism in Chile.

Neoliberalism has continually risen around the globe since the early 1980's as the hegemonic system for cultural, economic, and political organization (Harvey, 2005). Chile is commonly considered the first neoliberal country (Harvey, 2007) and many scholars, including David Harvey, famous for theorizing neoliberalism, have argued that Chile embraced neoliberalism as a political-economic system more thoroughly than any



other country (Connell & Dados, 2014; Harvey, 2005; Harvey, 2007; Taylor, 2002). Chile is also considered a powerful example of the often-negative consequences that accompany this form of market capitalism (Connell & Dados, 2014; Cypher, 2004; Kay, 2002; Madariaga, 2013). Most anthropologists argue that despite Chile's economic growth under its neoliberal model, neoliberalism does significantly more harm than good and disproportionately benefits the rich (Bresnahan, 2003; Davis-Hamel, 2012; Drake & Frank, 2004; Han, 2012; Lear, 1995; Ostry et al., 2016).

Alongside a group of Chicago-trained Chilean economists called the "Chicago Boys," President Pinochet prioritized monetarism and free-market societies (Brender, 2010). The neoliberal restructuring included the repression of organized labour, heavily protected domestic markets giving way to free trade, the liberalization of foreign exchange markets, and the privatization of state enterprise (Silva, 1992), and included consequences like high inflation, unstable employment, and the stark divide of political groups based on economic policies (Brender, 2010). Pinochet and the neoliberals believed that by freeing the markets, they would spur sustainable economic growth. However, the relatively stable economy was accompanied by the privatization and marketization of healthcare, education, and even basic necessities such as water, which resulted in structural inequalities that, with the blatant violence ensued by the Pinochet regime, drove hundreds of thousands of Chileans out of the country (Silva, 1992). Despite the new government in 1990, Pinochet's dictatorship profoundly changed Chile, and the effects continue to be felt, particularly with the continued neoliberal policies that overwhelm many of the country's government sectors, including immigration.

## 2.2 Contemporary Context

### 2.2.1 *Chilean Protest Culture and the Social Strike*

Chile is famous for its vibrant political protests. Chilean people love to protest. I was unaware, however, how frequent they are. During my fieldwork I stayed in the *Lastarria* neighbourhood, an area that is very safe and fun for tourists, while still being in the downtown core. The streets are full of daily markets, the buildings are in good condition, walking on the streets feels safe and secure, and the people are welcoming and helpful. However, right next to *Lastarria* is *Av. Libertador Bernardo O'Higgins*, a central avenue in Santiago that I now know is a primary protest route. I witnessed many protests from many political and social parties, for many different causes. One in particular was an anti-immigration protest from the political right that happened at least once a week. The right, however, are not the ones being publicly scrutinized for their protesting.

In October 2019, a significant social and political change happened to Santiago on this avenue, which is famously called the 'social strike.' What began as a small increase to metro prices, over the span of several days, ended up being the most dangerous and extreme protest since the dictatorship era, and resulted in over 30 deaths of Chilean civilians (BBC Chile Protests, 2019).

Although protesters, in many cases the entire Chilean political left, were criticized for their extreme reaction to a small price increase in public transportation, the protests signified a revolt against the country's prevalent inequality and corruption (BBC News, 2019). The anti-neoliberal political activism that many argue caused the current political unrest began decades ago (Garcés, 2011; Maxwell, 2019; Olivos et al., 2020; Pérez & Osorio, 2021), but mobilized into a city wide revolt against the government in 2019. The

protests had a strong military presence, which I now know from personal experience dealing with them, is still very much there.

Many argue that the social strike is not over. In my short time in Santiago, I witnessed almost daily protests from my small apartment balcony. Usually, the protests were calm and were made up of a mixed demographic including young children, often holding balloons, eating sweets, and singing one of the many songs clashing from people's Bluetooth speakers. Sometimes, however, the protests got rowdy and disruptive, usually once the military showed up. At least once a week, my street was shut down due to man-made 'blockades' which are pieces of slow burning plastic and garbage strategically placed at main intersections and lit on fire. These were intended to deter, or at least slow down the military from getting to the protest. Despite their intention, the blockades do very little to keep the military out of the protests. If anything, it seemed like it made them angry. Usually, their anger was characterized by widespread teargassing of neighbourhoods, including my own, and military vehicles aimlessly shooting water mixed with something that makes your skin itch and burn, from canons mounted on the top of their vehicles. Not once while watching the protests did I hear military personnel talking to protesters or pedestrians. Their actions seemed unconnected to someone's contribution to the protest, whether through noise or actions. Rather, anyone in their path was subject to teargas and their water cannons.

I was teargassed multiple times during my stay in *Lastarria*. Despite sounding like I was in imminent danger to my parents who have never traveled to Chile before, it is a regular occurrence that I had to prepare my friend Alex for, who would visit me for a week during my fieldwork. On one of our regular facetime calls, I had just returned to my

apartment from getting groceries across the street, but got caught in the end of a protest, and teargas was taking up most of the streets' air space. I struggled to speak, tears running down my face, fighting the tears and the laughter as I tried to show my friend on FaceTime what the protests looked like. She was coming to visit the following week and wanted me to prove that it was safe. For the most part, it is. But if you're caught in the wrong place at the wrong time, teargas is coming your way. The pain subsides after a few minutes and other than a red ring around your eyes for the next several hours, you move on with your day.

From my rooftop I had the perfect view of the daily protests. I quickly learned that the effort to walk the four flights up to the roof was only worth it if I saw flames. Otherwise, it was just another day. These daily occurrences, although entertaining, hardly phased me after a while. They do, however, phase the irregular migrants who could be caught in political crossfire with the military for even being within ear distance of the protests. Being involved in the protests, to the military, signifies an anti-government and anti-military view, a deportable offence. During the COVID-19 pandemic, these deportations became increasingly common, forcing irregular migrants to avoid the protests at all costs, especially anti-immigration protests where the protesters could report them and demand deportation.

### ***2.2.2 The COVID-19 Pandemic***

Since the onset of COVID-19, many protests surround themes of COVID-19 and COVID-19 protocols, primarily anti-mask and anti-vaccine protests. In addition to new

themes for protests, COVID-19 has had a significant impact on Chile, and COVID-19 policies have disproportionately affected irregular migrants and even foreigners like me.

I arrived in Santiago merely two weeks after the border, which had been closed for nearly a year, opened to foreign nationals. Due to this, rent prices increased significantly, finding somewhere to rent without a Chilean RUT (ID) number became even more difficult, and more importantly, the COVID-19 protocols were in full force. Instantly upon my arrival in the country, I was reminded that in Chile, everything is a little bit more difficult than I am used to. As a Canadian, I was not required to get a visa to come to Chile for my fieldwork. However, I had to get a Chilean *Pase de Movilidad* [mobility pass], get my vaccination records authorized by a Chilean doctor, have proof of COVID-19 insurance (in Spanish), get a PCR test at the airport, and describe to the *extranjería* [immigration officer] in detail, where I would be conducting my mandatory five-day quarantine, as well as how I would get there.

In one of the endless lines I waited in to get through immigration at the airport, a Venezuelan man named Oscar visiting his brother in Santiago told me how to navigate the many lines and options for new Chilean arrivals. As I quickly found out, my rusty Spanish was not good enough when double masked and tired airport workers told me which line to go to and why. After finally getting through the three-hour COVID-19 screening process, thanks to Oscar, I was set to begin my quarantine and research.

COVID-19 has had a profound impact on the everyday lives of irregular migrants and has significantly worsened migrant irregularity. Irregular migrants are particularly vulnerable to COVID-19 (Freier & Vera Espinoza, 2021), reporting higher case numbers and lower protection against contracting it compared to Chilean born citizens. With

minimal access to vaccines and being unable to avoid high-risk areas such as shopping centers and street markets due to work, migrant lives became increasingly irregular, and irregularity is becoming an increasingly large obstacle in daily life. Since street markets and other highly populated areas are deemed ‘high-risk’ there has been an increase in militarization and policing in spaces that facilitate work in the informal economy, increasing unemployment among irregular migrants (Gil et al., 2021), increasing illegal activity among migrants (Rojas et al., 2020), and furthering xenophobia towards migrants.

Since the social strike began in 2019, international migrants, have been the main scapegoats when anything goes awry. The COVID-19 pandemic has been no different. The onset of the COVID-19 pandemic has caused many, including the Chilean congress, to rethink the non-criminalization of irregular migration, with many suggesting that migration is the primary reason that Chile has been hit so hard by the pandemic (Acosta & Brumat, 2020). In complicity with neoliberal center-left in congress, President Piñera utilized the present ‘state of catastrophe’ in Chile to reassess the country’s immigration management system (Leal, 2021). The president linked migration to infection rates in Chile, stating, “we must reinforce our land, sea and air borders so that illegal immigrations will not bring contamination or infection from the virus that is attacking us” (Siglo, 2020; La Tercera 2021). After a year of the pandemic, Piñera has implemented even stricter deportation policies that target irregular migrants. In fact, “under a new deportation process, on 6 June, the Government of Chile expelled 53 Venezuelans, on a flight to Caracas. Nineteen of them were deported for criminal reasons and thirty-four because they entered the country illegally” (Chile, situation report, 2021). Of the

people deported for criminal reasons, most committed petty crime to survive without steady employment, or violated the country-wide curfew to get to work. Since these increased deportations, COVID-19 cases have decreased by over 30% (*Chile*, n.d, 2021), which although likely unrelated, has increased xenophobia towards migrants in the country and further justified their deportation.

In addition to formal deportations, many COVID-19 policies have encouraged migrants to leave Chile on their own. For example, irregular migrants were the last people able to get vaccinated against COVID-19. Many were unable to take time off work if they tested positive, access healthcare if they become extremely ill, and some migration offices that were primary resources for irregular migrants were shut down due to COVID-19 protocols. With few resources available, lower employment, minimal access to vaccines and PPE, many migrants have chosen to flee Chile during its lockdown period, facing many dangers along the way (Ryburn, 2021). María, who left Chile for Colombia due to her irregular status told me that her sister, brother, and cousins all left Chile very quickly to illegally cross into the United States during the pandemic. They both wanted to leave Chile, but also knew that a new barrier would arise as of the beginning of 2022. Now, Venezuelan migrants need a visa to go to Mexico, one country that had previously allowed them to enter for tourism with no visa (*NBC News*, 2021). Many Venezuelan migrants previously entered Mexico and made their way to the US border region where they would hire a coyote to get them across the border, typically to Texas. However, with new barriers to making the first step into Mexico, many Venezuelan people had to quickly decide to leave, with little preparation. Their choice usually determined by their poor quality of life in Chile.

### 2.3 Fieldwork and Methodology

This thesis is based on ethnographic fieldwork conducted in Santiago, Chile between October 2021 and January 2022, as well as 15 semi-structured interviews conducted online Via Zoom in the summer prior to fieldwork. My research focuses on internal Latin American migrants because of their particular political position as migrants in Chile, a position which predisposes them to irregular conditions within the country. Most Latin American migrants stay in the region because they lack the economic resources to move to North America or Europe (Uhde, 2019). Therefore, they are not likely to have the social, political, or economic capital that increases the likelihood of easy visa approval or citizenship. Unlike for migrants coming from North America, it is very difficult to obtain a work visa for internal Latin American migrants (Reveco 2018). Therefore, my research participants come only from Latin American countries. I interviewed people from Venezuela, Colombia, Peru, and Brazil.

Before my fieldwork in Santiago began, I conducted 15 semi-structured interviews on Zoom with 9 women and 7 men from various countries in Latin America. All my participants were between the ages of 24-34. Some of them had arrived as early as 2016, others as late as 2019. Each participant had a drastically different migration journey. The interviews were typically conducted in some form of Spanglish, however, some were solely in Spanish. All of my participants, by standards of the Chilean government, were well-educated and skilled individuals. Many were engineers, teachers, or worked for large international companies. My participants came from a variety of socioeconomic backgrounds. Some had very little income in their home countries or in Santiago. Others are what in Chile are called *cuico*, or in Venezuela, *sifrino*, which is a



slang term that roughly translates as ‘upper-class’ in English. It refers to people who have certain luxuries stemming from their economic status such as housing and even access to private services such as healthcare. Interviews with a diverse pool of participants based on socioeconomic status helped to identify how capital influences the extent to which someone encounters bureaucratic complications or becomes irregular. Other than access to immigration lawyers, which did not always help at all, there was little difference.

My interviews began with friends and acquaintances established in my previous trip to Santiago. In fact, many of them were my Spanish teachers that I had become close with after my exchange ended. From there, I used a snowball sampling system whereby my existing network recommended additional participants and asked friends to participate. The interviews were between 1.5 and 2 hours long and often included WhatsApp messages after-the-fact from both me with follow-up questions I had forgotten to ask, or in some cases, did not know how to say in Spanish; and participants sharing additional information they had thought of. Additionally, during my fieldwork, which became possible a few months later, I met with many of my participants and discussed my research informally. All the initial interviews took place online through Zoom. Although Microsoft teams is the preferred program for Dalhousie, it requires an expensive subscription that some participants might not have. Additionally, prior to beginning my interviews it came to my attention that the company of Microsoft is a known supporter of the Immigration and Customs Enforcement (ICE) in the United States. Since the company has an affiliation with a program of this nature, I chose to use Zoom. Zoom has fewer confidentiality options. However, using Zoom allowed the option

to create new emails with their pseudonym ahead of time to ensure confidentiality. None of my participants chose to take this step.

To my surprise, none of my participants were concerned with confidentiality. In fact, some people actually told me to skip the part of my oral consent that included how I had planned to keep their information confidential. “With so many of us here, and since we are technically here legally, it doesn’t matter what I say to you, nothing will happen,” Julio told me, rather nonchalantly. Despite being a priority for me, all participants seemed to have the same idea. No one showed any concern for their confidentiality at all.

I began each interview by asking my participants to give me a brief oral history of their immigration journeys and had them explain how immigration bureaucracy has influenced their choices and experiences in Chile. (See appendix 1 for the interview guide.) This included anything from applying for visas, the immigration process, or settling in Santiago. My interviews prioritized people’s everyday experiences dealing with irregularity. I asked participants to describe their everyday relationship with immigration bureaucracy once they settled in Chile. I also asked whether/how the ambiguity of the state’s policies has produced irregular living conditions. Specifically, I asked questions regarding experiences that other scholars have noticed are common patterns of immigration bureaucracy such as long wait times, disorganization and mix-ups with paperwork, loss of documents, and unexplained ambiguous changes to visa regulations. Typically, interviews went down different rabbit holes, usually stemming from an interesting personal story. The most fruitful stories and data I collected was from these tangents.

I had visited Santiago in 2019 for three months where I completed a short language immersion program. During that time, I established networks of friends, many of which were essential in the development of this project. They were extremely helpful in guiding my research questions, putting me in contact with my research participants, and ensuring I was safe and comfortable during my short 3 month stay there. Although my fieldwork was short, since I had been speaking to friends living in Santiago about my research and plans for almost a year prior to my arrival, I felt that I had been conducting fieldwork for months. I knew where I was going, I knew where my apartment was and how I would get there, I knew where the embassies and immigration offices that I wanted to visit were, when and how to get there, and even had people to accompany me. Having a mixed methodological model had its pros and cons. I had adjusted my methods to account for the current COVID-19 pandemic and had no expectation to be able to go to Santiago to conduct research. Therefore, my Zoom interviews were quite extensive, and the participant observation conducted in Santiago offered additional, and very influential, data. I was not prepared to get the amount of data that I did from the interviews alone. In addition to clear answers to my questions, the candid stories and painful histories that my participants shared with me gave a well-rounded picture of both the hardship associated with being irregular, and the resilience and resourcefulness of my participants. Every interview covered topics of illegality and struggles but was lighthearted and included laughter and jokes. I had prepared myself for a serious and potentially sad interview process, only to be made fun of by my participants for not making my own jokes about their situations. I could not have asked for a better interview experience, and the fieldwork served as the cherry on top to the excellent interviews.

My research experience was largely influenced by my position as a foreigner in Chile as well as a personal friend to many of my participants. My position as a foreigner differed drastically depending on the group of people I was with at the time. I was always welcomed and even encouraged to join events with Venezuelan, Colombian, Peruvian, and Brazilian people. These groups and events typically did not have any Chilean people. In fact, they were sometimes called “Venezuelan events,” “Colombian events,” or even *solo por los inmigrantes* [only for immigrants], which is less of an exclusion on the part of the migrants than a lack of interest from Chileans. On my second day out of quarantine I went with my two Colombian friends, Julia and Luisa, to *Parque Forestal*, a popular park in the center of Santiago’s downtown. As we sat and chatted, enjoying the sun and my newfound freedom from quarantine, many people approached us either asking for money, food, or directions. One man, however, overheard our Spanglish conversation and approached us to ask whether I wanted an “authentic Chilean” to show me around the city, recognizing my friends’ foreign accents. Although he claimed his intentions were pure, and solely to help me, the hopeless foreigner navigate a new city, his comment displayed how many Chilean people feel about migrants.

### ***2.3.1 Universidad del Desarrollo and Visiting Chilean Primary Health Clinics***

While in Santiago, I also had the opportunity to meet regularly with two medical anthropology and social epidemiology professors at Universidad del Desarrollo who are specialized in immigrant healthcare use in Chile. Their interest in my project was of significant benefit to me, as I was able to ask them questions related to their research, use their facilities, and most importantly, access the university’s vast archive. I was also

invited to take part in two large-scale projects being carried out by 26 researchers in the Department of Social Medicine. The projects, broadly, focus on healthcare use and health trajectories for international migrants in Chile compared to the Chilean-born population. I was invited to join and observe the data collection process by going to various primary care clinics and vaccination centers to survey people utilizing these services. The project included surveying nearly 3500 migrants in La Granja, San Ramón and La Pintana, three of Santiago's low-income neighbourhoods, all famous for being very dangerous.

What started as simple observations for a project unrelated to mine turned into the collection of very important data. The surveys conducted by researchers at UDD took nearly 45 minutes per person. That meant that while people waited their turn, I had the chance to speak to them. In fact, at one point, the lead researcher on the main project asked me to talk with waiting participants so that they would not get bored and walk away. Through this, I interviewed an additional eight migrants, four from Colombia, three from Venezuela, and one from Peru.

Usually, our conversations started with gentle pleasantries and casual conversation about the state of COVID-19 in the area. However, everyone was interested why I, a young Canadian student, was doing research in their neighbourhood and why I was even in Chile alone in the first place. Questions of my motives were often mixed with general warnings to stay with my group, telling me that if I were caught alone in the neighbourhood, even in daylight, I could be in a lot of trouble. The area has the lowest reported education in the whole of Santiago, the lowest number of labourers working in the neighbourhood in which they live, the highest number of un-skilled manual labourers, and highest levels of overall unemployment (Fuentes et al., 2017). As a result, violent

crime is very common, making it a dangerous place to be, especially as a foreigner. After some mild warnings about being aware of my surroundings in these neighbourhoods, without much prompting, many of the people I spoke to asked if they could share some of their stories about immigration and how they ended up living in their neighbourhood, which they felt was a disappointment.

What made the experience of speaking informally to the participants in this other project so interesting was that the recruitment was done by the UDD researchers based on country of origin. They were studying migrant health and therefore were only interested in surveying international migrants. That meant that every single person I spoke to was an internal Latin American migrant. Somewhat unsurprising, during the recruitment process, which was characterized by going up to people who we had ‘reasonable suspicion’ to be migrants, those who were mistaken for migrants were often offended. One woman when asked if she was an international migrant scoffed and said “what did I do to make you think I am one of them? I’m as Chilean as they get.” I did not expect that to happen. I thought that if they were not a migrant, they would simply say no, and possibly point us in the direction of someone who was. However, this points towards a larger issue, that even in Santiago’s lowest income areas, many people are intolerant towards migrants, and many are xenophobic.

## **2.4 Ethical considerations**

Although being between visas in Chile is not criminalized, many of the strategies that migrants employ to navigate their irregular situations are. Therefore, my research was informed by the Participatory Ethnographic Evaluation and Research (PEER)

method, which is a series of qualitative research tools based on anthropological methods that is intended to ensure safety and anonymity while studying hidden or covert aspects of social life. PEER researchers conduct confidential interviews by not asking any personal information that is not directly relevant to the study, which includes full legal names or places of residence. Instead, they focus on basic details such as age, gender, country of origin, education and job history. The PEER method prioritizes the lived experiences of fewer individuals rather than large numbers of research participants. The justification is that “a few cases produce a better understanding of social life than the superficial exploration of many cases (Price & Hawkins, 2002, p1329). This is especially important in the context of working with undocumented or irregular people. The PEER ethnographic approach, therefore, is intended to aid the researcher and the informant by prioritizing trust in the acquisition of reliable data with vulnerable populations.

My research methods were informed by the PEER method in addition to recruitment interview and coding methods described by Collins (1999), Cornelius (1982), and Luker (2009). For specific methods regarding conducting interviews remotely with a vulnerable population, I followed the methods described by Adams-Hutcheson & Longhurst (2017), and Deterding & Waters (2018), which was designed to assist in the study of criminals. These methods were especially helpful while working with irregular migrants, as finding willing research participants is a methodological challenge and requires significant time building a strong rapport.

Understanding the unique vulnerable positions of my participants is an important aspect of my project that I prioritized over all else. I used pseudonyms for all participants, avoided using their real names in any written or recorded documents, saved their

information under their chosen pseudonyms, and did not ask for any personal information that is not necessary for my study. Additionally, all interview recordings, notes, and transcriptions were deleted as I went, to ensure that data remained on my computer for as little time as possible. As soon as I completed an interview, I transcribed and deleted the original recording.

I employed aspects of these methods to ensure that informants and collaborators felt certain that the information they provide would be dealt with appropriately, and not misused for surveillance purposes (Guemar & Hintjens, 2013). However, none of my participants seemed to care that I had any methods in place to ensure their confidentiality, and some told me I could even include photos of them and their official documents to ‘add spice’ to my thesis.



## Chapter Three: Irregularity

### 3.1 Understanding Irregularity

Among migrant communities in Chile, you will rarely hear people use the terms *sin documentos* (without documents) or *los indocumentados* (undocumented) to describe people in-between visas. Instead, people consider migrants in-between visas to be *irregular*. Irregularity encapsulates the precarity and lack of security that is particular to being between visas, and rather than focusing only on the status of someone's documents, describes something much larger.

According to the International Organization for Migration (2021) irregular migration refers to the “movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the State of origin, transit or destination” (p1). Migrants who are between visas in Chile are *technically* not moving outside of the law, and their right and experiences suggest just that; they are *technically* ‘legal’, but they are also not fully ‘legal.’ The irregular situation that has developed in Chile for migrants who are between visas is a unique political space that is neither completely included or excluded from Chilean society, neither completely legal or illegal, and the people within it are neither documented nor undocumented.

Migrants who are between visas are legally permitted to stay in Chile. They are allowed to work, stay and travel freely within the country (Leal, 2021). However, they are simultaneously excluded and differentiated from Chilean citizens and residents. The space that they occupy in Chile is highly political. I argue that migrant irregularity is a political space in itself. “Like all economies, the political economy of space is based on

the idea of scarcity. Today, more than ever, the class struggle is inscribed into space” (Elden, 2007, p106) and irregular migrants are taking up space somewhere they are unwanted. Lefebvre (1991) uses the metaphor of a cornfield to demonstrate how space can be politicized. He claimed that corn was once in short supply, but now that corn is plentiful in the ‘developed world,’ space is in short supply. Similarly, labour in Chile was once in short supply due to the dictatorship, but now, with the vast numbers of migrants in the country, space is again in short supply. As a result, migrant space is political and migrants within that space are often irregular.

It is important to note that irregularity is quite different from the illegality or lack of documentation that is discussed in the United States. Migrants who enter the country legally in Chile are technically at no risk of deportation (though as I will mention more later, is not always the case), and can regain a regular legal status by completing various bureaucratic process and paying fines. However, their status is insecure, and many are unable to keep up with the bureaucracy, leaving them in situations more similar to what is considered illegal in the United States.

Sympathising with *los indocumentados* in other regions of the world such as the United States, Veronica, a 24-year-old woman from Venezuela, and close friend of mine, explained why most Latin American migrants in Chile are not undocumented.

Here, being in-between a visa is different because we came here with a visa legally, and the government made it impossible to always have a visa. Undocumented people were either rejected for a visa, overstayed their visa or came into a country illegally. In Chile, everyone who is from another country becomes irregular because the system here is broken. The government knows that which is why we can still stay in the country. No one is making us leave, they are just making us want to leave. We are irregular because even though we can continue with our jobs and to pay our taxes, we cannot leave the country easily, we cannot use national banking services, and we cannot update our ID’s if we lose them. Being irregular is like being in limbo. No one knows what will happen.

One of the major ways that migrants in Chile are kept in irregular situations is through the process of waiting. Migrants go through several long procedures to submit their applications and must then wait for unknown periods of time for a response. There is nothing that a migrant can do to speed up the process of getting a visa, leaving them no option but to find ways to navigate their irregular situation. Waiting in this context is a “temporal process in and through which political subordination is reproduced” (Auyero, 2012, p2). Migrant irregularity is characterized entirely by the time that migrant spend waiting, and all of the many bureaucratic obstacles they must navigate just to stay in that position. The time that migrants are waiting for visa approval they are benefiting the state by working and paying taxes while simultaneously being excluded from many state services that are provided to taxpayers.

The way that migrants in Chile use the term *irregular* to describe their experiences in between visas connects effortlessly to Giorgio Agamben’s concept of state of exception. State of exception refers to situations whereby governments suspend legal protections afforded to individuals while simultaneously unleashing the power of the state upon them (Agamben, 2005). When migrants are regularly moving between official documentation status and being ‘undocumented,’ they are in a state of exception. Irregular migrants are required to follow Chilean laws, navigate its bureaucracy in the immigration, health, and work sectors, while simultaneously being unable to access state services during times when they are between visas. Without state protection, migrants are exempt from many basic human rights, including healthcare, education, and housing. Additionally, the amount of surveillance that the Chilean state places on irregular migrants contributes to their state of exception. Irregular migrants are forced to comply

with the state's surveillance and check in system but are denied many of the rights associated with this system when their irregular status makes the ID's that are used to track them inactive. State of exception is commonly used to describe the conditions of being a migrant (Gordon, 2010; Ticktin, 2005), as well as being internally displaced (Goldstein, 2007; Hanafi & Long, 2010, 2010). Due to their intimate connection, I will use the concept of irregularity to encapsulate both irregularity as understood by irregular migrants in Chile, as well as theoretically through the concept of state of exception.

### **3.2 The Construction of Migrant Irregularity**

In Chile, migrant irregularity is constructed and perpetuated through a variety of state and government actors. It is created primarily through conflicting portions of the Chilean state and is characterized by the simultaneous overregulation and exclusion of the state and Chilean society. While irregular, migrants are both overregulated and simultaneously underregulated. The state of exception they live within forces them to follow Chilean laws and regulations, while simultaneously neglecting to provide services. A primary example is the *Rol Único Tributario* (RUT) [Chilean tax number] and the *Rol Único Nacional* (RUN) [Chilean civil registry number]. The Chilean RUT/RUN combo is a mandatory ID card given to all Chilean nationals, whether resident or living outside of Chile. It was implemented in 1973 by Pinochet as a form of surveillance, marketed as an ID. A RUT is assigned at birth and can only otherwise be obtained through getting a formal visa.

RUT numbers are a significant part of the lives of Chilean residents, and a significant obstacle to those who do not have one. RUT holders are required to provide

their RUT number at all major events, for any regulated services such as banking, insurance, or drivers licensing, and even for everyday tasks such as buying groceries, entering some restaurants, and during COVID-19, to enter anywhere with a number of persons limit, including parks and other regulated spaces. Although strongly encouraging people not to enter Chile illegally and therefore not obtain a visa, it does nothing but hinder the everyday lives of those who are faultlessly irregular.

When migrants are first awarded a RUT number, it has an expiration date that typically coincides with the end date of their current visa. As I have mentioned before, almost all migrants must wait years while they are between visas. RUT numbers lie dormant during that time. They are ‘expired’ but are still active and accepted in most places because they show that a person is currently waiting for their visa application results, something that is beyond their control.

Although it is legal to have and use an expired RUT in Chile, many irregular migrants have significant problems both with replacing a lost or damaged RUT card, and with street-level bureaucrats who take it upon themselves to not accept their expired documentation. Replacing a lost or damaged RUT card is impossible. In fact, fear of losing an expired RUT was the most common theme and most dreaded experience for all my participants.

I have three photocopied RUT cards that I keep in hidden places around my apartment, Veronica told me. I have one in my purse wherever I go in case I need it. I only take out my official RUT if I really need it. It is my biggest fear to lose my card. If I lose the card, I will be forced to leave the country. You cannot do anything without one. I think they do it on purpose so that more people leave on their own.

RUT numbers are a unique form of surveillance for Chilean residents that tracks a person’s movement and activities throughout the country. It is legally required for anyone

with a RUT number (any Chilean resident) to provide their RUT number whenever asked by service workers, government, or military agents. RUT numbers are taken at grocery stores, liquor stores, each day when entering post-secondary schools, whenever boarding domestic trains or planes, and in all formal service situations. As a result, there is an accurate and up-to-date list of everything a person has done and where a person has gone in a given day.

Irregular migrants with expired RUT numbers are also required to provide their RUT numbers whenever prompted. However, in some cases, they come up as invalid, and are not recorded. Additionally, sometimes when RUT numbers do not work, the person is refused service, which is both very common, and against the law. Foreigners like me must say that we are foreigners when asked for RUT numbers. No one has ever questioned me when I told them I am a foreigner. However, some people have significant issues when they are unable to provide a RUT number, including Yesenia's brother who visited her this Christmas season. Her brother went to JUMBO, the major grocery store chain in Chile to get food for their family Christmas dinner, which had been organized months earlier, and brought family members from Chile, Venezuela, and Colombia together. Yesenia's brother, who still lives in Venezuela does not have a RUT number, and when trying to explain his situation to the grocery clerk was quickly reported for refusing to provide his RUT, causing the police to come investigate. After an hour of explaining himself to the police, he was let go and told to carry his recent plane ticket to prove he had just recently arrived in the country, and he had to return to the immigration officer at a later date with proof of a ticket to leave the country.

In addition to being heavily monitored while between visas due to the RUT system, irregular migrants are purposefully excluded from many government regulated systems due to their RUT status. Irregular migrants with expired RUT numbers cannot set up internet services in their homes, they cannot get a driver's license, start a new lease, start a new healthcare insurance policy, or get or add to a Chilean pension. Irregular migrants with expired RUT are permitted to leave the country. However, traveling is very difficult because border guards assume that they are attempting to enter the country illegally. With no way of proving they have an active visa application on the spot, migrants can be rejected at the border, making traveling internationally a significant risk. However, since migrants in Chile are often irregular for years at a time, it is a risk that many take in order to see their families.

During my fieldwork I encountered multiple barriers to everyday activities due to my lack of RUT. I was relatively limited on my transportation options beyond taking the metro, which during the pandemic was basically my worst nightmare. Although mask wearing is required in all public spaces in Chile, including outside, in real Chilean fashion, social distancing is not a thing. As a result, thousands of people are squished together in metro cars even in off-hours.

A very popular, and more COVID-safe transportation option is using one of Santiago's multiple bike hire services. There is only one bike hire company that is available in the entire city of Santiago. It is a Brazilian company called Bike Itau and is very convenient for locals who can easily pick a bike up at one of the many drop off areas and leave it at another without any hassle. However, despite being a Brazilian company, and despite being advertised across the city as a tourist attraction, Chile added the

requirement of RUT to use its services when bringing the company to Chile, drastically limiting the number of possible users.

I tried using Maria's RUT, who has left the country but still has an 'active' RUT, though expired. Her RUT, however, did not work, which means that irregular migrants and tourists alike cannot use the city's bike hire services. There are two other bike hire companies in the city that are available to anyone with a valid credit card. However, it is limited to the neighbourhoods of Las Condes and Vitacura, the richest area of Santiago (see Figure 3), which is over an hour walking from downtown, and has very low numbers of migrants relative to the rest of the city. Neglecting to provide alternate transportation options during the COVID-19 pandemic inevitably increases case numbers among migrant communities, the primary scapegoats during the pandemic.

Migrant irregularity is a unique political space that is created and perpetuated when different aspects of the state interfere with each other. It is characterized by the simultaneous over-surveillance, most commonly seen through the country's RUT system, and an absence of the state and its services when migrants truly need them, especially during the pandemic. The country's complex bureaucracy and changing policy keeps migrants in irregular situations for long periods of time, and with the pandemic, these bureaucratic issues have increased.



## Chapter Four: Unpacking Chilean Immigration Bureaucracy

### 4.1 The Chilean State

In Chile, and Latin America broadly, most people have a basic understanding of the state and attribute many of their inconveniences to it. However, the state is understood by people through the feelings produced in their everyday interactions with it, which, typically, is them encountering the state through government bureaucracies (Gupta, 1995; Sharma & Gupta, 2009). The Chilean state is a combination of an “abstract, macro-level structure and a concrete, microlevel set of institutions” (Auyero, 2012, p6), and significantly influences the migrant experience in Chile. In general, macro state structures in Chile work in favour of immigration, and are characterized by open-border plans, a magnitude of visa options, and marketing employment opportunities to international workers. However, Chile’s microlevel bureaucratic institutions that migrants must engage with on a daily basis create migrant irregularity, as well as overall discomfort. Over the past two decades, Chile has achieved remarkable economic growth and stability (Perry & Leipziger, 1999). This economic success has bred a strong name for the Chilean state. However, Marcel (1999) argues that the success of a state can only be understood by the ability of the state’s bureaucracy to effectively manage the population while both policy makers and residents are content. The migrants in Chile are not content.

Understanding what the state is and how it functions through its bureaucracy that breeds unhappiness is essential to understanding migrant irregularity and the everyday experiences of migrants in irregular situations. The state, as I use it in this thesis includes

the insights of both Marx (1977) and Weber (2004), as well as Auyero (2012), who succinctly define how the state often functions within Latin America specifically. To Marx, the state only serves the interests of the upper class, which in his writing is portrayed as parasitic and working against the public interest. Marx's understandings of the state varied throughout his career (Marx, 1977; Marx & Engels, 1965; Marx & Engels, 1967); however, he ultimately suggested that studies of the state should focus on the relationship of class struggle and unmask the supposed autonomy of the state (Abrams, 1988). Gramsci built on Marx's discussions of the state, arguing that the ruling class or individuals in positions of power and influence use hegemonic ideas to gain domination over the subjugated classes (Gramsci, 2007). Therefore, the ruling class *is* the state. He describes the ruling class as not only those in positions of power but the entire populace of upper-class citizens. This socioeconomic group holds significant political power, and according to Gramsci, as a state actor that significantly influences the society in which they take part, even in immigration policy. Following these definitions of the state would suggest that the restrictive immigration policies that produce irregularity for migrants in Chile are directly informed by Chile's elite class, who, according to Witte-Lebhar (2017), lean right on immigration policy.

Many social scientists follow Max Weber's (2004) more concrete definition of the state, or employ the concept of the 'state-system' (Abrams, 1988 [1977]). The state system represents a collection of institutions of political and executive control, including their key personnel. It includes the government, the administration, the military and police, and the judicial branch (Miliband, 1980). This provides a more concrete understanding of how known institutions interact to constitute 'the state.' To follow a

definition of the state that both captures the ambiguity that Gramsci prioritizes, as well as the tangible institutions that Weber focusses on, I will follow Auyero's (2012) understanding of the state, which is that the macro and the micro state are working alongside each other to influence the lives of Latin Americans. However, the macro and the micro are not necessarily working together, nor are they entirely influenced by each other. Bloch & Chimienti (2011), argue that irregular migration is a concern for various state and non-state actors. However, they also suggest that the state utilizes policy to manage migration numbers, and to assist employers with access to "cheap and compliant labour" (Bloch & Chimienti, 2011, p1). To do this, they use their bureaucracy.

#### **4.2 Unpacking Bureaucracy**

Although an abstract structure in some ways, the migrants in Chile have to patiently and silently comply with seemingly ambiguous, arbitrary, and constantly changing bureaucratic state requirements in order to maintain a status that is deemed legal by the Chilean government (Auyero, 2012). As such, the state has a strong effect on both migrants and Chilean society (Tuckett, 2015). Chilean immigration bureaucracy is the primary way that migrants encounter the state, and the main way that irregular migrants are held in irregular situations. Simply put, bureaucracy is a form of public management (Dwivedi & Gow, 2019; Weber, 2015). It slows down decision making processes and complicates the lives of those engaging with it (Weber, 1976). Blau (1956) argues that bureaucracy is simply a "type of organization designed to accomplish large-scale administrative tasks" (p1). To him, bureaucratic organization has four basic characteristics: specialization, a hierarchy of authority, a system of rules, and

impersonality (Blau, 1956). However, Chilean bureaucracy, especially in the immigration sector, is made up of multiple layers and structures that seem entirely personal.

Bureaucracy is charged with enforcing state policy, and often determines specifically who is awarded legal immigration status and who is not. Despite differing understandings of the state, the role of bureaucracy as a state actor is relatively agreed upon among scholars. Gramsci argues that bureaucracy is the most dangerous hidebound and conservative force of the state (Gramsci, 2007). Similarly, Bourdieu & Farage (1994) argue that the major power of the state is to produce and impose categories of thought through its bureaucracy that apply to all things of the social world.

In Chile, immigration bureaucracy is a regulatory mechanism that determines who makes up Chilean society, often based on someone's perceived economic potential. To Weber, "bureaucracy is fully developed in political [...] communities only in the modern state, and in the private economy only in the most advanced institutions of capitalism" (Weber, 1978, p50). Weber's discussion of bureaucracy is framed in terms of the legal and rational accounting requirements of political and economic organizations. He argued that bureaucracy constitutes the most efficient and rational way in which human activity can be organized (Constas, 1958; Weber, 1978). Weber thought that bureaucracy was a relatively positive development; however, he also saw bureaucracy as a threat to individual freedom, suggesting that bureaucracy has the potential to trap individuals through rational control (Waters, 2015).

In the case of Chile, immigration bureaucracy perpetuates migrant irregularity, a form of rational control. The complicated and often changing requirements needed to maintain someone's visa and associated 'legality' in the country, as well as the simply

overextended immigration system in Chile has created the unique political space of migrant irregularity, and although aware of the issue, the government has done little to help.

#### **4.2.1 *The Perpetual 5%***

Prolonged waiting is the primary way that immigration bureaucracy creates irregularity, and the government knows that. As a result, in an attempt to give people a way to track their application, they developed a way for migrants to see their application's progress. However, this system is nicknamed the perpetual 5%. The 5% refers to the progress documented in a visa applicant's application. It is designed to give applicants an estimate of when their application will be complete. However, it is stuck in a perpetual 5%. Javiera, a Peruvian woman who first came to Chile in 2017, has been stuck on 5% for a year waiting for her permanent visa. Nico, also from Peru, has been waiting for 2.5 years for the same thing. "I don't even look at it anymore," he said, "it makes my head hurt."

The system, although intended to keep people up-to-date with their applications and to deter people from contacting immigration officials or crashing the immigration website, has only caused additional stress, as people over-check their status, only for it to never change. Alberto calls it the perpetual 5%. He told me he was at 5% for 2 years until one day it was 100%. "The progress bar does nothing," he stated, claiming that it was just a tactic to get migrants to stop inquiring about the status of their applications, but never actually connected to anything. Veronica, likewise, is at 5%. María left Chile with her application sitting at 5%. Her application, unlike many others, has slowly progressed. Therefore, the system does function as it is intended in some cases. However, for the

majority, the perpetual 5% is a tangible and visible example of how Chile's immigration system is creating irregularity through ambiguous wait times. With no proper way to track their applications' progress, nor the ability to inquire about their application due to the development of this useless tool, migrants are stuck waiting for longer and longer.

#### ***4.2.2 Miscommunications and Misguided Advice***

Chilean immigration bureaucracy has a plethora of complicated and changing steps. Getting immigration material prepared and sent to the right place is just the first step to the immigration process. From there, migrants must regularly update documents, report activities and income to the government, and as the immigration rules change, they and their applications must adapt to those changes too. Each level of bureaucracy is equally important in the development of migrant irregularity. Having multiple layers of a complex system inherently breeds problems, as there is too much room for miscommunication. Whether intentional or not, many migrants are given incorrect information, resulting in their prolonged irregularity.

Some of the most dangerous aspects of the Chilean immigration system is inconsistent and often incorrect information being spread among migrant communities, inconsistent rules among migration bureaucrats, and limited information online. With this, unnecessary mistakes are made on the part of the migrant themselves, and even those intending to assist them. Day to day, migrants who visit the Chilean immigration embassy are told different information about current policies and practices. Likewise, the same person can be told two different things one day to the next.

While in Santiago, as an experiment, my friend Julia from Peru and I went to the Chilean embassy in Santiago to get some information about the immigration process. We both asked questions about obtaining a general work visa, which has no restrictions based on nationality. We went to the embassy on the same day, at the same time, and talked to different agents. We started by asking what the first step would be in obtaining this visa, which Julia already has. They told her that she would not be eligible for that visa because she did not have the required education level. I, on the other hand, who has less education than her, was told I could easily get that visa. We walked home together, discussing our experiences talking to the agents and the answers we received. Of course, neither of us were surprised at the results of our experiment. One week after Julia and I had gone to the embassy, Alberto went to update some of his information. They told him that he had to deliver his paperwork in person, so he had to pay to have all of his documents printed at the local business store. However, I had been told just a week prior that the same documentation could be uploaded online. Simply knowing where and how to send your information is a significant problem for many migrants, and in some cases, it causes problems that they cannot recover from.

#### ***4.2.3 Immigration Journeys and Sifrina Status***

Chilean immigration bureaucracy is a complicated series of structures that begin for migrants before leaving their home country. The information available on immigration procedures and processes are largely inconsistent, leaving many without concrete instructions or guaranteed success even before arriving in Chile. María and Veronica, two young women, both from Venezuela, left home for Chile around the same

time in 2018. They are both language teachers who work remotely but had to relocate due to the political situation in Venezuela and the inconsistent internet that they rely on for their jobs. Both María and Veronica chose to move to Chile because they would be more successful as teachers and because they both have brothers living in the Santiago region. Despite similar stories, Veronica and María had drastically different experiences, primarily due to their socioeconomic differences which provided them with access to information prior to leaving Venezuela.

Veronica is a 24-year-old *sifrina* woman who grew up on one of Venezuela's beautiful, and expensive, Caribbean islands. She began her journey to Chile while working as an au pair in France. She decided that returning to Venezuela permanently was not a good idea but could not justify the costs to stay in Europe. Therefore, Veronica first visited the Chilean embassy in Paris, where she was told by the Chilean ambassadors that she could apply for a *visa responsabilidad democrática*, a visa specifically for Venezuelan migrants leaving Venezuela for their own safety. She was able to complete this application while in France and submit it online through a secure portal. After returning from Paris to Venezuela, Veronica and her father, who joined her for safety, traveled to the capital city of Caracas where she would pay for and receive her visa.

Despite her experience being relatively simple at the beginning, there were still significant obstacles that she had to overcome. Venezuela has had a monetary crisis since 2016. The instability of the Bolivar, Venezuela's local currency, has made it largely unusable, with hyperinflation reaching as much as 2,000,000% in 2018 (Dachevsky & Kornblihtt, 2017; Daniels, 2019). As a result, the primary currency is US dollars, and Bolivares are increasingly difficult to find. Veronica's first major obstacle was paying her



visa fee; not because she could not afford it, but because the Chilean embassy was forcing her to pay in Bolivares. She spent three days in Caracas going to various banks in an attempt to exchange US dollars for Bolivares. Finally, she had to use an illegal vender willing to exchange dollars with an inflation rate so high that she would not tell me. From there she paid her fee, and less than a week later she flew to Santiago.

In contrast with Veronica, María left for Chile without any ongoing visa application, hoping to be awarded a temporary visa upon arrival. María first went to the Chilean embassy in her hometown in Venezuela to learn about her options. However, she was met with hostility and little information, being told that there were limited options for ‘people like her’ and to use the embassy’s website to find answers to her questions. There was no mention of the *visa responsabilidad democrática* that Veronica had obtained only weeks before María started her journey. She was told that she could try to mail her information in and that she would be contacted with the next steps. After hearing nothing back for several months, she took to online, where she found a large number of reddit pages about people in her exact situation. Through these pages she learned that arriving in Chile without a visa was her best option and chose to leave a month later without any plans for once she arrived.

María is from the city of Maracaibo, about 300kms away from the Colombian border. She, like many Venezuelan people leaving their home country to live elsewhere in Latin America, took a bus, several buses actually. Her journey took place over 72 hours and 7000kms and followed the famously beautiful southern Panamericana highway. For only \$270USD, María got to enjoy the beautiful scenery and the chance to

see new countries on her way to Chile. However, her experience took a terrifying turn when she began feeling very ill somewhere near the Ecuadorian border.

It all started when we were at a border check in Colombia. A group of army men boarded our bus to see our paperwork and everything, and while the man was asking me questions my ears were ringing and I was feeling dizzy. I ate some food and drank some water, but the feeling kept coming back. We were somewhere in the middle of nowhere in Colombia when I just fell asleep. I literally passed out. I woke up and the man sitting next to me was leaning over me and hitting my face. He looked so worried, but I started laughing because I didn't know what happened. I just took a nap!

While telling me this story, María described what it was like being sick on this bus. She said that no matter how many times she or the people around her would ask for the bus to stop, the driver would not do it. "We're on a deadline" he would say, pointing to the bags under the seat for her to throw up in. Her sickness lasted the entire journey, and according to her seatmate, she passed out nearly ten times, often for ten minutes or more. At first, others on the bus would yell for the bus driver to help or to at least get her some fresh air, but after a few times, they stopped worrying.

Despite the traumatic experience she was describing, María laughed and joked about what happened, saying she was the entertainment for the trip. "It turned into a game," she said, laughing. "I would wake up from these vivid dreams! Once I dreamt that I was passed out, but I was on a rollercoaster and all my clothes fell off while I was upside-down!" she reminisced, trying hard to hold it together in our interview. She excitedly told me about how her new friends on the bus would celebrate when she woke up and would chant "Oh! She's out again!" while she knocked her head against the window or against the seat in front of her, now mixed with laughter and worry, assuming that she will wake up shortly and tell them about her crazy dream. Once María arrived in Santiago her symptoms stopped, and she no longer lost consciousness. She went to a

doctor when she first arrived in Chile who told her that it was probably a side effect of extreme stress.

Despite many differences between Veronica and María's migration stories, their experiences once they arrived in Chile were fairly similar. They both had issues maintaining their visas and had to wait upwards of two years for their temporary visas to be renewed. Chilean immigration bureaucracy is definitely affected by citizenship and country of origin, but money does very little once you have arrived in the country. Veronica's *sifrina* status helped her first get into Chile, but her status has not extended to Chile. She has had the same experiences with complicated immigration bureaucracy, as well as xenophobia. However, María's experiences differed once she made her first mistake with her documents.

Other than the regular annoyances and processes of being irregular, thankfully, Veronica has had a relatively smooth experience in Chile. María, however, had another issue with mixed information, but this time it was detrimental. When María's first temporary visa was three months from its expiration, she reapplied for the same visa online through the portal for applications. She had spoken to her friends who had applied only weeks earlier, and under their instruction, she submitted the request.

As is normal in the visa process in Chile, she had not heard anything on the status of her application, nor had she received any information for next steps. Two days after her first visa expired and she became officially "irregular," María received a notice in the mail stating that she was illegally in the country and must pay a fine of 120,000CLP (about \$150 USD). When she called about the reason why she had to pay a fine, the *extranjería* told her that her visa had expired and she had missed the deadline to apply for

a renewal, which she knew she had done. To her and her friends' surprise, the process had recently changed and the portal that she submitted her application to was no longer active. Now, she was meant to send her application via email. With no notice of a policy change, and no warning of an improper submission, María was not only without a visa, but she was also technically illegally in the country as she did not have an active visa application.

In addition to the notice of a fine, María's letter stated that she had one month to submit a new application through the proper channels, and that if this visa is denied, she is unable to reapply again in the future, meaning she would need to leave the country. Thankfully, since she had simply submitted her application to the wrong place, she had all the required documents, and submitted her application only days later. Unfortunately, as I will discuss later, María never ended up getting a visa.

#### ***4.2.4 Alberto and the Perfume Man***

As I walked around my neighbourhood in Santiago with Alberto a 33-year-old Venezuelan engineer working for a large tech firm in Santiago, he told me about his experiences when he first came to Chile. He first arrived in Chile in 2017 after prepping to move for almost three years. Alberto and his fiancé at the time Angela both wanted to leave Venezuela. They wanted to migrate either to the United States, Australia, or Canada, so they had prepared all their documents well in advance. However, a job opportunity pointed them towards Chile.

Angela was offered a job, also as an engineer at a Chilean company and was told that if she could get to Santiago in one week, they would also employ her 'husband'

Alberto. “It’s not common to get these opportunities as a Venezuelan person, so we jumped at the offer and made it happen as quickly as possible,” Alberto told me. With only two days’ notice, Angela and Alberto got married, packed their things, and left for Santiago. Unfortunately, due to delays with their flights, they arrived two days past when their offer expired, and despite begging for the job, Alberto was turned down, as they had already filled the position, leaving Alberto no choice but to apply for a general temporary visa.

Thanks to their preparation, they had all of their legal documents and visa requirements prior to leaving for Chile. They had to each get a University Title [proof of previous enrollment], which in addition to their formal diploma, proved their education credentials. They had requested those documents over a year before they left for Chile, as they needed them to be *apostillado* [annotated]. They also had to get criminal record checks, proof of income in Venezuela, doctors notes proving good health, and reference letters from former employers.

Thankfully we had anticipated a move. If not, this would have been impossible. We had started the process at the bank almost three years before we arrived in Chile. We are considered professionals, so there are multiple visas available for us. Angela got a *visa sujeta contrato* [contract visa] because she was given a job contract before we left. That is the easiest way to get into the country, but the hardest visa to get. I didn’t have that one, so for me, things got difficult once we arrived.

Angela was first awarded the temporary *visa sujeta contrato* for six months. After that, she was able to reapply for the same visa, or even apply for permanent residency.

Alberto, however, because he was not offered a *visa sujeta contrato*, had to apply for a general professional visa. He got rejected for the professional visa, as no company offered him a job without having a visa in hand. Unfortunately, despite being an excellent

way for professionals to get visas in Chile, most companies refuse to provide contracts without a previous visa, leaving people with no choice but to get a different type of visa, often without the authorization to work in the field they are qualified for.

In many cases, companies will only hire workers who have permanent residency, especially jobs that have a long training process. Their justification is that they lose too many workers once their visas expire that they lose money from training. As such, migrants with temporary visas are forced to work outside their fields. “I worked at a perfume store,” Alberto told me, laughing.

It was terrible at first, but I ended up enjoying my time. I worked for this man from India who actually grew up on a Dutch island in the Caribbean. He owned a tiny perfume store in Estacion Central, a big market in Santiago’s downtown. I walked into the store after almost three months of searching for any job that would take me. The man didn’t speak any Spanish, so I spoke the English that I learned in university. He asked me if I had permission to work, which I did, and he hired me that day. I started working like 10 minutes later!

At first, Alberto was upset that his experience and university degree was not serving him in Chile, despite being told that he would be successful there as an engineer. “It turns out, qualifications don’t matter here,” Alberto said, hands up in the air, “I surrender to you Chile!” Although unrelated to his skills, Alberto learned a lot from the ‘perfume man.’ He used to inspect diamonds, and he taught Alberto all about diamonds and perfume, and helped him practice his English, a skill that landed him his next job at an IT company. Through this company, Alberto was able to apply and get his *visa sujeto contrato*, which opened more doors for him, or so he thought.

It is common for companies to take advantage of irregular migrants who are between visas because they know that you will do anything for a job and will work for less than residents, despite often having higher qualifications. “After I had been there for

a while, I realized that the IT company was doing this to me. I had to take the metro and a bus for four hours each day to get there and back. I asked them if they would allow me to work for their other office, which was much closer to my home, but they said no, and because of my visa, I couldn't change jobs," Alberto told me, visibly upset.

A major downside for some irregular migrants with contract visas is that they are bound by law to complete the contract they have signed up for. This means that if they quit their job or get fired, not only do they lose their visa, but they can also be deported. Unfortunately, even though Alberto was overqualified, and simply disliked his job, he was forced to stay with this company for an entire year, where he made 30% less than the people with permanent visas. He left for work at 6:30am and did not return home until 9:30pm each day for an entire year. After the year was up, he chose not to sign a new contract, and was back where he started, with no job, and only a basic temporary work visa. Thankfully with the experience with his previous company, Alberto was offered a new contract visa with the company he is currently working with and has had a good experience there.

### **4.3 Street Level Bureaucracy**

Bureaucracy is highly formalized; however, much of the power of bureaucracy comes down to the discretion of those charged with enforcing it. Therefore, immigration bureaucracy and migrants' experiences with it are likely influenced by street-level bureaucrats. Street-level bureaucracy refers to civil servants who represent the state bureaucracy in their direct contact with members of the public (Lipsky, 2010), and range from police officers, border guards, teachers, social workers, or immigration officials.

Unlike other civil servants, street-level bureaucrats have direct contact with the general public through their work. Expectedly, immigrants have regular contact with street-level bureaucrats in the forms of immigration officials, police officers and border guards. The concept was first coined by Lipsky (1969) who wanted to draw attention to the fact that day-to-day applications of policy depends on the discretion of the people intended to implement it, not just the policy itself. This puts significant power in the hands of civil servants, not elected leaders, and allows them to mediate aspects of the constitutional relationship of citizens to the state. Lipsky (1969) describes street-level bureaucrats as the ‘human faces’ of policy that interact everyday with citizens (Lipsky, 2010).

Everyone I interviewed had something interesting to say about what they thought about the inner workings of bureaucracy. To my surprise, not a single person blamed the government. Rather, the consensus was that the people to blame are the ones working on the front lines, the street-level bureaucrats. They told me that the policy actually helps them. The government knows that they have created migrant irregularity, and to an extent, the policy accounts for that. They are allowed to be in the country, and the policies are designed to let them function on a basic level. However, irregular migrants report regular problems and altercations accessing the rights outlined in policy, claiming that the street-level bureaucrats create most of their problems.

Although there are many obvious forms of street level bureaucracy that could either help or hinder someone’s visa process such as immigration officials, other forms of street-level bureaucrats such as immigration lawyers, bank tellers, and general police have also had a significant influence in the lives of irregular migrants through their jobs. Additionally, some policy has actually encouraged street-level-bureaucrats to use their



own discretion on who should be allowed to stay in the country. Beginning in 2019, a new immigration policy that hoped to limit numbers of migrants entering Chile required all Venezuelan migrants to receive a temporary work or student visa before entering the country. Eliminating the option to obtain a tourist visa upon entry, however, caused an increase in irregular and even undocumented migrants in the country, and numbers of Venezuelans in Chile are continuing to increase (Doña Reveco, 2018). The new policy that forces Venezuelan migrants to obtain a temporary visa before arriving instilled a significant amount of power in the officers providing the visas, and allows officers to decide on the spot how long the temporary visa would be active for (Schrupp, 2021). Some officers gave visas for a single day, which barely allows someone time to get into the country (Schrupp, 2021), let alone set themselves up with an appropriate living situation. Additionally, Venezuela's current crisis significantly limits their ability to obtain documents from Venezuela in a timely manner. With blackouts lasting days, weeks, and occasionally, months, their waiting is now dependent on both Venezuela and Chile. This is an extreme and obvious form of street-level bureaucracy, and unfortunately, something that multiple of my participants had experienced first-hand. However, other people had different problems with different types of street-level bureaucrats.

#### ***4.3.1 Lorena and Immigration Lawyers***

One of the ways that migrants have a better chance at being approved for their visa is to hire an immigration lawyer to handle their paperwork. In an attempt to avoid any mix-ups with changing policies that many of her friends had experienced, Lorena, a

woman I met at the primary care clinic in La Pintana, chose to employ an immigration Lawyer to help with the renewal of her first temporary visa. Lorena is from Colombia and has very little money. However, she had heard stories of visas being rejected after waiting years for a renewal, so she saved up and hired someone to help her.

At first, the lawyers told her that there was no way she would be denied and told her to sign a new contract with her employer. However, she quickly learned that the lawyers were taking advantage of her vulnerable position and included hidden fees, refused to answer her questions, and worst of all, missed her submission deadline. The claimed that their photocopy machine had broken down, and she would have to just apply after paying the fines for being late. However, due to their supposed increased workload to change the dates on her paperwork, she was forced to pay all over again. In addition to having to pay more fees, Lorena was fired from her job, as the employer refused to have someone without a visa working for them, and now, she was not irregular, she was undocumented.

Lorena was in a particularly vulnerable position living in La Pintana, one of Santiago's poorest areas. It is almost an hour outside of the city center by public transit and has poor infrastructure and employment opportunities. She had been leaving her infant son and two-year-old daughter with her 10-year-old daughter during the day so that she could go into the city to work as a vender at a small store. Her daughter had to stay home from school in order to make sure that the children were looked after. However, now that she has lost her job, her daughter stays home while Lorena seeks employment locally. Unfortunately, Lorena could not pay all the fees that the lawyers demanded of her, forcing her to wait until she has the resources to file her paperwork on her own. Until

then, she is formally undocumented and has no access to any services or medical care. She told me that she came to this primary clinic because it was the only one that allowed people to come without documents. “It’s safer here,” she told me, rocking her son to sleep.

Two other participants told me stories of corrupt immigration lawyers, and at one time, Alberto actually had a fake lawyer. When Alberto and his wife were in the beginning stages of immigrating, a Chilean immigration lawyer, or so they thought, that they found online, had actually faked all of his credentials. Alberto paid him in full to do their paperwork, sent him all their legal paperwork, just to be left in the dark. After he sent the money, he never heard from the lawyer again. With other participants describing their many failed attempts at navigating the immigration process on their own, it seems as though migrants have only two choices, both of which do not guarantee success: risk taking on the task on their own, or risk trusting an immigration lawyer with your information and money.

#### ***4.3.2 Banking and RUT Politics***

Chile’s RUT system requires the involvement of many different street-level bureaucrats, including anyone who has the ability to refuse services to someone based on their RUT status. “Without a RUT, you are nobody,” Charlie said, staring at her official RUT card she had brought out to show me during our Zoom interview. “You can’t buy groceries without being harassed by the cashier for your RUT number, especially if you’re Brazilian like me. You also can’t easily leave the country, rent an apartment, get an internet service, go to the doctors or dentist, you can’t ‘easily’ do anything.”

As a foreigner with no RUT number and someone who had significant issues with credit cards and banking services while in Santiago, I know personally how frustrating talking to Chilean bank tellers can be. However, I had it easy compared to Luisa. Luisa, a 31-year-old Colombian irregular migrant told me a terrible story about using Chilean banking services while irregular. In order to open a bank account in Chile, like most countries, you need to be a resident or have a visa, and you need an address. To have a credit card, you have to be a permanent resident. However, sometimes companies will provide credit cards to their employees, which Luisa was lucky enough to have.

For those who are able to get a credit card and a bank account set up while they are on an active visa, they are permitted to use banking services with their expired RUT. However, despite the legal nature of their request, bank tellers are known for denying them service. Luisa had a bank account and credit card set up when she first arrived in Santiago in 2018. She always paid her credit card off on time, and her job paid her through direct deposit into her Chilean bank account. Luisa's landlord is renting her a suite illegally and therefore must take rent payments in cash. Therefore, each month, Luisa must go to the bank and take out a fairly large sum of cash. The problem is that sometimes the bank teller refuses to help her, claiming that her RUT is expired, making her 'illegal.' Both Luisa and the bank teller know that she is not illegally in Chile, however, there is nothing she can do if the bank teller will not help her. "I have to go to the bank at least one week before my rent is due," Luisa told me, sounding rather frustrated, as if I had asked her something she did not want to talk about. As it turns out, she did want to tell me, and she was mad.

If I don't go to the bank early, I might miss my rent date, and if I get evicted or something, I can't get a new lease because of my expired RUT. Basically, my

only choice is to go early, and if the bank teller won't help me, I have to come back another day and talk to a different person. One month I went to the bank four times to get the money out. It's always the same excuse, that I am not me. They think that I am trying to steal from someone else's bank account, but its mine!

Luisa's experience is not unique. In fact, three other participants told me almost the exact same story, claiming that some bank tellers were nice, and others were mean. Although irregular migrants are allowed to utilize limited banking services such as taking cash out with their debit cards, their experiences are largely facilitated by the choices of their bank tellers. Alberto has had many negative experiences with bank tellers and most recently, it caused his wife to miss her flight to Venezuela. To make sure that his wife, Angela was comfortable and prepared for Venezuela, Alberto exchanged some Chilean pesos for dollars in his online banking app. All he had to do was pick them up before her trip. Alberto had problems with bank tellers in the past. However, it was regarding credit cards and moving money from one account to another. He thought this would be different because it was a pre-approved transaction that he had done online before he got to the bank. He was wrong. In fact, the bank teller told him he would not give him the money that he had already paid for, because his RUT was expired, and accused him of fraud.

The current extreme surveillance of residents in Chile is a legacy of the Pinochet dictatorship. In real authoritarian fashion, Pinochet required formal settings such as banks or immigration offices to supplement RUT ID cards with fingerprinting, a system which is still followed today. When a RUT is expired, the fingerprint portion of the authentication process is denied. When a fingerprint is denied at the bank, tellers are not required to offer their services. However, since the fingerprint not working is a known issue of expired RUT cards, which the card shows, expired cards are still allowed to be used for banking. The problem for irregular migrants is that bank tellers have the power

to decide whether to follow that rule or not, and many do not. Alberto made the mistake of leaving going to the bank until the last minute. With Angela set to leave the next morning for Venezuela, Alberto had no choice but to leave the bank with no money in hand, as the bank teller told him that he was unable to help him, and that if he were to come back to this branch of the bank, he would report him for fraud.

#### **4.4 Bureaucracy and the COVID-19 Pandemic**

Bureaucratic issues during the pandemic have affected migrants in a variety of ways, but the most notable is the even longer wait times for visa application results. Due to business closures all over the world as well as increasingly backed up delivery services, wait times have increased exponentially, and the Chilean government has capitalized on it. There have been more deportations during the pandemic than in the past decade (Kirby, 2021) and more people are being declined visas, leaving them undocumented in the country. In Chile, deportation and being forced to leave looks different than what I imagine when I think of being deported. There is no ICE program in Chile. There are no men in uniforms scowring the streets for undocumented migrants with the sole purpose of removing them from the country. The violent stories I have read, or the scenes I have seen on TV of ICE centers where migrants awaiting documents are forced to sit in prison-like conditions with no sentence and no release date in sight is quite different than how the Chilean deportation system functions. Until recently, Chilean deportation is more or less a ‘recommendation.’

María is the only one of my participants who was formally ‘deported.’ Although, I use the term ‘deported’ loosely. Recently, however, there have been hundreds of

Venezuelan people who have been formally deported and loaded on a plane to Caracas with a no-return order (Human Rights Watch, 2021). What is more common, however, is what happened to María. María was waiting for her permanent residency visa. It had been over two years since she had submitted her paperwork, which meant she had irregular status the entire time. During the pandemic she received regular notices from the *extranjería* about various documents that she needed to update and have sent to the Chilean immigration office, all of which she was able to get by the skin of her teeth.

As I mentioned above, María has had previous issues with her paperwork, and she was told that she had no more chances to make mistakes or miss deadlines. Only a few months after receiving that intimidating letter, María received another letter. This time, it was demanding a new copy of her university diploma with a date stamp from 2021. This, in theory, would not be a problem, as she can request a copy online. The problem, however, is that the Chilean government gave her five days to retrieve this information, and due to COVID-19 and the general political economic situation in Venezuela, her University in Venezuela had a minimum 30-day processing time before any documents could be sent out. This, in short, meant she was not going to make the deadline, and her visa application would be denied. The denial of this application, as her letter stated, meant she was no longer permitted to be in the country.

To take matters into her own hands, as “waiting for disappointment” as María called it, was not an option, she chose to leave Chile and move to Colombia. “I was so tired of the immigration problems,” she told me, Zooming from her new apartment in Colombia, sounding exhausted just talking about the experience.

I didn't want to wait for another year or maybe two years just to be rejected. I've been waiting for two years already and I'm exhausted. I can't imagine more time as an irregular, it's so much work.

María argued that her leaving was exactly what the government wanted. They don't really deport people in Chile because they don't have to, they just make you want to leave," she said. "And it works!"

Preparing to leave Chile indefinitely was not only difficult because she had to say goodbye to her life and friends, but she also had a lot of bureaucratic things to take care of such as breaking her lease, cancelling her bank accounts, and getting approval to leave the country during a COVID-19 lockdown. She knew that she would be given a notice that she could not come back, so forgetting something was not an option.

María booked a ticket to leave Chile three weeks after she found out she was going to be denied her visa which gave her just enough time to get everything sorted. Her boyfriend, an American man from Michigan, helped pay for her ticket, and even flew to Santiago to help her pack. Three days before she was set to leave, she got another notice from the government giving her one week to leave or else she would be criminalized for being in the country illegally. "Thank goodness I left when I did," she sighed, "it would have been way worse if I was there now. I don't have any energy left to be a criminal."

#### **4.4.1 *La Policía***

Irregular migrants tend to avoid the police at all costs. Although they are allowed to be in the country, one condition of their visa and visa application is that they have no altercations with the law. Of course, committing a crime and being deported or criminalized is one thing, but being falsely incriminated with the purpose of deportation



is a real fear of many migrants. Alberto knew multiple Venezuelan men who had been targeted by police in general roadblocks and police checks. “One of my friends got his visa revoked because his rear light was out in his car,” he said, hands in his pockets and looking around as we walked through Bella Vista, one of Santiago’s famous tourist districts.

I always have my eyes open, because some police officers are nice, but some of them are not, and I only ever hear the stories when they are not. I have heard terrible stories of people being detained for anything. Even if it’s not illegal, they will tell you it is, and then you have to go back to your country. There is also a lot of violence against migrants, especially against people that look like me.

He pointed at his arm, showing me his dark skin and sleeve tattoo. “It’s just how it is.”

The Immigration Act of 1975, which is still in effect in Chile gave overwhelming power to the government. It granted federal executives the power to prohibit entry and deport any group “for reasons or interests of national security, with complete discretion” (Schmidt, 2020, p13). This, of course, allows corrupt individuals to take it upon themselves to ‘protect the country’ by deporting innocent immigrants.

Although always a small risk for migrants, during the COVID-19 pandemic, this issue became increasingly common. Many irregular migrants work in the informal economy, which does not always abide by the curfew rules. Unfortunately, breaking the law, regardless of whether it is connected to national security, gives police cause to have you deported. During the COVID-19 pandemic, breaking the law includes being on the street during curfew hours, which started at 10pm and went until 5am for many months in 2020 and 2021. For migrants who worked far from home and had to commute long distances or for those working in the informal economy that could not abide by these

rules, migrant workers were forced to break the law, leaving them vulnerable to police deportation.

#### ***4.5 Migrant Movement and the “Pase de Movilidad”***

During the pandemic Chile implemented the *Pase de Movilidad* [mobility pass], which is a digital QR code that proves your vaccination status. The Chilean *Pase de Movilidad* functions similarly to Canadian COVID-19 passports, however, like most things in Chile, it also has a strong surveillance aspect. Like in Canada, it is required to enter most populated social areas such as restaurants, gyms, and to work in certain professions. However, in Chile, the *Pase de Movilidad* is stricter than in Canada. Many outdoor parks, public museums, and even some grocery stores require a *Pase de Movilidad*, and if you are unable to provide one, there is very little you can do in the country. My *Pase de Movilidad* was rejected two times during my time in Chile due to my phone not working and being able to produce a clear picture. Both times, I was not just denied entry into a restaurant, I was told to get off the street and aggressively told to get vaccinated.

Although it seems as simple as getting the vaccine and therefore having a *Pase de Movilidad*, it is not that simple. Many irregular migrants are excluded from getting their vaccines due to their irregular status, or simply unable to access vaccination appointments that fall during regular business hours. COVID-19 vaccines are free in Chile, and overall, Chile is considered one of the most successful at administering the vaccine (Kirby, 2021). However, like in many places in Canada, you need to be invited to get an appointment, or you have to wait in lines for hours, with the potential of being turned away.

Charlie, an irregular migrant from Brazil got her first dose of a COVID-19 vaccine this January (2022), when the country as a whole was almost 90% double vaccinated (Ritchie et al., 2020). Her vaccination status was not her choice. Rather, she was denied her first dose on multiple occasions, and when she could finally get an appointment, they would not account for her work schedule, forcing her to miss her appointment for fear of losing her job. There are few published works available discussing vaccine inequality in Chile. However, of my few participants, four had significant issues receiving their vaccines, leaving them without a *Pase de Movilidad* for nearly a year.

Despite having to get an approved *Pase de Movilidad* before arriving in Chile, and although I am in a much more privileged position in Chile than irregular migrants, there were several instances where I also had bureaucratic issues arise with my vaccination status. In small font at the bottom of the email with my original *Pase de Movilidad* was a short note saying that my *Pase de Movilidad* was only active for 30 days, despite being permitted to be in Chile for 90 days. With only five days until my *Pase de Movilidad* was set to expire, I noticed this message, and realized that I simply needed to get a blood test to test my antibodies to scientifically prove I had been vaccinated. The major issue, however, is that even though this test was required for foreigners like myself to stay in the country, it was nearly impossible to find, and when I did find a test, they rejected my appointment because I did not have a RUT number. After five days, four friends, and calls to 12 clinics, I was able to get an appointment to get my antibodies tested. I would have exactly 20 hours before my *Pase de Movilidad* was set to expire, and a 24-48 hour turn around period for the results.

When I got to the clinic for my test I was met with a hostile and blatantly rude receptionist who openly criticized my Spanish skills to her colleague with me standing there. She told me that she would not accept my appointment because I did not have a requisition form from a doctor, nor a RUT number. Of course, this form was not required, because I needed to get the test to stay in the country, not for medical reasons, and I cannot get a RUT number on a tourist visa. Eventually, after being forced to speak to a translator, I was able to get the test, and got my results within exactly 20 hours, giving me only minutes to upload my documentation for approval at the Starbucks across the street.

Chile's is famous for having complicated bureaucracy, and even traveling there caused several issues for me. However, my experience with Chilean bureaucracy is only one small example of how being a non-Chilean person in Chile can be very difficult, and my relatively small experience was laughable to my friends and participants who are irregular. If I barely made it two months without being forced to leave, how hard must it be for them? Irregular migrants are forced to comply with often unnecessary bureaucratic systems and processes just to maintain their status as an irregular migrant, which as I have stressed, is far from a comfortable life.

## Chapter Five: Navigating Irregularity

### 5.1 Simplifying Irregular Life

Despite being in impossible situations and living in a constant state of waiting and ambiguity, irregular migrants are active agents and have endless strategies to navigate their complex political situations. From accessing services informally, pooling together financially, emotionally, and physically in ‘migrant houses’ people have developed various systems to help them survive irregularity. The strategies they have developed to make their lives slightly easier are resilient, smart, and in some cases the only things that keep migrants in the country.

#### 5.1.1 *Veronica and Freelancing*

One of the most common ways that migrants navigate irregularity is to work in the informal economy. Scholars have used various terms to describe the informal economy such as the irregular economy, the subterranean economy, and the underground economy (Chen, 2012; Fernández-Kelly & Shefner, 2006; Gaughan & Ferman, 1987). Generally, it refers to work that is not regulated by the state and includes selling many different goods and services. Typically, work in the informal economy entails street vending or selling services under the table (Fernández-Kelly & Shefner, 2006). In Chile, the informal economy is both those things, but also includes ‘freelancing.’

Veronica uses the term ‘freelance’ to describe her informal work as a language teacher. “It isn’t illegal, it just doesn’t have a contract and isn’t regulated as much. It isn’t an option to have a pension, so it’s just freelance.” She ‘freelances’ due to her irregular

status. She works independently for different language institutes that pay her hourly. She does not have a contract or formal association with the companies who hire her, but she receives *boletos honorarios* [receipts for services provided in Chile], which makes her freelance work legal.

Many irregular migrants work ‘freelance’ to avoid the restrictions and responsibilities of being on contract visas. They also avoid issues of job insecurity causing visa rejections. Of course, working in the informal economy also has its faults and dangers, especially for those working in the more ‘typical’ informal economy that I mentioned above. However, freelancing allows migrants to work and make a living without the negative obligations associated with contract visas.

Julio, a Colombian man I met while out for a day of fieldwork with UDD told me that his work is the best thing to ever happen to him. “I work for myself! It’s basically as good as it gets,” he told me, smiling ear to ear as he showed me some of his incredible artwork. He sells his paintings of Santiago’s beautiful skyline. He sells them at markets, small stores, and sometimes just on the street. “It pays the bills and I never have to worry about my visa status because I’m paid in cash and can always keep painting,” he laughed at me, notebook in hand, looking “*confundida*” [confused] as he put it.

At first, Julio had a hard time getting established as an artist. He struggled to find people interested in his work and could never find anyone who would let him sell his paintings in their shops or markets. However, as time went on and he became known in the community, his days of work turned into days with his friends, and he never plans to look back.

### ***5.1.2 Tomás and Lola and Dual-Citizenship***

The easiest way to get a visa in Chile is simply to not be from Latin America. Latin American migrants have entirely different visa options in Chile than people from other regions of the world (Chile en Exterior, 2021). These visas are notoriously more difficult to obtain due to the sheer numbers of applicants. Therefore, a common strategy for people who are eligible is to get dual citizenship and use their non-Latin American passport in their immigration materials. The process of gaining citizenship for another country is actually faster in many cases than getting a visa in Chile. Therefore, many migrants put their energy into getting citizenship for other countries whenever they can, and then use their new passport in their Chilean immigration documents. This strategy is particularly useful for Venezuelan migrants who are unable to enter Chile without a pre-established temporary visa. Both Tomas and Lola, siblings from Caracas, Venezuela, have dual Dutch nationality. They chose to go through the process of getting their Dutch passport and paperwork so that they could first enter Chile on Dutch passports and be exempt from many of the daily bureaucratic complications that Latin American migrants go through. “We didn’t even say anywhere that we were Venezuelan,” Tomás told me in our Zoom interview.

We had a completely different application than if you are Venezuelan. We were lucky because we got approved pretty quickly and I had my permanent residency within about two years of arriving in Chile. For my friends it’s like 2 years just for a temporary visa.

Of course, this strategy is only available to migrants with direct family in other countries, or who have previously lived in countries long enough to gain citizenship. Despite being for only a slight few, this is the best and most foolproof strategy. Tomás started his citizenship application one year prior to entering Chile. Thankfully, he was

able to fly to the Netherlands to go through the process there, making it last only weeks rather than months. Once he was finished with his application, he returned to Caracas where he finished his current job contract and applied for his visa. He arrived in Chile with a contract visa and has been able to renew them fairly easily.

### ***5.1.3 Strategic Banking and Housing***

Despite many stories of migrants having problems accessing banking services in Chile, many migrants have found ways to ensure that accessing their money is possible. There are various strategies that migrants employ to make banking possible such as using international banks, using exchange services instead of formal banks, and using services like Western Union. However, the most common among my participants was to use a friend's bank account. In fact, after Alberto was denied the money he had exchanged for his wife's trip to Venezuela, his former boss allowed Alberto to e-transfer him money, then would go to the bank on Alberto's behalf to make sure that everything went smoothly. This has become a regular thing for Alberto, and he told me that many of his friends partake in similar systems. It's one of the only ways to ensure that irregular migrants will undoubtedly get their banking done on time. Similarly, Veronica told me about some people who charge you a percentage of your withdrawal and will do the same thing. They will ask you how much you need them to take out of the bank and charge you anywhere from 5-25% in addition as a 'service fee.' This system, however, is a last resort, as it is expensive and untrustworthy.

Related to banking issues, one of the major obstacles of being irregular is the inability to sign leases or hire internet or cable services. To avoid being stuck with



nowhere to live and an internet blackout, irregular migrants have come up with various strategies to ensure that they always have a roof over their head. One common strategy to ensure migrants have consistent housing is to rent a large house or apartment that has at least one person with their permanent residency as a primary lease holder. It allows people to move in and out without issue as long as the one person with permanent residency continues to be on the lease.

This helps people like María who was stuck with horrible and abusive roommates for a year. She was given no choice but to stay with her roommates because she was unable to start a new lease due to her irregular status. She felt so uncomfortable in the house that she would leave her room only to quickly get pre-made food from the kitchen. She was not even able to cook proper meals, as it was too much time in the public areas in the apartment, leaving her vulnerable to her roommates' abuse.

Some people with permanent residency rent out large houses like this and rent the various rooms in the house specifically for people in irregular situations as a way to pay it forward. Thankfully, María found one of these people and was able to find a shared room in a large house for her final three months in Santiago. She lived with 11 people in the house, all of which were from Venezuela or Colombia. "Finding them was the best thing that could happen to me," she said. "This saved my life."

#### ***5.1.4 Choosing Irregularity***

Some of the strategies to navigate irregular situations can create new forms of irregularity. For example, one of the only jobs that does not require an up-to-date visa or RUT number is driving for Uber or the local delivery service, Rappi. The problem,

however, is that getting a driver's license with an expired RUT is not possible, so when their driver's license expires, they have no way of renewing it. Since changing careers while irregular is nearly impossible, most people continue to drive with an expired driver's license, leaving them vulnerable to deportation if they are pulled over or caught in a roadblock.

In general, people are not concerned if their Uber driver has an expired license, and in some cases, companies will hire people who are openly in this situation, primarily because they may charge a lower rate. During the pandemic, Alberto's company hired him a driver to pick him up and drop him off from work each day. They wanted to ensure that he and their office were safe, as the metro is a known COVID-19 hotspot. His driver, Hector, is a Venezuelan man who has been irregular for two years. He worked out an informal contract with Alberto's work to have steady work for a couple of hours each day, and the company paid slightly less for his services. Since I spent so much time with Alberto during my fieldwork, I got to know Hector, and he became my own Uber driver as well. Anytime I needed a ride somewhere, I would text him on WhatsApp where I needed to go. He came and picked me up every time, and always told me funny stories during the drive.

About three weeks after I left Santiago, Hector went through a standard roadblock in Santiago's downtown, an area that is notorious for drinking and driving. Hector was subject to a breathalyser, which he passed, and thankfully, the police officer forgot to look at the date on his driver's license. He called me a few days after it happened to tell me about how nervous he was and how he could have been deported due to breaking the

law. Despite being in a different vulnerable position due to driving without a license, he chooses to take the risk, as it's the only way he can support his family.

## **5.2 Navigating the Pandemic**

During the COVID-19 pandemic, more strategies have needed to be developed to navigate the specific obstacles that have emerged with the pandemic, and migrants have had to become stealthier. Surveillance during COVID-19 in Chile has been increased, and RUT numbers have been used to track people's quarantine for positive cases, as well as make sure that people are not shopping outside of their approved time-slot during the lockdown. Surveillance on the streets has also increased, both during the day to ensure people are abiding by the outdoor mask mandate, but also in the evenings and overnight to ensure that anyone on the street has a permit.

### ***5.2.1 The Informal Economy and Santiago's Dog Sharing Program***

During the heat of the pandemic, Chile's major cities were on total lockdown and people could only leave their houses to walk their dogs, and once a week to go to the grocery store with a pre-established time. Anyone who was caught on the street when they were outside of their permit resulted in heavy fines.

To avoid fines or criminalization for being outside during curfew hours, many irregular migrants who worked during the curfew would 'dog share.' People who needed to take their dogs for walks had a special type of power during the pandemic. They were the only people that did not need to apply for a permit to leave their houses. As long as they were with their dog, they could go outside. Irregular migrants took advantage of this policy loophole and would set up walking routes near people's work locations and pass

off the dog from person to person so that they could walk to and from work without getting in trouble. I was told it worked seamlessly by Angelo, María's friend who works at an unauthorized bar in Santiago's downtown. He would go and pick up his friend's dog in the evening before his shift, and if he was asked why he was walking the dog at night during curfew, he told the police officers that he worked online during the day and could only walk at night. They never gave him any trouble.

Unfortunately, during the summer months, a few of the 'dog share' dogs died due to heat exhaustion, as people often did not remember that their 30-minute walk to work was potentially the dog's tenth walk of the day. There were stories circulating among Angelo's circle to watch out for this happening. Overall, however, dog sharing provided security to those who had no choice but to break curfew, and the dogs, in general, had a great time.

### ***5.2.2 Migrant Groups and Social Media***

Getting the word out about various strategies and supports is essential to the success of many irregular migrants in Chile. As a result, there are many migrant groups both in person and on social media that spreads information and support for irregular migrants. A couple that I came across on my own were Immichile, a Facebook and Instagram page which is for all immigrants, but focuses on issues related to irregular migrants, and *Chile por los Inmigrantes*, which is a Facebook and Twitter page that focuses solely on immigration policy.

These social media pages are used for admins to post messages about changing policies, places to go for help, information about visas, and for users to post questions

and answers about anything to do with immigration in Chile. The pages are very active. ImmiChile alone has 15,000 users and is active daily. People typically discuss issues pertaining to their documentation and provide advice to one another on how to navigate these problems. Healthcare access and insurance problems are also common themes. My participants showed me some other social media pages such as *Venezolanos en Chile*, *Colombianos en Chile*, and *Santiago Migrantes*, all of which have the same premise but tailor to specific nationalities. Interestingly, many of the posts I came across while searching through these pages were about dog sharing. It's a very popular system!

Unfortunately, although these pages are intended to help irregular migrants, many people are misinformed and are sharing incorrect information to their peers. My participants stressed how helpful these pages were to them regarding basic information, but to take people's advice with a grain of salt, as many people were unaware that they were giving people bad advice. Expectedly, all of the social media pages are run only in Spanish. Beyond a few reddit pages, there are very few pages in English, which just shows the extent to which bureaucratic problems target Latin American people.

Despite having to constantly deal with complicated bureaucracy and everyday life being irregular, irregular migrants have numerous resourceful strategies that make their lives slightly less irregular. Navigational strategies differ in size and difficulty, stemming from gaining a new citizenship, to walking a friend's dog on your way to work. Although many of the strategies seem small, in many cases, they are the difference between staying in the country and having to leave, the difference between having housing versus being homeless, and the difference between surviving COVID-19 and adding another migrant death to Chile's COVID-19 stats.

## Chapter Six: Conclusions

### 6.1 Discussion

Writing this thesis, although thought provoking, has provided me with more questions than answers. After seeing my friends deal with the hardships associated with migration in Chile, it became important to me to find out the cause of their suffering. I was seeking answers both about my friends and for my friends, and none of my findings truly point to a solution for any of their problems. Rather, it just seemed to show that the issue is present in all migrant's lives in Chile and has become normalized by migrants and the government alike. When read in its entirety, this thesis sheds light on how Latin American migrants are subject to debilitating living conditions characterized by extreme ambiguity and waiting, while constantly being forced to demonstrate resilience and resourcefulness to survive. The focus of this thesis is the political space of migrant irregularity in Chile, specifically on the development and maintenance of this political space by the Chilean state and its bureaucracy, as well as the resilience and agency of the migrants who are often faultlessly irregular. Additionally, it has demonstrated that the hyper-surveillance of the Chilean community, a legacy of Pinochet's dictatorship, is detrimental to the lives of irregular migrants. Their inability to be seen while subsequently being over surveilled through legal mechanisms intending to punish them for their existence in Chile has created stresses and obstacles for migrants that have only worsened with the pandemic.

Despite the known chaos of Chile's immigration system and the inevitable irregular situation migrants will be in if they choose to migrate to Chile, hundreds of

thousands of people are still migrating there each year. The reason, although initially I believed to be complicated, is quite simple. Because so many people migrated to Chile between 2016 and 2019, many Latin Americans have a family member or friend there. Having community and a support system has proven to be one of the primary ways that migrants ensure their survival in Chile, both literally and figuratively, as irregularity, as it should be clear, has both health and political economic implications. As a result, many migrants, including most of my younger participants, chose Chile despite its complicated and often simply frustrating bureaucracy so that they can be close to family or friends and ensure that their support system is built before even arriving to Chile. Of course, this willingness to overlook the pitfalls of the Chilean immigration experience to be with family must have its limits. I am curious what that limit is. As is clear through the case of Maria, for many, the current system has surpassed what many people can handle.

This research and thesis contribute a unique case to the anthropological study of the state and bureaucracy, as well as political spaces and surveillance. Migrant irregularity is both a space and political because the mere existence of migrants in Chile has caused the development of policies and bureaucracy intended to restrict their ability to exist in this space. It demonstrates the negative and often detrimental effects of when different aspects of the state interfere and disagree with each other. When the macro state continues to encourage migrants to come to Chile despite knowing that due to the microstate's bureaucracy, there is a wait time of up to three years for visas, it overextends the immigration system and creates irregularity. Migrant irregularity is a unique state of exception whereby the state itself both creates the problem and neglects to acknowledge its existence, nor create solutions that serve the people in irregular situations. Rather, the

state has given direct power to street-level bureaucrats over who can use their own discretion to decide what migrants are able to do within the country, based on their own ideologies.

Irregular migrants in Chile are an extremely vulnerable population. Even though they are living within their rights in the country, while awaiting their visas they are at risk for many debilitating and precarious circumstances such as poor health, deportation, or even unjust criminalization. During their time waiting, irregular migrants are often unable to work jobs within their skillset, live in suitable conditions, or access healthcare. Additionally, irregular migrants are vulnerable to social prejudices and hate crimes, an issue that has substantially increased during the pandemic. The level of power instilled in street-level bureaucrats creates additional insecurity both for their status in the country as well as their livelihood. Irregular migrants are reliant on the discretion of border guards, police officers, and even bank tellers or grocery clerks to not have problems carrying out daily tasks, as well as to keep them in the country.

As Bloch & Chimienti (2011) argue, many states purposefully create irregular situations for migrants to encourage low wage seeking labour for local businesses and corporations. There is no doubt that the Chilean state has been successful in creating this irregularity. However, it has also failed to sustain and protect low-wage labourers and has creatively neglected responsibility for multiple human rights violations. Through this research, I have identified plentiful examples of this. However, how can we know if it is intentional? Did the state purposefully create this political space whereby educated migrants are forced to work as unskilled labourers in an economy that exploits them? Or was it a happy accident for them and damaging to those caught in their system?



The country's complex and constantly changing immigration bureaucracy makes gaining and maintaining a status that is recognized as legal by the government nearly impossible, and many migrants live in conditions that constitute human rights violations while they attempt to survive while irregular. This project serves as a prime example of why studies of human rights and migration need to include discussions on who is responsible to uphold human rights. Irregular migrants are entitled to both housing and healthcare in Chile. However, if they were not established before becoming irregular, access to those services is very limited. While irregular, migrants are unable to change health insurance coverage or even start a new lease on an apartment. As a result, many irregular migrants are without stable housing or healthcare, both things that constitute human rights violations. Unfortunately, Chile is within its rights as a state to not provide healthcare or housing to migrants who do not have a visa (World Health Organization, 2021). However, the Chilean state is mainly responsible for their irregularity, and therefore should be held accountable for their human rights. Despite the country's relative economic success, Chile's political economic system is incapable of functioning efficiently, and requires a significant amount of updating to properly account for the country's entire population. Chile's neoliberal history has influenced policy to such an extent that many migrants are exploited for labour while being excluded from services and denied human rights. That combined with political insecurity in surrounding countries has created an immigration crisis. Through my interviews and fieldwork between June and December 2021, I was able to learn and see first-hand the amount of resilience, resourcefulness, and energy needed to endure being irregular.

### **6.1.1 *Research Ethics***

I have done everything in my power to maintain the light and positivity that my participants demonstrated during our interviews and time together. Despite being in irregular situations and being forced to constantly prove themselves within the country, each one of them found a way to laugh and make light of their situations. I was particularly struck by the “it is what it is” mentality, covered up by critiques of what migrants understand to be “the state.” Although constantly frustrated and fearful of their future in Chile being cut short, my participants tended to favour an emotional approach that does not dwell on the reason for them being in the situation, and rather on how to make the most of it.

Additionally, it was a priority to me to ensure that my participants felt safe and comfortable sharing information about their irregular situations. Therefore, I prioritized having an ethical study that could still report on covert and often illegal aspects of migrant lives in Chile. That being said, my participants were largely unphased and uninterested in my ethical considerations. Their situations are so normalized in Chile that they did not feel a risk in sharing any information with me, including if it was illegal. In fact, some of the most candid and interesting conversations I had with participants surrounded their often-illegal navigational tools employed to survive irregularity. Their disregard for my promise to keep them anonymous was both interesting and concerning. Their nonchalant lack of concern for anonymity, again, just proves their situation is too common.

## 6.2 Directions for Future Research

Despite this thesis shedding light on some of the bureaucratic obstacles that create and perpetuate migrant irregularity in Chile, due to the accelerated timeline this project is still very limited and needs further study. In only months of fieldwork, I was able to make important observations and collect contextual data to support the interviews I conducted prior to going to Chile. However, with only speaking to 23 of the 1.5 million migrants in the country currently, the story is inevitably incomplete. I have identified multiple gaps in the literature through this project, which I hope to contribute to throughout my academic career.

There have been multiple themes erupt throughout the research process that, ideally, can be studied individually as well as collectively to get a stronger and more well-rounded understanding of migrant irregularity in Chile. Of particular interest to me is healthcare inequality. With the onset of COVID-19, it is clear that health inequality is a significant problem in Chile, and irregular migrants have been particularly susceptible to both contracting COVID-19 and having minimal resources to mitigate risk.

Irregular migrants, even before the pandemic, have had limited access to healthcare in Chile. However, the pandemic has shed light on how large-scale of a problem it is. Undocumented and irregular people have no primary healthcare entitlement in Chile's private or public healthcare sectors and therefore must either live with their illnesses or work around the state system by finding alternate forms of care (Cabieses et al., 2017). Chile's public and private healthcare sectors require the payment of monthly insurance that is only available to residents with up-to-date visas (Burrows, 2008), leaving irregular migrants who do not have previously established insurance packages without any medical coverage. The private sector allows people, including irregular migrants, to pay for isolated

appointments; however, a single check-up without insurance is extremely expensive (Burrows, 2008), making healthcare for people between visas both politically and economically inaccessible.

The World Health Organization recognizes that healthcare as a human right is often too ambitious and suggests that a states' obligation to support the right to health should be reviewed through various international human rights mechanisms (World Health Organization, 2022). Chile, like many other countries, capitalizes on these technicalities by neglecting to allocate funding and resources for certain groups such as undocumented people, denying their responsibility for poor health outcomes. A closer look into who is responsible for upholding the human right of health is important not only in the Chilean context, but any including international migrants, especially undocumented and irregular migrants who have been openly accepted and integrated into society as a segregated population.

During the pandemic, poor health outcomes have overwhelmed the irregular migrant population, and rather than addressing it as a structural problem, the government has scapegoated the immigrant population, blaming them for the spread of COVID-19 in the country. What is really happening is migrants are being forced to find alternate forms of care, as their status hinders them from accessing their right to health.

Like in other situations, migrants have developed various strategies and systems to navigate the restrictive nature of Chile's healthcare system. Very few researchers have addressed this specifically, and to my knowledge, none have done an ethnographic study whereby personal observation of care seeking and service use has been conducted. I have developed a larger, more in depth PhD project that will attempt to shed light on the specifics of seeking healthcare informally. I was pointed in the direction of many

informal care systems in Chile that irregular and undocumented migrants utilize in the place of formal healthcare. The next step is studying them directly.

Additionally, although immigration to Chile is higher than other Latin American nations, I think that this topic would benefit from further research as a comparative study between Chile and another Latin American country, or another country with high numbers of Latin American migrants such as the United States. Chile is famous for its strong economy and political stability. However, it has such significant problems that come with that stability, such as stark inequality among Chileans as well as migrants. Understanding whether or not the country's immigration issues are inherent to any system with such high immigration numbers would be not only interesting, but potentially provide a foundation for policy change. I plan to incorporate all of these themes into my PhD research.

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## **Appendix 1: Guide for Semi-structured interview**

Below is a guide of questions not a precise list for my semi-structured interviews. As is the nature with semi-structured interviews, they will evolve based on where the interviewee takes the questions. Nevertheless, there are general questions I aim to ask each of the participants. Where appropriate, I will ask for examples, prompt the participant to elaborate or ask for clarification.

### **Questions for the Latin American migrants in Chile:**

*Basic info:*

Age  
Gender  
Place of Birth  
Current Place of Residency  
Education  
Employer

### **For Latin American migrants in Chile**

- Why did you choose Chile as your destination country?
- What did you have to do to migrate to Chile? Tell me about the process.
- Did you get a Chilean temporary visa? What was that experience like?
- Once you had a visa, were there any changes to the status of your visa or additional requirements to maintain it? If so, what were they?
- Did any complications with your visa ever result in you becoming temporarily undocumented? If so, what happened and how did that effect your everyday life?
- Do you think that all migrants in Chile have a similar experience with immigration? If not, who is it more difficult/easier for?
- Is it difficult to maintain legal status in Chile? If so, why do you think that is?
- Would you have done anything differently in your migration to Chile?
- What advice would you have for others trying to migrate to Chile?