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### Living with four polities

*States and cross-border flows in the Myanmar-Thailand borderland*

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## Chapter 3

### Strategic Space, Outwitting and Arbitrary Rules

In 1986, I relocated from northeastern Thailand to work in Mae Hong Son. Khun Sa was already immensely powerful along the frontiers, and we acknowledged that his power stretched over sub-road no. 1285 and all the way to the black road [the paved asphalt highway on the Thai side]. The local Thai government seemed reluctant to stake its own claim to power. As a result, Shan people on the Burmese side started to gradually settle on the Thai side. Until Khun Sa surrendered to the Burma Army [in 1996], these Shan remained in Thailand and integrated into their Thai communities aligned with the Thai government's administrative changes.

*Kattapan Butkhan,  
Thai official of the border control mission*<sup>1</sup>

This Thai official's account illustrates the practice of Shan mobility in response to the border elites' spatial configurations that contested with nation-state boundaries. The period the official recalls was during the time of the frontier regime, prior to the establishment of the Nam Phueng checkpoint that engendered an official border control. On one hand, this phenomenon reiterates the persistently ambiguous relationship between national borders and political territories. On the other, it explicitly represents the ability of Shan migrants to navigate this ambiguous relationship to support their mobility across the national border of Burma and their settlement in Thailand.

In this chapter, I will show how disparate political forces have created 'strategic space' (Menzies, 1992) within which to claim resources and control cross-border flows utilizing two main strategies: creating strategic space to outwit one another, and setting arbitrary rules to manage cross-border flows. First, I explore how the Burma Army, the Maha Ja family, the SSA-S, and the Thai state have strengthened their political boundaries as strategic spaces to outmaneuver each other. Second, these political forces controlled cross-border flows through the implementation of arbitrary rules, while people simultaneously complied with and manipulated the rules proactively and reactively. They navigated their passages through political boundaries and national borders, resulting in an increase of human mobility and commodity flows against structural forces. In addition, successful cross-border Shan mobility in the present times illustrates people's practices that have resulted from the historical development of state

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<sup>1</sup> Interview at Mae Hong Son Provincial Hall on December 21, 2012.

transformation in controlling resources, as described in the previous chapter, which has subsequently created new opportunities for people to be mobile.

In terms of data-gathering methods for this chapter in particular, apart from my personal observations and research, I had the opportunity to talk with a volunteer Thai territory protection officer, or *Oo So* in Thai, who was assigned by the Mae Hong Son governor's office to patrol along the border after Khun Sa's surrender to the Burma Army until the early 2000s. One of his duties was collecting intelligence. Initially, I attempted to interview him regarding the political climate in the post-Khun Sa period. The interview was disappointing, however, as he was not confident in his ability to precisely recollect certain incidents. Helpfully, the following week he sent me a journal in which he had jotted down incidents he had considered important at the time. I read through his journal and realized that some of the events described in its contents had never been reported in any media, and were likely to be valuable for researchers like me to learn what the border climate was like after the establishment of the Nam Phueng border checkpoint. Some of his notes will appear in direct quotations throughout this chapter.

### **Creating strategic spaces**

From the end of the 1960s to the mid-1990s, a decade after Burma's independence from British colonialism followed by the period of intense ethnic civil wars, each political entity attempted to demarcate its boundaries to form strategic spaces within which to maintain their power and benefit from local resources and trade flows to finance their operations, as described in Chapter 2. On the Thai side, the frontiers were explicitly militarized by various forces, including border patrol police, rangers, and civilian border security forces.<sup>2</sup> A base with 70 to 80 officers was established as the furthest and final post on the Thai state's territory. Although the Thai government attempted to control the border with the above-mentioned forces, their function and performance revealed lax and weak control, which created loopholes for border communities to manipulate the border regulations and eventually cross the international border

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<sup>2</sup> The main agency was Thailand's Internal Security Operation Command (ISOC), which was transformed from the Communist Suppression Operations Command in the mid-1960s. It dispatched the Border Patrol Police (BPP, or *Tamruat Traven Chaidæn* in Thai), army units, and border protection officers under the Fifth Border Control Force (*Choot Kuab Koom Chai Daen Tii Ha* in Thai). At an operational level, three main official units were based along the frontier. The first was the BPP, whose mission was to provide border security and to prevent drug trafficking. Second was the cooperative unit under the Mae Hong Son Provincial Governor, which was composed of the provincial police's special operations unit, the Muang Mae Hong Son district police, the Volunteer Territorial Protection office under the Department of Administration, Ministry of Interior, and one officer from ISOC. This unit's primary mission was to prevent drug trafficking and to gather intelligence. Third was the rangers or Black Panthers, whose mission was securing the border and gathering intelligence.

without much hindrance. Moreover, the Thai authorities' missions overlapped due to an overabundance of officials and a more-than-ample number of officers deployed to the area. This, as a result, caused confusion to locals since they failed to distinguish which officers belonged to which units. Therefore, they came to recognize and name them according to the distinct colors of their uniforms.<sup>3</sup>

The monitoring of border affairs following the border checkpoint's establishment on the Thai side gradually led to more rigid enforcement under the border regime, which followed a more bureaucratic style. After dispatching a greater number of civilian officials, the Thai military reduced its manpower in the area. The special operational unit was transformed into a military force composed of cavalry and infantry officers. The border police patrol and rangers withdrew their units under an agreement with the Burma Army to remove military forces from the borders and to dispatch paramilitary or regular forces to operate instead.<sup>4</sup> A more formal immigration control building operated between 1999 and 2002. The Mae Hong Son governor<sup>5</sup> ordered the placing of large signboards attached to the building stating that Thai citizens were forbidden to cross to the other side from that point, while people in possession of a Burmese identification card (officially known as a National Registration Card [NRC] in Myanmar) were allowed to travel inside Thai territory no further than 12 kilometers. Shan individuals from Burma did not follow this rule, instead often traveling to Mae Hong Son and staying overnight at the homes of their relatives who had previously settled on Thai soil. Consequently, the governor altered the allowed distance from 12 kilometers from the border to the center of town—approximately 30 kilometers from the border checkpoint. This abridged measure intended to control human flows across the border exemplifies the state's regulations under the border regime, which failed to control the flexible mobility of the Shan.

Prior to the official establishment of the customs office, Thai officials regularly demanded bribes from traders traveling from Shan State and aiming to continue to Mae Hong Son's main town. Sai Ong Tun, while in his mid-40s, was a trader from Mawk Mai on the Salween's western bank. He passed through an informal immigration control at the station

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<sup>3</sup> *Choot kiekaw* [green uniform] was used to refer to the Border Patrol, *choot leung* [yellow uniform] represented the Provincial Police's Special Operation Unit, *choot kakei* [khaki uniform] referred to Muang Mae Hong Son district police officers and the Voluntary Territory Protection officers as these two wore the same color uniform, and *choot dam* [black uniform] referred to the rangers or Black Panthers who wore black suits.

<sup>4</sup> Interview with SMG Kattapan Butkhan, head officer of Internal Security Operation Command (ISOC), military section, Mae Hong Son Province, on December, 20, 2012, and with SMG Surapol Kontasingha, who was based at the Nam Phueng Military Base from 2011 to 2012, on September 25, 2012.

<sup>5</sup> Poj Uthana was then the governor of Mae Hong Son province.

located at Nam Phueng village and paid a fee of 20 baht each time. He then paid additional fees to the Thai soldiers:

In those days, fellow traders and I traded by riding mules. When we entered the Thai soil, we left our mules at the border post. Traders who transported their goods with mules had to pay 100 baht per animal to the Thai soldiers. I gave them 300 baht for three mules. After going through this process, I went to the town market to sell my goods. On the way back, I gave the Thai soldiers another 300 baht. Nonetheless, they often requested 800 baht.<sup>6</sup>

As illustrated in Sai Ong Tun's interview, soldiers and many of the Thai state officials charged extra fees from long-distance traders, despite lacking an official directive to do so. The Shan traders realized that the amount they paid was to facilitate their passage rather than to contribute to Thailand's formal border economy. Nonetheless, a monetary exchange conducted in this situation could be interpreted as coercive gifting, akin to a bribe, since it involved cash (Noonan, 1984, p. xxi) rather than formal taxation. Furthermore, as these funds were demanded by Thai soldiers, they could be considered bribes based on the flexible continuum of gifting and bribery that are practiced in varying contexts (Polese, 2008).

On the Shan State side, not long after Khun Sa surrendered to the Burma Army, the Burma Army granted Maha Ja permission to run several businesses, including logging concessions, gem mines, hotels, and other service industries, as well as trade under the Shan State South (SSS)-affiliated company that had branches in different townships (Irrawaddy, 2000; Pathan, 2002). The Maha Ja family created strategic space by explicitly taking over control of the area of the Salween's east bank in order, with the tacit approval of the Burma Army, to control its population and resources. Some of the militia members working under Maha Ja had formerly been troops of Khun Sa's. Between 1,300 and 1,500 soldiers remained in Homöng zones after they failed to escape by crossing the border to the Thai side prior to the Burma Army's seizure of power from Khun Sa (approximately 500 militia members did manage to successfully flee to the Thai side of the border [Irrawaddy, 1997; 1998]). Others were previously aligned with the Shan State Army-North (SSA-N), which continued to face ongoing attacks by the Burma Army, but had decided to flee to the relative security provided by Maha Ja (S.H.A.N., 2011a).

Not long after, due to his advanced age and illness, Maha Ja handed down administrative power to his eldest son, known as Chao Nu, in his 30s at the time. The control of resources and populations exerted by Maha Ja represented something more akin to a family business rather

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<sup>6</sup> Interview in Mae Hong Son's town on December 27, 2012.

than a prolonged political movement. Still, Shan on both sides of the border perceived this family to be their rightful rulers, as indicated by their use of the prefix *Chao Khun*, meaning ‘princely ruler’ or ‘lord’, when referring to Maha Ja and his son. In fact, Maha Ja and his elder brother were the descendants of a princely Wa ethnic clan from Ving Nguen in northern Shan State (Lintner, 1990, p. 106). The Wa brothers were among the local elites in Shan State to have successfully maintained their power since the colonial period, and their continued influence enabled them to assemble recruits for their militia in the civil war along Burma’s frontiers following Burma’s independence (Smith, 2007, p. 14).<sup>7</sup>

The Burma Army, meanwhile, consolidated its power after reclaiming territories from Khun Sa by installing a major military base on the Salween River’s eastern bank. In doing so, the central military established strategic space with which to assert its power and to counterbalance the presence and influence of the Maha Ja family and the SSA-S, a leading Shan rebel movement. The SSA-S came to be the foremost opposition force against the Burmese military in southern Shan State. Nearly every month, the Burmese commander of the eastern military base visited Homöng zones in proximity to the Thai border.<sup>8</sup> This was contemporaneous with the Burma Army’s intensification of armed operations against ethnic resistance groups during this period, which has been identified as a factor to have prolonged conflicts along the border (Smith, 2007).

In December 2011, Chao Yod Serk, the leader of SSA-S, entered into a ceasefire agreement with the Burmese government after his faction officially merged with the SSA-N (Yawnghwe & Tin Maung Maung Tan, 2013, pp. 14–15). However, clashes between the two sides continued to occur occasionally.<sup>9</sup> The SSA-S has been active in promoting the ideology of autonomy from the centralized Burmese state for Shan State, and passing this ideology on to younger generations. One method of accomplishing this is to draft young men and women from

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<sup>7</sup> A similar situation to that of Peng Jia Sheng and the Kokang Chinese (Kyu, 2016).

<sup>8</sup> Nearly every time high-ranking Burma Army officers, especially commanders of the eastern base, visited Homöng and the border checkpoint in Monna village, Maha Ja and his son would prepare a convoy of around 10 trucks to receive the delegation arriving from townships on the Salween River’s western bank. Additionally, the Burma Army commander based in Homöng was reshuffled approximately every three months. On the Salween River’s eastern bank, the Burmese military set up four bases equipped with large mortars adjacent to border villages and in the surrounding jungle, and rotated troops from different bases in townships to the west of the Salween to operate in the eastern bank areas. This information was culled from the Thai Volunteer Territory Protection officer’s journal.

<sup>9</sup> For example, on March 19, 2012, a clash between Burmese soldiers and those of the SSA-S broke out in Mongyawng, Shan State (Lawi Weng, 2012). Another incident took place on January 5, 2013, in Doi Naka, opposite to Thailand’s Rak Thai village, about twenty kilometers from Homöng (Khonkhurtai 2012). Most recently, an incident occurred between February 22–24, 2013, in Shan State’s Kholam sub-district (S.H.A.N., 2013b).

throughout Shan State, particularly males aged between 18 and 40 years, for training at its headquarters at Loi Tai Laeng (S.H.A.N., 2012b). Every year, on Shan National Day, February 7, the SSA-S conducts a spectacular military parade to demonstrate its power and weaponry to the broader populace. The SSA-S's strategic space is thus enhanced through the welcoming of crowds of civilians to visit its militarized headquarters and witness its strength. Although the Burma Army has achieved domination of frontier areas, ethnic armed groups and political elites continue to maintain their respective areas of strategic space to control populations and continue benefiting from the resources involved with cross-border trade.

### **Attempts of four political powers to outwit one another**

Attempting to outwit rivals is one strategy employed by political elites aiming to create 'strategic space' (Menzies, 1992) in which to maintain their boundaries and claim resources (Das & Poole, 2004, p. 7). In concrete terms, the four state and state-like entities operating in the Thai-Burmese borderland created such arbitrary rules as the demarcation of the border in order to restrict cross-border flows of people and commodities, and to weaken their political opponents' strength. Unsurprisingly, the border elites became concerned about the loss of benefits caused by such rules, so they in turn attempted to negotiate or outwit those who placed disadvantageous regulations upon them to allow for the continued movement of goods across political boundaries. Therefore, 'strategic spaces' were created by the ethnic and local elites to symbolically ignore and undermine the dominance of the nation-state, as well as to perpetuate their own power through spatial control over the mobility of people and commodities.

The Burmese military's order prohibited access to the route leading to the Nam Phueng border checkpoint by making the terrain impassable in what was likely an attempt to demonstrate its authority and ability to halt border flows. The following description is taken from the journal of the Thai territorial protection officer:

On July 23, '02, the Burmese soldiers from the 514<sup>th</sup> battalion, Monna village, drove a Caterpillar D5 crawler tractor to dig a hole along the Thai-Burmese border, in Burma's territory. The hole was ten meters wide by twenty meters long by two meters deep. This subsequently led to the closure of the border checkpoint [on the Thai side].

Although the Burma Army and Maha Ja family had entered a ceasefire, their relationship proved to be inconsistently convivial. The 2002 incident in which the Burma Army effectively closed the border had a significantly detrimental effect on the Maha Ja family and civilians in the area who relied on income from cross-border trade for their basic daily needs. Maha Ja knew of

the Burma Army's plans beforehand and intervened, as described in the Thai officer's journal below. Maha Ja's response to a July 2002 order from the Burma Army unit stationed in Homöng serves as an example of outwitting state political power. Meanwhile, he required a strategic alliance with the Thai officers in order to outwit the orders of the Burma Army, which would have prevented the Maha Ja family from benefitting from the taxation on trucks crossing the border to Thailand.

On July 22, '02, at about 20.00 hr., Colonel Maha Ja with 30 armed guerrillas invaded the Thai border, traveling about seventy meters [into Thai territory]. He intended to smuggle trucks from the Thai border. Then he negotiated [with the Thai army] beforehand in order to move the trucks into Burma's territory, acknowledging that the Burmese soldiers had received a command from Yangon to close the border to obstruct him from transporting the trucks to Homöng [...].

The border checkpoint remained closed for more than a year. On August 28, 2003, Maha Ja dispatched tractor-operating members of his militia to pave paths for vehicles to access the border checkpoint. During this period, income generated through the taxation of Japanese-origin used trucks coming from Thailand was significant to Maha Ja family. From February to May 2003, approximately 40 vehicles were scheduled to be transported through the Nam Phueng checkpoint on their way to Mandalay.<sup>10</sup> The price of each truck was between 90 to 120 million kyat, or 300,000 to 400,000 baht. The purchasers of the vehicles, both individuals and firms in Myanmar, were required to pay 100,000 kyat per truck to the Maha Ja family for the permission to transport the vehicles through the family's territory. After being moved from the Thai border, the trucks had to first be kept at either Monna village or Maha Ja's Suan Mawk residence in the Homöng zone. If the buyers of the trucks had not yet settled the taxes, the convoy of trucks was stopped before crossing the Salween River. One such case occurred in April 2004, in which a convoy of 15 trucks ordered by a company in Mandalay was halted because of the truck-purchasing company's delayed tax payment. Maha Ja proposed that he would allow the trucks to continue on to Mandalay on the condition that the company gifted five cars to him: one for himself, one for the commander of the Burmese unit, and the remainder for top-ranking Burma Army officers.

The Burma Army still depended on its alliance with the Maha Ja family to balance the recalcitrant power of the SSA-S against the Burmese regime. During my field research, members

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<sup>10</sup> This data has been gleaned from the Volunteer Territory Protection officer's journal. Two car companies in partnership were Taikyo Sanyo company, based in Thailand, and Intergo, based in Mandalay, Myanmar.

of locals communities revealed to me that Burmese soldiers posted at the Maha Ja family's zones commonly expressed fear and uncertainty due to the proximity of the SSA-S's headquarters at Loi Tai Laeng. Meanwhile, the Burma Army and Maha Ja family developed mutual strategic space that allowed both parties to benefit from checkpoints and small posts in areas they controlled, ensuring both gained financially from those traveling across the national border.<sup>11</sup> For example, Burmese officers and Maha Ja family jointly operated a ferry service carrying passengers across the Salween River in southern Shan State.

The SSA-S also developed its own attempts to outwit its rival political entities. The SSA-S occasionally challenged the political legitimacy of Maha Ja in hopes of building momentum towards a contest of power in southern Shan State, and to claim its share of the benefits of cross-border trade. Some such incidents were detailed by the aforementioned Thai officer in the private journal he kept at the time:

On Oct. 27, 2003, the SSA minority group with approximately 50 troops detained a male trader and his cattle. They demanded a ransom of 500 baht per animal. Maha Ja's cronies then brought 40,000 baht to pay the ransom.

In November of the same year, the SSA-S kidnapped another cattle trader and his animals, demanding a ransom of 80,000 baht.<sup>12</sup> The SSA-S expressed their interest in sharing benefits of trading in Shan State with Maha Ja. The Shan insurgent group proposed that Maha Ja provide the SSA-S six million baht, 3,000 sacks of rice, 1,500 camouflage military uniforms, and 1,500 pairs of boots each year. However, Maha Ja negotiated to turn over four million baht in two installments of two million, 1,000 sacks of rice, and left the number of the other requested items unchanged.<sup>13</sup> It was also reported that part of the agreement was that if the SSA-S militias decided to desert their base at Loi Tai Laeng, they would surrender to Maha Ja and ask for his protection against the Burma Army while sharing information about SSA-S's strategies for attacking the Burma Army. Nonetheless, the Burma Army was aware of the clandestine relationship between the Maha Ja family and the SSA-S, and considered the Maha Ja family's potential support of the recalcitrant Shan movements to be a significant concern. The worry

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<sup>11</sup> Interview with Miew Lah in Nakong village, Shan State, on March 10, 2013.

<sup>12</sup> Data collected from the Volunteer Territory Protection officer's journal.

<sup>13</sup> *Ibid.*

proved to be well grounded, as in fact representatives of the Maha Ja family and SSA-S met regularly in Mae Hong Son town.<sup>14</sup>

The relationship between the Burma Army and the local Thai state in Mae Hong Son province also included attempts by one to outwit the other. An example occurred in October 2004 when the Mae Hong Son government announced its intention to flatten the surface of the earth surrounding the border checkpoint. The local government's objective was to improve efficiency for transportation at the border, but the Burma Army rejected this plan. While the Burma Army did not respond to the Thai state's proposal with outright hostility, it did paralyze attempts to improve the ease with which local villagers and commodities could flow across the border.

The four political forces' seeking to consolidate their respective powers and to establish individual strategic spaces by outwitting one another came to realize that unlikely alliances were necessary to protect their access to the benefits of cross-border trade. The various elites also extracted resources through the imposition of aggressive measures, such as the kidnapping of civilian cattle traders. Considering cattle as a commodity from another perspective, the animals' high economic value was not only due to their ability to increase the mobility of traders from Shan State to the Thai border during the ethnic insurgency taking place in the frontiers of Shan State (described in Chapter 2). The political elites also demonstrated that they considered this commodity intertwined with social values by using cattle, not individual people, as the object of ransoms on the condition that the passage of humans and commodities would be unrestricted. Therefore, the kidnapping of cattle traders as human beings was not as strategic in terms of economic value as that of the animals' price at the market. While rice as a staple item remained valuable for basic needs, the military uniforms demanded by the SSA-S metaphorically provoked a sense of ethno-nationalism for autonomy of the Shan training for revolution at Loi Tai Laeng. Such kidnapping cases indeed emphasized the relationship between the political powers attempting to outwit one other by restricting human and commodity flows in order to gain financial benefit.

For both political and economic purposes, the relationship between the Maha Ja family and local Thai officials tended toward friendly cooperation. The Thai government's policy of befriending ethnic insurgent groups in Burma had been in place since the early 1970s. Its purpose was to allow the insurgent groups to serve as proxy forces in securing Thailand's territories from attacks by the Burma Army, and to enable logging concession deals between

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<sup>14</sup> Data gathered from my own observations during fieldwork conducted in 2012 to 2013.

Thai businessmen and ethnic insurgent groups. Nonetheless, the political borderscape was characterized by instability and uncertainty at various times. In 2001, the Nam Phueng checkpoint was temporarily closed by the Thai authorities for one year without any official announcements. The president of Mae Hong Son's Chamber of Commerce<sup>15</sup> initiated informal dialogue with Maha Ja on January 8, 2003, to discuss reopening the border checkpoint.<sup>16</sup> In another instance, in January 2007, Direk Konkliap, governor of Mae Hong Son province, ordered the temporary closure of Nam Phueng checkpoint with the aim of battling human trafficking syndicates and following the suggestion of local military forces.<sup>17</sup>

The Thai state also staked claim to its territory in formal and informal ways with an eye toward protecting its economic interests. During my fieldwork in 2012 and 2013, several groups of district and provincial officials in Mae Hong Son province contacted a mediator who was a cross-border trader from the Thai side to organize a meeting with Chao Nu, Maha Ja's eldest son. This activity followed the implementation of the ASEAN Economic Community as a policy of the Thai national government towards the provincial level in Mae Hong Son. The local government vigorously sought the upgrade of the Nam Phueng channel to a permanent international border checkpoint as a gateway to connect Thailand with Myanmar via Taunggyi, the capital of Shan State, approximately 180 kilometers from the Nam Phueng checkpoint. Chao Nu repeatedly expressed his agreement for any development projects offered by the Thai government, as long as the Thai government supported the projects financially, especially ones that would improve the condition of roads in Homöng. This was in contradiction to the Burmese government's plan for improving roads and other infrastructure. Whereas the central authorities initiated limited projects to improve roads in remote areas of the country, including southern Shan State, such projects had not yet benefitted Homöng because it was considered part of the Maha Ja family's jurisdiction. The actual implementation of any projects by the Mae Hong Son government never occurred because such an agreement was not allowed to be made between state and non-state entities.<sup>18</sup>

From my observations, the Maha Ja family exhibited greater negotiating power than the Thai authorities, and more influence over border communities, although the Maha Ja family and Shan residing in Homöng explicitly depended on Thai commodities for daily life. When the Nam

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<sup>15</sup> Thanat Sin-ananwanich was then president of Mae Hong Son's Chamber of Commerce.

<sup>16</sup> See [http://travel.sanook.com/news/news\\_07598.php](http://travel.sanook.com/news/news_07598.php), accessed September 20, 2011.

<sup>17</sup> Specifically, Special Unit Infantryman Department 7 under Thailand's Third Army.

<sup>18</sup> This analysis is informed by data provided by local Thai officials in Mae Hong Son in May 2014.

Phueng channel was immediately closed following the May 22, 2014, coup in Thailand, Thai traders were temporarily prohibited from sending goods across the border. Soon after, Chao Nu pressured the Mae Hong Son government to re-open the border due to a shortage of necessary goods. The border channel was then opened for three days each week until a month after the coup, when it returned to normal operations. The Mae Hong Son provincial government has continued to promote cross-border trade through this channel, even though the volume of trade and resulting benefits are fairly small, because it considers the border channel to be an asset that strengthens its ability to negotiate with the central Burmese government within the recent context of enhanced Southeast Asian regional cooperation. As for its relationship with the SSA-S, local Thai authorities and businesspeople have recently changed their perception towards Loi Tai Leang, envisioning it as a potential new tourist destination for adventure trips across the border (Kom Chat Luek Newspaper, 2010).

Meanwhile, violent clashes between the Burma Army and SSA-S continue to occur occasionally. The Burma Army's current strategy of containment for SSA-S includes attempts to downsize the latter's military forces. In 2007, the Burma Army destroyed opium fields in SSA-S-controlled zones in southern Shan State in order to diminish the economic capacity of the SSA-S to launch incursions against the Burmese government (S.H.A.N., 2007). The relationship between the local Thai government and the SSA-S has also shifted unpredictably, notably so after the Thai military instituted intermittent inspections of the territory demarcation between Pangmapha district, Mae Hong Son province, the SSA-S headquarters at Loi Tai Laeng, and civilian households in the proximity during the early 2000s. During this period, the Thai army repeatedly attempted to retrieve sections of its territory that had been occupied by the SSA-S. For instance, during the rainy season of 2005, Thai soldiers relocated 50 households totaling 200 to 300 individuals who were believed to have illegally settled on Thai soil to the Shan State side of the border in the area of Kong Mung Mōng.<sup>19</sup> At the end of 2011, the SSA-S ordered the relocation of a temple, a small hospital, and several households from the Shan side of the border zone, attempting to redraw more solid boundaries.<sup>20</sup> In August 2012, 17 households were uprooted, although SSA-S representatives denied this claim, stating that the households were situated on sites belonging to Burma since the period of British colonization.

Examples of attempts by the four main polities to outwit one another reflect the multifaceted dynamics of the borderscape, emphasizing the elites' efforts to create strategic

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<sup>19</sup> See Prachatai (2012); I myself also visited this new settlement in 2010 and 2016.

<sup>20</sup> See ASTV Daily Manager (2012) and Prachatai (2012).

space, extend their individual powers far beyond nation-state territories, and maintain their strengths in competing against one another for control. Efforts to re-demarcate the border were aimed at expanding dominance in the strategic spaces that states used to claim their territories. In particular, the Thai state employed the strategy of redrawing demarcation lines in order to assert its domination over the access to and use of border resources. Nonetheless, border communities on the Shan State side reacted to such attempts at spatial control by relocating their settlements because they refused to submit to such arbitrary claims. They preferred to relocate their communities to areas in proximity with the Thai state's territory yet away from the redrawn border lines, allowing their continued mobility and access to resources beyond the borders.

The four state and state-like agencies active on the border have persistently sought to create their own strategic spaces in which to extract resources from their populations. Some economically valuable commodities like cattle were significant to the political elites, as the animals constituted the actual leverage point in the setting of ransoms because the amounts were determined based on the value of the animals, not their kidnapped traders. Pick-up trucks were also crucial for the use of the elites in their attempts to outwit oppositional powers. Strategic commodities related to warfare, such as soldier uniforms, inspired the belief that certain polities were involved in military missions and required certain elements to symbolize the unity of their rebel movement. However, the outwitting of attempts by another political power to create strategic space could be used to influence negotiations among them in order to maintain their continued access to benefits. Subsequently, these strategies of outwitting eventually allowed for the flows of humans and goods to continue passing through both political boundaries and nation-state borders.

### **Arbitrary rules**

In the post-Khun Sa era, political powers' formation and transformation were seen aligned with diverse characteristic of states, states-within-states, and state-like entities. The local Thai state explicitly represented a state agency in the securing of national territories and sovereignty, as discussed in the previous section. The Maha Ja family and the SSA-S constituted strategic space of their own in order to partake in the financial benefits of cross-border trade. They acted as states-within-states, state-like entities, or 'twilight institutions' in that neither constituted a *de jure* state, but both legitimately exercised *de facto* public authority (Lund, 2006b, pp. 695–696). The Burma Army, despite functioning as a state agency, lacked absolute dominance over certain state territories and populations that were subjugated to the Maha Ja family and the SSA-S. Therefore, these political elites controlled and extracted resources from

their territories through the setting of arbitrary rules that limited the exercise of their power to be inconsistent and misaligned with practices of good governance. In this section, I look at the setting of arbitrary rules by the Maha Ja family and the SSA-S to control the cross-border flows traversing political boundaries in southern Shan State. First, I explore the Maha Ja family’s rules impacting cross-border flows on three sections with regard to the areas of: 1. Commodities, 2. Vehicles, and 3. Passengers, as shown in Fig. 3.1. In this chapter, I will focus on the domains of vehicles and passengers, while the rules on commodities will be detailed in Chapter 5.



**Figure 3.1:** Rules posted in Homöing in both Burmese (left) and Shan (right) languages attempt to manage vehicles, passengers, and their belongings.

In relation to rules corresponding to the management of commodities, I explain briefly here that the former militia members of Maha Ja’s SSS Company, on behalf of the Maha Ja family, built new posts for the levying of taxes on certain commodities carried by traders, such as cattle, used motorcycles, and second-hand pick-up trucks following the cessation of the Khun Sa era. Regarding rules for passengers crossing back-and-forth between Shan State and the Thai border through the Nam Phueng checkpoint, cross-border transporters on the Shan state side were made to declare the number of their passengers at checkpoints manned by personnel of the SSS, in order that the SSS could charge taxes deducted from passengers’ fares. Most of the passengers were labor migrants who only held Burmese identity cards. Contrary to the traditional use of a passport to establish identity during international travel, Burmese identity cards belonging to labor migrants in this context established their status as legal migrant workers under an MOU signed by the Myanmar and Thai governments to legalize undocumented migrants and increase the number of migrants allowed in Thailand each year (Mon, 2010). Transporters were required to present their passengers’ identity cards at each checkpoint so that the personnel could claim fees calculated from the number of passengers. However, many Shan were either unable to procure Burmese identity cards prior to their migration to Thailand, lost them while

moving across the border, or failed to have them renewed prior to expiration. Those who lacked such cards and could not identify themselves with passports found creative solutions to their dilemma. The main administrative office in Homöng would issue a document called *toak khan za* [Burmese], a type of certification written by the head of a *kyay ywar oke su* [Burmese: a village-track, an administrative unit above village]<sup>21</sup> known as *oke kahta* [Burmese], that guaranteed the identity of the person in order that they be granted a period of stay in Myanmar for a charge of 200 baht. Shan travelers could use *toak khan za* (Fig. 3.2) as an identification document within the granted period.<sup>22</sup> This document became a small mechanism that facilitated the legal travel of Shan through all parts of Myanmar. Meanwhile, the Maha Ja family established arbitrary rules in its territory aligned with the Burmese bureaucracy. In addition to the rule related to identification documents, all passengers over the age of 13 were obliged to pay fares. Two other rules were set to regulate passengers' personal belongings: they were allowed to carry not more than one bag, and all passengers were prohibited from carrying illegal items. However, the rules written on official boards (Fig. 3.1) failed to clearly explain what items were considered illegal, which created loopholes for political elites to set additional arbitrary rules.



**Figure 3.2:** “Toak khan za” document issued by the head of a village-track granting special permission to travel within Myanmar.

<sup>21</sup> In some contexts, it is equivalent to *yay kwat lu gyi*.

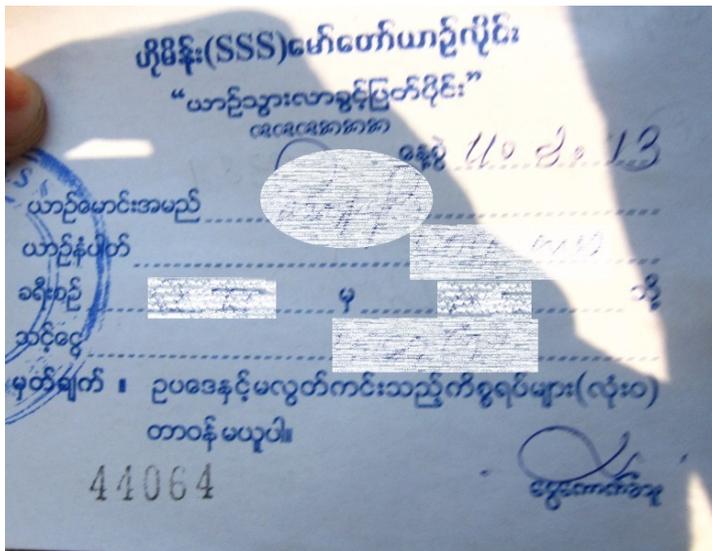
<sup>22</sup> More details are described in Lertchavaitsakul (2014b).

Despite guidelines affecting the movement of people and commodities, no official policies were propagated to manage the cross-border movement of vehicles. Indeed, the Maha Ja family granted permission to pick-up truck drivers shuttling passengers through its political territories, including those with vehicles purchased and driven across its territories to the Salween River's west bank. Although the country lacked a nationally-implemented registration system, the central Burmese authorities attempted to standardize vehicle registration to reduce the number of illegal vehicles licensed by powerful elites and leaders of ethnic groups (Aung Thet Wine, 2010). During my fieldwork in 2013, I often heard cross-border traders negotiating truck purchases and discussing the amount they were to be taxed by the Thai government and the Maha Ja family. In Homöng, only vehicles on which the purchasers had paid taxes were allowed to be operated throughout this zone. Additionally, those who use their vehicles frequently are required to have themselves and their vehicles registered into a system based in Homöng, after which the drivers are able to procure a vehicle license plate with two Burmese letters referring to Homöng. The one-time registration cost in 2013 was 50,000 baht, with the license plate remaining valid until the registered vehicle was no longer in use. The license plate is only valid within the area of southern Shan State, not extending as far as the state capital of Taunggyi. Therefore, vehicle owners are made to obtain national license plates if they aim to travel nationwide. However, drivers who have only national license plates are restricted from operating their vehicles within the Maha Ja family-controlled zone. If a civilian desires to drive his truck across the political territories of the Burmese and the Maha Ja family, he will be obliged to obtain two license plates. This registration system concerning drivers and vehicles explicitly illustrates the Maha Ja family's arbitrary rules that are often inconsistently enforced and subject to change. It also emphasizes how the political elites' utilize arbitrary rules to create and maintain strategic space within their political boundaries.

During the period of my fieldwork, there were 99 truck drivers who transported people on routes between Homöng and the Thai border who were registered in the Homöng vehicle registration system. The drivers worked according to a queue system. The license plate numbers of their trucks were written on blackboards at the head office in Homöng, at two posts on the eastern and western banks of the Salween River, and at a post in Monna village. The drivers whose queue number was called would be issued a small paper (Fig. 3.3) by the SSS Company at the first checkpoint they encountered on their journey. On the way to Shan State from the Thai border, the first post is in Monna village. In the other direction, the first checkpoint is on the Salween's western bank. The drivers are made to stop to record their license number and declare the number of passengers they are transporting between the Thai border and Homöng. This

queue system is also applied to ensure that the truck drivers carry food and goods for the Maha Ja family between Homöng and Nam Sang, where Maha Ja resides for a majority of the year, and where the largest SSS militia base is located in Pang Laeng.<sup>23</sup>

Apart from truck registration, three other transportation rules are enforced in the Maha Ja family's territories, including two rules posted in both Burmese and Shan languages (Fig. 3.1). The first and most important rule is that drivers can carry no more than 16 passengers in each truck. To monitor drivers' compliance, the SSS company's employees stationed at each post ask the drivers to declare their number of passengers in order to tax the traders. However, it is permissible for a truck to transport young passengers, including babies or small children travelling with their parents, without the children being counted toward the maximum number allowed. Fundamentally, the Maha Ja family and its SSS Company exercise their public authority in instituting rules in the same fashion as a typical modern state. More importantly, communities living in the Maha Ja family's territory and drivers of pick-up trucks making cross-territory trips acquiesce to following the rules, to being taxed, and to being exploited to transport certain goods to the residence of the Maha Ja family.



**Figure 3.3:** A small piece of paper for truck drivers in the Maha Ja family's territory issued by the SSS Company under its company's management.

Compared to those living under the arbitrary rules of the Maha Ja family, individuals living in the territory of the SSA-S do not encounter such rigidity. On a daily basis, Shan traders living in Loi Tai Laeng regularly depart from the SSA-S's headquarters, and continue to cross the

<sup>23</sup> Shan locals described this to me on May 20, 2014, while I was sitting at the Salween River, waiting to take a truck back to the Thai border. I saw four or five SSS personnel in their uniforms loading rice sacks and other goods onto one truck.

international border to enter Thailand at the center of Pangmapha district. They regularly pass through the Thai officials' checkpoints without any rigid checks, as they are familiar faces to the Thai military. The Shan cross the international border easily, allowing them to earn an income while providing basic resources for soldiers and civilians at Loi Tai Laeng. For non-familiar faces, especially traders who come from Shan State's interiors, it is more likely that they will encounter arbitrary rules set by the SSA-S regarding the collection of taxes to fund insurgency movements on goods taken across the border (Lintner, 1989, p. 156; Mirante, 1993, pp. 21-23; Jirattikorn, 2011, p. 25). In 2004, the Shan rebel movement announced a tax on traders of 5,000 Thai baht per year for those owning a pick-up truck, and 10,000 baht annually for those operating a larger truck. In 2011, during ceasefire negotiations between representatives of the Burmese government and the SSA-S, one condition insisted on by the Burmese was that the SSA-S would discontinue its taxation of cross-border traders and Shan migrants where SSA bases were located (S.H.A.N., 2012a; 2012b). However, during 2012 and 2013, a few traders confirmed to me that the 2004 taxation policy was still being enforced. The SSA-S requested they contribute finances to help support their troops; however, the implementation of the rule also depended on whether they encountered Shan troops along the way. If they did not, they were exempt.

In the opposite direction, the SSA-S has set out to control the flow of Thai citizens entering its territories. In recent times, several groups of visitors from Thailand have been interested in visiting Loi Tai Laeng as a new tourist destination not far from Mae Hong Son, including media crews who attempt to cover the SSA-S's National Day celebrations in early February of every year. I myself visited Loi Tai Laeng in February 2013. To obtain my permit to travel there, Thai acquaintances of mine contacted representatives of the SSA-S in advance. My associates provided the SSA-S with the proposed traveler's names, the license plate number, and the vehicle's features such as type, color, and brand. There was only one direct route from Pangmapha district to Loi Tai Laeng by car on minor road no. 1226 to reach Pangkam village on the Thai side before entering the headquarters of the SSA-S. There were four points operated by both Thai army soldiers and territorial protection officers where all vehicles were made to stop for the Thai authorities' inspection of vehicles and passengers. Travelers to Loi Tai Laeng may encounter minor difficulties, but these are typically resolved through gentle explanations of their objectives in visiting the SSA-S headquarters.

The cases of human and commodity flows passing through political boundaries described thus far have emphasized the political powers' attempts at creating strategic space through the setting of arbitrary rules. The rules implemented by the Maha Ja family explicitly

illustrate the elites' illegitimacy in controlling flows of humans and goods, such as with its prescribed rules relating to the Homöng-based vehicle registration system, which itself is not aligned with Myanmar's central policies. Meanwhile, because such local elites are acknowledged by the Burmese government as states-within-a-state, people on the ground are compelled to comply with rules allowed by Burma's bureaucratic loopholes in which authorities are able to grant permits to facilitate the cross-territory movement of Shan who do not possess national identity cards. The SSA-S's setting of regulations bear some similarities with that of the Maha Ja family, especially the illegal taxation of cross-border traders, which helps constitute its power as a state-like polity (see Lund, 2006b, pp. 695–696; Hoffmann et al., 2016). Meanwhile, its rules toward controlling people's passage through its territories are aligned with Thailand's loose immigration control on both Shan migrants and its Thai citizens. As a result, Shan mobility in traversing political boundaries and nation-state borders has gradually increased.

### **Border communities' attempts to outwit political powers**

The creation of strategic space by political elites pronouncing arbitrary rules to manage cross-border flows and seeking to outwit one another may inhibit the transportation of people and goods. However, communities involved with cross-border refuse to totally adhere to such rules or to constantly capitulate to such powers. Individuals in such communities also attempt to outwit structural forces, such as by elevating their influence as mediators in the political elites' contestation of power, by seeking ways to avoid paying informal taxes or have fees extracted from their trade activities, and by negotiating with such powers when occasions allow. During the period of my fieldwork, relations between the Burmese and Thai military forces were functioning well, as evidenced by both sides participating in meetings with the goal of forging stronger ties on the condition that they could enter into the other's territory without official army uniforms in order to symbolize their friendship rather than acting in a militarized manner. Representatives of the two militaries aimed to meet twice a week for mutual activities, e.g. having luncheons, playing sports, and performing joint patrols, in order to exchange information and intelligence regarding border affairs. Nonetheless, activities in which soldiers of the Thai and Myanmar armies participated were facilitated by key actors of the border communities, primarily those who were prominent cross-border traders and powerful local leaders along the border.

#### *Forging relationships through traditional and religious activities*

In general, border communities employ religious and traditional activities as opportunities to ease efforts of the Thai military to enforce regulations on the border. For

instance, a prominent Shan temple in Monna village houses an abbot who is well-known and respected as a fortuneteller among both Shan and Thai Buddhist communities. Groups of Thai civilians periodically accompany their superiors and influential businessmen across the border to have their fortunes told by the Shan abbot. Another example involves merit-making by Thai Buddhists at different times of the year. Thai border authorities regularly demonstrate their generosity with donations of food and consumer goods, and organization of charity events, in the village on the Shan State side. For instance, in January 2013, the Thai army held a Thai Children's Day celebration in Monna village, inviting children from both sides of the border to celebrate together. Furthermore, high-ranking officers of the Burma Army often walk to the border checkpoint area to purchase items they require from Thai traders from Mae Hong Son's market, and this is done with the tacit permission of the Thai military. Local villagers on the Thai side manage to cross the border rather conveniently, while non-locals succeed in doing so for religious purposes, as well as to perform philanthropic activities.

#### *Negotiation with political powers*

As political elites attempt to outwit each other to maintain and extend their power, the resulting instability has subsequent effects on border communities and cross-border trade. However, the communities react to and negotiate with the elites' arbitrary rules with something other than consistent submissiveness. For example, every year in early February, the SSA-S celebrates Shan National Day—a special occasion in which thousands of Shan travel to Loi Tai Laeng to participate. Some operate stalls and sell food, drinks, and other products to visitors. In contrast, the Burma Army does not consider Shan National Day a cause for celebration. It has attempted on numerous occasions to prevent the SSA-S from increasing the number of people that voluntarily join the festivities. In February 2013, after the Shan National Day celebration, the Burma Army ordered the closure of all Salween River crossing services. By strategically reacting to the arbitrariness of the political power, Shan traders learnt well how to cope with the trouble:

The Burma Army shut down the service at the Salween crossing spot. It enforced restrictions on Shan people, preventing them from traveling for a few days after Shan National Day. We were stuck on both sides of the river, having no proper places to stay, and we finished all the food we had prepared for traveling. To solve this problem, one person had to coordinate with the SSA-S to negotiate with the Burma Army to resume the ferry services. During this season, the Burma Army worked more actively than normal. Many times they asked for travelers' names, while in other seasons they did not.<sup>24</sup>

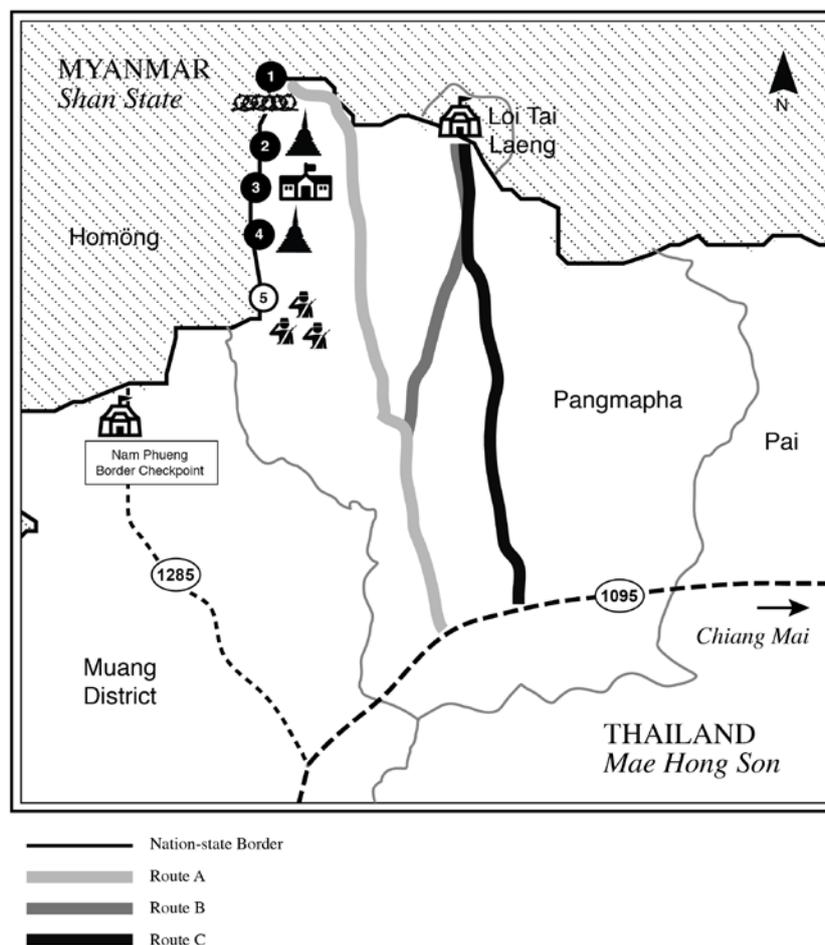
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<sup>24</sup> This conversation with San Ta, a cross-border driver from Lankhur, was held at the Nam Phueng checkpoint on February 24, 2013.

*Everyday crossing of political boundaries*

Despite the demarcation of the border between the Maha Ja family’s territory within the Burmese state and Thailand’s Mae Hong Son province, people and goods flow beyond the state territories overlaid by three sets of political boundaries, namely, those of the Maha Ja family in Homöng, the Thai state, and the SSA-S. People’s crossing of political boundaries on the ground metaphorically blurs nation-state demarcations. Fig. 3.4 below contains five icons. The first (no. 1) represents the barbwire that serves as an international demarcation between Myanmar and Thailand, followed by a temple (no. 2), a school (no. 3), another temple (no. 4), and a Thai military base (no. 5). Icons 1–4 indicate four channels used by Shan people to simply cross the border from the Maha Ja family’s territory of Homöng to predominantly Shan villages on the Thai side, through the backs of a village (no. 1), two temples (no. 2 and no. 4), and a school (no. 3). In the past, the area of the current Thai military base (no. 5) was another channel through which locals walked across the border. This route became defunct after the Thais established the military base.

**Figure 3.4:** *Channels and routes that Shan people use to cross political territories.*



Despite the Thai military's attempts to monitor border-crossing from the other side, a considerable number of Shan successfully traverse the border regularly through channels 1–4. People generally enjoy problem-free crossing during traditional Shan celebrations organized by villages on the Thai side of the border at the two temples (no. 2 and no. 4). Shan from the other side are allowed to cross the border to operate small stalls selling refreshments and homemade products during the festivities. Meanwhile, a sizable number of children from Homöng are enrolled in the Thai village's school (no. 3 in Fig. 3.4). Shan schoolchildren board at the school from Sunday night to Friday afternoon. On Friday afternoons, the children travel in a group back to their homes in Homöng. The cross-border journey takes around four-to-five hours on foot, including stopping to eat prepared food. The children stay with their parents during the weekends and begin their return trip to school on Sunday mornings. The examples of the Homöng-based villagers visiting traditional Shan events and the schoolchildren walking back-and-forth between their home and school in the Thai village represent examples of rather convenient international mobility due to the absence of official border demarcations. These forms of mobility have been practiced for many decades, as many villagers maintained connections with villages in Homöng in the past, especially during the Khun Sa period. Villagers from the Thai side would commonly travel to villages in Homöng to sell foods and products to the warlord's soldiers.

Traversing between the political territories of the Maha Ja family, the Thai state, and the SSA-S seems to be a nonissue for the people of the area. As shown in Fig. 3.4, people are able to cross the border to Thailand without encountering any official immigration controls. Bordercrossers can take route A, continuing to the highway and reaching the center of Pangmapha district, or take route B to reach Loi Tai Laeng. Route C leads directly to Loi Tai Laeng from Thailand's highway no. 1095. By taking routes B or C, Shan based at the SSA-S's headquarters at Loi Tai Laeng can access Thai territory, travel further to Pangmapha district, and continue on to Chiang Mai province. These informal routes allow them to traverse political territories even more conveniently with the support of strong networks on the Thai side, facilitated by the loose control of the border by Thai authorities in this area.

In addition to human flows, the magnitude of the cross-border flow of commodities, especially of homemade foods and other goods from Shan State's interiors to SSA-S's headquarters during special occasions, is highly visible. In February 2013, I witnessed people carrying goods across the border from Homöng to Thai territory to reach Loi Tai Laeng prior to the commencement of Shan National Day festivities. Several groups of Shan travelled with trucks and stopped at one village in Homöng. Although confronted by small barbwire fences

signifying the border's demarcation, they easily passed over and through the fences. They met up with trucks driven by SSA-S civilians or soldiers that drove them the rest of the way to Loi Tai Laeng. These preparations had been made beforehand, and revealed that this channel was commonly used as an everyday site of border-crossing. Shan people barely recognize or imagine the nation-state boundary as interruptive to their mobility and goods-flows. Rather, they find ways to avoid or outwit such nation-state boundaries. Furthermore, such situations as described here reflect the long-standing characteristics of the frontier that remain despite efforts made by the border regime to control the movement of people and goods. Although the Thai state has clearly established demarcations of the border to control and obstruct the passage of border-crossers, the Shan continue to make the nation-state boundary fluid and suitable for their needs.



**Figure 3.5:** *Two Shans walking across the border (channel no.1 in Fig. 3.4), carrying goods to sell on Shan National Day in February 2013.*



**Figure 3.6 (left):** *The hiking trail from Homöng to reach the back of the temple (channel no. 2 in Fig. 3.4).*



**Figure 3.7 (right):** *The back of the school building (channel no. 3 in Fig. 3.4), a sign indicating to the Shan schoolchildren that they have arrived back at their boarding school every Sunday afternoon.*

## **Conclusion**

The creation of strategic space by the four polities operating in this borderland—the Burma Army, the Thai state, the Maha Ja family, and the SSA-S following the Khun Sa era—is a central theme of this chapter. I look at these political forces as representing a state agency, local state officials, border elites, and an armed ethnic rebel group all seeking to consolidate their powers in controlling cross-border flows of humans and commodities. By claiming resources over space, these four political powers continually seek to outwit one another and perpetuate their power, which consequently leads to interruptions and suspensions of human and commodity flows across the political boundaries and national borders. However, these political powers remain concerned about their shares of the benefits to be gained from cross-border trade. As a result of the political powers' efforts to outwit one another to create and maintain strategic space, negotiations have been made to subsequently ease and allow cross-border activities to occur. Yet, another aspect of the political powers' attempts to outwit is reflected in the relationship between human mobility and the dynamic social statuses and meanings of commodities, resonating with what is described in Chapter 2 about how the social lives of particular commodities have impacted cross-border mobility. The specific commodities discussed in this chapter—pick-up trucks, cattle, necessary items such as rice, and those symbolizing (ethno) nationalist ideologies struggling for autonomy, such as soldier's uniforms—have all been symbolically used in connection with people's restrictions and freedom to move across political boundaries. Pick-up trucks were prohibited from being moved across nation-state and political boundaries, as they were considered highly valued commodities. Cattle (and their traders) were held for ransom. Rice was considered a staple item by political powers that demanded cross-border traders to carry the item under arbitrary rules. And the soldiers' uniforms represented a crucial symbolic commodity of warfare.

Another strategy employed by the four state and state-like entities to develop strategic space is the establishment of arbitrary rules. Some of rules established by the polities are clearly illegitimate and unenforceable, while others are aligned with loopholes of the Burmese and Thai bureaucratic systems. This emphasizes the polities' arbitrariness in terms of governance and the enforcing of regulations. In response, border and cross-border trade communities inconsistently express their willingness to submit to such rules, often seeking methods to outwit such directives. Different strategies developed by civilians have included acting as mediators between political powers on certain occasions such as traditional events and charity activities, negotiating with elites when negatively impacted by restrictions on cross-border flows, and carrying on with their everyday border-crossing practices, representing a larger strategy of resistance to

inconvenient political boundaries and nation-state borders. The cumulative impact of these strategies has been to allow the mobility of goods and humans to proceed without considerable disruption. Arbitrary rules enacted on the Shan State side reveal a looser form of border control compared to the more rigid border regime established on the Thai side. The local Thai government established the Nam Phueng border checkpoint in order to more systematically control border affairs and manage cross-border flows with a bureaucratic-styled system. This has led to a clear disparity in terms of border development between the two sides of the border. However, this unequal development of border control mechanisms has not impeded cross-border activity. Flows of humans and commodities across the border continue via the cross-border community's outwitting of the rules and regulations imposed by the Thai state, which will be described more fully in the next chapter.