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### Living with four polities

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

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#### Publication date

2017

#### Document Version

Other version

#### License

Other

[Link to publication](#)

#### Citation for published version (APA):

Lertchavalitsakul, B. (2017). *Living with four polities: States and cross-border flows in the Myanmar-Thailand borderland*. [Thesis, fully internal, Universiteit van Amsterdam].

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## Chapter 6

### From Flexible Frontier to Surveillance by Regulation

In this chapter, I provide detailed empirical evidence relating to how state and non-state actors in the Thai-Burmese borderlands have shaped human mobility in relationship to commodity flows over the past five decades. I aim to demonstrate the usefulness of distinguishing the different phases affecting mobility across this border—namely, the three successive regimes of frontier, border, and mobility—in order to show how Shan migrants have negotiated with political forces to enable their continued movement across the border and eventual migration to Thailand. I argue that although the border control has shifted from that of the frontier regime to the current border and mobility regimes, human and commodity flows have continually crossed both political boundaries and nation-state borders. On the Shan State side, cross-border traders and labor migrants have persistently managed to journey through the political boundaries of the Burma Army and the Maha Ja family by means of paying informal taxes, exchanging commodities, and gifting. On the Thai side, the same traders and migrant workers have inevitably faced stricter border controls when coming into contact with various state agencies. However, these state agencies and their officers inconsistently carry out their missions, despite being tasked with enforcing the policies of the central government. State officers inevitably negotiate with members of the border communities, leading to opportunities for the latter to manipulate the regulations by bribing the former. Subsequently, control of the border under the border regime remains lax, resulting in permeable borders deftly penetrated by cross-border networks connected along lines of Shan ethnicity, kinship, and reciprocity. Cross-border traders on both sides of the border maneuver around the regulations related to the international border flexibly and efficiently while maximizing their benefits at the margins of the state.

#### **The frontier regime: Fluid human mobility**

During the time of the frontier regime, from the 1970s to the mid-1990s, human mobility and commodity flows bolstered one another amidst the chaotic frontiers filled with various groups of armed ethnic groups struggling against the Burma Army. Due to the demands of the ethnic insurgent groups for staple goods, long-distance traders sought out and carried goods to the conflict zones. For example, Oong-Sa, a female Shan trader, began trading across the

frontiers not long after Khun Sa's stronghold was relocated to Homöng in the 1980s. She describes that long-distance traders did not attempt to avoid interacting with soldiers at the military bases of the Burmese, Khun Sa's militias, or other ethnic groups' units. Traders typically stopped overnight wherever Khun Sa's troops were stationed in order to secure protection.

Khun Sa's army settled its first unit at the Pan River. There were only 50–100 soldiers stationed there; it was not as large as the Burma Army. In the area around Loi Yao Mountain was another unit, which consisted of about 100–200 militia members. After crossing the Nam Kong [Shan: Salween River], we continued on, passing several small villages of only 20 or so households. At each of these villages would be stationed 10–20 of Khun Sa's soldiers.<sup>1</sup>

When encountering Khun Sa's soldiers, the traders would gain the soldiers' protection by giving them some of the items they were transporting to sell in Homöng. Oong-Sa and her father often did not have any money, as they had used it all to purchase a large stock of goods beforehand. Most commonly, they gave the soldiers foodstuffs, especially *to nao* [Shan: fermented soya beans] and pickled green mustard: "I remember that they never asked for money, and we knew that they did not have enough to eat."<sup>2</sup> The economic value of the commodities thus created social and cultural meanings in an exchange that simultaneously created relationships and attachments (Bell, 1991) between the Shan traders and Khun Sa's soldiers. This exchange was made possible because Oong-sa realized that foodstuffs would help the soldiers survive during warfare. Moreover, the exchange of certain food items symbolized the social relations, in the form of shared ethnicity, that existed between the givers and receivers, as the traders chose to give particular items to the soldiers, not simply random items they were carrying.

Chang (2009; 2013) relates how Yunnanese underground traders traveling to the Thai border during the ethnic civil war came to have similar experiences with ethnic militia members, revealing that the statuses of traders and migrants became integrated. People's mobility and the commodities they carried were incorporated into one movement while crossing from the territories of multiple rebel ethnic groups to the Thai territory. Commodities intended for monetary trade were used for these type of exchanges, rendering another layer of transaction in which the commodities created social value in a non-monetary barter, and became a by-product of such exchanges, facilitating secure passage to the Thai border for traders like Oong-sa.

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<sup>1</sup> Interview with Oong-sa in Nam Phueng village, on April 14, 2014.

<sup>2</sup> Ibid.

At certain times during the 1970s and 80s, long-distance trade in Shan State was severely affected by the conflict between the ethnic groups and the Burma Army, and by sanctions imposed by dominant groups. As Chang (2009, p. 562; 2013, pp. 301–302) describes, Yunnanese long-distance traders learned to navigate local politics in each of the locations they passed through as part of the reciprocal relationship that developed between traders and these powerful political figures. Several traders shared similar stories during my fieldwork. When entering ethnic insurgency zones, for example, they often had to pay fees to the ethnic militias, receiving information from representatives of the ethnic groups in return. Between 1970 and 1972, fighting was ongoing between Shan and Pa-O groups. The Pa-O were dominant, and so occupied important areas, in particular the route used by long-distance traders to reach the border. This route ran from Mōng Nai, passing through Langkhur township, and continuing on to Wan Hat village. Chao Wan-oo, a Shan State Army soldier who was in charge of collecting taxes at that time, related:

We were fighting each other very hard, but eventually the Pa-O won and closed several zones. Long-distance traders were affected as well. Some were trapped and could not get back to their hometowns. We negotiated with the Pa-O, since we needed some necessities. The agreement we made was that the Pa-O would open the route, and then both Pa-O and Shan groups set up posts to tax traders in order to finance their operations.<sup>3</sup>

The fees these insurgent groups extracted from long-distance traders reflected the complex and profound relationships that developed, as well as the sharing of benefits among both ethnic groups. Despite the harsh fighting in the frontier, long-distance trade never entirely stopped. One particular incident reveals how traders coped with the battles and the closure of trade routes. During the 1980s, the route to Homōng from the Salween River was closed for four years due to fighting between the Burma Army and Khun Sa's militia. Sai Ong Tun, a trader from Mawk Mai, described the incident:

It was a warzone. The Burma Army dispatched around 4,000 soldiers and 1,000 Wa militia members to the area. Almost 100 were killed in one incident alone. Traders could not pass through this area due to the fighting, so we took a detour from Mawk Mai, traveling north to Mōng Nai, then continued to Nam Sang, Mōng Pon, and Hopong, before eventually reaching Taunggyi. From Taunggyi, we took the route to Loikaw [capital of Kayah State], and across to Mae Hong Son through Mae Chae, then traveling on to Mae Hong Son town.<sup>4</sup>

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<sup>3</sup> Interview with Chao Wan-oo in Khahan village on January 19, 2013.

<sup>4</sup> Interview with Sai Ong Tun in Mae Hong Son town on December 27, 2012.

Despite their income-generating activities occasionally being interrupted by the fighting, the long-distance traders managed to find ways to travel and continue trading, reflecting ways in which human mobility and goods flows under the frontier regime complemented each other. Because of the politico-economic force of the high demand for commodities among ethnic rebel groups, people engaged in long-distance trade despite the frustrations and dangers. Traders aimed to earn a profit at two main destinations: the ethnic militia bases in various frontier zones, and along the route passing through the Thai border and Mae Hong Son's central market. Until they reached the Thai state's territories and encountered aspects of border control performed by different state agencies, these traders were rarely stopped by the authorities as long as they handed over some small money as bribes (Noonan, 1984, p. xxi). This allowed them to cross the border and to travel to Mae Hong Son rather freely. Once arriving in Thai territory, the Shan traders often took the opportunity to stay overnight or longer in Mae Hong Son. Many later migrated to other provinces in Thailand, eventually shifting their status from cross-border traders to labor migrants.

In the opposite direction, several Shan traders who conducted long-distance trade in Thailand needed to cross back to Shan State. Border villagers I spoke with who were involved in border trade during the period of Khun Sa's power explained that Khun Sa required a large volume of rice to feed his militias and their families. He usually ordered supplies from the largest grocery outlet in Mae Hong Son town named 'Thai Seri' [meaning free Thai], which sourced rice from the other northern provinces of Chiang Mai, Chiang Rai, and Phayao to meet Khun Sa's demand of approximately 80 to 100 kilograms per day. This volume of rice was sent off to the sub-village of Nam Phueng in large trucks. Khun Sa's men drove four-wheeled trucks to transfer the rice to Homöng. On the way back from the Thai border to Homöng, long-distance traders were also compelled to carry the rice and drop it off at a storage area, under the condition that they would be allowed to travel freely along the route back to Shan State's interiors.<sup>5</sup> The situation of traders carrying rice to feed Khun Sa's troops reveals that commodities were used to facilitate the conditions in which people were allowed to cross political territories. In this case, commodity flows created routes on which people could move without restrictions. Under the frontier regime, in which state regulations and controls on the Thai side were not yet officially in place, commodity flows and the mobility of Shan long-distance traders clearly showed the intermingling and complementary nature of the two flows. Commodity flows created

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<sup>5</sup> Interview with Prasit, who was then a trader on a Thai side, in Mae Hong Son town on November 28, 2012.

opportunities for Shan traders to travel to Thailand, then to settle and earn their living as labor migrants.

### **The border regime: Manipulation of state regulations**

The border regime, although engendering border control with stricter regulations on the Thai side, was closely tied to the legacy of the frontier regime, which still existed on the Shan State. I argue that the two sides of the border came to be administered by different regimes beginning in the mid-1990s—the frontier regime on the Shan State side and the border regime on the Thai side. This has resulted in unequal border control measures that has caused inconsistency and uncertainty for human and commodity flows.

The border regime began after the Mae Hong Son government officially opened the Nam Phueng checkpoint in July 1996. The provincial government introduced a bureaucratic system in a more modern fashion, whereby the imposition of specific regulations on cross-border flows engendered effects on the border communities. During the 1970s to the 1990s, a number of traders who maintained their long-distance trade started to migrate to Thailand, moving around the country as mobile migrant workers. In the meantime, a number of Khun Sa's former militia members started new lives after settling on the Thai side, along with their families, taking advantage of the facts that Khun Sa remained in power in Shan State and that the Thai state's border control was tenuous. Many such migrants could no longer tolerate the hardships of ongoing ethnic conflict and wanted to return to their hometowns, as they had been forcibly conscripted by Khun Sa from different towns across northern Shan State.<sup>6</sup> However, lacking the finances required to journey back, many instead joined Maha Ja's militias as they were taking over control of Homöng and his SSS company. The tangible border under the frontier regime created the chance for them to do so, whereas border elites and state controls persistently exerted inconsistent powers in securing their political territories and claiming resources through informal taxation.

In the post-Khun Sa-era after the mid-1990s, flows of Shan people across the border remained integrated with cross-border trade by using trucks as the primary mode of travel. This mode of travel differed from the 1980s when paved roads had not been constructed in the areas from the Salween River's eastern bank to Homöng. At that time, people traveled by foot or rode animals across the mountains and crossed rivers by boat. As the condition of the roads improved, truck transport was stimulated by an increasing number of Shan seeking to cross the

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<sup>6</sup> Interview with villagers who were former militia members of Khun Sa's in Nam Phueng village.

border to Thailand. Considering the changing status of these Shan long-distance traders who crossed the border to live and work in Thailand, their status became that of labor migrants. Although some eventually returned to earning a living as traders, their status evolved from that of long-distance traders (inside Shan State) into cross-border traders due to the shifting of the regime from frontier to border.

*Journeying through the political boundaries*

Shan mobility under the border regime remained flexible, and a significant number of Shan sought ways to cross to the Thai border via cross-border networks that included people who were merchants in their villages. However, traders who took Shan people to the border and across to Thailand were obliged to comply with the regulations established by the Maha Ja family and the Burmese officers en route. Sai Aung and Nang Woon, a husband-and-wife cross-border trade team, told me that they passed eight or nine check posts (Fig. 5.2 in Chapter 5 and Table 6.1 below) where they were required to stop and declare the number of people (and sometimes commodities) they were transporting in their trucks, as well as additional information such as where they were heading or where they had come from. The number of people in their trucks was considered important at some checkpoints, especially those in the Maha Ja family's territories.

While traveling with Shan traders during the period of my fieldwork, I found that many worked of husband-and-wife pairs. While the husband drove the truck, the wife would be the one to interact with either the Burmese officers or the personnel of the Maha Ja family when they reached check posts. For instance, Nang Woon traveled often between her village and the Thai border. At each of the posts, she was the one to provide the required information, or pay the fees or informal taxes requested, and also to offer some incentives in the form of gifts. The amount that she handed over at each checkpoint came out of her passengers' fares, meaning the traders added these extra fees—in both baht and kyat currencies—into the total amount of the fares they charged. In the Burma Army-controlled zone, only Burmese kyat currency was accepted, while Thai baht was preferred in the zone controlled by the Maha Ja family. The performance of control at the different checkpoints manned by the Burmese authorities and the Maha Ja family's militias illustrate what Ludden (2003, p. 1063) suggests in regard to the relationship between state territorialism and people's mobility. He argues that such relationships reveal contradictions; while the state tries to control, people attempt to avoid being controlled. However, structural territorialism and the mobility of humans exist with one another in an intersecting pattern that can lead to varying consequences, illustrating that mobility tends to

override state territorialism. In the case of the Shan being stopped by Burmese officers and the Maha Ja family personnel, Shan traders and migrants managed to navigate the bureaucratic intervention through relationship-building and the use of gifts and commodity exchange to move forward.

Table 6.1<sup>7</sup> elaborates on the interaction and exchange of commodities occurring between traders and the officials manning at different posts from Langkhur township in Shan State to the Thai border. Langkhur is a busy town that leads to Mōng Pan, which provides routes to entryways into Thailand through Chiang Mai province. From Langkhur, people can take another route to pass through Nakong village to arrive at the Thai border in Mae Hong Son province. Starting from checkpoint no. 1, traders enter Langkhur through a basic checkpoint consisting of a gate built of logs used to stop vehicles, and is operated by the Burmese *phytusit* [Burmese: village's protection personnel]. Traders are obliged to halt their vehicles here, but are not required to exit their trucks. They sometimes engage in small-talk about their destinations with the officers, but this lasts no longer than a few minutes. Upon interaction with the *phytusit*, traders need to hand over a specific amount to pass through the post. This exchange does not lead to the creation of a special relationship between the two parties. It is rather a simple, mundane interaction that has taken place between the traders and the Burmese officers since the time of tense guerrilla fighting under the frontier regime. The taxation and investigation procedures of the Burmese officers have been ongoing since the past until at least the period of the 2015 election in Myanmar (S.H.A.N., 2013a; Sai Aw, 2015).

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<sup>7</sup> This table shows the same check posts as Table 5.1, the locations where traders and migrants are made to stop to interact with the Burma Army, Burmese officers, and personnel of the Maha Ja family. Specifically, the fourth column details the amount of money and incentives that traders/truck drivers employ to pass through these political boundaries. The fifth column details the amount of transporting passengers per head that traders/truck drivers paid as informal taxes.

Table 6.1: Check posts in Shan State and fees and incentives charged at different posts.<sup>8</sup>

Political powers' zones	No.	Post/Location	Controlled by	Amount taxed (THB/MMK)	
				Flows from Shan State to Thailand (per person)	Flows from Thailand to Shan State (per person)
Burmese government zones (western bank of the Salween River)	1	Entering Langkhur	village's protection personnel ( <i>Phytusit</i> )	Up to truck owner; usually between 1,000 and 2,000 kyat	Up to truck owner; usually between 1,000 and 2,000 kyat
	2	Langkhur township	Burmese authority	Up to truck owner; usually 500 to 1,000 kyat	Up to truck owner; usually between 500 and 1,000 kyat
	3	Nakong village	Burmese police	13,000 kyat	Other incentives
	4	Jalong village	Police	Other incentives	Other incentives
	5	Ta-sop-teng Pier on the western bank of the Salween River	Maha Ja family managing queues of trucks and passengers loaded in trucks	no payment	13,000 kyat
<b>Ferry Crossing the Salween River (Joint operation by the Burmese state and the Maha Ja family)</b>					
Maha Ja family zones (eastern bank of the Salween River)	6	On the eastern bank of the Salween River	Maha Ja family managing queues of trucks and passengers loaded in trucks	19,000 kyat	No payment
	7	Homöng	Maha Ja family	205 baht	305 baht
	8	Kong Mai Hung	Burmese soldiers	other incentives	other incentives
	9	Monna village	- Maha Ja family's militias (main checkpoint) - <i>Phytusit</i>	- 220 baht (to <i>Phytusit</i> ) - 80 baht (to the main checkpoint in the village)  Total: 300 baht	225 baht

Post no. 2 is a police station in Langkhur, and here the traders do not stop their engines, but simply give the local personnel small amounts of money, typically between 500 and 1,000 kyat, or gift a portion of the food items they are carrying. At this checkpoint, traders conduct either monetary or non-monetary gifting to smoothen their travel moving forward. On the way

<sup>8</sup> I gleaned the data from Nang Woon, a Shan trader, and from my own observations while traveling in Shan State from February 22 – March 9, 2013, and from May 9–20, 2014.

to checkpoint no. 3, which is approximately 30 kilometers away but required almost three to four hours of travel in March 2013, traders pass a large village named Nakong. In earlier decades, this village was considered the last point on the motor road, being a focal point of long-distance traders to stay overnight to prepare themselves for further trips with mule caravans or on foot to the Thai border. It was also a spot where traders collected homemade products to consume themselves or to sell during their arduous trips. Consequently, Nakong has been a strategic geographical center for transportation ever since. During my fieldwork, there was a queue system for the trucks and passengers traveling between Nakong to the Thai border, or from Nakong to destinations inside of Shan State. Most of the traders stopped at a simple building at which a group of two or three persons recorded the details of trucks going through and the number of passengers that the traders carried, while collecting fees of 13,000 kyat per passenger. The truck drivers frequently collected additional passengers at this check post when there were people wanting to go to the Thai border and if their vehicles could accommodate ancillary passengers.

Post no. 4 at Jalong village is manned by the Burmese police, and is situated next to a Buddhist temple with a few shops nearby. One or two officers typically walk out from the station to converse with the parked traders who, after a small chat, hand over a few small banknotes or items they have been carrying. They do not always do this if they reach this post late at night and can skip interacting with the officers as they might not walk out from the station to claim any fees from traders. Before reaching the Salween River, traders pass by a unit of the Burma Army named Nam Chae situated on a hill, but they do not always stop here unless there are exceptional circumstances such as when they see one or two Burmese soldiers walking down from the hill. At such times, the traders most likely give the soldiers some food items.

Before entering post no. 5, the last post in the Burmese-controlled zone, drivers navigate their vehicles past a wooden beam lifted by a man who does not insist on any substantial interaction. There is a sign reading 'SSS' signifying that the driver is entering territory controlled by the Maha Ja family. They then drive their vehicles down to the sandy riverbank after asking passengers to disembark in order to reduce the vehicle's weight. Vehicles are lined up in a queue to wait to move onto the ferry. During this process, wives or other partners of truck drivers walk to declare the number of passengers to personnel at the station. Traders are then issued a small piece of white paper in the Burmese language bearing the driver's name, license plate number, and date of travel (see Fig. 3.3 in Chapter 3). They do not have to pay any fees here as they will do so after crossing the river by ferry.

The ferry is comprised of five motorized boats tied together by two main wooden pieces screwed on the top with metal (Fig. 6.1). To provide spiritual protection, a small spirit house is

placed in the middle of the ferry decorated with wooden sticks and red and white cloths functioning like flags. Fresh food is placed in the spirit house every day to appease the spirits of the river. Shan people hold vacillating feelings of respect and fear towards the Salween River due to its size and depth. As described by historian Alan Houghton Brodrick (1945, p. 24), “The Salween, although comparable in length with the Mekong, is a still more inhospitable stream. It cuts through abysmal gorges and in its course is strangled by great precipices.” Fear of the river is reflected in people’s beliefs and practices while crossing the river. A Shan woman suggested I scoop water from the river into the palm of my hand while crossing, saying, “Eat it, so it won’t eat us!”<sup>9</sup>



**Figure 6.1:** *The ferry crossing the Salween River, carrying both passengers and goods in the direction of the Thai border (Photo by Mao Langkebur).*

The ferry can carry two pick-up trucks at a time, so during the peak season, traders and their passengers must wait their turn to board. The Burmese officers and the Maha Ja family jointly manage the ferry operation. The Burmese take care of the management, maintenance, and piloting of the ferry, while the Maha Ja family undertakes the collection of fees, which in 2013 were 15,000 kyat for a pick-up truck and 3,000 kyat for a motorcycle. I learned that the income generated by the ferry service is shared between the local Burmese officials in Langkhour township and the Maha Ja family, although I was unsure of the share taken by each.<sup>10</sup> It takes about 10 minutes for the ferry to cross the Salween River to its eastern bank, which is the territory controlled by the Maha Ja family. The travelers encounter a checkpoint operated solely by the Maha Ja family via the SSS company (post no. 6), where around 10 people manage the queue of trucks. The staff here check a small piece of paper issued by the staff from the other

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<sup>9</sup> In Shan language, the term “to eat” can also mean “to drink.” This saying means that if we first eat the river, then the river will not be able to eat, take, or kill us.

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

side of the river to ensure that traders have paid 19,000 kyat per passenger they have transported. Since the fees were extracted at checkpoints in the zone controlled by the Maha Ja family, the number of passengers on the truck are of importance in determining how the truck queue is organized.

Over the course of the trip to reach Homöng (post no. 7), traders must pay a total of 205 baht per passenger. This check post is also under the administrative power of the Maha Ja family, which manages the truck registration system. Additionally, traders must present the document issued at the post on the Salween River. Another small base of the Burma Army called Kong Mai Hung (post no. 8) is located up the hill. The surrounding area was once a village where a sizable population settled during the period of Khun Sa's dominance, but it has since become deserted after the Burma Army took over the area. Around this post, traders might by chance encounter one or two soldiers patrolling the perimeter of their camp. They might gift the soldiers some food items to demonstrate their friendliness. Monna village (post no. 9) is the last post where traders must confirm the number of people and amount of cargo being carried. The traders then pay a fee of 300 baht per passenger to the SSS personnel stationed at the post.

As described, Shan mobility is linked to commodity flows conducted by cross-border traders who facilitate the journeys of Shan people who wish to work and live in Thailand. On the Shan State side, the situations in two political territories—those controlled by the Burmese officers and the Maha Ja family through its SSS company—have long influenced both the traders' and passengers' mobility, containing a series of check posts where informal taxation and the exchange of commodities, both monetary and non-monetary, take place. I reiterate that while human mobility is regularly halted at multiple posts along the way, the action of commodity exchange and gifting helps to make the passage smooth and efficient when passing through these political boundaries. Especially in the case of the Maha Ja family, the taxes a state-like actor levies from trade helps to maintain the status of the small polity within the Burma Army's broader territory.

#### *Border communities manipulating state regulations*

Although the border regime brought about the strengthening of the Thai state's control of people crossing the border into the Thai territory, border communities subsequently attempted to manipulate the state regulations in such a way as to be advantageous for their livelihoods. Shan traders must invest in petrol and other items associated costs with transporting goods; therefore, transporting paying passengers along with their items to and from the Thai border is one way to offset these costs (see Fig. 5.2, Chapter 5). Nang Saeng, a trader from Möng

Nai, explained: “When I plan to sell goods in Thailand, if I can get at least three or four people to travel with me, I see it as extra income.”<sup>11</sup> Cham Tong, a trader from Mawk Mai, prefers to transport people instead of goods because she is not required to invest any amounts beforehand, while selling goods requires an initial investment.<sup>12</sup>

Traders on the Thai side who own pick-up trucks are key actors in transporting goods and passengers from Shan State into Thailand. Such traders also negotiate with Thai state officials to make passage into the country trouble-free for Shan migrants. Traders who journey along this 50 kilometer-route—from the Nam Phueng border checkpoint to Mae Hong Son town must join the queue system, which is complicated and involves peculiar logistics implemented by the traders in attempt to have business run justly for every member of the queue.<sup>13</sup> One major rule is that a truck driver whose queue falls on a certain day is supposed to transport a minimum of six passengers per ride. The standard fare is set at 200 baht for passengers who live in proximity to the Thai border. However, since this border checkpoint is not officially classified as an international border, passengers who are migrant workers and want to cross the border to go back to work in Thailand must pay another rate, the charge depending on the types of identifying documents they carry, which could be up to 800 baht.

Any truck driver whose queue numbers falls on the day in which he is compelled to transport at least six passengers in one ride is guaranteed a minimum income of 1,200 Thai baht total. However, if the driver does not have six passengers, he or she tends to wait until more passengers arrive, ensuring the journey is worthwhile. Alternatively, if the driver has passengers requesting to set out immediately, he or she might ask those passengers pay an extra charge, bringing the total fares up to 1,200 baht. As described earlier, traders on both sides of the border work in partnership. Traders on the Shan State side usually contact their partners on the Thai side the day before they intend to reach the Thai border to report the number of passengers they will be carrying. In this case, traders on the Thai side will attempt to get a queue number in advance by negotiating with a trader who has already received a number. This practice is described as *sue kiew* [Thai: buying a queue number]. The driver who buys a queue pays the queue manager 300 baht per passenger, after which the manager pays 1,200 baht to the driver who sells his or her queue to the queue-buying driver.

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<sup>11</sup> Interview with Nang Saeng in Möng Nai, Shan State, on October 15, 2012.

<sup>12</sup> Interview with Cham Tong in Mawk Mai, Shan State, on February 28, 2013.

<sup>13</sup> See also another queue system used by boat operators crossing the Khong River in Walker (1999).

Of the 700 to 800 baht paid by a passenger holding a Burmese passport, the driver buying a queue retains 150 baht per passenger after giving 300 baht to the person selling the queue and another 250 baht to the Thai authorities. After deducting the costs of buying a queue, the traders make a small profit. Therefore, most drivers hope for a greater number of passengers—ideally 12, the maximum number allowed by the state regulation, for which they receive 1,800 baht. After deducting the cost of petrol of around 400 baht, they yield approximately 1,400 baht per leg. During the peak season from early March to mid-May, Shan on both sides of the border tend to cross more frequently. Traders on the Thai side subsequently earn larger profits since the queue turns over several times each day, meaning each driver can make several trips.

One day, I saw a trader on the Thai side who had just bought a queue from another trader with 15 people in his truck because his Shan trade partner wanted to transport everyone to Mae Hong Son town. That trader attempted to take all of the passengers in his truck, but could not do so due to the 12-person limit set by the regulation on Thai public transport. As a result, the remaining three passengers had to be loaded onto another truck, which should not have been too complicated to arrange. However, it took nearly an hour to sort it out because the queue manager and other Thai traders had to decide which driver would take the three passengers, and how to pay the queue manager (see Fig. 6.2). From this perspective, human mobility across the international border occurs conveniently with the assistance of a cross-border trade network. Moreover, the degree of the Thai state's regulations do not put any significant strain on the traders' transport of goods or passengers. Rather, traders on both sides establish their own rules and manipulate the state regulations to benefit their business.

#### *Management of truck space*

One of mechanisms with which the Thai state employs in attempt to control cross-border flows is regulations on public transportation, especially relating to goods. However, the regulations do not significantly impact traders' loading of merchandise onto vehicles. Traders on both sides vigorously pack goods into the back of their trucks, and carefully layer a diverse array of merchandise and items that Shan migrants in Thailand want to send to their family members in Shan State. Cross-border traders therefore provide delivery services in the absence of any such service operated by the Burmese government or private companies in Shan State. Frequently, traders on the Shan State side ask passengers to sit on top of goods in order to accommodate a greater quantity, and passengers must accept this condition as they also depend on the truck to ferry them between Shan State and the Thai border.

The size of a pick-up truck is regulated only on the Thai side; a six-wheel truck is permitted as the largest vehicle on sub-road no. 1285 due to poor conditions of the road.<sup>14</sup> However, cross-border traders still transport quantities of goods far beyond their trucks' stated capacity. Overweight trucks are unable to stabilize when moving on the rough roads up in the mountains in the border's environs. People told me that they could sometimes find items that had fallen down from a truck and the truck drivers had never realized it. It is not uncommon for overloaded trucks to flip over steep cliffs in Shan State due to the poor conditions of infrastructure (see Fig.6.3). Accidents occur often, and the details about them are later circulated among cross-border communities.

Despite the regulations stated in the central policies of the Thai state, traders' practices on the ground are not notably impacted by the local state's enforcement of such regulations. In particular, the Nam Phueng checkpoint, which was developed from a small and remote border passing, maintains the character of a channel free of regulations and controls of cross-border flows, allowing for illicit activities to occur. The local representatives of the Thai state tacitly approve of traders' ways of doing business. Throughout the period of my fieldwork, overweight truck loads were never considered to be in violation of the stated regulations on public transportation.



**Figure 6.2 (left):** *The yellow-truck drivers ready to head to town after management of the queue and number of passengers (Photo by Mao Langkbur).*



**Figure 6.3 (right):** *Two passengers sitting on top of a truck's load in Shan State.*

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<sup>14</sup> These regulations are from the order entitled "The order issued by the director of the Rural Highway Department, specifically on an issue of the ban of vehicles with excessive weight due to possible damage, under the responsibility of the Rural Highway Department, document no.6, 2013" (latest revision). See the transliteration of the order from the Thai language in the reference section.

Special occasions are also a factor when Shan traders weigh the difference in profit between transporting people or commodities. For instance, between September and October each year is a period when Shan people organize ancestor-worship ceremonies dedicated to their deceased family members. They ritualize the day by offering some foods and products made in Thailand as alms to the monks and as souvenirs to guests attending the ceremony. At other times, such as between March and April, and throughout the dry season, traders profit from both transporting a larger number of people and larger amounts of goods with the support of the arid weather, which helps maintain dry roads.

On the Shan State side, the Burma Army and the Maha Ja family's political boundaries remain under the frontier regime, which aids Shan mobility from Shan State to the Thai border to occur without significant hindrances. On the Thai side, the border regulations under the border regime have been increasingly intensified by the local state. However, the Thai state has become more concerned with human flows in response to the border regime, which seeks to control such flows more rigidly. For instance, since the improvement of road conditions, an increased number of people have begun being transported by trucks, which helps to shift people's modes of travel away from walking and riding animals. Trucking regulations and the queue system created by traders on the Thai side are emerging controls from the hands of political elites and traders on both sides; however, they have served to make human mobility across the border function more efficiently and conveniently. Therefore, Shan mobility remains associated with cross-border trade in that it has made mobility more accessible.

### **The mobility regime: Surveillance by regulation**

The mobility regime was connected temporarily with the border regime, although the Thai state introduced and intensified control and surveillance by regulations (Glick Schiller & Salazar, 2013) towards people's bodies, their identities, and their personal belongings. Under the mobility regime, the ways in which the Thai state inspects human bodies is influenced by the interrelationship between migrants and things they carry on and inside their bodies. Particular objects that Shan migrants carry while moving across the border reflect their attachment to home (see Fortier, 2000), while also acting as ethnic identity markers (Mankeker, 2005; Panyagaew, 2007). They render different values and meanings according to changing circumstances. As Donnan and Wilson (1999a) suggest, values attached to commodities are transformed upon crossing the border depending on whom carries the commodities. The changed values of commodities are associated with the political and social statuses of border crossers. In this section, I will explore two situations to illustrate that although state regulations

are intended to be enforced to hinder human mobility across the border, Thailand's border control remains rather inconsistent on a regular basis. Therefore, the Thai state continues to face challenges in preventing the porosity of its border.

*Performing an ideal state*

As described earlier, trucks carrying passengers and commodities from Shan State are not permitted to pass through the Thai border checkpoint into the Thai territory, meaning all passengers and goods must be transferred to trucks registered on the Thai side. During the transfer process, the Thai soldiers' duties include recording the border crossers' personal information, inspecting goods carried on the vehicles, and checking passengers' belongings, such as bags, backpacks, and sacks of goods (Fig. 6.4). At this border channel, soldiers check and scan for illegal contraband commodities from Myanmar—especially drugs, ammunition, teak, and timber—and semi-regulated items like agricultural products such as rice, garlic, and onions (see Chapter 5). However, the soldiers inconsistently perform a thorough check of vehicles and individuals. Most commonly, they simply walk around the vehicles. On rare occasions, a drug-sniffing German Shepherd dog will be brought out to inspect the trucks, but the dog is kept in a cage for most of the day (Fig. 6.5).



**Figure 6.4 (left):** *Soldiers opening Shan migrants' belongings upon arrival at the Thai border.*

**Figure 6.5 (right):** *A German Shepherd caged at the border checkpoint.*

In order to encourage the performance of an ideal mission, the Thai state has posted procedures regarding the control of people and goods being transported across the border. The procedures are printed in a poetic style on A4-sized documents posted on the walls of the Nam Pheung checkpoint (Fig. 6.6 and Fig. 6.7). Judging the local state's actual performance compared with the protocol presented in the documents underscores the absence of actions required by the

ideal procedures. This highlights the contrasts that exist between the state’s guidelines implying the use of up-to-date technology, and the performance of state actors’ on the ground.

One fundamental aspect of border control under the mobility regime is monitoring the bodies of border crossers. Because the soldiers at the checkpoint and other state actors consider drugs to be the most significantly illicit commodity, this results in a more rigorous screening than for other items transported via truck and in border crossers’ belongings, as shown in the guidelines in Fig. 6.6. Thai soldiers, seemingly randomly, sometimes ask Shan migrants to open their bags so they can be checked thoroughly. Not infrequently, soldiers may find a carton of cigarettes. They then try to determine whether the volume of these semi-regulated commodities exceed the allowed limit. From my observation, Shan migrants on their return to Thailand sometimes carry hand-rolled cheroot cigars, but only twenty rolls. This makes the amount of tobacco difficult to measure. Border-crossers attempt to carry drugs through the border checkpoint very infrequently, likely choosing the thick jungles of the informal routes for drug smuggling activities.

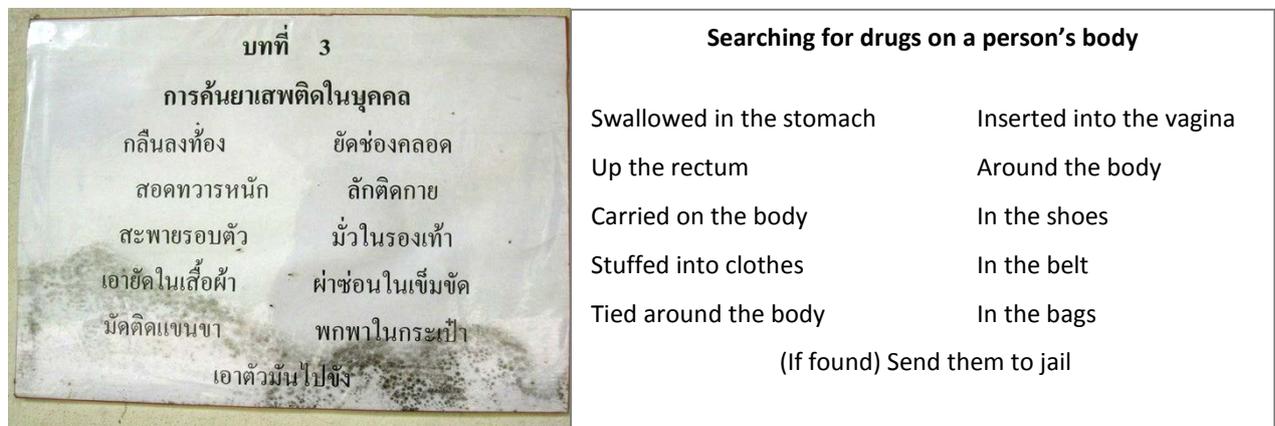


Figure 6.6: Guidelines for searching drugs in a person’s body and the translation.

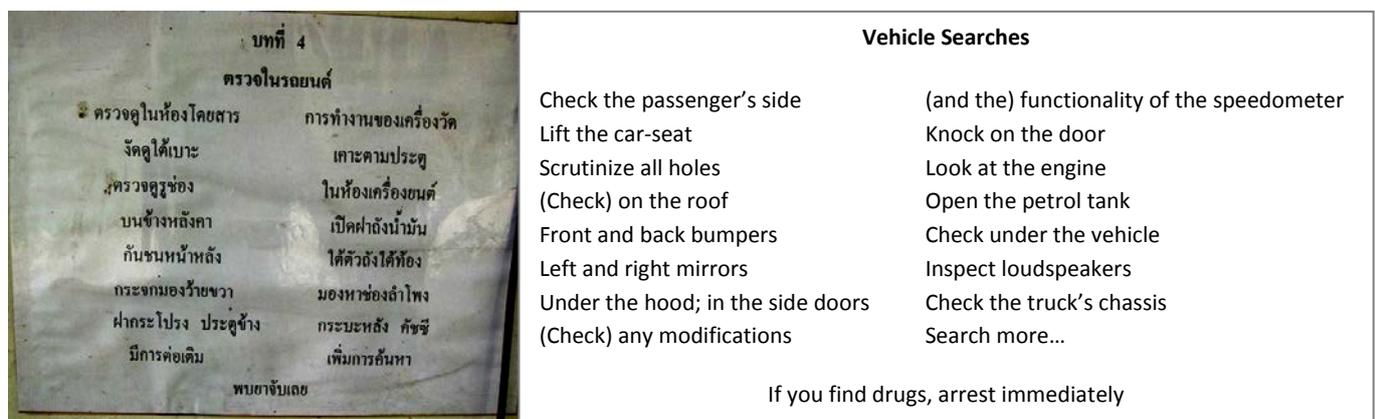


Figure 6.7: Vehicle search guidelines posted at the checkpoint, and translation.

The posted guidelines shown in Fig. 6.6 and Fig. 6.7 illustrate the Thai state's scrutiny of illegal and illicit commodities crossing the border. However, they greatly contrast with how soldiers actually perform their duties on the ground. The degree of their investigations very rarely follow the guidelines for ideal implementation due to insufficient technology, as this border checkpoint is a low-level border crossing and does not contain modern equipment. Not long after my initial fieldwork, the army base at the checkpoint imposed photographing of border crossers with a digital camera to file the photos in record. However, the high-ranking army base in Mae Hong Son town had no allotted budget for this purpose. In order to solve this shortcoming, the soldiers used the personal camera of an individual soldier to perform this duty.

*Foods as an identity marker*

Under the mobility regime, the degree of state control on cross-border flows has become tenser and more intentional in the inspection of things coming along with or rendering identity marking attached to border crossers. For instance, a number of Shan migrants choose to carry foods, cooking ingredients, and dried medicinal plants to maintain an attachment to home while working in Thailand. Some do this as a favor for their peers or family members (see Fig. 6.8). But these Shan products, nostalgic objects reminiscent of the taste of home, are possibly diverted to become markers of identity. The shifted meanings of foodstuffs are intensified further over the course of crossing the border. Importantly, these foodstuffs belong to those whose social status is ambiguous with regards to Thai immigration laws, and are more greatly scrutinized because of the products' meanings having shifted to being a person's identity marker.

Miew Lah, a 33 year-old Shan woman who previously worked as a labor migrant in Bangkok, relied on a cross-border trade network to cross the border into Thailand as she lacked the proper documents. When traveling to the Thai border afterwards, she rarely carried Shan products with her, as she was concerned they might lead to problems when encountering Thai officials. "If I carried those things along, they would immediately know I was a *khon Bham* [Thai: person from Myanmar]."<sup>15</sup> This situation echoes the case of Phlong Karen crossing the Thai border into Mae Sot, Tak province, in which certain Burmese products stand out as objects identifying a person's origin (Balčaitė, 2015, chapter 5). The case of Miew Lah exemplifies the meaning of foods as identity markers rather something to simply consume as a rudimentary element of survival. As a result, many Shan migrants whose status is ambiguous in a legal sense tend to avoid carrying things which may reveal their non-Thai identity. This situation reflects a

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<sup>15</sup> Interview with Miew Lah in Nakong village, Shan State, on February 26, 2013.

similarity that exists between migrants and their ethnic identities in Myanmar, where ethnic identification is a highly sensitive issue, and that in Thailand, where being seen as Burmese is also of key concern. Most Shan resent being referred to as ‘Burmese’ due to their long-standing negative feelings towards Burma’s authoritarian rules, under which they have continually been oppressed by the Burmese regime.

To avoid problems resulting from carrying foodstuffs across the border, many Shan migrants purchase these products in an area more accessible to where they live or work in Thailand. Shan foodstuffs can be found relatively easily in local markets and shops, as they are commonly imported from Shan State or northern Thailand through distributors and retailers. Moreover, for those who desire specific Shan products from their hometowns, they can place orders with the Shan traders who drive to the Thai border and have the items mailed them to wherever they live in Thailand. Nang Saeng, a Shan trader, told me that she was sometimes asked to collect and send Shan foodstuffs made in Möng Nai (her hometown), such as *to nao* [Shan: fermented, dried bean curd], *to nao oot* [Shan: fermented, dried bean curd seasoned with spices] (see Fig. 6.9), *to pu haeng* [Shan: dried soya bean], and *to nao yan* [Shan: fermented soaked beans with spices], to Shan laborers living in Thailand. When reaching Mae Hong Son, she goes to the provincial bus terminal and sends them on a bus traveling from Mae Hong Son to Bangkok, or on a van heading to Chiang Mai. She charges 50 baht per box or bag for her courier services.<sup>16</sup>



**Figure 6.8 (left):** *Personal belongings of migrants crossing the border from Shan State.*

**Figure 6.9 (right):** *“To nao,” fermented soya bean discs—a core element of Shan food culture.*

<sup>16</sup> Interview with Nang Saeng on October 15, 2012.

Another aspect of foodstuffs is their response to the degree of the interrelationship between people's mobility and commodity flows, since foods generate diversified meanings during the human mobility and migration processes, and such meanings given can be altered into something else according to a diverse array of circumstances. Foods considered as markers of identity intensify the degree to which they identify the carrier as Shan, which is commonly and incorrectly interpreted as Burmese and of a non-Thai element. The commodities flowing in coexistence with people's mobility causes more difficulties in border-crossing for the people themselves, as state actors tend to consider belongings to have rendered meanings that are associated with the identities of border-crossers. This reflects an aspect of the state's control of the border under the mobility regime: people who are identified as having an association with particular commodities can possibly be hindered from crossing the international border.

#### *Internal body smuggling*

In particular circumstances, flows of commodities and people's mobility are physically fused over the course of crossing the border. For example, illicit drugs may have already been consumed by individuals prior to their border-crossing. The Thai state's border searches for drugs are semi-regularly conducted, but rarely in accordance with the guidelines presented in Fig. 6.6, since the Thai state at the checkpoint is unable to afford to do so thoroughly given that it would require high-technology and greater manpower.

One day in December 2012, I was sitting in the back of a yellow truck with two Shan men who had just crossed the border from Shan State. One man was intoxicated and semi-conscious, and had to be supported by the other man as he was unable to walk. The soldiers at the border allowed both of them continue on to Mae Hong Son, perhaps reasoning that the unconscious man needed medical treatment at the hospital in town. While sitting in the truck, the intoxicated man slipped in-and-out of consciousness and mumbled incoherently, while the other man kept pulling his body back inside the truck to prevent him from slipping out of the vehicle. When the truck stopped at the local immigration office, the truck driver went to report and handed over the documents from the army that needed to be stamped by an immigration officer. However, the procedure did not go as usual, since the immigration officer asked the truck driver to bring the unconscious passenger to the office. This was not normal, as typically only the driver of the truck is involved in this process. An awkward situation ensued as the man required support on both sides by his companion and the female truck-driver to be led up to the post set on slightly hilly ground.

I later learned from border villagers that neither Shan man was allowed to travel on to Mae Hong Son town because the immigration officer believed that the unconscious man had taken drugs, based on the fact that the men's origins was Shan State's Nam Sang township, where drug production is widespread. This incident illustrates that even a thing inside a person's body has the potential to hinder that person from crossing the Thai border, such as the case with the passenger's likely symptoms of drug use. It also shows that the Thai officers of different agencies performed their missions differently. Whereas the Thai soldiers at the border checkpoint allowed the man to cross the border to receive treatment at the hospital, the immigration officer believed that the man was not simply sick, but was rather intoxicated on narcotics.

Foods and drugs that people take into their bodies are significant commodities in terms of changing meanings in varying contexts. Foodstuffs are generally perceived as trivial and not technically illegal, but their meanings change when foods are imbued with social meanings connected with Shan identity. The negotiations that occur between the state and Shan migrants attempting to cross the border can be made easier by the migrants not carrying such commodities with them. In contrast, the case of the allegedly intoxicated man clearly illustrates the illicitness attached to certain commodities such as narcotics. The presumption of drug-involvement resulted in a more decisive, non-negotiable action that can be seen in the intertwining of human and commodity flows—a man taking drugs while crossing the border confronting border control functions conducted by Thai authorities.

#### *Mundane performance against surveillance by regulation*

It is challenging for state officers to perform their missions aligned with the controls prescribed under the mobility regime. How they do so illustrates the mundaneness of the performance of their duties rather than the rigidity and thoroughness of enforcements of state regulations. This is another aspect that is reflected by the cases of foods as markers of identity and drugs inside a body. To inspect border-crossers and the things they carry requires the use of high-tech equipment, which the officers are unable to afford with their allotted budgets. Therefore, the Thai army officers follow the protocols pragmatically while performing their missions as mundane practices based more on how practices were carried out during previous regimes than strictly regulating the flows as directed under the current regime.

From the perspective of the local Thai state, allowing people from Shan State to pass through the border checkpoint typically means allowing Shan people to visit their relatives according to long-established customs. I observed that the Thai authorities were reluctant to

carry out their duties; however, this reluctance apparently represented their attitude toward following practices established by authorities during the previous regimes. The most obvious reason for the officers' hesitancy in consistently applying the regulations of the central state is their familiarity with the cross-border traders who have been operating in these borderlands since the time of the frontier regime. Some of these state authorities, likewise, have been working in this area for several decades. On the whole, members of the border communities make up their familiar contacts, including those who were soldiers and militia members during the period of ethnic conflict, cross-border traders, and villagers whose forms of migration have shifted from those of long-distance traders to those of labor migrants. Subsequently, when the Thai authorities carry out their duties towards border-crosses, it is revealed how familiar they are with each other. Soldiers might walk around, teasing young female traders, asking where they plan to go out that night once getting to town, or they will mingle with the older female traders and discuss daily life. In addition, gifting or reciprocity is practiced in the form of food and cooking ingredients, which are regularly offered by some of the Thai traders to express gratitude to the soldiers for creating such a relaxed atmosphere during their cross-border activities, and for making compromises while enforcing the law, making potentially difficult situations less stressful.

As I have presented the control of the Thai state authorities as relaxed and not stringent, it is important to note that this is in stark contrast to what the mobility regime intends. The Thai state attempts to follow current trends of large-scale changes resulting from regional cooperation. In May 2014, I visited the Nam Phueng border checkpoint two more times and came across new elements: buildings and equipment that had recently been established in order to demonstrate the Thai state's preparation toward regional integration under the framework of the ASEAN Economic Community. In December 2014, the military at the checkpoint had installed a modern-looking metal sign bearing the words "Stop, Check" with an electronic light on top. The sign had been donated by the Office of Counterfeit and Contraband Tobacco Prevention, Thai Tobacco Monopoly. Such changes as these explicitly show how the Thai state attempts to perform and present their concerns regarding personal belongings and items attached to people's identities and their habits of consumption, which reflects control under the mobility regime. Although the Thai state's personnel at the ground level attempt to perform their duties in controlling human and commodity flows aligned with the mobility regime, they fail to do so due to the legacy of the frontier regime. Importantly, members of the border communities who have lived during the time of the three successive regimes have developed familiarity with

the state, which enables them to manipulate the regulations to suit their personal and business goals.

## **Conclusion**

In this chapter, I have illustrated how Shan mobility in relation to commodity flows has been shaped by the frontier, border, and mobility regimes, in specific circumstances and across the connected timespans. Influenced by Glick Schiller and Salazar (2013), who encourage scholars of migration studies to understand the mobility trajectories of humans within temporal connectedness, I consider the three regimes as being intertwined and having subsequent effects on the border regulations that have developed from the political climate along the frontiers since the 1970s. During the frontier regime, long-distance traders were drawn by the demand for consumer goods in ethnic rebel strongholds. Their transportation of humans and goods across the frontier led to opportunities for Shan migrants to migrate to Thailand afterward. During the border regime, these Shan migrants continued to play a role in cross-border trade and adapt to the transition of regimes from frontier to border. They were able to negotiate successfully with political forces and state regulations regarding border control. Moreover, they subsequently found ways to manipulate the regulations by setting their own rules, as in the case of transportation and the traders' queue system. Passengers and goods are managed and calculated based on the traders' maximization of profits, as well as tactful negotiations of the regulations set by the political forces on both sides of the border.

The emergence of the mobility regime has led to the mobility of individuals being increasingly regulated towards bodies and identities. Thai state authorities attempt to perform their duties by investigating a person's ethnic background and personal belongings. The other side of this exploration reveals that certain commodities can hinder people's mobility, as these commodities are imbued with different meanings by different actors, especially by the state authorities enforcing the laws. From the examples described, foods flowing across the border by themselves might not garner much attention or have significant meanings attached to them, but when they are carried by Shan migrants, they become identity markers. Nonetheless, the legacy of the frontier regime remains strong at the present time, and the border remains porous, allowing human flows to continue across Shan State to Thailand. This has subsequently enhanced the magnitude of Shan people's flows across the border over the past five decades.

In Chapter 7, I will further explore themes from this chapter in order to show how the permeable border enables Shan traders and labor migrants to shift their mobility forms to suit their migratory patterns. I will discuss how political forces and human flows intersects, resulting

in people strategizing their journeys through informal taxation, the exchange of commodities, and gifting when moving across different political boundaries. After completing these processes, Shan migrants are able to migrate to Thailand, using well-trodden routes and practicing circular migration patterns over time. This emphasizes the relationship between the four polities and Shan transnational communities within the three successive regimes of the border.