

CHAPTER 5

Life In Between Spaces and the Cross-Border Movements of Ethnic Traders

5.1 Introduction

This chapter is another ethnographic account of the space-making processes that take place in the border towns of *Mae Sai* and *Tachilek* by exploring through interconnection of cross-border mobility of ethnic people, their network and illegal/illicit components of commodities. Specifically, the chapter will shed light on a group of ethnic borderers who have tried to construct their own space based on spatio-economic activities, and by both utilizing and maximizing cross-border mobility and movement as a means to an end in an era of growing cross-border mobility and border town diversity. The research method employs ethnography and documentary research, with a preliminary survey conducted in December 2013 and intensive field-work carried out over the period January to March 2014.

During the second decade of the 21st century, the border towns of *Mai Sai* and *Tachilek*, once considered an ethnic-armed struggle areas, have witnessed an unprecedented increase in the speed and scale of cross-border trade, as well as an increase in cross-border mobility and population diversity levels, and all within a regional development framework. This has drawn a number of Myanmar's ethnic people from Myanmar hinterlands to *Tachilek*, before then crossing the borders to *Mae Sai* as their destination in quest of enhanced economic well-beings. While the primary source of newcomers in both *Mae Sai* and *Tahcilek* has been Myanmar's ethnic cross-border people, the majority of people who have already lived in the area are locals. While the former represent cross-border migrants, the latter are part of a well-established community.

A space is never neutral but instead always contested and controlled. Within the new spatio-socio-economic context, the space of *Mae Sai* and *Tachilek* such as marketplace, workplace or community becomes a contested space in which people of different backgrounds and ethnicities co-exist and interact with one another. However, this space becomes a controlled space in which the state establishes a surveillance system, using different types of border passes and multiple border check-points to regulate flows of people and commodities within the towns. Such spatial and socio-economic multiplicities within the border towns contribute to the more tensions of spatial shifts and changes than ever before because of the emerging constellations of the differentials, encounters and resistances in the everyday space of the border towns. To put it another way, the spatiality of the border towns works in such a way that it both negotiates and articulates with unavoidable challenges arising out of different trajectories here and now (Massey, 2007).

This chapter focuses on the most recent wave of people who are Myanmar's ethnic migrants who have migrated to live in *Tachilek* and *Mae Sai*. Initially, they migrated in order to do small-scale business in *Tachilek*, but they experienced high levels of business competition, both with the other ethnic traders and the existing trading community. As a result, this recent migrant group, made up of young *Burmese, Shan, Burmese Muslim* and *Chinese Burmese*, has crossed the borders to sell pirated and illicit commodities in *Mae Sai*. They turn themselves to be petty traders selling a variety of smuggled items there such as CDs/DVDs, cigarettes and *Viagra*.

Since conducting their trade activities in *Mae Sai*, they have had to deal with the local authorities, provincial polices and copyright officers from *Bangkok*. Due to violations of copyright and smuggling laws, they were sometimes seized and put in jail in downtown *Chiang Rai Province*. This specific ethnic group, who crosses the borders to and from *Mae Sai* and *Tachilek* on a daily basis, faces the dilemma of living between their new home in *Tachilek* and their new place in *Mae Sai*.

In response to this, they have had to develop multiple border tactics¹ to cope with their vulnerable lives by negotiating with state powers and the state borders. Their border tactics range from using multiple documents, acquiring work permits and speaking fluent Thai, to forging alliances with different local people and state officials.

Most significantly, this research shows that border tactics--which derived from the everyday cross-border mobility that takes place between *Mae Sai* and *Tachilek*, through the Mae Sai Border Check-Point and as part of their trading project, and based on the maneuver of the state's border loophole--have brought about a re-configuration of both *Mae Sai* and *Tachilek* borders. As such, the border space-making of *Mae Sai* has led to a re-configuration of the border, embedded in, and demonstrated through, daily spatial and socio-economic interrelations. This border re-configuration has also created new opportunities and led to new profits. The borders of *Mae Sai* and *Tachilek* have thus been re-configured into a hybridized, divisive, yet integrative space. In the final analysis, its border space of *Mae Sai* has become a multiple localizing space for Myanmar's ethnic cross border people.

Against this backdrop, this chapter is structured into five parts. It outlines the Thai state's regulations, facilitations and procedures on border crossing through the Mae Sai Border Check-Point. Then, it describes Myanmar's cross-border people's negotiations with the state's border regulations and controls through the use of multiple documents, by changing jobs and creating connections with local NGOs. It also discusses the state's new border pass regulations and the modern control techniques used to regulate cross-border mobility at the Mae Sai Border Check-point, as a border surveillance tool. After providing a detailed background, it focuses on the second case study, shedding light on

¹ There is a slightly difference between tactic and strategy. A tactic is an action implemented as one or more specific tasks. Tactic is, to a certain degree, an improvisation of action in a situation. The term is commonly employed in a competitive activity context. Strategy is a high-level plan to achieve one or more objectives under conditions of uncertainty. Strategy generally involves setting objectives, determining actions to achieve the objectives, and mobilizing resources to execute the actions. This study focuses on border practices, and so focuses more on the tactics used by a group of ethnic borderers in support of their border-related livelihoods.

Myanmar's ethnic petty traders in relation to the way they have constructed their own space through border re-configuration amidst spatial and socio-economic trajectories.

5.2 Border Passes, Border Crossing and the Use of Multiple Documents for Border Negotiation

With the advent of regional development on trade, tourism and infrastructure, a number of Myanmar's ethnic traders have been increasing in *Mae Sai* since 2000. The arrivals of a number of Myanmar's people also reflects the changing spatial and socio-economic conditions in *Mae Sai*. Myanmar's people now work across all sectors in the town. Even so, particularly at *Mae Sai Markets*, they mostly work as cross-border petty traders, and are considered to be the latest wave of people coming to the border town of *Mae Sai*. While the *Chanthaburi* gem traders are considered domestic migrants, by contrast Myanmar's ethnic petty traders are seen as cross-border migrants. While domestic migrants move within a state's border, cross-border migrants move from one locality to another across national borders, using diverse social networks.

The recent arrival of these Myanmar's ethnic petty traders in the markets of *Mae Sai* and *Tachilek* is the result of an assemblage of diverse social forces. First and foremost, not until 1989 did the Burmese government officially launch its market reform policy. It brings about the open conduct of cross-border trade between the market towns of *Tachilek* and *Mae Sai*, which the two border towns have been long time ago a historic trading route. In that year, the military made cease-fire agreements with a number of ethnic rebel groups including the *Wa* in *Shan State*. Subsequently, the Burmese junta initiated its 'Border Area Development Programs' (BADP) (Kusakabe and Oo, 2007). This new program aimed to facilitate business growth and improve livelihoods at the border². It drew a number of people from Myanmar hinterlands to the borderland.

Secondly, the year 1998 also became a landmark year for the ADB's regional development program. The border towns of *Mae Sai* and *Tachilek* were directed towards cross-border trade and tourism, and modern infrastructure was built or

² The majority of Myanmar's migrants are labor workers in Thailand. This research primarily focuses on Myanmar's ethnic petty traders who occupy *Mae Sai Market*, the research field site.

improved. Linkage among cities and towns in the area were improved through networks of roads and also from the opening of airport. These changes helped facilitate the movement of both people and goods.

Thirdly, Myanmar has adopted economic liberalization policy since 1993 which directly effected agricultural sector. The Burmese junta imposed a 'padi tax' (*Tarwun-Kyae-Sabar*) to help execute the duty program³ and land confiscation (Kusakabe and Oo, 2007). It caused economic hardship, or at worse, bankruptcy. Due to poverty, people were driven out of the agricultural villages in search of better economic livelihoods elsewhere (Kusakabe and Oo, 2007). Some migrated to the borderland such as *Tachilek* and *Mae Sai* where it is a place for job seekers and also serves as springboard to Thailand elsewhere such as *Chiang Mai Province* or *Bangkok*. Due to the fact that *Shan State* shares a border with Thailand, *Tachilek* and *Mae Sai* became home for a relatively small number of *Shan* ethnics, including Myanmar's other ethnic population (Kusakabe and Oo, 2007).

Myanmar's ethnic traders depend on social networks in the first place. These people use kinship and friendship for their cross-border mobility. They have friends or relatives living in *Tachilek* or working in *Mae Sai*. This network helps form the spatio-social route that links Myanmar hinterlands to Thailand. These ethnic and kinship networks play a vital role in serving as a bridge linking between the two different places and within different time-space. As a result, cross-border mobility has become an ordinary lived practice of these ethnic people, as they make their space or homes in a new land. These cross-border practices are constructed via mutual networks developed between an immigrant's homeland and the new host country. *Mae Sai* and *Tachilek* have become sites of both in-and-out flows.

5.2.1 Border Crossing and Border Passes

To cross borders to *Mae Sai*, an ethnic petty trader needs a border pass. There are two types of border pass. The first is a temporary border pass. It is a small green piece of paper with space for a stamp in and out. It can be used for seven days and allowed the holders to stay overnight in *Mae Sai*. In case of an emergency, such as having to go

³ This program was finally cancelled in 2003 (Kusakabe and Oo, 2007).

to hospital, the pass can be extended upon negotiation. People who have an identification card (ID card) are eligible to hold a border pass. They also need to pay 1,000 *Kyat* (35 *Baht* or 0.5 USD) fee to have a temporary border pass, and also pay 10 *Baht* (0.3 USD) fee each time for crossing borders to *Mae Sai*, or 20 *Baht* (0.6 USD) to stay overnight in *Mae Sai*. After it is expired, the holder is required to re-apply in order to receive a new one. The second type is a yearly border pass. It is a small blue booklet and the fee for the booklet is 6,000 *Kyat* (200 *Baht* or 6 USD). The Thailand's border crossing fee is 10 *Baht* (0.3 USD) or 20 *Baht* (0.6 USD) to stay overnight. Myanmar's people who apply for this type of border pass need to have both a house registration in *Tachilek* and an ID Card. Like the temporary border pass, the blue booklet can be used to stay overnight in *Mae Sai* for 7 days. The second type is more convenient for people who frequently cross the borders. However, comparatively few of these people possess a Myanmar passport. The majority of Myanmar's ethnic petty traders hold only temporary border passes, which they need to present at the Mae Sai Border Check-Point while crossing.

The operation hours for *Mae Sai* and *Tachilek* Border Gates are from 06:00 am to 06:00 pm. The holder of a border pass cannot go beyond the downtown area of *Mae Sai* due to the restriction within a radius of 5 km from the border⁴. Outside of downtown *Mae Sai* are located regular Police Check-Points along the *Highway 1*.

However, cross-border mobility is conceived as a cross-border practice which uses rich and vibrant strategies today. A border pass to *Mae Sai* is just a point of entry. There is evidence of people using multiple documents to negotiate within the borderland of *Mae Sai* to enhance their life opportunities.

⁴ Myanmar's immigrants can ask permission from Mae Sai Immigration Office to go outside to *Chiang Rai Province*. To do so, they need to submit documents and pay a 400 *Baht* (12.5 USD) fee. They cannot go outside of *Chiang Rai Province*. There is an underground agency that helps immigrants travel outside *Chiang Rai Province*, and they charge 3,000-4,000 *Baht* (94-125 USD) per head to *Chiang Mai Province*.

5.2.2 Ethnic Individuals' Use of Multiple Documents for State's Border Negotiations

To begin with, a certain number of Myanmar's migrants enter and work in *Mae Sai* with a temporary border pass. Living in *Mae Sai*, they try to get other documents or cards to enhance their life chances in various situations and settings. The border passes restrict their movement, or in a worst case scenario incarcerate them in a designated space, but at the same time, other documents can be employed as a means of mobility and freedom. In other words, they practice the newly acquired documents in order to offset the limitations of the old documents. The use of multiple documents is deemed a strategic way for the migrants to negotiate their lives in a discursive time-space. They try to go beyond spatial limits at the borderland.

Jot Te, a 38 years-old *Muslim* Burmese, owned mobile stall, now selling fashion sunglasses at *Sai Jom Joy Market*. He paid rent of 1,800 *Bath* (56 USD) a month. His family, father, mother and himself, decided to move from the suburb of *Yangon* to *Tachilek* ten years ago. His family opened a small grocery store in a village there, but the business was very quiet because there were few customers. They had heard that the economy in *Tachilek* was better than in their hometown, so decided to move and live there with their relatives. He himself worked as a construction worker in *Tachilek*, for which he got paid 200 *Bath* (6 USD) a day. He then moved further to *Phitsanulok Province* and *Chiang Mai Province* for work reasons before ending back in *Mae Sai* with his current job.

One day when he was off work and crossed the borders to *Mae Sai* looking for a new job with his friends, he came across a businessman from *Phitsanulok Province* looking to recruit labor for his bakery factory. He and his friends made up their minds to work with him there. After he worked for a month, his boss cheated his wage. Even worse, he once encountered a policeman who took all his money due to the fact that he was an undocumented migrant worker. He said:

"I had no work permit and no passport. I lived without them, so I had no status. There was nothing to confirm who I was. The Thai police was very very kind. He came across to me as such a person. It was something like his luck, a fluke".

He and his friends decided to buy bus tickets to go to *Chiang Mai Province* in search of construction work. They made contact with his *Shan* friends who helped him apply for the job. Since the 1990s, the construction boom had created an incessant demand for workers, and has drawn a lot of Myanmar's ethnic workers crossing the borders from *Shan State* to *Chiang Mai Province*. Thailand's government has been concessional with regard to migrant workers due to shortage of labor in many areas, particularly within construction sector.

At the company, his new boss submitted papers, together with 6,000 *Baht* (187 USD) for the work permit application. This also included medical examination fee and social insurance fee. Other companies used a private agency to help process the application, and it charged about 10,000 *Baht* (313 USD) per worker. But, a work permit, just like a border pass, limits migrant workers to working within a designated area. Once he had the permit, he was also required to report to the provincial labor office every 90 days.

Paradoxically, the work permit seemingly demarcated his boss due to the fact that he could not take his workers out of the town. His construction company had more than one construction site, and he was once fined by the police for taking laborers out of the restriction area. Subsequently, the boss took him to the office to upgrade his work permit, by re-submitting his documents and applying for a *Passport Visa*, which he did for his workers. However, Thailand's government also requires migrant workers to pass a citizen verification process for their country of origin. All in all, a work permit is the state's way of monitoring both employers and workers' movements.

Once with a '*Passport Visa*', he and his friends could now move around the country, and could use their 13 digit work permits to apply for the '*Thirty Bath Health Insurance Card*', a card issued as part of the government's '*Thirty Baht Remedy Project*'. The workers paid only 30 *Bath* (0.9 USD) or even nothing when they went to a government hospital or clinic.

After five years working in *Chiang Mai Province*, and now with a work permit, a *Passport Visa* and a medical card, he decided to run away from the company and travel to *Bangkok*. Some of his friends, together with their families, also disappeared from the

company. *Jot Te* went back to *Yangon* to visit his relatives using the passport. He then re-entered at the Mae Sai Border Check-Point using a border pass. The border pass is just a piece of paper that cannot record any bio-data. He kept the passport in order to apply for another job, as the passport looked more reliable than a border pass. He invested his five years' worth of savings in a petty trade, selling fashion sunglasses in *Mae Sai* where he also settled down with a *Shan* woman.

The above-mentioned case exemplifies an active borderer's use of state documents to find a job and seek mobility. The next case; meanwhile, exemplifies the use by a group of street teenagers of an NGO for social welfare and protection in *Mae Sai*. *Shan* and *Akha* teenagers, just like *Jot Te*, also struggle to obtain Thailand's official cards. Here is another story as told by an NGO's worker.

Oud, 25 years old, is from *Chiang Rai Province*. After graduating from college, he worked for the Volunteer for Children Development Foundation (VCDF) for three years. VCDF is an NGO based in *Mae Sai* which works to protect and rescue groups of vulnerable children from human trafficking⁵. Such children are often called '*dek rērón*'. He was in charge of a project named '*Street Friend*' (*mít-kâang-tànǎn*), aiming at teaching vulnerable children through organizing activities such as painting, game, music and so-on in a small open space, adjacent to the Mae Sai border Check-Point. This area also functioned as a small gate which these vulnerable boys and girls could open to receive rescues at the borders.

Mae Sai is a human trafficking, drug and smuggling prone-area. Along the Thailand-Myanmar Friendship Bridge over the *Sai River* can be found *Shan* and *Akha* child beggars, hopelessly begging for money from tourists. At one end of the bridge and near to the Mae Sai Border Check-Point was a small group of young staff who came to the bridge to observe them. They knew these vulnerable children through their

⁵ Mae Sai border-based NGOs includes (i) *Development and Education Program for Daughters and Communities* (DEPDC), which works to prevent child exploitation and prostitution, (ii) *EMPOWER*, which works on sex worker rights and AIDS prevention, (iii) *Childlife* or *Baan Nana*, which works on saving vulnerable groups of children, (iv) YWAM, Christian sect which helps hill-tribe groups and orphans, and (v) VCDF. These NGOs work together and also with governmental agencies, campaigning for children's rights, although the children are not considered Thai citizens.

activities. VCDF adopted the group of border ethnic children for protection until the age of eighteen, and also had links with *Mae Sai District Office of Non-formal and Informal Education* (ONIE) for education. It is near to Mae Sai Municipality. There were *Shan* and *Akha* students crossing the borders back and forth to *Mae Sai* to study at ONIE. This vulnerable group was stateless or homeless ethnic children from *Tachilek*. There were also some of them, who were *Shan* and *Akha* teenagers aged fifteen or sixteen, who came to exploit the NGOs' network through education. For example, once adopted for a week, they showed an eagerness to go to school. Then, they could apply for the school, primarily with the help of VCDF, in order to acquire a student card. A student card is valid for a period of ten years, or until a student finishes his or her studies⁶. *Oud* said:

"They were so smart and witty that I could not catch up with them. They fooled me. They exploited me. After they had been with me for a week, they told me that they wanted to go to school. They used me to help them apply for school. After I had helped them apply for school, they didn't study but had gone to do something else instead. When a policeman approached and asking them what they were doing, the student card could be something like a shield. They made excuse that they went at school. Here was my ID student card".

He also furthered that:

"But, most of the students usually went to school. If they did or didn't finish school was totally up to them, not me. If they decided to give

⁶ If a stateless or homeless ethnic student has studied and lived for ten years in Thailand, and has a student card as evidence of this, the NGOs try to help them achieve the status of undocumented persons, meaning they are recognized legally. The NGOs also help ethnic children to obtain a Thai ID Card. This specific type of ID card begins with a zero initial. They then have fundamental rights such as being able to get a job, open a bank account and obtain health insurance. For example, in 2007, the Thai Government introduced an ID card application process for the ethnic minorities. Nonetheless, these people are not allowed to travel to other places without the local sheriff's approval. In certain circumstance, they can travel to other places with NGO vehicles if they have the connection. The vehicles can help them get through Police Check-Points. In general, the authorities fine illegal immigrants 5,000 *Baht* (156 USD) and may also imprison them.

up on school, I was not the person in charge. I didn't follow up because they were not my responsibility. I took a risk because they were under my protection. They already had a student ID card. Suppose, they committed a crime, VCDF and I were in trouble. I decided to cut them off. But, if they were under my responsibility, I would never ever let go. Anyway, I must force them to study. If they didn't study, I took their student ID cards. If the police caught them and sent them to their native countries, they couldn't make any excuse using VCDF because I could tell that they were not at all under VCDF".

The student card helps them change their status from stateless or homeless, and helps them acquire a new status and identity. They can show the student card to authorities in order to save themselves because they are now seen as students, not homeless children. However, the police are sometimes suspicious of such ethnic border children, believing they were involved in drugs or prostitution in *Mae Sai*. As a result, the children felt more secure with the card because the card provides them a link to social organizations such as ONIE and VCDF. Society has rules and regulations; to get a student ID card is to have rights and benefits, and they can live in Thai society.

Relatively speaking, those who have a student card are more protected than those who only have a border pass. Society is more likely to protect students, children and minors. A student card is considered social and collective, but a border pass is individual and private. In other words, a student card is a social tool to integrate ethnic border children into larger social system, having previously had nothing and been excluded from it. Therefore, the student card functions as a social safety net.

But, there were some of them who decided to quit the school in order to make money. *Mae Sai*-based NGOs could help to protect ethnic vulnerable children up to the age of 18. When they were over 18 years old or not considered a 'minor', they must leave the NGOs because they were now seen as adults who could take care of themselves. They did a variety of jobs in *Mae Sai*, legally or illegally. They abused student cards and student status. For example, they were workers, amphetamine sellers, prostitutes, or street vendors selling CDs/DVDs, brand-name cigarettes, prescription

drugs and playing cards. They traded the risks involved in such livelihoods at the border for economic well-beings.

To summarize, *Mae Sai* serves as a node to connect migrants with local NGOs who provide help, with other jobs, or even with other parts of Thailand. In this sense, *Mae Sai* is becoming both an economic corridor and a transportation corridor.

5.3 The Thai State's Upgrading Techniques for Border Passes

Thailand's administration under Prime Minister Yingluck Shinawatra placed much importance on border controls at major border crossing points. Subsequently, Mae Sai Immigration Office has recently introduced a new policy on border passes, and introducing the Immigration Control Card for Myanmar's immigrants. It is a temporary plastic-coated card, which looks like an ID card and contains basic personal information on the right hand side, a portrait in the top-left corner, and a barcode at the bottom. Myanmar's migrants, including ethnic petty traders, students or pedestrians who cross the borders back and forth from *Tachilek* every day, need to present a border pass together with this Immigration Control Card. Previously, they only needed a border pass. The yearly border pass has a barcode sticker containing bio-data, while a passport has a microchip.

The Immigration Control Card has been utilized by Mae Sai Immigration Office since February, 1 2014, as approved by the Thai-Myanmar Joint Boundary Committee (JBC). Thailand's Government granted a budget of 9 million *Baht* (281,000 USD) to install the systems needed to support use of the card, under a project named '*E-Fingerprints and Border Pass Control*'. To process the card, immigrants are required to complete documents containing their bio-data, and then have their thumbs and index fingers scanned. There are three major border check-points now using such new system; *Mae Sai* and *Tachilek*, *Nong Khai* and *Vientiane* (Laos) and *Aranyaprathet* and *Poipet* (Cambodia).



Figure 5.1 Immigration Control Card

Source: Photo of the author taken in 2014

Mae Sai Immigration Office reported that 2,300,000 people entered and departed through the Mae Sai Border Check-Point in 2013, of which 180,000 were from Myanmar. Also, 240,000 vehicles come and went through the check-point over the same period. Nowadays, around 400 to 500 Myanmar's people cross the Mae Sai Border Check-Point back and forth every day for trades and personal business purposes (Tsuneishi, 2009). However, the actual number of people crossing the borders is higher than this due to the fact that people living along the *Sai River* cross the border by simply wading across the river each day at *Sai Lom Joy Village Community* and *Koh Sai Village Community*. The Thai authorities tolerate the locals crossing the river in this way as long as they return home after 06:00 pm. Nonetheless, the number of people and commodities entering and departing through the Mae Sai Border Check-Point has been increasing year-on-year in recent times.

Mae Sai Immigration Office aims to control the flow of immigrants by requiring them to check-in and check-out using a barcode reader at the Mae Sai Border Check-Point. Furthermore, it aims to check personal bio-data and criminal records through computer. Already some 6,000 files containing bio-data are stored in a computer server located at the Mae Sai Immigration Office.

This implies that the Thai state has finally caught up with cross-border mobility, although the turn-over rate of people moving across the borders is faster in speed and greater in number. The Thai authorities are also taking tough measures to counter the porosity of the border and any illegal activities in order to both tighten border security and keep a track on daily cross-border flows on the Thai side. During a period of economic globalization; however, this also implies that Thai state is finding it difficult to control the border, but to liberate the borderland as its rationale. The more restricted, the more difficult it becomes. The modern role of the Thai state is to both regulate and facilitate cross-border flows in the most sophisticated way possible.

The state and immigration authorities are now using the modern technique of power, that works through the system of surveillance. In this specific case, the immigrants are controlled, monitored and recorded through use of the border passes, immigration cards and check-points. Those who hold the border pass and the card with them facilitate the efficient working of state power, but they are unaware of being observed by the state. As a result, the body is made to become the site of state power and control. To put it another way, state power is now working on the human body, controlling and disciplining bodily movements (Foucault, 1978).

Through the eyes of state and immigration's surveillance system, the Border Pass and Immigration Control Card can now set the border controls directly onto the cross-border people's bodies and movements, in turn helping to tighten the state's control over the border. That is, the Border Pass deters migrants from travelling outside of downtown *Mae Sai*; they are demarcated within a 5 km radius of the border. Outside *Mae Sai* are situated Police Check-Points along the highways. The Immigration Control Card also highlights any violation of border regulations or illegal activities. If they commit a wrong-doing, their behavior and activities will be recorded as part of their bio-data. As a result, they will fear being denied entry in the future. They now hold the

two cards with them, reflecting the Thai state's implementation of spatial technology to control human bodily movements.

All in all, the Thai state has adapted itself from controlling the physical border using state personnel and state bureaucracy such as border patrol police/military, immigration officials, state landmarks or natural state boundaries, to the use of disciplinary control of the cross-border people themselves. Bodily movements have become a site of the working power of state. This also signals that the Thai state is aiming to manage the illegality or porosity of the *Mae Sai* border as part of the wider border economic development taking place as part of globalizing capitalism, and under the GMS Project.

Contradictorily, this also infers that the Upper-Mekong borders including the borders of *Mae Sai* and *Tachilek* show a paradox between state ideology and development. That is, *Mae Sai* has to balance the twin aims of border security and regional economic development. To put it another way, the state is currently negotiating between its sovereignty over the border--for which its prime concern is state power in relation to locational security, as characterized by long time ethno-political conflicts and more recently by people's mobility--and the economic border, for which its prime concern is taking the market economy to the borderland, as characterized by regional trade linkages. While border security is related to internal conflict; regional economic development represents an external one. These two forces collide first and foremost at the border check-point. As a result, the state has turned to the border surveillance system through the use of biometric technological innovation. It is the spate of new surveillance system aiming at controlling the economic border for border security purposes (Smith, 2009). The Thai state has promoted cross-border flows in relation to goods and services, so the space has been smoothed as if the border had disappeared. Nonetheless, the state demands to monitor and control the border. As such, the border space has been both de-regulated and re-regulated at the same time.

5.4 Case Study II: Ethnic Cross Border Petty Traders and The Construct of Cross-border Community

At the entrance to *Doi Wao Market*, which is in walking distance of Mae Sai Border Check-Point and close to the Mae Sai Immigration Office, there was a group of Myanmar's ethnic cross-border petty traders who sold pirated and illegal/illicit component of commodities. They sold CDs/VCDs, brand cigarettes, and *Viagra* to tourists. Their number fluctuated between twenty and thirty, and they were young, aged around 18 to 30 years old. Some were new comers; others had been in the business for seven to ten years. They were ethnically diverse; *Shan, Burmese, Chinese Burmese* and *Burmese Muslim*. These ethnic petty traders followed each other to *Mae Sai* and mostly got to know each other at *Doi Wao Market*. They were also familiar with VCDF⁷ and often asked for help in the case of emergency such as falling ill.

Some of them came from *Shan State* such as *Muang Yong, Chiang Tung* or *Taunggyi*, but their family had moved to *Tachilek* since they were little. They still remembered ethnic-armed struggles that took place at the border, and also the border closures. Others moved to the border from Myanmar hinterlands such as *Yangon, Mandalay, Meiktila* in *Mandalay Region* and *Mawlamyine* in *Mon State*. Due to the fact that all these ethnic people made little money or could not find jobs in Myanmar due to economic hardship, they decided to follow their families, relatives or friends in quest of better economic well-beings in *Mae Sai* or *Tachilek*. As they had lived along the border, they could speak Thai. Mostly, when living in their hometowns, they had heard about *Mae Sai* and *Tachilek* having a lot of tourists. It meant that the border would be better for making-money than homes. News also helped draw them from their homes in search of the borderland.

These people had once conducted petty trade in *Tachilek*, several years before moving to *Mae Sai*. They tried out different jobs based on trial and error before ending up as street vendors selling CDs/DVDs. But, they had faced a lot of competition, as there are a lot of big CDs/DVDs shops there. Tourists were more likely to buy

⁷ A few of them used to be under the protection of VCDF, under the project 'Street Friend' (mít-kâang-tànñn) when they were still minors, but they were dismissed after turning 18 years old.

CDs/DVDs directly from these big shops. Furthermore, there were hundreds of street vendors who sold the same things at *Ta Lor Market*. They sold CDs/VCDs, brand-name cigarettes, *Viagra*, *Valium*, *Aphrodisiac*⁸, electric razors, playing cards and lighters. They put these items in baskets attached by strips onto their necks or backs. They usually pestered tourists, begging them to buy items, engaging them in a rushed manner as the tourists entered *Ta Lor Market*. Because their livelihoods depended on a tourist, they encroached upon the tourist's private space, and the tourists often got sick of this encroachment. They were likely to offer sexual health products to the male tourists, but other items like CDs/DVDs, toys or gadget to the women. They competed and sometimes quarreled with each other when selling an item to a tourist. However, they could not make ends meet working as street vendors there.

Having faced with such poor living conditions, they decided to cross the borders every day to *Mae Sai* to sell CDs/VCDs, brand-name cigarettes and *Viagra* to tourists. They mostly used a *Border Pass*. They could meet a lot of tourists in *Mae Sai* before the tourists headed over to *Tachilek*. Also, *Ta Lor Market* looked the same for tourists who had already visited the place. They stayed at *Mae Sai*. The locals in *Mai Sai Market* usually called these vendors 'CD sellers' (*Kon- Khai CD*). They also considered themselves to be primarily CD sellers, but they also sold some other items.

At 08:00 am, these ethnic CD sellers usually came to wait for customers in front of the entrance to *Doi Wao Market*; some of them sometimes went to *Sai Lom Joy Market*. They got out from their homes in *Tachilek* and crossed borders to *Mae Sai* every day, carrying with them ten to twenty CDs/DVDs. They got a wholesale price at the CDs/DVDs shops in *Tachilek*, then sold a retail price in *Mae Sai Market*. The wholesale price of a CD was 10 *Baht* (0.3 USD) and they could sell it for 20 to 25 *Bath* (0.6-0.7 USD); the whole sale price of a DVD was 25 *Baht* (0.7 USD), and the retail price was 30 to 35 *Baht* (0.9-1 USD). They usually offered a set discount price of three DVD for 100 *Bath* (3 USD). But, they charged higher prices to foreigners, selling a DVD for 300 to 500 *Baht* (9-15 USD). They also acted as wholesalers selling items to frequent customers in *Mae Sai* such as van drivers. An individual wholesaler had about

⁸ These prescription drugs are often fake, made of powder or chalk. Fake cigarette are made of paper.

ten frequent customers who came to buy CDs/DVDs, selling them on elsewhere. Their customers often called them to order CDs/DVDs.

CDs/DVDs are a popular item among tourists because they are cheap and easily available at *Mae Sai Market*, and this makes *Mae Sai* a charming border town in the eyes of the tourists. Tourists can choose a variety of CDs/DVDs: movie, TV series, Hollywood action, drama, porn, concert, MP3 songs and so-on. Generally speaking, the Thai tourists favor pop songs, recent release movies or *Korean Series*. Tourists are likely to bargain. If the sellers could make a little profit, they would sell. They are sometimes pissed off by tourists who bargain too much and then walk away, while at other times the tourists look down on them because they speak Thai with a Burmese accent.

They also sold brand-name cigarettes such as *Marlboro*. The retail price for these was 30 *Bath* (0.9 USD) per pack, or 300 to 350 *Baht* (9.3-10.9 USD) per carton. *Marlboro's* whole sale price was 250 *Bath* (7.8 USD) per carton. The Chinese cigarettes were also available and much cheaper. The brand *Wonder* sold at 20 *Bath* (0.6 USD) per pack, and was popular among workers. They also sold *Viagra*; Indian *Viagra* sold at 180 to 190 *Bath* (5.6-5.9 USD), while the wholesale price was 150 *Bath* (4.6 USD). They sold Chinese *Viagra* at 150 *Bath* (4.6 USD), and its wholesale price was 120 *Bath* (3.7 USD). They told tourists that the Indian *Viagra* was better than the Chinese *Viagra*. Due to the fact that *Mae Sai* is a narcotic prone-area, they themselves avoided taking *Viagra* across the border through the Mae Sai Border Check-Point; as they might be checked by the authorities. But, they relied on a third party or intermediary to transport the *Viagra* across the border, before picking it up at *Mae Sai Market*. Likewise, porn CDs/DVDs movies were also transported across the borders through the use of intermediaries.

These intermediaries also took some other portable items such as liquor if a customer placed an order via the CD sellers. In such cases, the customer told the CD seller what s/he wanted, then the CDs seller called the intermediary, who carried the items from *Tachilek* to *Mae Sai*. The intermediaries could be friends or a shop's employees in *Tachilek*. Nonetheless, the CDs sellers sometimes acted as intermediaries themselves in order to carry some other portable items. Apparently, the businesses in

Mae Sai and *Tachilek* require the use of third party or intermediaries to help smooth business operations. At the border, not only do they provide a link between suppliers and customers, but also they integrate the legal-illegal border business activities.

Legality and illegality are always a part of the border people's daily lives living as they do through the border economy's experiences. They never consider themselves doing a smuggling business, but simply performing a normal commercial activity. They conceive the reality of the border from ground level through their everyday life trading practice, and see this as different from the state's border reality. Through the eyes of the

state, their activities are considered part of a subversive economy, simply because the state cannot control those who constantly move along the border. More importantly, the state also cannot extract business interests or impose taxes on these footloose people.

They got back home in *Tachilke* at 05:00 pm or earlier. Their every day time was synchronized to Mae Sai Border Check-Point's opening and closing times. These CD sellers who migrated from Myanmar hinterlands rented a row house in *Tachilek*, paying rent of 1,500 to 2,000 *Baht* (46-62 USD) a month, excluding electricity and water. The row house was a one storey house with small rooms, and could accommodate their family members. There were only bed and cabinet in the room. The space was intensely used for living, eating, watching TV, and sleeping. They cooked food and washed clothes in the backyard outside the house. Outside were also shared restrooms. They sometimes quarreled with the neighbors over the borrowing and lending of money. They also called homes sometimes to talk to their family members living faraway, after which it felt like a real home.

During the winter months including festivals, which included New Year, Chinese New Year (February) and *Songkran* (April), it was the high season, so they could make a lot of money from tourists. An individual earned 6,000 to 7,000 *Baht* (187-218 USD) a month in the low season but as much as 10,000 to 12,000 *Baht* (312-375 USD) in the high season. On a bad day, they could not even sell one CD and so went back home empty-handed. Time seemingly ran inconsistently over the course of a year because their time depended on the tourists' favorite seasons. That is, during winter, the time ran

quick because there were a lot of tourists and the sales turn-over rate was high. Time flew, but time was precious and time was money. In contrast, during the rainy season, time ran slowly because there were few tourists and sales were not good. They waited for a long time for a tourist to come. At such times, time passed as slow as molasses in June or July. The rainy reason was a relatively boring time.

For a few years, *Mae Sai* was so quiet it was as if time-space had got stuck, with flows of people and money grinding to a halt. The traders blamed the prolonged political protesters in *Bangkok* for the worsening tourism atmosphere at *Mae Sai*. The political situation was getting worse. They analyzed that the political crisis effected the national economy, and in turn effecting tourism in *Mae Sai*. They also noticed that there were not so many tourists today as in several previous years. Although there were tourists did visit the town, they did not buy or spend money. In such a scenario, while the *Bangkok* political crisis space was getting larger, the tourism space of *Mae Sai* was relatively getting shrunk.

The turnover rate of time in *Mae Sai* also depended on tourism. The CD sellers' time was tied to, as much as depended on, the tourists' leisure time. While the nature of gem trade business and its mode of connection were embedded in economic globalization, the nature of tourism and its mode of connection were related to the situation of the seasonal tourism market. The former was directly related to global export, while the latter was a local service business. Their modes of connection were totally different. The CD sellers' time ran slow because the nature of leisure time was intertwined with the settings of the slow-paced enjoyment and diversion of the tourists. Their time was sometimes standstill due to quietude of tourist atmosphere, in particular political crisis in *Bangkok*. In short, time differentials were closely tied to socio-economic activities in *Mae Sai*. The rhythm of time ran fast, slow or even standstill.

In short, time had both connective and subjective dimensions. That is, it was grounded in, or subject to, interrelations between spatial events linked through different economic activities and also through particular groups of people, in relation to their experiential and perception standpoints.

Looking at the big picture, selling CDs/DVDs was comparatively a more advantageous occupation than other jobs such as being a worker and servant. For example, some of them used to be construction workers in *Tachilek* and got paid 200 *Baht* (6 USD) a day; some were exploited labors with little wage payment or without pay. Other used to sell copycats such as *Ray-Ban* sunglasses, earning 200 to 400 *Bath* (6-12) a day in *Mae Sai*.

They now had relative freedom and could earn money every day. During the quiet rainy season, a few of them did other work such as in construction or selling food. They could come back again during the high season. The CD selling job was flexible. Indeed, a lot of Myanmar' ethnic petty traders who lived in *Tachilek* wanted to cross the borders to sell CDs/DVDs in *Mae Sai* because of the comparatively good income and the use of little capital. They could begin to trade with just 500 to 1,000 *Bath* (15-31 USD), and these sums of money could be borrowed from relatives or friends. But, money was less important than language. They must be able to speak fluent Thai in order to convince the Thai tourists to buy items.

There were more women than men doing this job; about seven women to only three men. One woman seller said that men were more likely to cheat, and when the police caught them, they quitted or rarely came back. Women were more likely to enjoy the job than men. Most of the women were married and had children and used to do other jobs. Their husbands were labor workers. Women found the job easy, and they made more money than working as a worker or waitress. They had money almost every day for their family, and also had more freedom. Besides taking care of household, husbands and children in *Tachilek*, they usually came to sell at *Doi Wao Market*. Men were likely to find the job insecure. But, they were attracted by the relatively good money. Some of them were also married with kids; others were single. There were no couples doing the same job, as they were scared of, or sick of, having to run away from the police, or of being captured some time. So, the men left the jobs as soon as they found more secure jobs such as in construction, farming or running their own businesses. If they were jobless or unsuccessful in their new jobs, they would come back again for making some money. Nonetheless, both the women and men were afraid of being put in jail for violating copyright laws or for smuggling CDs/DVDs. They saw

themselves having no future in the job, but simply lived from hand to mouth. They mostly perceived this kind of job as transient. But, some of them had done this job for several years, changing from kids, to teenagers and on to becoming married adults.

These CD sellers tried to present themselves as honest, polite and well-behaved in *Mae Sai*. Unlike those ethnic street vendors who sold blank CDs/DVDs, fake cigarettes and fake prescription drugs in *Tachilek*, they did not pester, walk follow or cheat customers; if one did not cheat, another one would do. All those people had no credibility left due to ‘one rotten apple spoils the whole barrel’. They were more frank than those people. Customers could come to complain them or to change the goods if it had problem, but it must be in good condition. The problem did not come from the cheating itself but from the product manufacturing process. They were always at the same place and never disappeared.

The identity was relatively constructed via cutting across between themselves in *Mae Sai* and those counterparts in *Tachilek* and between old and new spaces. To put it simply, they used the stereotype of those street vendors in *Tachilek* to help highlight their identity in *Mae Sai*. Also, their new space in *Mae Sai* helped them construct a new identity and distinctiveness; distancing them from their old habits in *Tachilek*. Certainly, they never admitted to having cheated customers in the past there. *Doi Wao Market* became a part of their identity because their work provided them with a sense of belonging. Generally speaking, *Mae Sai* generated an important cultural meaning for the CD sellers in the borderland. They constructed their identity around the ability to leave *Tachilek*, as a point of departure from an old identity, and then work in *Mae Sai*, as a point of entry to a new identity.

In *Mae Sai*, a particular group had its own permanent space. They hardly moved around the market. They normally stood in front of a shop, asking passers-by to buy CDs/DVDs. They were sometimes seen as a nuisance in the eyes of their neighbors because they got in the way of people shopping by occupying space in front of the shops. They also sometimes quarreled with each other because they competed to sell the same items. The men even fought one another. *Doi Wao Community*’s merchants were also sometimes disturbed when they ran away from the police, as they sought a place to hide. At these times, it was just like cat and mouse. In the worst-case scenario

happened, a shop owner would be dragged into difficulty because they hid or put CD/DVDs around his/her shop, or in the backyard drains of other people's houses. The shop owners were aware of these people. To put it another way, they came to challenge the locals.

Mae Sai Custom officers and Mae Sai police regularly cracked down on smuggled CDs/DVDs at *Mae Sai Market*. For example, they arrested an estimate of twelve thousand CDs/DVDs worth almost 3,000,000 *Baht* (83,333 USD) over the first six months of 2007 (Mae Sai Custom Office, 2007). They arrested smuggled goods worth 30 million *Baht* (833,333 USD) in 2006 (Mae Sai Custom Office, 2006). If they did this every day, there would gather in thousands of those items smuggled across the borders, worth 150,000 *Baht* (4,166 USD) a day. (ASTV Manager Online, 6 August 2006). They also arrested prescription drugs worth 720,000 *Baht* in 2012. (17,560 USD) (Chiang Rai On Time, 29 June 2012).

Allegedly, there are CD/DVD factories in *Tachilek* owned by Thai businessmen. They are otherwise under the cooperation with Myanmar's people. Myanmar turns a blind eye to copyright laws (Manager Online, 6 August 2004), so the Thai businessmen take advantage of this border trade loophole. However, the CDs/DVDs street vendors said that the CD factories were owned by Thais. There must be Thai people getting involved in the business because they must know which songs or albums were popular and which movies or TV series were the talk of the town. In fact, *Shan State's* business operations were partially embedded in a spatial autonomy. The *Wa*⁹ have business autonomy and also control *United State Wa Army* (UWSA). Taking CDs/DVDs factories as an example, a Thai businessman might operate the business under the patronage of the *Wa*. The *Wa* had spatial autonomy, while the Thai Businessman had capital. This subversive economy infers the existence of a cross-border business enterprise and also the presence of a cross-border network. The pirated CDs/DVDs were smuggled along *R3A Highway* from China via Laos to Myanmar and then transported across the

⁹ The interviewees said that the CDs/VCDs are manufactured in *Tachilek*; *Viagra* is imported from India and China, while gems have long been smuggled by the ethnic groups (Interview, February, 2, 2014).

borders to *Mae Sai* (ASTV Manager Online, 6 August 2006). *Mae Sai* also served as redistributive hub for these pirated CDs/DVDs to Thailand elsewhere.

The social life of DVD/VCD complicates the local sphere with global space. To put it simply, its supply chain also means that the global space touches upon the local. Tourists who come to buy DVDs at the border market help set in motion a local-global circuit. *Tachilek*, as both the center and largest market of pirated entertainment products, has connections with the major trade routes on major border towns. *Tachilek* connects with *Muang Yon* (UWSA stronghold), and *Chiang Tung* (the capital city of Shan state) and *Muang La* (Shan border town at China border) to the north-east as well as *Xishuangbanna* in southern China. (Pitch, 2007). It also connects Myanmar with *Mae Sai* and *Chiang Khong* (*Chiang Rai*'s port town) in northern Thailand and with *Huaisai* (*Bokaew*'s port town) in western Laos (Walker, 1999, Manager, May 30, 2011). The former location involves an inland route; while the latter involves a *Mekong River* route. The original movies are brought from the US, then counterfeited and copied in China, after which they are transported via Myanmar or Laos to *Tachilek* and *Maesai*. The recent construction of modern transport infrastructure has also made it possible for *Tachilek* and *Mae Sai* to serve as the intersection of the borders of Southern China, Thailand, Myanmar and Laos PDR; connecting with other towns, counties and even continents, and outweighing the local connections their locations facilitate (Allen, Massey and Cochrane, 1998). These border towns are connected globally, and the business world in these border towns is never fully closed.

Mae Sai also became a place of dilemma. The reality had revealed itself as time had gone by and these sellers had become the victims of their own products. Due to the fact that they sold pirated CDs/DVDs, cigarettes and *Viagra*, they were targeted by the Mae Sai Municipal police, the Mae Sai Custom officers, the Chiang Rai Provincial police, Custom officers from *Bangkok* and the police from elsewhere. In fact, every Thai authority could arrest them. The authorities usually came to the market on Saturdays, Sundays and Tuesdays or Thursdays. So, they usually had to run away around three times a week when they saw the authorities coming to inspect *Mae Sai Market*. Even worse, some weeks they had to run away every day, otherwise authorities squeezed money out of them. If the Mae Sai policeman did not come, the Chiang Rai

policeman or Bangkok Custom Department officer did instead. Very often, the Mae Sai police teamed up with the Custom officers to seize big lots of contrabands. If they did not pay money, they took their CDs/DVDs or even ID Cards. These officers knew it was very difficult to re-issue a Myanmar's ID Card, so the sellers had no choice but to give them money.

Eventually, they were arrested by the undercover *Mae Sai* police for selling illicit/illegal CDs/DVDs, or else by custom officers for selling smuggled cigarettes and *Viagra*. Due to the fact that they were from Myanmar, they could not seek bail on Thai soil. They were put in jail in *Chiang Rai* for thirty-six days in such case. Some of them were arrested and put in jail more than once; arrested for the first time by the Mae Sai police, the again but by Bangkok copyright police. The latter case they were charged with violating copyright laws and of having no copyright license. In such case, they were imprisoned for sixty days. In a worst case scenario, a *Muslim* case was charged with smuggled CDs/DVDs, cigarettes, violating copyright laws and also illegal immigration. He was put behind bars for one hundred seventeen days. There was also a Burmese woman who even gave birth in prison.

All the sellers had suffered experiences. Every day was seemingly the same day, and time ran slowly due to being got arrested, stuck and isolated. They were forced to share their accommodation and experienced getting stuck. They perceived fixity which was dramatically different from mobility and normally linked to cross-border movements. As a matter of fact, they felt totally locked up in a bounded place. It was also very crowded especially sleeping at nighttime. Some of them who travelled afar from Myanmar's hinterlands missed their hometowns; a place they left a long time ago, a place where they used to be, and which used to be their home. After serving time in Chiang Rai Penitentiary, they were transported to the Mae Sai Border Check-Point to cross border to *Tachilek*.

However, where there is the power, there is resistance. Myanmar's ethnic petty traders were not always subservient to the space of authority, but created their own space. Now, they did not remain spatially-incarcerated in the absence of spatial maneuvering skills (Appadurai, 1996). Now that they had a lesson learned from the job for years in *Mae Sai* and *Tachilek*, they later on developed border tactics in order to

negotiate with the state's border. Their border tactics were rich, vibrant and multiple; they acted through cross-border mobility and spatial-social networks, targeting the states' border loophole. Their border tactics came to challenge and resist the states' border regulations.

For example, they used both a gentle means and an iron fist through cross border practice. They had learned to negotiate with the CDs/DVDs shop owner in *Tachilek*, asking the owners to deal directly with the authorities in *Mae Sai*. In fact, businessmen who owned shops in *Tachilek* were willingly pay the authorities to help smooth cross-border trade. But, *Tachilek*'s shop owners could not help them every time. Otherwise, they had to pay the local police about 1,000 to 1,500 *Baht* (31-46 USD), or gave them a free porn movie CDs, and then they might ask the police to be their spies. As a result, they turned the local police to be a 'frenemy'¹⁰, a friend some other time and an enemy at other times. The local police could help them negotiate with officers these CD sellers did not know, and who came from elsewhere. There were also undercover police from *Chiang Rai* or *Bangkok*. So, they took one day off or hid CDs/DVDs, cigarettes or *Viagra* elsewhere if those authorities came to the market. As a matter of fact, they were making spatio-ethno relationship.

Once there was a police from another place. He bullied a seller and wanted to arrest him. But, the officer asked for money. The seller ran away to the inner space of *Doi Wao Market*, close to *Doi Wao Temple*. In fact, he was playing a trick on the officer. The officer followed. But, having run away from the police as routine, the seller had become familiar with every corner of the marketscape, so that a shortcut for him became a deadlock for the officer, who was not familiar with the market. By the time the officer reached the inner-most space of the market, he called his friends. The noise level rose and the locals saw a free-for-all. Nowadays, the police rarely went to arrest the sellers at the market; they visited once a month and usually came with company.

¹⁰ In this specific context, 'frenemy' is a person who you treat and whom treats you as a friend but they can be an enemy under certain situations. They will approach you first if they have benefits or gain over you. This term is used to describe personal, geo-political and commercial relationships, both among individuals and groups or institutions. The word appeared in print as early as 1953.

The sellers said that officers were now more generous and sympathetic than they were before. In fact, the big shops gave money to the authorities in order to thank them for help smoothing the cross-border commodity flows. More importantly, Chiang Rai Penitentiary was so crowded with prisoners charged with amphetamine dealing that there was no space for minor offenders such as petty traders. Therefore, the space of *Mae Sai* was always unexpected and unpredictable.

Selling CDs/DVDs to tourists for several years had become their walks of life at *Doi Wao Market*. The locals in the market community, who were *Tai Lue*, *Tai Yai* (*Shan*) and *Thai Chinese* all knew them. They were familiar with their stereotype. They were Myanmar's ethnic cross-border traders, who were fugitives and sometimes the imprisoned. But, they kept showing up. For one thing, their stereotype had wider implications than the local people could actually conceive. They were now becoming accidental neighbors who brought into contact with the locals through street disruption like runaway from the police, blocking the way and selling CDs/DVDs, cigarettes and *Viagra* to tourists at the market. Through cross-border petty trade and cross-border practices, they and their neighbors met up without merging, but this small group of ethnic people came into recognition every day.

5.5 The Shaping, Dividing and Uniting Border

First and foremost, the *Burmese*, *Burmese Chinese*, *Shan* and *Burmese Muslims* CD sellers were tied *Mae Sai* as part of to a spatial dependence which generated spatial meanings. They were an ethnically-diverse community which co-existed with a well-established local community. Nonetheless, *Mae Sai* was an everyday workplace for them where they earned an income to support their families. They loved the place when their sales were good, but became sick of it due to the authorities' extraction and the local people aware of them. Although they were not happy with the job they did and the place they lived, they felt that leaving *Mae Sai* for *Tachilek* would be 'killing the goose that laid the golden eggs'. That is, they could not go back to those people who they had condemned as cheats. *Tachilek* implied a bad spatial connotation for them because it was a place where those street vendors played tricks on the customers. In contrast, the CD sellers in *Mae Sai* saw themselves as honest.

Mae Sai now shaped their lifestyles, values and characters that had acquired through their trading practice of everyday life and the sincere promises they made to customers in *Mae Sai*. In other words, what they said obligated them and then molded their actions in this particular place. Their dispositions in *Mae Sai* was developed in response to their time in *Tachilek*.

Meanwhile, in *Tachilek*, those street vendors' actions became these CD sellers' focus of analysis as much as a point of reference in *Mae Sai*. The meanings had been gathered based on their own perceptual experiences in *Tachilek* over a number of years. Subsequently, these CD sellers had classified two groups of people along the border as if they had drawn a virtual borderline between them and others. As such, those other people there were excluded from this side of border here.

There were also a few Myanmar's *Rohingya Muslim*¹¹, they were tied to *Mae Sai* as a spatial and spiritual border. *Mae Sai* was a safe haven. That is, the *Rohingya Muslims* who were living in *Tachilek*, Myanmar's eastern part, could not help thinking about the killing of the *Rohingya* in *Rakhine State*, Myanmar's western part. The ethnic clash between *Buddhist* mobs and *Muslim Rohingya* had caused a large number of deaths. Rumor had it that there were about 277 people killed and it also caused about 140,000 people displaced in 2014. As this news spread from by word of mouth, the situation began to look more dreadful. The *Rohingya*'s fellyings had been mixed with the *Burmese* immigration officers' discrimination against them in *Tachilek*. The local authorities' eyes were the window of their hearts; it was a *Burmese* land, not a *Muslim* land. They also felt that the locals there disliked them when they came to buy goods at their shops. One *Muslim* man's memory cut back to an earlier event when his father told of an ethno-religious conflict that took place between the *Buddhists* and *Muslims* in *Tachilek* in 1982. The cause was probably rooted in Myanmar's citizenship law, and its refusal to recognize the *Rhoingya* on ground of nationality. The conflict lasted three days, but it was not big news in *Tachilek*. Some said that it was all about politics, not

¹¹ Out of the researcher's twenty interviewees, two *Muslim's Rohingya* practice to sell CDs/DVDs and sunglasses at *Doi Wao Market* and *Sai Lom Joy Market*. Besides, there are also four *Burmese Muslims*, three *Burmese Chinese* interviewed, with the rest being under *Buddhist Burmese*. They all are CD sellers at *Doi Wao Market*.

religion. But, they were no such feelings and no such stories in *Mae Sai*. They were forced to imagine the massacre there. Cross-border mobility had never limited itself to flows of people and goods, but also included discursive fellingings across the East and the West, and between history and the moment.

Moreover, the *Muslim* CD sellers lived among their *Buddhist* neighbors in *Tachilek*, but were new comers who lived with a comparatively well-established *Buddhist* community. They were sometimes the *Muslims* lonely crowd, in particular the *Rohingya Muslims*. Crossing the borders from *Tachilek* to *Mae Sai* seemed to be a social rite of passage; it marked *Burmese Muslims*' transition from social anxiety in *Tachilek* to spatio-spiritual relief in *Mae Sai*. *Tachilek* was also busy due to its ethnic diversity. Apart from selling CDs/DVDs, cigarettes and *Viagra*, they loved going to a mosque in *Mae Sai* even though there was also a mosque in *Tachilek*. Some of them had rented a common room in *Mae Sai* for *Ṣalāt*. During the rainy season, some found jobs in *Mae Sai*. Moreover, some of *Burmese Muslims* preferred *Mae Sai* to *Tachilek* because they had a place to put 'mind at ease' at lease for the time being. They felt comparatively and emotionally-secured while living in *Mae Sai*. They wanted to find jobs and obtain work permits. They wanted to stay here but their families were afraid of the police.

Phenomenologically speaking, *Mae Sai* has become inscribed as a meaningful place. However, it sometimes creates a contradictory sense of place for the ethnic groups who live there. It is a real place for having an insecure and unsafe job as much as it is a space for upholding spiritual security, towards which they direct their intentions, in particular the *Burmese Muslims* and *Muslim Rohingya*. The living place there had become alienated, while the migrant place here has become familiar through their state of mind. The border can be the beginning, ending and becoming a crucial part of their lives in transition. *Mae Sai* also generates a symbolic aspect for them in the sense that it is interacted through a combination of political fear and economic desire. It is a place in-between imagination and actuality crashing with both hope and uncertainty. The space of *Mae Sai* is also re-made every day either materially or in terms of fellingings.

Secondly, crossing the borders back and forth between *Mae Sai* and *Tachilek* brings about spatial interfaces between the two borders at large on the one hand, and

creates both inter-border integration and inter-border division 'from below' on the other hand. That is, movement along the borders has become a means of border negotiation that they adopt and diversify it in order to function in various situations and settings.

To interpret, *Mae Sai* provides a demand in terms of the tourists who visit there. Among popular items easily available in *Mae Sai Market* are obviously CDs/DVDs. These are for everybody and consumption taste because of their low price and variety of genres. Unlike the CDs/DVDs, cigarettes and *Viagra* are only for men. Tourists including the locals help create a demand on CDs/DVDs, and this generates a large sum of money. In the common sense of economics, the demand side in *Mae Sai* is matched by the supply side in *Tachilek*, with logistics delivered by the CD sellers.

Furthermore, *Tachilek* is a 'quasi-bounded warehouse' in which illegal/illicit commodities such as CDs/DVDs, brand-name cigarettes, and *Viagra* can be stored or produced in a secure place. The *Tachilek* border has been transformed into a kind of 'informal' Special Economic Zone (SEZ) because the business relies on the manipulation of the state's regulatory loopholes at the border, but with the cooperation of influential persons and without having to pay taxes in the area. The border space of *Mae Sai* and *Tachilek* has become a ground for the turnkey operation of CDs/DVDs business. Thus, the border re-configuration has been set in motion. The *Mae Sai* and *Tachilek* borders have been re-drawn to complement each other. Most importantly, it is the small-scale cross-border ethnic traders who link and operate in-between the borders.

To put it another way, through the eyes of the state, *Mae Sai* is a porous border and the state tries to correct its weakness by 'formalizing' or 'regularizing' the border. As previously mentioned, the Mae Sai border authorities recently introduced an 'Immigration Control Card' for those crossing the border. However, through the eyes of CD sellers, they look to manipulate the state's regulation loopholes in order to benefit their walks of life. The state sees weaknesses, while they see a chance to gain.

Thirdly, as Myanmar's ethnic petty trades had practiced cross-border movement for years, they had 'mind at work'; that is, it had allowed them to conceive the paradoxical nature of the border via perceptual experiences and their border consciousnesses. They had come to know the nature of the border through their everyday material and spatial

practices. The border was embedded in divisive, integrative and functional spatiality. To put it another way, the border had set in motion different and diverse trajectories as a result of state power and control, and also the borderers' contests. On the one hand, the state claimed sovereignty over its geo-body, in fact its border had never been totally under its sovereign power; on the other hand, the CD sellers had found their ways to mobilize spatial resources via spatio-social network within and beyond *Mae Sai*. As a result of these spatial dialectics, space had been changed, community re-defined and the border re-made.

For example, at times they had made friends with the Thai authorities; using them as their spies in *Mae Sai*. They also used intermediaries to carry illegal/illicit items such as cigarettes, *Viagra*, liquors, porn movies CDs/DVDs across the borders from *Tachilek*, and as a result they felt relatively safe in themselves. They were a mobile node of contact, mediating among borderers, commodities and the authorities. They had re-configured *Mae Sai* space into a quasi 'free trade area' in which they could link or de-link borders with different and divers resources and networks, re-shaping the trading space of *Mae Sai*.

Mae Sai implies, to certain extent, a geographical significance. The border town has become a centering margin from which border people from both sides engage in spatio-economic activities via commodities, whether it be between Myanmar's ethnic CDs sellers and the Thai authorities or between the CDs sellers and the ethnic intermediaries. These actors have also helped re-define the border space of *Mae Sai* in relation to *Tachilek*. However, they have become a network that has emerged in response to partial failures of the state's control. In other words, they are spanning across the borders by means of utilizing state's structures and spatial chances created by the state's regionalism and the economic border of *Mae Sai* and *Tachilek* (Walker, 1999; Kook, 2007; Arnold, 2010). Therefore, the border space of *Mae Sai* and *Tachilek* exists in a spatial symbiotic form on the one hand; on the other hand, its border space manifests a hybridizing spatial juxtaposition.

Everyday cross border trading practices are adopted as an effective means of border negotiation. They are factored as 'life in between space' by means of cross-border mobility through which they help facilitate cross border flows both material and

non-material. The material flows deal with socio-economic life at the border, helping to transport commodities across the borders. The non-material flows generate a symbolic meaning which manifests itself as resistance to the authorities and a challenge to the state, embedded in everyday movements across the borders. That is, their mobility is a border tactics used to challenge the authorities' capture. This implies that the authorities cannot control and confine them within a space through mobility. In fact, conversely the authorities are controlled and confined by them instead due to the authorities' immobility.

To illustrate, the Mae Sai Border Check-point serves as gatekeeper and time keeper whose main function is both to facilitate and regulate the flows-in and-out of Myanmar's cross-border people. The authorities open and close the border gate as a means of controlling mobility and immobility. It is also this border gate through which the CD sellers traverse every day, going back and forth between the two juxtaposing spaces of *Mae Sai* and *Tachilek*.

Nonetheless, when these CD sellers cross the border gate in order to return home to *Tachilek*, they themselves set in motion a blocking of mobility for the authorities. That is, on the one hand, the Thai authorities do not want to cross the border to catch them, or strictly speaking, cannot catch them on Burmese soil. After 06:00 pm until 06:00 am, the border gate is closed. Subsequently, everything, whether it is from

Myanmar or Thailand, must be back in its place. While the border gate is closed, mobility and movement are in abeyance, bringing about cross-border immobility for the authorities also. On the other hand, the authorities are infused with the abstract idea of a borderline imposed by the state, thus effecting their mentalities and perceptions while on duty. In other words, they themselves are also controlled and regulated by the state's borderline; its symbolic meaning generates a real effect. In contrast, the CD sellers who live along the border and have long engaged in cross-border practices can ignore it to a certain degree; the borderline is often by-passed by cross-border people in support of their border practices.

Concretely but symbolically, the Mae Sai Border Check-Point has become a threshold which helps both link and de-link people, diving state political realms yet

integrating socio-economic border space via cross-border flows of people and goods. To put it simply, the threshold is a border gate-like both separating and uniting borderers across the Thailand's and Myanmar's borderlines. These people cross over one nation-state border, but even so still live within another national border. As a matter of fact, the borderers can be seen as living through the two borders, bouncing back and forth between the borders here and there. This also happens at Thailand's borders elsewhere.

The border was made it possible for active borderers to convert its space into a form of capital; to develop uses for the state's physical border location based on border loopholes and border situations. Furthermore, this was grounded in everyday cross-border mobility tactics, based on calculability. They, aware of their strengths and limits, had been able to negotiate and re-work the state border contradictions and limitations in diverse socio-economic settings. To put it another way, the state border's contradictions and limitations had been converted into strengths and opportunities by the CD sellers to facilitate cross-border flows of illicit/illegal commodities, and so as to enhance economic well-beings. They had utilized 'spatial capital' as a means to an end within border negotiations in order to re-draw the borderline and re-shape the borderland. For active borderers such as the *Chanthaburi* gem traders and Myanmar's ethnic CD sellers, they had found their own ways to generate 'spatial capital' to regulate the border in their own right and create border differences.

Fourthly, at the end of the day, *Tachilek* is also a local living space which accommodated the community of families, associates and relatives, all of whom were linked through common symbolic and cultural memories and feelings of an ethnic home (Deecha, 2003). That is, these ethnic people had been able to maintain their cultures and identities by consuming their own cultures, both material and non-material, and by associating with their own ethnic groups. Cultural connections and identity were embedded in spatiality. At the end of the Mae Sai Border Check-Point also demarcated these CD sellers' destination and home.

The journey of mind could take them to any imagination; likewise, 'the grass is always greener on the other side of the fence'. In reality, they were eventually at home, and they liked it, and part of the thing they loved was the richer set of ethno-social attachment they had found here. When they eventually went back to their old rooms, it

was not the same old room they actually longed for, but their friends, children and relatives, that provided via spatio-social relations. So, even a room offered a true sense of home-sweet-home, of belonging and familiarity. It helped comfort the mind, soul and body.

Symbolically, their lives began and ended in *Tachilek*. In the first place, it was a place which connected differentiated groups of ethnic people; CDs ethnic sellers in *Mae Sai* and other ethnic groups working in *Tachilek* itself, through the idea of a home place. *Tachilek* served as a place to accommodate their thinking in the context of being at home, and this eventually helped reinforce ethnic coherence through their home place at the borderland. *Tachilek* became the lifeworld where they lived, rested and found peace; all these referred to being in space and time (Heidegger. 1975). Space does not necessarily exist in landscape, but simultaneously within the border and in their minds as well as part of their movements.

5.6 Conclusion

In the final analysis, the borders of *Mae Sai* and *Tachilek* are spaces in which ethnic migrants from diverse places throughout Myanmar flow in and out (Kook, 2007). *Mae Sai* and *Tachilek* have become trans-national homes for Myanmar's ethnic migrants, and these trans-national homes have emerged between and overlapped with their old rural homes and the new borderland, based on the migrants' relational practices, both material and emotional. The border space of *Mae Sai* and *Tachilek* also denotes growing and complicating spheres in terms of both spatio-economic connections and ethno-social relations (Massey, 2005; Ong, 2006).

More importantly, the border space of *Mae Sai* and *Tachilek* is a place of spatial politics with which it negotiates and articulates different spatial elements evolving out of diverse trajectories--whether these be the states', the authorities' or local people's, and in both material and non-material forms--playing out in the border re-configuration. As a matter of fact, there is no single agency that can independently configure and control the border space (Arnold, 2010). To put it another way, space-making is all about catching up through, and interact with, the flows and fluidities of border opportunities. That is, the spatiality of *Mae Sai* and *Tachilek* can be re-drawn and re-arranged through

a new set of spatio-social relations, that offer chances and changes. As spatio-social relations change, the border space also changes.

Most importantly, the border space of *Mae Sai* and *Tachilek* is constantly being made and re-made through spatial dialectics; through the spatial process of negotiation and articulation, based on two sometime conflicting, and at other times supplementing spatial and socio-economic forces. As the state exercises its sovereign power to control the border, the active borderers develop border tactics to deal with the state's border controls. These tactics are based on their border experiences, perceptions, and mobility, combined with maximization of the borderland, state border loopholes and the border situation, thus converting them into their 'spatial capital' as a form negotiation in their cross-border location.

Since a long time ago, border people have developed tactics to counter-balance state authority, conducted through their cross-border mobility as their best border tactics; they have moved through space in order to make their own space (Scott, 2009). Even today, but within a new spatio-social context, their cross-border mobility in response, and reaction, to state authorities brings about the making of cross-border community in which its space is re-defined in order to re-function and to give a particular meaning.

Life space becomes the product of a constant process of space-making between the ethnic cross-border people at stake and state border situations and settings through their perceptual experiences and spatial interactions. Nonetheless, mobility creates friction. It is once again resolved through the relations these border people have with the border gate's opening and closing hours, thus linking and de-linking both mobility and border interfaces. Their border space-making means that the border is re-configured through new spatio-social interrelations. These relations consist of border positions between 'here' and 'there' that span through cross-border movements. Interestingly, the state's borderlines still exist, but such national borders are being made blurred by the cross-border movements in which they intensely take part. So, the border space-making has become a complex and on-going process produced through the dynamism of people's movements.