Borders are often described as ‘frontier zones’ characterised by ‘rebelliousness, lawlessness and/or an absence of laws’ (Kristof 1959: 281). Anecdotes resonate with popular images of a remote underworld (or perhaps ‘outerworld’) where state authority is weak and lawlessness prevails. In the upper Mekong borderlands of Thailand, Laos and Burma, the imagery of borderland illegality persists both as spectre and lure, but the substance of what happens there reveals a state and society in league.

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ragments of borderlands trade
In late 1994 a golden Buddha image appeared in the doorway of a main street warehouse in Chiang Khong, a busy Mekong River border town in northern Thailand and key trading point with northern Laos and beyond. Its long main street sprawls with shops, banks, restaurants and warehouses. The large Buddha image added colour to one of the more non-descript parts of town; a large banner above it invited participation in a major merit-making festival in a Luang Namtha temple 200 kilometres away in northern Laos. The Buddha image, and a major cash donation, would be presented to the temple following the procession that would set off from Chiang Khong’s major river port at nine a.m. on 9 November. Merchant makers were advised to present three photographs and their identity cards so the official paperwork for travel to Laos could be prepared.

This auspicious display of trans-border merit was the initiative of the Laos Sawmilling Company run by a larger-than-life Thai businessman with a long history of timber export operations in northern Laos. Visit Wongprasert’s most recent venture was a Luang Namtha sawmill originally built by Laos provincial authorities who, desperately short of capital, entered into a partnership with Visit. His investment transformed the mill into the most technologically advanced in the far northern provinces. Visit’s case is similar: he did not seek permission for travel to Laos from Chiang Khong’s major river port at nine a.m. on 9 November. Merchant makers were advised to present three photographs and their identity cards so the official paperwork for travel to Laos could be prepared.

The state of illegality
Both accounts illustrate aspects of borderlands illegality: above-quotas logging, smuggling, bribery, peddling pornography. Most interesting is that both accounts involve close collaboration with provincial authorities, it comes as no surprise that both accounts involve close collaboration with the state (for other accounts see Walker 1999). Visit’s success was not based on cross-border smuggling stereotypes: she did not slip across the Mekong at night to collect goods hidden in riverbank overgrowth. Her passage through official ports was highly visible and often noticed by border officials. Visit’s was much admired amongst the male port fraternity. The petty officials and cargo port notables seemed keen to engage her in the flirtatious and sexualised banter in which she excelled. Some may have entertained forlorn hopes of sexual benefits but for most her pale, skinned presence was an end in itself. One group of Thai immigration police seemed so captivated that they gave her small gifts, even asking her what brand of beer she preferred. No doubt the relationships Visit cultivated on both sides of the border varied in their nature and intensity, but it is clear that her ‘smuggling’ was based on a person-to-person engagement, rather than avoidance of – state border officials. Visit’s case is similar: he did not seek to operate in a ‘non-state’ illegal timber economy but rather to forge new, more secure and profitable forms of regulatory collaboration.

It’s tempting to suggest that these local remote locals are simply cut out of control, subverting central government regulations and in urgent need of what international development agencies call ‘capacity building’ or that the actions of Visit and Somjit typify the undermin- ing of central state power as traditional boundaries are subverted by a pro- liferation of transnational flows. But both of these common responses are informed by an overly formal model of state authority that lays down a formal regulatory grid (such as the national border) and polices it for illegality (such as smuggling). By contrast, what these fragments of borderland trade suggest is that state power may be examined in terms of its genesis in local social relations. State regulation is one aspect of sociality, constituted by the numerous cross-cutting allegiances in which state policymakers and officials find themselves. From this perspective definitions of illegality become problematic – not just because transnationalism introduces non-state frames of reference, but because diverse and hybrid forms of governmentalities become apparent. The national border itself emerges as a site where various forms of power, agency and constraint creatively (and often une- qually) interact, rather than as a place where state power stands opposed to local aspiration.

Beyond hills and plains
These insights encourage the rethink- ing of conventional models of social space in mainland Southeast Asia, which generally posit that frontiers are formed – and state power established – through a process of diffusion from powerful centres in the lowland plains to less powerful peripheries in the hills, where social life in the ‘peripheries’ becomes a simple confrontation between the ‘penetration’ of pre-existing states and the ‘resistance’ of pre-existing local communities. While the symbolic divi- sion between hills and plains culturally persists, we need to be aware of how the ‘fledgling essentialism’ (Scott 1999) of this simplifying narrative constrains schol- arly analysis.

An alternative approach would be to explore processes of collaborative state and community formation that take place in frontier regions. For while the reality of unequal power relations cannot be denied, neither can the creative and unpredictable agency of people in frontier areas in forming these rela- tions. The subtle interplay between the illegal and the licit provides one useful point of entry into the multi-faceted governmentality of Southern Asia’s seemingly peripheral regions.

References

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