Franziska Plümmer

Rethinking Authority in China's Border Regime

Regulating the Irregular

Amsterdam
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New Mobilities in Asia

In the 21st century, human mobility will increasingly have an Asian face. Migration from, to, and within Asia is not new, but it is undergoing profound transformations. Unskilled labour migration from the Philippines, China, India, Burma, Indonesia, and Central Asia to the West, the Gulf, Russia, Singapore, Malaysia, and Thailand continues apace. Yet industrialization in Bangladesh, Cambodia, and India, the opening of Burma, and urbanization in China is creating massive new flows of internal migration. China is fast becoming a magnet for international migration from Asia and beyond.

Meanwhile, Asian students top study-abroad charts; Chinese and Indian managers and technicians are becoming a new mobile global elite as foreign investment from those countries grows; and Asian tourists are fast becoming the biggest travellers and the biggest spenders, both in their own countries and abroad.

These new mobilities reflect profound transformations of Asian societies and their relationship to the world, impacting national identities and creating new migration policy regimes, modes of transnational politics, consumption practices, and ideas of modernity. The series will bring together studies by historians, anthropologists, geographers, and political scientists that systematically explore these changes.

The aim of the series is to offer a forum for writers of monographs and occasionally anthologies on Asian history. The Asian History series focuses on cultural and historical studies of politics and intellectual ideas and crosscuts the disciplines of history, political science, sociology and cultural studies.

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List of Abbreviations

ACWF	All-China Women's Federation
ADB	Asian Development Bank
APEC	Asia Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
BCG	Border Control Groups
CBM	Confidence Building Measures
CCP	Chinese Communist Party
DPRK	Democratic People's Republic of Korea
EEL	Exit and Entry Administration Law
EU	European Union
FYP	Five-Year Plan
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GMS	Greater Mekong Subregion
GTI	Greater Tumen Initiative
ILO	International Labour Organization
IOM	International Organization for Migration
IRO	International Refugee Organization
LCC	Local Cooperation Committee
MND	Ministry of National Defence
MoF	Ministry of Finance
MoFA	Ministry of Foreign Affairs
MOFCOM	Ministry of Commerce
MoHRSS	Ministry of Human Resources and Social Security
MoPS	Ministry of Public Security
MoT	Ministry of Transport
NDRC	National Development and Reform Commission
NIA	National Immigration Administration
NPC	National People's Congress
NPPCC	National People's Political Consultative Conference
PAP	People's Armed Police
PLA	People's Liberation Army
SBZ	Special Border Zones
SEFEA	State Administration of Foreign Expert Affairs
SEZ	Special Economic Zones
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
WTO	World Trade Organization

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1   Introduction

Abstract

The introduction starts by contextualizing recent immigration reforms in China that aimed to comprehend new regional mobilities such as increasing influx of working immigrants from neighbouring countries, growing debates on refugee and asylum internationally and within China, and especially irregular immigration in China's border areas that have been below Beijing's radar for the longest time. To understand how the Chinese border regime legitimizes which immigrants to allow in, the book scrutinizes local immigration practices in the border areas. Key research questions are: How does the Chinese border regime exert authority over the border area and border-crossers? How do the notions of national development and security affect the local immigration systems?

Keywords: border regime, migration system, border management, migration, China, sovereignty, authority

Immigration has been the twenty-first century's Rorschach test for the Chinese government. This test, in which a person describes patterns, perceived objects or shapes in an inkblot, is designed to examine one's personality and emotional functioning. Similarly, the Chinese government was looking at the patterns of foreigners' immigration at the beginning of this century trying to grasp its meaning for the economy, community- and nation-building. The big question has become: how open should a society be towards immigrants and how open or secure should borders be? Beijing's response to an increasing global migration – like that of many other states – was fundamentally shaped by the 'global war on terror' and its ensuing violent conflicts, in turn catalysing debates about how borders and immigration should be governed in light of an increasing 'risk' associated with opening borders. Over the last two decades, many governments have struggled to reconcile the need to maintain open borders that facilitate 'talent' immigration while simultaneously upholding secure borders that

prohibit irregular immigration; they have thus grappled with defining rules to select and legitimize certain groups of immigrants over others. Emergency measures following the COVID-19 outbreak in early 2020 showed how fragile the existing systems were: closing down borders was in many countries the first measure taken to prevent the virus from spreading, resulting in months of negotiating the risks of re-opening borders for specific groups of immigrants and travellers. As such, immigration has evolved into a meta-issue of twenty-first-century politics. The question of who is allowed to become part of a certain host society and who is perceived to be a threat to public security determines and legitimizes different policies in the realms of security, foreign affairs, and welfare provisions. It has become a 'political spectacle' connected to a variety of policy problems, such as identity politics, regulation of visa and asylum policies, integration debates, cultural diversity, and just social distribution and planning (Huysmans 2000: 770). Moreover, border regimes – at the national, regional and sub-national levels – have increasingly become the subject of societal and academic interest as actors seek new forms of transnational cooperation in the field of immigration governance (Heck and Hess 2017; Tsianos and Karakayali 2010; van Houtum and Pijpers 2007).

In China, these debates have added to already ongoing academic discussions regarding how the country should steer foreigners' immigration (Liu and Ahl 2018). The questions of how and which foreigners are allowed in, which state institutions are involved in these decisions, what policy areas are affected by immigration and border politics, and who enforces visa regulation and border checks on foreigners have not previously been a priority for Beijing. As in other countries, a focus on international terrorism in the aftermath of 9/11, along with increasingly mobile global labour markets, sparked debates about how to keep the country safe against unwanted immigration and how to attract high-skilled labour. While the management of foreign student visas and regular work immigration has constantly changed and adapted to new realities, the question of irregular immigrants and refugees was omitted in official policy documents until 2012, when the National People's Congress issued a new Exit and Entry Administration Law (EEL) that for the first time addressed these issues. In April 2018, the government created a new National Immigration Administration (NIA), indicating further transformation of its immigration system and a larger discursive shift; several Chinese scholars have emphasized how China has transformed from a sending (*shuchu guo*) or transit country (*guojing guo*) to an immigrant-receiving country (*nanmin laiyuan guo zhuanxiang shuru guo*) (Guo 2012; Liu 2015: 48).

Against the backdrop of these reforms, this book investigates the changing dynamics of the Chinese border regime, questioning how authority is exerted in this context and how it impacts local immigration and bordering practices. Epistemologically, this analysis considers both discourses and practices that regulate immigration. I argue that the Chinese border regime utilizes the border management and immigration system to create 'zones of exception'. On the one hand, these 'zones of exception' are a result of a fragmented political system that pilots preferential policies such as the creation of Special Border Zones (SBZ). On the other hand, I argue that the Chinese state is deliberately creating 'graduated' authority over the immigration laws and practices that characterize the spatial and discursive articulation of the border regime. I develop this argument in four steps, reflected in the book structure.

The first part of the argument concerns the legal framework of the Chinese immigration system. By analysing the development of the different legal categories for foreigners entering the country, I show how the Chinese border regime differentiates between wanted and unwanted immigration and subsequently develops and applies selection criteria though legal enforcement, punishment, and preventive measures. By legally and discursively constructing labels for specific groups of foreigners – such as border residents – the Chinese border regime creates a differentiated system of authority over immigrants: that is, graduated citizenship. This ultimately results in a rule of exception favouring economically valuable immigrants over others.

The second step of the argument relates to the actor structure of the Chinese border regime. By analysing which administrative levels within the Chinese government are concerned with which parts of border politics, I demonstrate that the division of specific responsibilities among different security and development actors reflects the ambivalence inherent in the question of border security and control – that is, the dilemma between keeping borders open and keeping borders secure. Compromises among the sometimes-contradictory goals of local and national policy makers as well as between security and development targets result in specific local solutions – Special Border Zones that are allocated special development funds and which provide exceptions for foreigners in terms of visa regulations.

The third part of the argument addresses the spatial articulation of the border regime in the specific context of regional development. Studying Chinese border politics cannot be undertaken by only focusing on the domestic context; China's systematic integration of neighbouring regions through its engagement in regional organizations is an important part of the analysis. Often, the locally created Special Border Zones are embedded

within larger regional frameworks, whether in terms of customs regulations, infrastructure development, or security cooperation. Regional partners also play a limited role in China's approach to securing its borders against illegal smuggling and trafficking. By analysing the different regional agreements and projects that include actors of both sides of the border, I show how the Chinese border regime also becomes spatially re-articulated beyond Chinese territory.

Lastly, I argue that 'zones of exception' also manifest in local practices of differentiated authority over foreigners. I analyse local practices of immigration management, especially regarding how work and residence permits in border areas are selectively and conditionally granted and tie foreigners to a specific locality. It becomes clear that the bureaucracies administering Special Border Zones and border localities attempt to both legalize *de facto* ongoing informal cross-border mobility and utilize cross-border labour resources to facilitate local economies.

In doing so, this book makes a theoretical contribution to the debate on sovereignty and territoriality (specifically on China: Carlson 2003; Dean 2011; Fravel 2005; within the wider debate: Agnew 2004; Anderson and O'Dowd 1999; Mau et al. 2009; Sassen 2013), secondly, it empirically contributes to the literature on practices within immigration and border regimes (specifically on China: Bork-Hüffer and Yuan 2014; Ho 2019; Pieke 2013; Xiang 2017; within the wider debate: Tsianos and Karakayali 2010; van Houtum and Pijpers 2007), thirdly, it both empirically and theoretically contributes to the debate on Chinese policy implementation (Ahlers and Schubert 2014; Bie et al. 2013; Lai 2002; Lieberthal and Oksenberg 1988; Wang and Shen 2016), and lastly, it contributes to the literature on the governmentalization of borders (Bigo 2002; Dillon and Lobo-Guerrero 2008; Valverde 2010; Vaughan-Williams 2009).

Multiple Borders – Tracking the Border down

This book explores the relationship of borders, sovereignty, and security. The question of whether borders limit a governments' sovereignty, are necessary to maintaining a differentiation of internal and external security, or if borders are mere imaginaries of the spatial articulation of states has long engaged scholars across many disciplines. According to Agnew (1994), the binary understanding of fixed state borders as following an inside/outside dichotomy has led to a 'territorial trap'. He argues that the increasing integration of political processes on transnational, regional, and

international levels challenges the notion of specific political authorities' sovereignty over a specific territory (state sovereignty); he also observes that globally mobile societies are no longer bound to a 'container state'. Agnew's considerations have spurred a diverse cross-disciplinary debate on where and what borders are. Leading these debates, Balibar (1998) has argued that borders are everywhere, Bigo (2001) has defined borders as a delineation of security enforcement practices, Sassen (2008) has identified assemblages as the best way to understand the overlapping historical configurations of territorial authority, and Baud and van Schendel (1997: 242) have advocated for conceptualizing borderlands as transnational invisible zones as 'a way of correcting the distortions inherent in state-centred national histories'. New debates about mobile borders have emerged (Amilhat-Szary and Giraut 2015) focusing on mobility across borders (Amoore 2006; Liu-Farrer and Yeoh 2018; Salter 2013). Despite people having lived in non-state spaces, neglecting the (to them) artificially drawn borderlines that were associated with colonial rule for centuries in Southeast Asia (Scott 2009), this nonstate space is shrinking (Barabantseva 2015b: 355). Especially in the borderlands of Southeast and East Asia, where infrastructural and industrial development only gathered pace at the beginning of the twenty-first century, we can witness how the border increasingly becomes both a site of intensified government activity (McNevin 2014) and governmental intervention (Jones et al. 2017). Despite these differing ontological conceptualizations, borders remain a central point of friction in social and political life and thus continue to call out for conceptual reconfiguration and deliberation. Accordingly, this book aims to rethink authority in various Chinese border areas in order to better understand the nature of borders and their impacts on politics and the lives of those residing near them.

Border politics is not only an issue that draws on a number of different policy fields, but is also a concern for state sovereignty and security (Côté-Boucher et al. 2014; Mountz 2011; Vaughan-Williams 2010). The places where border control is conducted represent key sites of a nation's territorial articulation. Moreover, the practices of border control are often symbolic, performing state power over the border-crosser (citizen or foreigner). McNevin (2014: 305) argues that as 'state borders have become sites of intensified governance activity, the creative deployment of state space does suggest a need to think outside territorial norms in order to understand the mechanics of power purporting to defend them'. Hence, the border is a site of investigation that allows researchers to analytically assess various spheres of state regulation and observe the frontier's effects on the people crossing it and the territorial practices around it.

In understanding borders as spatially multiplied articulations of authority, this book takes a regime perspective. Analysing the regulation of cross-border mobility across different scales of authority (international, regional, domestic, and local) allows for a differentiated investigation into political processes and relations as well as their spatial articulations. The border is an instrument that sorts its crossers into different discursive and spatial spheres. It separates regular from irregular mobility as it places individuals in zones of waiting and in states of limbo, rejects them, puts them under the umbrella of due process and the protection of the state, and manages their 'value' as 'quasi-citizens', 'temporary citizens', or 'potential citizens' by giving them the opportunity to prove their 'utility' or 'quality' (Ajana 2013: 58). Accordingly, this book seeks to shed some light on the complexities and paradoxes that permeate current rationalities and technologies of governing the border. How is border mobility governed, how is sovereignty practiced and with what exceptions, and how do these practices project spatial articulations of the Chinese state?

Famously, sovereignty is not a categorical concept. It is elusive, expressed in authority, rules, and laws over territory and people, but also in its exception to them. Agamben (1998) notes that the exception 'is more interesting than the regular case. The latter proves nothing; the exception proves everything. The exception does not only confirm the rule; the rule as such lives off the exception alone'. Agamben further characterizes sovereignty as a paradoxical power in which the domain of law is established through its legally authorized suspension. The ability to decide which immigrant becomes subject to the immigration system and who does not – what is inside and what is outside of the political order – is thus a manifestation of sovereign power. The exception thus becomes a method of power in which the 'sovereign is he who decides on the exception' (Schmitt 2006) thus exercising control through including or excluding people from a societal order. Exception does not necessarily mean extra-legal or being beyond the law, but in many cases it works through the law. Examples are the possibility of military intervention in international law (Hardt and Negri 2000) or emergency powers woven into national laws (Neocleous 2006). Sovereignty and exception are thus not binary, nor mutually exclusive, but they form various constellations of legal and spatio-temporal conditions of power. As such, Minca (2007: 83) argues that order must necessarily be spatialized, creating zones of exclusion/inclusion where people are banned or hosted within a given territorial order. Most often, these zones are located outside the reach of the sovereign order, such as on islands (Mountz 2011) or in gated enclaves (Nyíri 2017).

In his lectures known as Security, Territory, Population (Foucault 2009: 137), Foucault distinguishes sovereignty and government, arguing that disciplined society goes beyond the reach of the sovereign. He states that while sovereignty and law are united, governmentality exceeds the law by using extra-legal instruments. Rather than ruling through law, governmentality practices population management that flexibly targets different groups within the society being able to draw on a variety of neoliberal, pastoral or disciplinary technologies. Regarding the spatial dimensions of governmentality, Ong (2006) has investigated selective exception across different zones within a specific territory. She has found that global flows of capital manifest in key sites of territorial struggle, revealing how the Chinese government deploys 'zoning technologies' through the establishment of Special Economic Zones, Open Coastal Belts, and other interior zones. In her understanding, these zones are 'designed to facilitate the operations of global capital' in order to make them more 'bankable'. These neoliberal strategies result in 'graduated sovereignty' and 'graduated citizenship' (Ong 2006: 78f; 104–111). Ong's approach, however, has been criticized for lack of epistemological clarity. Cartier argues that 'zoning technologies' are merely a territorialization of the Chinese economy; especially with regard to the conceptualization of sovereignty and its exceptions within Greater China, she emphasizes the need to understand zones and zoning technologies as 'analogs' (Cartier 2017). Against this background, this book offers a differentiated understanding of regulation practices across state territory, which I utilize in framing state borders as key sites of territorial struggle between practices of inclusion and exclusion. Especially at the border, questions of national integrity and governmental reach are constantly (re-) negotiated. In my understanding, the border thus becomes a means for the Chinese state to control mobility and regulate development.

Contextualizing Chinese Border Politics in the Making

The meaning of borders in China has undergone a fascinating transformation. Although immigration procedures already existed in ancient China (Hui 2005), for the longest time, the concept of borders remained very abstract. Historically, the specific territory respectively associated as China (*Zhongguo*) changed with every dynastic overturn and war, remaining held together by an imperial centre that defined rules of civilization and had legal authority over its subjects (*tianxia,* Fiskesjö 1999). Until today, narratives of territory and mobility are subject to constant change. The relationship that the political centre held with its subjects in remote areas of its empire or how it treated

unwanted immigrants, however, is an excellent indicator to understand this change. A premise of this book is that it is not territorial claims that tell us about how the Chinese government enforces its sovereign claim, but it is how (new) mobilities are governed across its territory. In the mobile twenty-first century, sovereignty is not enforced by preventing people from entering, but by integrated immigration and social control; managing mobility across borders have become more important than the border itself. Hence, sovereignty is evidenced by how the immigration system integrates economic migrants that came to China as a result of its regional economic integration and how it securitizes 'illegal' immigrants along with the 'global war on terror'. Accordingly, this book showcases how Chinese border regime exerts authority over immigrants. The immigration system and its various institutions is a major part of this investigation. Specifically, how government institutions negotiate security and economic concerns of the state with those of the immigrants, especially since local migration realities often are out of reach of the central government. For example, in many of China's remote border areas, informal border mobility is the order of the day. Legal institutions are just one aspect of border politics. As other authors in the AUP New Mobilities series have shown, 'mobility is shaped by family relations, labour histories, a range of labour migration agents, government institutions, and formal and informal border pathways' (Mee 2019: 28) and often a question of migrants' desire for social mobility, economic security, and institutional benefits (Binah-Pollak 2019: 13). Accordingly, how an immigration system incorporates these desires and local realities must be part of the story.

As indicated above, during a major administrative reform of the Chinese state apparatus in April 2018, a new National Immigration Agency (NIA) was established. Many Chinese academics and experts had long felt that a reform of immigration legislation was overdue as the previous system was insufficient and lacked coordination (Hu et al. 2014; Guo 2012; Liu 2009, 2015; Luo 2012). The new agency aims to increase cooperation among different state organizations and standardizing practices of immigration control and border security. A previous attempt in 2012 to reform the legal and administrative framework regarding immigration resulted in the promulgation of a new immigration law – the Exit and Entry Administration Law (EEL) – by the National People's Congress (NPC, NPC 2013), which assigned new responsibilities for border and immigration management. This law was issued in the context of several Chinese policies, mainly aimed at facilitating return migration for Overseas Chinese, that encouraged 'high-skilled' and 'talent' immigration to catch up in the 'global race for talent' (Centre for China and Globalization 2017; Czoske and Ahl 2016; Zweig 2006).

China represents a particularly instructive case not only with regard to the recent immigration reforms, but also regarding question of authority in an authoritarian system. China's fragmented political system and neo-socialist governmentality (Palmer and Winiger 2019) build on a different set of norms than liberal democracies, whose border regimes have gained much more academic attention (Darling 2016; Guild and Bigo, eds. 2005; Hess, ed. 2010; see Huysmans 2000; Mavelli 2018; van Houtum et al., eds. 2005; Walsh 2011).

To conduct this analysis, I selected two border areas to investigate in detail, namely in Yunnan and Jilin Provinces. These two provinces were carefully selected to represent regional connectivity hubs in Southeast and Northeast Asia that Beijing strategically aims to integrate into its national development plans. Within Chinese Studies, a comparative analysis of two or more subnational units is quite common (Ahlers and Schubert 2014; Eaton and Kostka 2014; Edin 2003; Habich 2015; Kostka and Hobbs 2012; Mertha 2009). However, the cases must be chosen carefully, it is difficult make generalizations in terms of political culture, leadership, resources, or welfare, within the diverse Chinese system. An effective comparison, though, can synthesize new insights into intergovernmental relations, policy implementation, and the function of local governments in state-society relations (Hurst 2010: 164). This book investigates specific border prefectures within Yunnan and Jilin Provinces, namely Yanbian Korean Autonomous Prefecture in Jilin (*Yanbian Chaoxian zu zizhizhou*), and Dehong Dai and Jingpo Autonomous Prefecture (*Dehong Daizu Jingpo zu zizhizhou*) and Xishuangbanna Dai Autonomous Prefecture (*Xishuangbanna Daizu zizhizhou*) in Yunnan.

These prefectures represent crucial, most-similar cases. They lie in strategically important locations. First, they both are part of regional integration frameworks: Both locations are part of larger regional development programmes that emphasize Beijing's economic and social interests in developing their border areas. Yunnan has been labelled a 'bridgehead' within the Greater Mekong Subregion (GMS), while Jilin is part of the Greater Tumen Initiative (GTI). Additional financial support for trade and border infrastructure has thus been granted to the provincial governments, allowing us to observe the process of policy implementation. Secondly, they are similar in their administrative status. As 'autonomous prefectures', the central government acknowledges that 'ethnic minorities' constitute a significant portion of the population. Further, their geographical position is similar: Both provinces are remote and landlocked, posing challenges for infrastructural development. Both the Myanmar and the Laotian border areas are characterized by poorly constructed roads that are under constant threat to

be devoured by the thick rainforest. The asymmetry to the well-built Chinese road and port infrastructure is very visible in the border area. Fifth, their population structure is similar: Both border areas are multi-ethnic sites with diverse populations that interact with their ethnic kin across the border. Moreover, the provinces are comparable in terms of welfare, with an official GDP of 1,488 CNY in Jilin and 1,487 CNY in Yunnan in 2016 (Statista 2017). Moreover, both border areas are beneficiaries of special policies: In both border areas, 'Special (Economic) Border Zones' (*tequ*) facilitate trade with neighbouring countries in the context of regional development initiatives. These zones maintain cross-border labour agreements. Lastly, an important point as China's authoritarian system also impacts freedom of research, these prefectures are accessible to researchers; other than political sensitive regions such as Tibet or Xinjiang, I was able to travel them.

Although carefully selected for being representative of the political process, the selected border areas also epitomize exemption. The prefecture's administrative status as 'autonomous' is a result of historically shared borderlands with China's neighbouring countries and the fact that ethnic groups for centuries have lived across regions despite colonial rulers or governments drawing borders. In China's modern history, both the Sino-Korean border and the Sino-Myanmar border were the subject of relatively early bilateral agreements. The Sino-Korean border of today was formally established after the Korean War in 1949, retaining previous boundary agreements. Yanbian plays an important role in the border history as it was originally established as a Yanbian Korean nationality Autonomous Region (*Yanbian Chaoxinzu zizhiqu*) but then administratively downgraded to an 'autonomous prefecture' as part of Jilin Province in 1955 (Armstrong 2013: 117). Although Yanbian was inhabited by diverse ethnically Chinese and Korean groups, the two nations agreed on Chinese sovereignty over the area which was not contested by North Korea afterwards (ibid.). Although the border itself remained uncontested, many Chinese (especially ethnic Koreans) fled during the 1950s and early 1960 from the famine and political unrest of the Cultural Revolution to North Korea, resulting in Beijing and Pjöngyang issuing a secretive agreement on border management, ports, and river management already in 1963. This agreement remains valid until today, having paved the way for repatriation of defectors from both sides. Since China's relative economic success in the 1990s people rather defected from North Korea to China. While some North Korean defectors manage to continue their route to third countries, many stay in the border area. Today, the Chinese government considers a third of the Yanbian population as ethnic Korean. With reference to the 1963 agreement, Beijing refuses to accept these defectors as refugees

and continues to repatriate them to North Korea. This rejective stand overall reflects the Chinese government's fear of what happens in the border area in case the Democratic People's Republic of Korea (DPRK) collapses and the consequential need to 'reassure its own citizens of their security and re-assert a distinction between inside and out' (Boyle 2021: 34). This is further reflected in the language and education policy towards ethnic Koreans in Yanbian. While the Chinese government had supported ethnic Korean heritage until the 1990s, it closed Korean-language schools, increasingly emphasizing Chinese-language education (Denney and Green 2016). This historical context shows how integrated the border area is, how the local community historically lived across the border, and how careful the Chinese government negotiates its sovereign prerogative in this area.

Similarly, Yunnan Province borders Myanmar, Laos, and Vietnam, historically having been inhabited by various ethnic groups that traditionally lived across the region irrespective of (the changing status of) international borders. The first formal 'ordering' of the different states was initiated by French (Laos and Vietnam) and British (Burma) colonizers in the late eighteenth century who established not only border treaties (also including China) but further an administrative system that mobilized workers and administrative staff exchange throughout the different colonial zones (Townsend-Gault 2013: 146). Prominently, China signed unfavourable border treaties with the French (1895) and British colonizers (1984) that exploited the resource-rich border area. After a short intermission of Japanese control during WWII, Myanmar and Laos gained independence in 1947 and 1953 respectively. China and Myanmar signed a border agreement in 1960. The treaty exchanged land between China and Myanmar and provided the opportunity to change the nationality within two more years for those people having inhabited it; approximately 2,400 families used this opportunity to move to either Kachin or Shan State (Whyte 2013: 197), of which many remain, having family in today's Chinese territory. Shortly after that, retrieving Guomindang forces from Yunnan into Myanmar set-off a decade of political struggle over the border insurgency. During the 1980s, the border region then became comparatively neglected, Myanmar being governed by an autarkic quasi-socialist regime that largely closed its borders (Meehan et al. 2021: 146) and China struggling with (economic) survival under Mao Zedong rule. In 1994, China, Laos and Vietnam signed a border treaty that was further detailed in 2006. The Sino-Laotian border remained uncontested. Border infrastructure development is dependent on Chinese initiative as the comparatively poor Laos largely refrains from investing in the border area infrastructure.

Against the backdrop of this violent and dynamic political history of these border areas, financial and political prioritizing the borderlands set a rescaling process in motion. Most people inhabiting these border areas have been politically marginalized for decades now being a target for the Chinese government showing model cross-border integration, proving itself a pragmatic development aid supporter to the neighbouring countries, and providing security by re-asserting sovereignty in the border areas to its own citizens.

On Border Regimes, Sovereignty, and Immigration

Border regimes represent the confluence of political actors engaging with, deciding, and practicing the regulation of mobility across borders. They are the result of historic trajectories of a government's attempt to effectively regulate border mobility. However, they also account for changing relationship among political actors and bureaucracies that increasingly include trans- and inter-national constellations (Sciortino 2004: 32f; Tsianos and Karakayali 2010: 376). Border regimes are characterized by a set of norms and principles that enact specific rationality regarding how – i.e. at what cost – cross-border mobility is to be regulated. These norms and their rationality represent the outcome of negotiations and struggles among the various actors involved. In short, I define border regimes as specific configurations of norms and regulations on border mobility that are monopolized within a specific set of institutions and actors.

Border regimes encompass at least three different categories of actors: a legislative body, a political structure that implements legislation, and enforcement agents that issue visa, organize repatriations, and control cross-border mobility. The actor constellation can be understood simultaneously as a bureaucracy and a security field, which can be differentiated by the specific techniques applied to regulate mobility (Bigo 2000: 326). In my analysis, the border is more than a research object: it is a method of distinction (Newman 2006: 176; van Houtum and van Naerssen 2002), a method of power over people that differentiates between wanted and unwanted immigrants. We are able to identify the border regime as a display of decentralized power through analysing mobility regulation policies, institutions, and actors involved, their applied regulation techniques and practices, and the actual effects that border regimes have on local people crossing the border, both regularly and irregularly. Ultimately, the border regime perspective allows us to consider a macro-perspective of the institutional frameworks in which border politics are negotiated and links this with a local (micro) analysis of its actual effects on border-crossers.

The definition of 'regime' varies widely within the social sciences. In International Relations, definitions of regimes differ between schools of thought. The consensus definition of 'international regimes' (Hasenclever et al. 1997: 8), is that they are 'institutionalized forms of behaviour in the handling of conflict that are guided by norms and rules' (Tsianos and Karakayali 2010: 375), or put differently, 'sets of implicit and explicit principles, norms, rules, and decision-making procedures around which actors' expectations converge in a given area of international relations' (Krasner 1982: 186).

Ontologically, research on this question focuses on ideas, interests, actors, and institutions, as well as how certain policies and norms change over time (Ackleson 2011: 254). Much of the scholarship concerns international organizations, such as the International Organization for Migration (IOM), that disseminate technical norms and regulations on border management at the state level (Geiger and Pécoud 2013). Most of the research locates the decision-making of border regimes outside the state in regional or international organizations, viewing the state merely as the site of implementation for transnational norms (Mau et al. 2009: 21). These researchers focus on the importance of informal bargaining within global regimes, which becomes an autonomous process independent of governments. A 'regime therefore [becomes] something like a virtual state for certain segments of internationally intertwined political and economic processes' (Tsianos and Karakayali 2010: 376).

A second major research corpus within social science is regulation theory. Starting in the early 1980s, scholars asked 'how it was possible that a maze of autonomous processes could result in a coherent social product in which all private expenditures of work can be valorized' (Tsianos and Karakayali 2010: 376). 'Accumulation regimes' have been posited to create a consistent 'relationship between a set of heterogenous and autonomous social processes converging towards the aims of capitalist accumulation' (Mezzadra and Neilson 2013: 178). I draw on the work of Mezzadra and Neilson and their idea of border as method which I locate in this debate because they focus on the 'frontiers of capital' that manifest in labour regimes. To them, the border is a site of investigation; the policies under investigation, however, are global processes of financialization, capitalist accumulation, and their exploiting effects on workers in borderzones.

Following the governance debate in the 1990s, a third perspective is associated with the paradigm shift away from migration being seen as a 'one-way process [that] has been replaced by the concept of transnational migration' (Tsianos and Karakayali 2010: 376). Here, migration regimes are presented as a 'supplement for or substitute to the concept of migration

systems' (Mezzadra and Neilson 2013: 178). Migration regimes 'signify the set of rules and practices historically developed by a country in order to deal with the consequences of international mobility through the production of a hierarchy – usually messy – of roles and statuses' (Sciortino 2004: 32). Regimes of mobility regulate the social order and the 'balance between settlement and movement' by governing mobility and by differentiating between people who belong and do not belong in a certain territory (Kotef 2015: 9). These regimes develop new logics of control to keep borders open while simultaneously controlling them.

Although these three perspectives are not comprehensive, unified theories, they allow me to position my research within the manifold concept of regimes. By using the third approach above, I build on work in international relations, acknowledging the border regime's high degree of institutionalization through international and regional organizations that develop norms and regulations on border mobility. I also refer to the regulation perspective by analysing modes of mobility regulation through state agencies and border management practices, taking historical trajectories into account. Moreover, institutionalization does not mean that a regime is static in terms of how it exerts power, but that a rationality has emerged from negotiations and struggles among different actors involved. Here, I follow Sciortino (2004: 32f.), who notes on the advantages of analysing migration through a regime perspective:

> First, it brings to attention the effects of norms in contexts, rather than operating a simple review of juridical rules. The notion of a "migration regime", moreover, pays its due to the historical character of such regulation: a country's migration regime is usually not the outcome of consistent planning. It is rather a mix of implicit conceptual frames, generations of turf wars among bureaucracies and waves after waves of "quick fix" to emergencies, triggered by changing political constellations of actors. The notion of a migration regime allows room for gaps, ambiguities and outright strains: the life of a regime is the result of continuous repair work through practices. Finally, the idea of a "migration regime" helps to stress the interdependence of observation and action.

He emphasizes the dynamic relationship between state bureaucracies and political constellations of actors and border regulations, stating that both juridical rules and historical trajectories are constitutive. I agree with Sciortino that this constant renegotiation within the regime represents the

larger political constellation.[1] Similarly, Tsianos and Karakayali (2010: 375) emphasize the social sphere of border regimes, contending that 'the concept of "regime" implies a space of negotiating' in which actors' practices relate to each other.

In sum, I define border regimes as specific configurations of norms and regulations on border mobility that are monopolized within a specific set of institutions and actors. Border regimes are dynamic and aim at standardizing, harmonizing, and eventually externalizing border control. Border regimes exert their power through specific techniques of regulating mobility flows, like asylum and visa politics, as well as through security agents' enforcement of border control regulations (Bigo 2000: 326). Although the integration of different actors within a regime may be fragmented, the regime follows a certain logic, a rationality that underlies every decision on how to regulate and execute border mobility. Hence, my approach builds on three pillars – actors, discourses, and practices – that together constitute a border regime and reveal how it is institutionalized and how it functions. In my analysis, the border is more than a research object, but a method of distinction (Newman 2006: 176; van Houtum and van Naerssen 2002) – a method of power over people in various ways. By analysing mobility regulation policies, institutions, and actors, regulation techniques and practices, and the actual effects border regimes have on local people crossing the border regularly or irregularly, I identify the border regime as a display of decentralized power that implements the politics of scale. Hence, I can describe specific practices of zoning that manifest the territorial strategy of the regime. Ultimately, the border regime method allows me to link the macro-perspective of the institutional frameworks in which border politics are negotiated with a local (micro)-analysis of the regime's actual effects on border-crossers.

Lastly, I want to discuss the different forms of actors and agency that are included in this regime framework. As mentioned above, I include both macro and micro levels of analysis, looking at both institutional and individual actors. I map the governance structures constituting the border, 'a complex set of institutions and actors that are drawn from but also beyond government' (Stoker 1998: 19). I also importantly include local

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1   One alternative is offered by Ackleson (2011: 254), who approaches the analysis of border management from a narrow policy view that I find insufficient due to its lack of a subaltern perspective. Along with the question of change, he suggests including the following elements: '(1) the arrangement of power (which involves interest groups, the state, and other actors); (2) a policy paradigm (which defines the problem and solutions and includes public and academic discourses); (3) the government organisation and implementation structures; (4) the policy itself (the goals of the policy regime and rules of implementation'.

border practices and the experiences of migrants and border crossers: the subjects of power. This perspective is especially challenging since migrants are often undocumented and illegal; their agency and struggles cannot be captured through the governance structure to which they are external (Schulze Wessel 2016, 2017: 154ff.), or their 'political belonging' remains unclear. In my analysis, I try to account for this informal side of border regulation by including border traders, illegal immigrants, and other types of informal border crossers in local communities. This view supplements my analysis of the official border regime structure – the state apparatus, its legal framework, and both governmental and non-governmental decision-makers. Moreover, although the state continues to play a central role as the main stakeholder in emerging border and migration regimes, other international organizations and private actors are gaining importance. A new multiplicity of actors is shaping the course and legitimacy of these regimes. The state's decisive advantages over these other actors stems from the question of border control touching on citizenship, the basic characteristic of sovereignty; in addition, the state controls the security agents that enforce border control, such as the military and police.

Sovereignty and Territory

An analysis of border mobility touches upon central questions of territory and sovereignty. Although capital, information and mobility are increasingly being investigated in a global context, the nation-state remains the decisive model for the formation of states and their bureaucracies, the exertion of authority over transnational issues, membership in international organizations, and the law. The relationship between state authority and territory, however, has changed significantly. As Sassen (2008: 6) put it:

> Where in the past most territories were subject to multiple systems of rule, the national sovereign gains exclusive authority over a given territory and at the same time this territory is constructed as coterminous with that authority, in principle ensuring a similar dynamic in other nation-states. This in turn gives the sovereign the possibility of functioning as the exclusive grantor of rights. Clearly, then, globalization can be seen as destabilizing this particular scalar assemblage. Much attention has gone to the fact that the nation-state has lost some of its exclusive territorial authority to new global institutions. Now we need to examine in depth the specific, often specialized rearrangements inside this highly formalized and institutionalized national apparatus that enable that shift.

I consider Sassen's observation as a call for more detailed analysis of how Chinese territory is sovereignly governed, especially at its periphery. The centre-periphery relationship and the specific ways of how the margins are territorially integrated into the national project become analytically important. The centre-periphery relation not only consists of administrative hierarchies, but also includes political and cultural interactions constituting socio-spatial relations. This means that sovereignty is no longer understood as a sufficient condition for the construction of territorial borders and the demarcation of territorial integrity. Rather, practices of inclusion, exclusion, and integration are regarded as key to the spatial constitution of a state. Hence, understanding national identity, how the dominant narrative of the nation is constructed, and how 'threats' to this nation are delineated becomes analytically relevant. The construction of a specific 'threat' to national safety or territorial integrity can be part of a nation-building process when taught and mediated to the public as forms of ideological reproduction. These perceived 'threats' can either be inside or outside national territory, multiplying the number of people subject to a particular border regime. In Asia especially, the history of territorial forces shows how 'conflicts […] restructure territory in […] thus operate in geographies of mobility where national maps represent an illusion that national borders contain national life' (Ludden 2003: 1067). Ludden argues that there is an inherent conflict between territoriality and mobility in the assumption that mobile people carry away the resources and dividends that local people created from their territory (ibid.: 1062).

These processes of disappearing and proliferating sovereignty, social inclusion and exclusion, and nation-building and threat perceptions cannot be understood 'unbound by the concept of culture' (Clayton 2009: 14). Clayton states that we cannot translate sovereignty across languages and cultures without investigating the different effects it has on the world and the colonial contexts in which it arises. She calls for an ethnographic analysis of a Chinese experience of sovereignty, in her case focusing on Macao: 'I suggest that the question [of sovereignty] might better be studied ethnographically in ways that illuminate how a particular story of sovereignty becomes meaningful to the people in whose name it is exercised' (ibid.). Although her approach to experienced sovereignty is highly relevant, however, it is also vague as the subjective understanding of being governed can be plentiful, especially since the object of my analysis cannot be understood as a 'collective subjectivity' – the immigrants are barely politically organized or have collective political or social lives. I instead focus on local practices of sovereignty and how state authority is implemented in practices of citizenship and border politics.

Nevertheless, the analysis must build on Chinese discourses to account for the hermeneutic rationalities as well as the local context. On the question of territorial integrity, such an approach is done by Fravel (2005, 2008) who has analysed China's behaviour in territorial disputes, arguing that its territorial concessions have occurred in times of internal and external threats such as regime insecurity due to rebellions and legitimacy crises. Carlson (2003, 2006) has argued that 'China's shifting stance towards sovereignty is a product of the changing relationship between relatively persistent and historically conditioned sovereignty-centric values, rational cost-benefit, and pressures'. Upheaval in these factors during China's political and economic development in the 1980s and 1990s, resulted in a 'new sovereignty debate' (Carlson 2005: 3f; 225). Extensive research has also probed historical approaches to Chinese philosophy and its practices of border and peripheral relations (Bell 2003; Bello 2016; Freiin Ebner von Eschenbach, Silvia 2016; Giersch 2006; Hofmann 2016; Jaskov 2016; Lary, ed. 2007; Ling 2003; Rajkai and Bellér-Hann, eds. 2012; Samoylov 2016). Within Chinese academia, the importance of developing a model for centre-periphery relations (*hexin bianyuan moshi*) and regional integration of the border has gained momentum (Hu et al. 2009; Hu et al. 2014; Zhou 2012, 2013, 2014). I agree with Carlson and argue that China's regional integration has facilitated an internal re-ordering process that has resulted in a shifting understanding of sovereignty. Border provinces have been strategically labelled as 'bridgeheads' to link infrastructure and trade with neighbouring countries. This policy has shifted the allocation of resources to border areas and increasingly to neighbouring countries through new cooperation agreements. In this way, I argue, Beijing projects sovereignty beyond its traditional territory by implementing its own development strategy in the wider region.

Immigration and Citizenship

Another central aspect of border regime analysis builds on an understanding of how citizenship is constructed and how different categories of immigrants relate to it. A country's openness to attracting and integrating foreigners, along with whether a path to naturalization is available, determines the fundamental norms of a border regime. Providing a variety of visa schemes and low bureaucratic barriers to citizenship indicates an open immigration state; providing few immigration schemes that rely on determined categories such as blood relationship indicates a closed national community. The specific terms and conditions foreigners have to meet in order to apply for regular immigration are indicative of how responsive the host society is and

wants to be. In addition, whether or not irregular immigration is perceived as a 'threat' manifests in how strict punitive measures regarding repatriation are. By analysing the specific legal standards and discursive practices applied to different groups of foreigners entering the country, I illustrate the social hierarchy of immigrants. How is authority exerted over different groups of immigrants? How does the Chinese immigration system differentiate between regular and irregular immigrants and how are they specifically controlled? What legal pathways to permanent residency exist and how are they enforced? What specific categories exist (e.g. refugees, border residents, border tourism)? What rationality underlies this integration and what logic underlies the selection of wanted and unwanted immigrants? The Chinese immigration system does not provide a universal path to naturalization for foreigners, and though some high-skilled workers may qualify for social security benefits, permanent residency and work permits bestow limited access to such protection. Moreover, regardless of the immigration schemes provided, immigrants might still choose to opt-out. Due to the local variety of immigration schemes in China, immigrants might choose to move to a different locality in order to get different rights or might make choices regarding the citizenship for their children.[2]

Chinese Border Politics

The term border politics also needs a short introduction. I understand border politics not as a cohesive policy field but as a meta-issue affecting several other policy subjects such as immigration, labour, social benefits, health care, foreign relations, and – especially in China – national development. Hence, I understand border politics as encompassing all fields related to the regulation of border mobility, security, and development. Policy-making in China is characterized by fragmented, decentralized and transnationalized processes. Although all policies are guided by the central government and ideologically designed by the Chinese Communist Party (CCP), policy implementation is delegated to provincial and local levels of government. Appendix A and B show the multi-scalar actor constellation of Chinese border politics in Yunnan and Jilin Province. This governmental structure deliberately provides leeway for local actors (specifically to local govern-ments) to find solutions outside standard procedures and to implement – in

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2   As Barabantseva (2021) shows, Belarussian women married to Chinese husbands, for instance, tend to consciously make these choices in what they assume is their children's interest, thus negotiationg their national identity on their behalf.

this case border and immigration – politics according to local characteristics. With regards to exit and entry regulations, the central government issued a new law in 2012. In 2016, Yunnan Provincial government issued guidelines for how this law could be implemented by publishing Implementation Opinions of the People's Government of Yunnan Province on Several Policy Measures Supporting the Development and Opening up of Key Border Regions, and one year later they introduced the Yunnan Regulations on Border Management (*Yunnan sheng bianjing guanli tiaoli*). In the following years these guidelines were further developed into local implementation measures in the respective cities and prefectures such as

– the Ruili Implementation Measures for the Entry-Exit Administration Department of the Public Security Organs of Yunnan Province to Carry out the Handling of Private Entry-Exit Documents within the Province of 2016 (Ruili City Public Security Bureau 2016),
– the Ruili City Foreign Personnel Service Management (Trial) Measures of 2018 (Ruili City Public Security Bureau 2018),
– the Dehong Prefecture Implementation Measures for Foreign Personnel Entering for (Work) Employment of 2017 (Dehong Prefecture Government 2017b),
– and the Notice on Printing and Distributing the Pilot Measures (Trial) for the Administration of the Entry of Migrant Workers from Border Areas Abroad in the Key Development and Opening Pilot Zone of Mengla (Mohan) of 2018 (Mengla County Government 2018).

The inter-scalar negotiations going into the formulation of these implementation guidelines (*guanli banfa*) are an intransparent process that takes up a lot of time often consulting various actors making policy reform an arduous, bureaucratic, but formative process. In accordance with most literature on the Chinese local state (Ahlers and Schubert 2014; Edin 2003; Heberer and Senz 2011; Heilmann et al. 2013), I find that the system's relative autonomy results in local governments adopting strategies to legalize immigrants that would not have been accepted under standard procedures. Although adaptive, the system remains hierarchical in the sense that local governments are responsible for implementing central policies according to local characteristics in order to establish development and enhance legitimation, thus strengthening 'authoritarian resilience' (Heberer 2016). Furthermore, tight control of political communication and media allows the government to regulate official discourses on national security and migration, navigating narratives of (il)legality that serve the official notion of stability and security (Barabantseva 2015b: 359f.).

State of the Art on Chinese Border Regulation

When I started my research, the literature on Chinese borders had been extremely scarce. The Yunnan border area, however, was already comparatively well researched. For instance, analysing how (informal) networks and markets affect the political economy at the Sino-Myanmar border, Woods (2011, 2017) offers an interesting historical perspective on the agricultural sector. Tan (2017) similarly focuses on informal networks and a new model of casino-development at the Laotian border. Tracing patterns of 'local liberalism', Li (2014), highlights the role of local governments in the region-alization process in Yunnan. Working on a discursive level, Konrad and Hu (2017) have extensively researched local narratives of border conflict in the Kokang border area. Working on 'foreign wives' in Yunnan, Barabantseva (2015a, 2015b) argues that marriage immigration plays a crucial role in the economy of border communities. Sturgeon has completed extensive ethnographic research in border villages analysing border practices and patronage networks that manifest in the illegal but everyday cross-border mobility of farmers in China, Thailand, and Myanmar (2004, 2013a). Dean (2005) analyses conceived, perceived, and lived geographical imaginations and territoriality at the Kachin Sino-Myanmar border, arguing that local actors and their spatial practices creatively adjust to changing conceptions of territory.

Other Chinese border areas had been comparatively neglected by academics. For getting orientation in the field, Freeman and Thompson's (2011) description of the Sino-DPRK border was extremely useful. Choi (2011) shows how fortifying the border against North Korea has further manifested social differences between Korean-Chinese citizens and North Koreans that live or work across the border. Luova (2009) has analysed the effects of pan-Korean networks at the Chinese-Korean border.

However, since I started my research, the topic had gained increased academic interest that further lead to numerous publications. The Amsterdam University Press has been a major platform in the debate about Asian borderlands and mobilities. Among them, the edited book on the Sino-North Korean borderland (Cathcart et al., eds. 2021) investigates the historic, institutional, and social development of the border area. Similarly, China's Southeast and Central Asian borders have been extensively researched (Saxer and Zhang, eds. 2017; Chettri and Eilenberg, eds. 2021), the Russian border (Humphrey, ed. 2018), as well as Chinese borderlands (Rippa 2020). This increasing publication density shows that Asian borderlands had arrived in the midst of academic debate across many disciplines. Further, the New

Mobilities Series of the AUP is concerned with the mobility across these borders; mobility of cross-border marriages (Binah-Pollak 2019), tourist mobilities (Simpson, ed. 2017), inner Chinese migration (Kaufmann 2021), and gendered migrants' identities (Baas 2020; Mee 2019). As such, this book carries on AUP's dialogue by scrutinizing foreigners' mobility regulation in China's borderlands through exploring local exceptions.

However, China's border regime is still understudied in the literature, though its border and immigration politics have been discussed separately. Studies have addressed the changing legal framework for immigration. Frank Pieke (1999; 2013) offers an overview of different forms of immigration in China, documenting the non-normalization of immigration and its changing patterns. A comprehensive legal perspective on international immigration in China is offered by Liu Guofu (Liu 2009, 2011, 2015) who has also written extensively on Overseas Chinese and their right to return (Liu 2007). Xiang Biao has studied exit control of Chinese citizens and their international migration (Xiang 2007). Elaine Ho has investigated the Chinese diaspora in neighbouring countries and re-migration of Chinese citizens (Ho 2019; Ho and Chua 2015). Scholars have conducted analyses of 'talent' immigration (Czoske and Ahl 2016; Zweig 2006), the development of labour immigration laws (Liu and Ahl 2018), different forms of marriage migration (Barabantseva et al. 2015; Cheng 2016), the status of refugees (Song 2017b; Thompson 2009), and most commonly, internal Chinese migration (Jakimów 2012; Vortherms 2015). I contribute to this scholarship by providing an analysis of the legal framework and institutions currently managing foreigners' immigration to China. Moreover, I engage with ethnographic border studies in trying to account for the effects of these regulations on immigrants, specifically those living in border areas.

I do not address policies regulating Chinese citizens, either as emigrants or as internal migrants. Although there are considerable similarities in the Chinese approach to regulating internal migrants, I focus solely on foreigners entering Chinese territory in order to work, marry or pursue their lives. The ways in which border regimes selectively choose and gradually integrate foreigners reflects upon the social hierarchy in a given state. In deciding how and why to allow foreigners into the country, as well as how many, governments process the sometimes-conflicting interests of markets, state administration, and societal demands, thus emphasizing the function of the border as a tool of population management. To refer to the various groups of foreigners in China, this book uses the term 'immigrant'. Although the majority of literature subsumes the 'multidirectional aspects of migration routes — emigration, immigration and re-migration' (Ho 2019: ix) under the term 'migration' (instead of 'immigration'), I want to clearly differentiate

between internal Chinese migrants and foreign immigrants. Internal Chinese migration – Chinese citizens leaving their place of origin to study, work or reside in other localities – has produced social and political debates, along with academic research, on reforming the *hukou* household registration system (Jakimów 2012). Since this book is speaking to audiences interested in border studies in general as well as scholars of China Studies, I want to differentiate between the two established debates; hence, I use 'immigrant' when I talk about foreigners and 'migrant' when I talk about Chinese internal migrants.

Historical Territorial Narratives from Tributary System to Centre-Periphery Relations

In ancient China, after centuries of minimal military and diplomatic contact, rulers established bilateral and regional relations considering neighbouring societies as outside of their territorial sovereignty (Hui 2005: 5). In this multistate era (656 BC – 221 BC), travellers crossing territories of the various 'states' (*guo*) were already supposed to carry identification documents inscribed into bronze or wood (Hui 2005: 6). During imperial China (after 221 BC), territorial thinking was not defined by spatial borders but by a complex network of ethnic, cultural, and social connections comprising a tributary system with the emperor at the centre (Anderson and Withmore 2014: 5; Hyer 2015: 264). During the following dynasties, rulers established vassal systems that often had competing territorial claims that historians can distinguish through the differentiation of bureaucracies rather than border practices. Di Cosmo argues that the master narrative of Sima Qian writing the Chinese history was the first attempt at presenting a 'historical protagonist', thus treating other states as equal and creating a border dichotomy (Di Cosmo 2004: 10). During the Ming Dynasty (1368–1644), Emperor Hongwu established a border defence system for the Chinese Empire that aimed to protect Chinese citizens from attacks by nomadic tribes and tried to prohibit illegal immigration – meaning any kind of immigration apart from diplomats (Oláh 2012). China was historically understood as an 'empire state' with an 'inner China' (*neidi*) or 'China proper' phasing out into an 'outer China' (*waidi*). This outer area, inhabited by 'barbarians' – uncivilized, uneducated people that were not (yet) part of the 'Central State' (*Zhongguo*)[3] –, has functioned as a 'buffer zone' (*pingzhang*) against external intervention (Fravel 2007: 710f.). In this sense, the territoriality of China along

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3   Fiskesjö (1999: 146) shows the complex ways of how 'barbarians' were imagined and discursively categorized as raw *sheng* or cooked *shu* representing their degree of (potential) civilization. In Song

with the notion of civilization has been impermanent in nature, ever ready to expand beyond the old borders and existing subjects (Fiskesjö 1999: 141). China's strictly hierarchical territorial approach – viewing itself as the centre of the world (*tianxia*) – was first publicly problematized at the outset of the PRC when Pan Guangdan called it 'historic ethnic chauvinism' and 'fictive geography' (Woodside 2007: 14). Throughout the twentieth century, China tried to complement its traditional territorialization 'from within' with diplomatic recognition 'from without' through sovereign engagement with the international community (Joniak-Lüthi 2016: 153). Simultaneously, it also endeavoured to settle ongoing frontier disputes with neighbouring countries, mostly in times of regime insecurity (Fravel 2008). Debates over border areas' administrative status and territorial integration into China continue until today. Moreover, the continuous mobility of 'nomads' and border communities still play a crucial role in today's spatial articulation of the Chinese nation state.

Building on the notion described above that Chinese borders manifest racial differentiation rather than geographic distinction, Lary (2007: 6-10) has identified several dominant narratives that characterize and determine Chinese border and immigration discourses until today. The first dominant narrative is that Han China is the centre of civilization; conversely, border areas inhabited by 'ethnic minorities' are 'different, strange, [and] exotic, at a lower level of cultural evolution'. These 'exotic descriptions' find manifestation in minority theme parks and the overall fascination for 'cultural tourism' in the border area. Secondly, the discourse on border areas as 'underdeveloped' and 'backward' is manifested in national development campaigns such as 'Develop the West' (*xibu dakaifa*). Thirdly, the ancient cross-border connections of 'ethnic minorities' constitute a 'potential threat' to the centre as they might facilitate the devolution of the nation state. Fourth, Han Chinese settlement in the borderlands helps establish 'civilian control' over these areas. Lastly, 'centre-border relations are never static', as the value of natural resources and land and the geostrategic importance of the border areas constantly change.

These narratives in one way or another reappear in today's border discourses which negotiate the ambiguous relationship between the (political) centre of the Chinese nation state and its periphery (*bianyuan*). There is an ongoing political debate regarding how to keep the country safe and secure its territory from neighbouring countries and their potential threats on the

dynasty Yunnan, he describes how various tribes of Wa were differentiated into wild/tame and accordingly understood as further away from/closer to potential civilization by the local Chinese.

one hand, while on the other hand acknowledging that the cultural proximity of borderland inhabitants holds value in constructing better (economic) links with neighbours. Against this background, this book addresses the paradoxes of the Chinese border regime: how to keep the borders open while secure, how to integrate the periphery into the national development project and utilize border resources while carefully directing change. Though some historical continuities prevail, the border regime is still subject to change as a result of the interaction of domestic and international processes. Being aware of the dynamic historical contingencies at play contextualizes the timeframe selected for this book, namely the years between 2001 and 2020; although it is handy to use 'natural' benchmarks such as 9/11 as bookends, any limited chronological selection still presents an artificial extract of the genealogy of power and its institutions.

Methodological Reflections

Since there is no single methodology that could include territorial and discursive articulations of border, I integrate discourse analysis with fieldwork in order to maintain a systematic approach to agents and acts while staying attuned to the context. I follow in the steps of researchers who explicitly link theory building with site-intensive methods (Read 2010: 146; Schatz 2009: 14). Moreover, Patrick T. Jackson (2011: 207) argues in favour of methodological pluralism, contending that 'there is no reason why a single published work cannot contain multiple independent arguments, even if those arguments are themselves drawn from different methodologies'. Hence, I draw on the 'Ethnographic Border Regime Analysis' approach introduced in the following section (Tsianos and Hess 2010: 252). Methodologically, this approach suggests a heuristic mix of methods by linking a '"symptomatic discourse analysis" with ethnographic participating observations and talks in different places and different forms of focus interviews' (Tsianos and Hess 2010: 252f.). This mixed-method approach emphasizes a 'process and conflict sensitive understanding of the institutionalization and relations of the border', allowing researchers to consider various actors and discourses and their interrelationships in the context of a broader frame of action (rather than in one closed, systemic rationality) (ibid.: 253).

Although this approach is comprehensive already, I want to connect this to literature on methodology on security discourses and practices as they are closely related. In order to study security discourses and practices, Thierry Balzacq (2011) offers a vocabulary to look at three-layered analysis:

agents, acts, and context. The 'agent' dimension includes 'actors and the relation that structure the situation under scrutiny' (Balzacq 2011: 35), hence includes all subjects that are either performing, recipient of or subject to the security act. The 'act' dimension comprise both discursive and non-discursive security practices which involve action (in terms of addressing or ignoring an issue), speech acts that frame in a subject a certain way, the dispositif of security (who operates the resources, knowledge, tools over the security acts, and finally, policies (their design, articulation, and implementation) (Balzacq 2011: 36). Finally, Balzacq argues that the context of the discourse is fundamental to its understanding, such as 'modes of production, class structure and political formation'. To his understanding, it is important to be aware of the interrelation and succession of events, the proximate context of an event such as an interview, or more generally, the 'sociocultural embeddedness of a text' or an event (Balzacq 2011: 37).

To my understanding, Tsianos and Hess's (2010) 'Symptomatic Discourse Analysis' calls upon what Balzacq refers to as context as well as Clayton's (2009) call for a culture and context sensitivity; exposing voids and discovering the underlying meaning and structure of a text is best done in the midst of fieldwork and while the researcher is exposed to the irritations and frictions of the border regime (Tsianos and Hess 2010: 252). Although fieldwork might be less extensive than other, ethnographic approaches, it enables the researcher to construe local practices. Within the literature on ethnographic methods, this experience is discussed in terms of the researcher's changing reflexivity throughout the research process or as 'situated knowledge' that impacts analysis and interpretation according to the changing situations (Turner 2013: 9).

This symptomatic approach goes one step further than regular discourse analysis by including insights from fieldwork. A traditional discourse analysis (only) considers the symbolic and linguistic level of discourses, on the 'dialogical struggles that are nested in power relations' where they originate (Balzacq 2011: 41), and 'how discourse actively structures the social space within which actors act, through the construction of concepts, objects, and subject position' (Phillips and Hardy 2002: 25). Traditional discourse analysis is confined to a systemic level and depends on access to information about state-society interrelations. Hence, the applied methodological approach provides an additional subject- and struggle-centred perspective gained from field research. In China's authoritarian system in particular, public discourse is often part of a propaganda strategy, critical material is often censored and controlled by the party, and the accessibility and reliability

of state-generated data is questionable (Xi 2010: 15). Here, understanding the additional 'local meaning' (van Dijk, Teun A. 2001: 103) is especially important in order to avoid reproducing a political 'avoidance' migration phenomenon (Tsianos and Hess 2010: 244); this understanding can allow the researcher to also grasp heterogeneous, fragile, emerging or passing discursive elements (ibid.: 254).

Ethnographic Border Regime Analysis

To my understanding, the approach of a 'Symptomatic Discourse Analysis' (SDA) in fact includes the 'Critical Discourse Analysis' (CDA). CDA probes social conflicts and political issues rather than dominant or hegemonic paradigms and 'focuses on the ways discourse structures enact, confirm, legitimate, reproduce, or challenge relations of power and dominance in society' (van Dijk, Teun A. 2001: 353); this approach aims not only to describe discursive elements, but to explain discursive formations against the backdrop of the social structure. In the same fashion, SDA aims to bring together different actors and discourses that interact in the 'space of negotiation' that is the border regime. SDA refers to Louis Althusser's figure of the 'symptomatic reader' who deconstructs a text beyond its literal meaning. This approach directly links the understanding of a speech act to the physically and mentally embedded reading of the researcher in the context of the field site (Tsianos and Hess 2010: 252).

Within the critical tradition and with regard to the political discourse on border mobility, I seek to (1) understand the institutional complex from which border politics derive and its inherent power asymmetries, (2) understand the social structure and knowledge dispositifs that constitute norms and practices, and (3) understand the dynamic within the negotiation process among different agents and scales. Chiara Brambilla (2015: 20) entitles this discourse 'the "normative dimension" of the border, that is the ethical, legal and empirical premises and arguments used to justify particular cognitive and experiential regimes on which border policies are articulated' (what she calls *hegemonic borderscapes*). In a nutshell, my goal is to understand the patterns of legitimation within the official discourse on border mobility that produce different struggles and zones of authority. The official discourse 'normalizes' what kind of border mobility and development is expected and what kind of immigration is wanted, which in turn contextualizes local practices.

In order to operationalize the 'normative dimension', this analysis consists of exposition of the institutional and legal framework of border

Table 1   Relevant organizations

International
International Organization for Migration (IOM) International Labour Organization (ILO) United Nations High Commissioner for Refugees (UNHCR) United Nations Development Programme (UNDP)
Regional
Asian Development Bank (ADB) Greater Mekong Sub-Region (GMS) Greater Tumen Initiative (GTI)
National
Central Government and State Council National Development and Reform Commission (NDRC) Ministry of Foreign Affairs (MoFA) Ministry of Finance (MoF) Ministry of Transport (MoT) Ministry of Commerce (MOFCOM) Ministry of National Defence (MND) Ministry of Public Security (MoPS) Bureau of Exit and Entry Administration of the Ministry of Public Security National Tourism Administration General Administration of Quality Supervision, Inspection and Quarantine Bureau General Administrations of Customs
Provincial level (examples from Yunnan Province)
Provincial Government Yunnan Provincial Development and Reform Commission Provincial Foreign Affairs Office Department of Finance Department of Transport Department of Commerce Yunnan Bridgehead Construction Steering Group Yunnan Tourism Bureau Yunnan Provincial International Regional Co-operation Office Passport & Visa Division of the Foreign Affairs Office of the People's Government of Yunnan Province Neighbouring Countries Affairs Division of the Foreign Affairs Office of the People's Government of Yunnan Province Yunnan Division of the Bureau of Exit and Entry Administration of the Ministry of Public Security Yunnan Province Statistical Bureau Department of Commerce of Yunnan Province
Local
Prefectural Governments Prefectural Government Steering Groups Public Security Bureau

policy-making within the Chinese political system; a text analysis of different legal texts, policy papers and speech acts that represent the various border agents; and a detailed critical discourse analysis of the political discourse on 'border security', 'border mobility', and 'border development' that represents the rationalities of the various border agents.

While there are serious constraints to the accessibility and reliability of state-generated data in China, such data also has advantages in bringing 'the state into focus within our understanding of the state-society relations' (Xi 2010: 16); this data can provide context and often helps to better frame questions for further research as well as to select and identify interviewees (ibid.: 17).

Fieldwork: Experiencing the Border

As mentioned above, this book analyses both discourses and practices of border regulation. Practice does not only refer to the state's 'discursive practice' generating responses to legitimation problems or rallying support (Hansen 2006: 1); the term refers to the actual techniques of control that impact, limit, or confine the bodies of immigrants and border residents while crossing or living alongside the border. My central question is: what forms of power and control are embedded in the bordering process, and what do concrete techniques and locations of surveillance and control represent? This analytical approach first builds on the above-described discourse analysis regarding authority over border control; it then extends the analytical perspective from a macro-level to a micro-level, taking the actual effect of governmentalities into consideration. Of course, my own access to the 'full' effects of this control apparatus is limited to my subjective experience of the bordering process as a foreign researcher with a foreign passport. Nevertheless, by directly engaging with the field, I have been able to undergo meaningful experiences that contribute to this analysis.

The research group undertaking the 'ethnographic border regime analysis' approach sees fieldwork as a necessarily multi-sited engagement with the (sometimes conflicting or irritating) field (Tsianos and Hess 2010: 255). In this view, fieldwork is more than a 'reality check' – it actively immerses the researcher in various locations of the border regime, such as the 'internet, offices, storage rooms, cities or the green border' (ibid.: 256). Only by travelling to the sites comprising the border, can the researcher most fully understand the vast network of actors involved and how they each interpret and institutionalize their roles. This aspect is also central to studies on border security, where fieldwork aims to understand how

'actors conceive their roles, how they go about their daily routines, how they incorporate security practices and perform their identities, how they justify their actions' (Côté-Boucher et al. 2014: 200). In Foucault's words, the researcher gets involved with 'power at its extremities, in its ultimate destinations, with those points where it becomes capillary, that is in its regional and local forms and institutions' (Foucault 1980: 96). Xiang Biao's (2013) approach of multi-scalar ethnography follows a similar rationality, being not only multi-sited but also focused on the 'spatial reach of action' (Xiang 2013: 284) and the various taxonomical hierarchies of authority that define the state and help us understand the relation between mobility and established institutions (Xiang 2013: 288).

Tsianos and Hess (2010: 257) moreover emphasize that their approach does not try to compete with the in-depth, long-term field stays of ethnographers, but rather adds value through different interactions with the field. They argue that by engaging with interviewees in various – often informal and random – encounters rather than through pre-structures, staged, and planned interviews, the researcher's own subjective understanding is constantly challenged, ultimately allowing for a more open interpretation of the context. In my case, this meant that a spontaneous discussion with a waitress from Myanmar could prove more informative regarding (il)legality in the border area than a scheduled interview with a local expert on the matter. This kind of fieldwork adds an 'ethnographic sensibility' to border studies 'detailing the inner logic that guides modern states in their efforts to remake physical and social space' (Schatz 2009: 6).

The literature addressing challenges for (foreign) researchers in the Chinese authoritarian context has grown recently as surveillance and restrictions have become more intense (Carlson, ed. 2010; Heimer and Thøgersen, eds. 2006; Turner, ed. 2013). Party ideology directly and indirectly influences research possibilities and access. Foreign researchers directly experience such political ideology when access to archives or official institutions is refused, especially when the research agenda touches on 'sensitive' (*mingan xing*) issues (Heimer and Thøgersen 2006: 12). Similarly, it has become more difficult to find interviewees and informants. Indirectly, the party discourse also influences the research as it predefines what topics are discussed and predetermines much of the (sayable) vocabulary. Special sensitivity should always be paid to avoiding the reproduction of official discourse.

When I began my research in 2014, I started my search for interviewees and informants with dozens of 'cold calls' (Turner 2013: 3) to local research institutions and state universities identified online. For the most part, these inquiries remained unanswered. However, some individuals invited me to

meet them once I was in China. Often, once we met in person, they further recommended colleagues or other non-academic interview partners and put us in contact. This way, I was able to conduct several expert interviews in both provinces. With the support of my PhD supervisor, Prof. Gunter Schubert, I received assistance from researchers at Jilin University who helped me organize interviews with local cadres at the Yanbian border. Eventually, through a snowballing system of making contacts throughout fieldwork, I was also able to conduct interviews with officials in the Yunnan border area. Overall, Chinese collaboration partners and local informants played an important role in field access and the identification of relevant interviewees. However, as a PhD candidate with few resources, my cooperation with local academics remained limited. A party campaign aimed at restricting research access for foreigners in China further impaired my ability to establish good relations with Chinese universities and generally complicated collaboration. In the end, I conducted interviews with academics, experts, local cadres, and local residents. The duration of my stays in different border towns varied depending on logistical feasibility and success of access; altogether, I spent ten weeks in China for this research. In 2015 and 2016, I visited the Yunnan border area twice and the Jilin border area once, travelling to various border towns and border sites. I also stayed in Beijing for one week to interview officials from the GTI secretariat and attended a GTI workshop on trade facilitation in Changchun. Access to this organization was made possible through the generous help of Magnus Brod, the Programme Manager for Support for Economic Cooperation in Sub-regional Initiatives in Asia of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ). Due to the ongoing ideological debate on research collaboration with foreign academics in China, I will not fully disclose my Chinese interview partners but only quote the number of the interview as they appear in my transcript. Among the interviewees, I had government officials on township and prefectural levels, local and renowned Chinese experts on border studies, and many locals that either lived or worked at the border, Chinese and Myanmar citizens, border residents, and border tourists.

I supplemented my interviews by conducting participant observation (Hume and Mulcock 2004). This method is designed to allow the researcher to 'take part in the daily activities, rituals, interactions, and events of a group of people' (DeWalt and DeWalt 2002: 1). Observation of activity at border gates, town centres, and marketplaces allowed me a glimpse of everyday life and daily routines in the border area. Here, I often travelled as a tourist, which I especially emphasized when approached by border security or police – which occurred regularly. Talking to local people without

a specific interview agenda helped me to better understand the meaning of the border to them and their mobility scope. However, as a young white woman who was often the only foreigner and travelling alone, I drew a lot of attention; since my presence clearly changed the situation, it proved difficult to observe 'natural' scene or border mobility practice. In this regard, my positionality constituted a 'difficulty' during field research since it (1) disrupted scenes in the field and drew attention towards me instead of the everyday proceedings that I sought to observe, and (2) led interviewees to provide certain answers when asked about potentially sensitive issues. In the end, my analysis draws on semi-structured interviews, informal chats, and in-depth interviews. Interviews were conducted both in English and Mandarin. Sometimes I had to rely on interpreters – often one of the interviewees in a group – using Mandarin as a reference language or *lingua franca*, especially when languages (e.g. Korean or Burmese) or local dialects were involved (cf. Sturgeon 2013b: 191).

Map of the Book

To investigate how the Chinese border regime is governed, this book is structured in the following way. In Chapter 2, I introduce the theoretical underpinnings of border regime analysis. I demonstrate three different ways of applying the term 'border as a method', which links the different analytical angles and theoretical approaches I draw on. First, the border is a *method of investigation* for the researcher; bordering practices represent larger power manifestations within state-society and centre-periphery relations, and their analysis is thus an epistemological access point. Secondly, the border becomes a tool to filter and control mobility at checkpoints and by concentrating and exerting state power through issuing identification documents, a *method of social control*. Thirdly, the border is a *method of spatial development* and resource allocation because border politics allow the (Chinese) state to draw on resources that lie beyond its traditional territory. Subsequently, I discuss different definitions of border regimes. I introduce the ways that the Chinese state exerts authority through the border regime and produces various zones of influence. Lastly, I account for the authoritarian context by linking my analysis to the official ideology of CCP, which aims to produce a harmonious yet 'qualitative' society.

Chapter 3 introduces the national immigration system. It presents the development of the reforms, norms, and principles that comprise its mechanisms. The chapter shows how the legal and discursive practices of

Figure 1   Border as a method

the Chinese immigration system exert graduated authority over border-crossers. The passport as a boundary object becomes decisive instrument that differentiates among various groups of immigrants, namely regular, irregular, refugee, border residency, and border tourism. The introduction of border residency and its legal positioning as an exception within the immigration system is discussed here. I conclude by examining how the underlying rationale of the immigration system builds on strict control and selective and limited provision of visa and residence permits.

Chapter 4 further addresses the Chinese government actors in the border regime. Here, I introduce the various security actors and their share of responsibilities, along with specific patterns of internal and external border control. I further demonstrate how the development rationale is woven into border politics that especially aim to develop China's western periphery in order to integrate ethnically diverse border areas into the nation project.

In the fifth chapter, I concentrate on the regional context of the Chinese border regime. I show how border areas are institutionally and infrastructurally integrated within regional frameworks. Towards Southeast Asia, the GMS provides cooperation in economic, infrastructural, and security domains. Towards Northeast Asia, China's engagement in the GTI aims at establishing cross-border cooperation in terms of tourism and border control. I argue that both of these projects relocate decisions on Chinese border politics and thus re-scale the Chinese state, though to different degrees.

Chapter 6 then probes sub-national border politics and local practices of bordering in the two selected provinces. I emphasize the role of local governments in providing new legal pathways to citizenship that constitute

exceptions to national legislation. In the context of Special Border Zones, local governments and local Public Security Bureaus can issue identification documents that match the realities of peoples' cross-border mobilities. Rather than turning a blind eye to irregular immigration, local governments support new means of integration.

In the final chapter, I summarize my findings regarding how the Chinese border is governed. I outline how the Chinese immigration system and state architecture is decentralized and allows for local policy experimentation. This results in Special Border Zones that also introduce exceptions in terms of immigration practices. I conclude by arguing that the ways that local border prefectures practice immigration and border control allows the Chinese state to draw on (labour) resources that lie beyond its traditional territory, circling back to my theoretical understanding of the border as a method of investigation, social control, and resource allocation.

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2   Border Authority and Zoning Technologies

Abstract

Mezzadra and Neilsons's term 'border as a method' is used to discuss the different disciplinary contributions this book makes. The chapter explains different debates on the role of borders: (1) the border as a method of investigation, (2) as a method of social control, and (3) as a method of spatial development. The chapter introduces different forms of 'zoning technologies'. First, literal zone-making; the fragmented Chinese political system historically used experimental zones to test policies locally. This system has created Special Border Economic Zones that create a form of graduated sovereignty by giving leeway to local governments in policy implementation. Secondly, 'zoning technologies' are also part of China's neo-socialist governmentality that figuratively creates zones by differentiating rights between different groups of citizens and (im)migrants.

Keywords: border as a method, zoning, governmentality, zones, territoriality

Border as a Method of Investigation

Borders have long been imagined as geopolitical frontiers. Under the Westphalian order, it has been taken for granted that sovereignty and national security require clear territorial boundaries as well as distinctions between national and foreign affairs, and that modern societies need to be bound in 'geographical containers' that fit their political and social processes (Paasi 2005: 21). Agnew (1994, 2003) has famously criticized this imaginary as an idealized myth that ignores historical contingencies. To Agnew (2003: 53) the territorial trap lies in the assumption that the modern state is bound by a spatially defined sphere of influence:

Three analytically distinct but invariably related assumptions underpin the territorial trap: thinking and acting as if the world were made up entirely of states exercising power over blocks of space that between them exhaust the politico-geographical form of world politics. The first, and most deeply rooted, is that modern state sovereignty requires clearly bounded territorial spaces. The modern state differs from all other types of organization by its claim to total sovereignty over its territory. Defending the security of its particular spatial sovereignty and the political life associated with it is the primary goal of the territorial state. Vested at one time in the person of the monarch, or other leader within a hierarchy of orders from the lowest peasant to the warriors, priests and nobles, sovereignty is now vested in territory.

His claim invites us to rethink the concepts of territoriality[1] and sovereignty, as well as hierarchies within border regimes. To my understanding, mapping the centre of power and its various relations to its peripheries is key to understanding the functioning of borders, rather than focussing on a given territory *per se*. Particularly in the Chinese case, internal hierarchies of order have historically played a crucial role in conceptualizing borders. Wang and Huters (2011: 53f.) discuss China's long-standing tradition of negotiating centre-periphery relations. The governments of various imperial dynasties defined their relations with neighbouring 'barbarians' and understood their positionality in the world (*tianxia*) through the lens of maintaining their empire (*diguo*). This relation was always flexible as conquering a region subsequently sinicized the previously considered 'barbarians', subjecting them to the legal system of the time. Against this background, I want to practice 'critical geopolitics' (Ò Tuathail and Dalby 1996) and follow Chinese imaginations of their state when trying to understand the various forms of authority exerted over China's peripheries and the role borders play within these spatial articulations.

In the following section, I discuss how the phrase 'border as a method' emphasizes how the border is not only an analytical vantage point to understand sovereignty but also allows governments to specifically target underregulated areas through the tool of border politics. Inspired by Mezzadra and Neilson's book 'Border as Method, or, the Multiplication of

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1   Territoriality is broadly defined as a 'spatial strategy to affect, influence, or control resources and people' by controlling access to a specified area (Anderson and O'Dowd 1999: 598). Specifically, it refers to the 'legal construct that marks the state's exclusive authority over its territory' (Sassen 2013: 24).

Table 2   Overview of the analytical framework — Border as a method

	Border as Site of Investigation	Border as Social Control	Border as Spatial Re-articulation
Relevance	Ontological premise, border as site of struggle makes hegemonic project visible	Site and practice of control constructs borders and produces identities	Centre-periphery relations and 'zones of exception' constitute territorial strategy
Epistemological interest	Understand how the border becomes multiplied within Chinese territory	Understand how the border is used as a tool to control mobility (border security discourse)	Understand how border politics is used as a tool for spatial re-articulation of Chinese territory (territorial authority)
Reference	Mezzadra & Neilson 2013	Bigo 2000 & 2014, Tsoukala 2005	Anderson 2012, Chalfin 2012, Ong 2006
	Chapter 2	Chapter 3 and 6	Chapter 5

Labor' (2013), I denote three different approaches to the analysis of borders (see Table 2). First, 'border as a *method'* refers to the basic realization that the border is an object of analysis that represents more than just border politics – it allows to understand how governments apply differentiated strategies of inclusion and exclusion to people and spaces. In this way, the border becomes a *site of investigation*. Second, the border produces sites of population and mobility control that are indicative of a state's understanding of national security and population management. The Chinese border is not only secured by border security agents guarding the actual border. Rather, the government builds on a comprehensive approach including disciplinary and pastoral technologies of control that include the larger border area. Within these strategies of control, they then apply local exceptions to facilitate wanted mobility while the rest remains under control. Hence, I understand the border as a *method of social control*. Finally, the question of how border areas are integrated into territorial and development strategies is key to understanding centre-periphery relations. Many areas along the Chinese border have been subject to preferential development assistance as spatial fixes for the 'underdeveloped' periphery. Accordingly, I also see the border as a *method of spatial development*. I derive these three notions from academic debates on border location, security, and development. Linking these three ways of understanding the border allows me to integrate research from different disciplines (international relations, political geography, and political economy). At the intersection of these debates lies the question of how border regimes emanate power and authority. Accordingly, key concepts

that I develop in this chapter include authority over territory, authority over the production of border politics, and authority over immigrants.

Previous literature on border regimes has analysed how they are organized and what their guiding principles are. However, this perspective does not suffice to understand China's decentralized state. Here, it becomes much more important to integrate a practice-driven approach that explains the border regime 'from the border'. This means that border regulation has to be seen in the larger context of spatial development. By dissecting the articulation of authority over spaces and people, I show that the Chinese border regime incorporates strategies of hierarchical control while building on local exceptions to general rules. In doing so, the regime produces both figurative and literal 'zones of exception' in terms of spatial articulation as well as immigration practices.

In their book 'Border as Method, or the Multiplication of Labor', Mezzadra and Neilson (2013) follow the question of what role borders play in the process of organizing global capital. They scrutinize the concept of 'frontiers of capitalism' and how the 'development of capitalism as a world system has given shape to successive forms of articulation between the demarcations generated by economic processes and the borders of the state' (Mezzadra and Neilson 2013: 5). To them, the changing configurations of capital, sovereignty, and governance are central to the production of new border practices. They argue that the continuous re-shaping of different geographical scales results in a proliferation of borders that affects labour regimes all around the world. They discuss the relationships and 'unpredictable mutations' between labour forces, borders, and political processes in various contexts (Mezzadra and Neilson 2013: 21). To Mezzadra and Neilson (2013: 18),

> the border is not so much a research object as an epistemological view-point that allows an acute critical analysis not only of how relations of domination, dispossession, and exploitation are being redefined presently but also of the struggles that take shape around these changing relations. The border can be a method precisely insofar as it is conceived of as a site of struggle.

Although Mezzadra and Neilson analyse global labour, not border regimes, they take 'borderzones' as an investigative starting point. They define borderzones as spaces – different from geopolitical borders – that become redefined by 'regional and global circuits of capital accumulation [... enter] shifting assemblages of governmentality and [become] enmeshed in a plurality of normative orders' (Mezzadra and Neilson 2013: 236). To them,

modern cartography always reflects the ontological moment of its production as it entails symbols of power, domination, exploitation, and accumulation. Centuries of colonialism and primitive accumulation culminate in a geography of genocide and extraction, with cartographers adopting the dominant perspective on territorial belonging (Mezzadra and Neilson 2013: 35). The authors challenge the Marxist view on an international division of labour, proposing instead a 'multiplication of labour' which they identify through the intensification, diversification, and heterogenization of labour (Mezzadra and Neilson 2013: 88). They give different examples of how governments become able to filter and govern labour mobilities through strategies of 'differential inclusion'. By excluding or delaying migrants, states establish special zones of graduated sovereignty that shape labour practices. Mezzadra and Neilson discuss empirical examples like migrant detention centres in Europe and Australia, special economic zones in India and China, and the global division between so-called high- and low-skilled labour, personified in the figures of the (female) migrant care-worker and the (male) financial trader. They examine the 'internal borders that construct these spaces, particularly in China and India, [arguing] that they are paradigmatic sites that render visible complex connections between patterns of dispossession an exploitation and show how contemporary capital works the boundaries between different accumulation regimes' (Mezzadra and Neilson 2013: 24).

Citing the work of Wang (2009, 2011), Mezzadra and Neilson apply their framework to inner Chinese migration (floating migration). Although they do contribute original data to the debate, this very much invites to further discuss the Chinese border regime through the lens of various relationships: between the government and foreigners, between centre and periphery, and between different levels of government.

Territorial Governmentality and Zoning Technologies

Borders are spatial articulations of sovereign states. Although they no longer function as boundaries of sovereign territories, they still function as markers of state practices and legal spheres. For instance, the Chinese immigration law issues immigration categories that guide the implementation of local immigration regulations. However, these legal categories are meaningless in other countries because they apply their own standards. How far the rules and standards of one particular border regime are applicable beyond its own territory, thus, is a marker to understand the reach of a border regime. In China, the figure of the 'border resident' is such a cross-border concept

that shows how the authority of the central government travels through local practices of migration control. The question then is: How does the central government design and navigate the conflicting priorities of strictly controlling unwanted mobility while facilitating desired migration in a periphery with quite different local characteristics and with varying local governments' priorities.

The answer to this question is territorial governmentality; a governmentality that flexibly and strategically exerts power over its subjects depending on their geographic and social context. This governmentality aims to promote the Chinese economy by shaping the population through selective immigration, by maintaining security and order in the its peripheries, and by promoting national unity. A central tool within the Chinese government's attempt to exert territorial authority are 'zones of exception'. These designated zones manifest a legally differentiated immigration system (graduated citizenship) and locally differentiated development approaches (graduated sovereignty) that draw on resources beyond China's traditional territory. To further explain what 'zoning' means, I draw on the work of Ong (2000, 2004, 2006), who understands zoning as governments flexibly configuring spatial planning across their territory. She calls this 'graduating sovereignty': sovereignty is managed flexibly by drawing on different 'territorial concentrations of political, economic, and social conditions [that mobilize] foreign investment, technology transfers, and international expertise to specific zones' (Ong 2006: 78). Ong argues that these zones also constitute spaces of differentiated modes of government (disciplinary, pastoral, and regulatory) that are individually applied to the specific conditions of these zones and their citizens, eventually creating various governmentalities. She argues that 'while low-skilled workers are disciplined, elite workers and members of dominant ethnic groups enjoy affirmative action and pastoral care' (Ong 2006: 79). This eventually results in a 'graduated citizenship' according to which the government differentiates how and how much it wants to invest in specific groups of citizens. To her, this results in a continuum of governance that performs according to 'racial, religious, and gender hierarchies' (Ong 2006: 84).

While Ong's work did not directly discuss international but internal borders, it allows us to better understand the selective exception across different zones within a specific territory. Responding to Ong's work, some argue that 'zoning technologies' are merely a territorialization of the Chinese economy (Cartier 2017). However, I consider zoning a comprehensive government approach that incorporates many policy fields including the complex field of mobility regulation – not just economically – and thus can

be considered a strategy on its own. To show this, Chapter 6 scrutinizes how local governments in border prefectures create their own identification documents to select what kind of cross-border mobility should be facilitated. They can decide whether to introduce cross-border marriages schemes or border residency and what degree of integration into local social welfare provisions seems appropriate. They decide – in accordance with upper level directives – about the degree of legality of cross-border mobility, who should be repatriated and who should be integrated. Developing the local economy of course plays a role in this decision, but it is further informed by local governments' other priorities such as population security, social stability, and just welfare provision.

Effectively, these locally specific immigration practices peripheralize immigrants. As it is the local governments creating the locally valid identity documents, the foreigners are considered illegal when travelling to the neighbouring prefecture. This ultimately differentiates the rights of the immigrants depending on the locality, it differentiates the degree of authority of the central government over the immigrant depending on whether the local government decided to create a specific document for them or not, and this practice ultimately graduates border regime in zones of exception.

Interestingly, this exceptionality is part of the recent attempt by the Chinese government to formalize and professionalize its immigration system and border infrastructure. In contrast, some argue that ruling by exception is a result of historical negligence by the central government and as such a historical fact in traditionally remote border areas (Lary 2007). The recent reforms, however, show that local governments were granted considerable leeway in questions of immigration policy, suggesting that the rule by local exception is an intentionally designed tool to flexibilize local border economies and regulate otherwise uncontrollable illegal cross-border activities.

This local leeway manifests in various forms. Among them, the Chinese government selectively established Special Border Zones (SBZs) along the border. Examples discussed in this book are the (Hunchun) International Cooperation Demonstration Zone in Jilin Province, the Mengla Key Development and Open Economic Zone, and the Ruili Jiegao Border Trade Zone both in Yunnan Province. These zones are a progression of the established system of Special Economic Zones (SEZ, see Table 3) that essentially helped the Chinese economy connect to foreign capital markets in the 1990s (Moberg 2015). It is discussing the development of SEZs and Open Coastal Cities such as Shenzhen that Ong established her understanding of graduated sovereignty and graduated citizenship. While Ong's approach exposed

the government's site-specific policies, the analysis remains 'aspatial' in the sense that she does not account for the 'distance from administrative loci of power and political status' (Mountz 2011: 121). Acknowledging this critique, this book accounts for the distance from power in the sense that it shows how some border areas are prioritized and thus endowed with considerable financial resources while others remain marginalized from state resources. This preferential treatment goes beyond the construction of SBZs. Some border areas are labelled as strategic gateways – so called bridgeheads – to neighbouring resources and markets, while others remain unimportant. It accordingly includes an abstract notion of political attention and the will to integrate a specific border area and grant additional funding and exceptional local development models. Accordingly, some border areas are proclaimed strategically important, while others have little leeway. The selected case studies in Yunnan and Jilin Province vary considerably in this regard as both are important to cross-border markets but also expose different risks and enjoy different levels of freedom on the ways they locally practice cross-border mobility.

Zone types

The designated border zones each have a unique history and their primary goals differ. The specific zone characteristics are a result of the fragmented Chinese political system that leaves the specifics of the policy implementation to provincial and local governments. Although creating special economic zones had been a policy goal also before 2011,[2] creating and strengthening development zones was a major objective in the central government's 12th Five-Year Plan (FYP) (Central People's Government 2011). This agenda was taken-up by several ministries and central agencies, including the National Development and Reform Commission (NDRC 2016) and their subordinated organizations, representing vertical implementation, and by provincial and local governments that represent horizontal policy implementation (*tiaotiao kuaikuai*). These organizations then specify (opinions, *yijian*) on necessary regulatory measures and providing examples. Through this implementation process, financial support for border areas is also negotiated, allowing special support of low-income border communities and facilitating the implementation of SBZ (State Council 2007). While some zones are primarily directed at attracting foreign investment, others aim at developing already existing local markets, while others were created as political exhibits. Similarly,

2   Special zones were first mentioned in the 9th FYP.

their degree of institutionalization differs. While SBZs is an official form that includes strategic planning, other localities choose to include rules of exception only partially. For instance, while a SBZ in Ruili comprehensively implements local exceptions for the economy and migratory mobility, other local governments choose to only integrate individual exceptions for specific immigrants. These strategies can further change over time, when capitalist development in some borderlands undergoes phases of speeding-up or being suspended – going 'from boom to bust' (Rippa 2021).

SBZs are more than the ground they cover; they are a strategy. SBZs extend the local rule of exception in various policy fields. In contrast, SEZs focused on flexibilizing labour conditions for Chinese migrant workers, reducing taxation, and incentivizing FDI. But both zones can be subsumed under the Chinese phrase *tequ* for special area. Often, SBZs maintain quite similar characteristics such as local exception for foreign workers and tax reductions for local companies. Additionally, SBZs are part of a larger border security infrastructure that zones in financial resources to the larger border area, attracts workers from across the border, and manifests a local system of social control over the whole border population. As such, the border becomes a method of social control and spatial development.

To further differentiate the spatial aspect of this zoning, we further need to consider enclaves. Enclaves are zones outside Chinese territory maintained to serve a purpose for Chinese. One famous example are casino cities that are created and maintained by Chinese entrepreneurs in Myanmar, Laos or North Korea where they can avoid the Chinese gambling ban and create a touristic destination zone for Chinese gamblers. In their sum, these sites can be considered a manifestation of China colonizing these areas, as the neighbouring states either do not have the capacity to police the sites or they refrain from doing so to not blame China for illicit activities and risk political conflict (Tan 2017: 138). Other examples where governments externalize potential risks to offshore places are migrant internment camps. Both Indonesia and Australia created detention camps for what they considered illegal immigration on offshore islands which effectively represented exception from the rule of law and migrants' (democratic) rights (Mountz 2011; McNevin 2014). In the Chinese case, refugee camps are not located across the border but in the vicinity of the border on Chinese territory. Their legal status, however, and the ways potential refugees are managed is quite similar as to being in an enclave, as the legal status of these refugees does not change when they enter Chinese territory. Ultimately, the Chinese border regime treats them as unwanted and suspends rights they would grant other foreigners.

Table 3   Types of zones

Characteristics	Special Economic Zones	Enclaves	Special Border Zones
Territorial	Within Chinese territory, internal zones that often lie at the border to connect to global markets	External to Chinese territory	On the border, maintained by Chinese bureaucracy often in cooperation with neighbouring authorities
Example	Shenzhen-Hong Kong open coastal city project (Ong 2006: 104)	Casino cities, vacation resorts, or invest-ment zones such as Kunming's large High and New Technologies Zone (Nyíri 2017)	Hunchun, Mengla, Ruili SBZs
Zoning technologies	Selectively allowing capital accumulation in an otherwise socialist market economy	Confining and externalizing illicit activities abroad	Selective legalization of foreign workers and cross-border mobility
Site-specific exceptions	Flexibilizing labour conditions, reducing taxation, incentivizing FDI	Possibly illegal activities	Flexibilizing immigra-tion procedures and labour conditions, tax exemptions, currency trading
Subject of power	Chinese internal migrants and workers, foreign capital	Varies. Casino case: Chinese gamblers and foreign tourist economy and authorities	Border population and economy

Self-regulation and Self-responsibility in China's Neo-socialist Governmentality

The title of this book alludes to the alleged dilemma that all countries organ-izing immigration face, which is how to regulate the irregular. This process of regulation leads to differentiating among citizens, immigrants, and those who are unwanted. Liberal regimes face an additional contradiction[3] – that is, how to explain why their citizens enjoy privileges such as the right to move

3   The so-called 'liberal paradox' derives from a democratic government's exclusive 'dividing practice' between citizens and non-citizens, e.g. when liberal rights and provisions do not apply for certain groups of immigrants or selectively enforce control over people (Bigo 2005: 56; Buckel et al. 2014: 30). Here, liberal ethics – promoting norms like free movement of people and global mobility – conflict with the state's 'interest in selective control over entry' (Mau et al. 2009: 22), manifesting a more general clash between national security and human rights (ibid.: 24). An

freely, while immigrants and refugees are not granted these same rights (Mau et al. 2009). Authoritarian regimes such as China's do not necessarily need to legitimize limiting mobility or selectively granting the freedom to move. Rather, China's long history of mobility regulation via registration systems such as the *hukou* and various types of social credit mean that the government can build on a deep-seated acceptance of technologies of control. Legitimating the governmentalization of the border therefore builds on a bio-political imperative for the optimization of society (Dean 2006); to increase the quality of the population (*renkou suzhi*) it is 'necessary' to differentiate how 'valuable' each person is to the community. In addition to this neoliberal governmentality, a governmentality by fear carefully manages what the Chinese government considers to be threats to national unity and social stability. Potential harms are addressed with targeted responses, from pastoral approaches that endow people with a need for social solidarity and self-responsibility to disciplinary approaches that aim to control the individual through education or incarceration. Regulating mobility in China also builds on elements of sovereign power, which, according to Foucault, is the power a government exercises over its territory and subjects through laws and social institutions to define who is a citizen and to differentiate among different groups of citizens. A third form of power is security, also referred to as regulatory power, which 'modulates interventions into the field of autonomous and mutually corrective decisions' by members of the population (Collier 2009: 87). Applying this approach to mobility regulation allows us to contextualize the various education and propaganda campaigns regarding how the border area should be developed and what is considered a secure border. It allows us to understand what the government deems 'appropriate' means of intervention.

While Jeffrey and Sigley (2009: 5) argue that the 'distinct planning and administrative rationality' of authoritarian and socialist governments employs similar tactics as liberal governments, Palmer and Winiger (2019: 6f.) argue for a distinct form of neo-socialist governmentality. They describe this as a comprehensive system of social engineering that includes pastoral, disciplinary, and security technologies shaping 'people's subjectivities and guiding their conduct from a distance'. They further note that 'neo-socialist governmentality continues the distinctive Maoist approach to total social transformation by means of top-down propaganda, social reorganization, art and education' (ibid.). Accordingly, whereas liberal regimes build on the bifurcation of the population between those who can govern themselves and those who cannot (Sigley 2004: 557), China's neo-socialist governmentality

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authoritarian state, however, can experience similar norm conflicts, such as regarding questions of distributional justice between different societal groups.

differentiates technologies of self-regulation and socialist planning. Especially within the institution of the registration system, we can see how Beijing designs a system of community management and self-responsibility. Neighbourhood committees play a crucial role in community monitoring, for example by enforcing restrictions such as quarantine regulations during pandemics (Bray 2008). The government thereby relocates responsibilities and authority to communities, granting relative local freedom to decide what measures are 'appropriate' for communities.

With regard to the role of expertise and Party education, Sigley (2009: 538) argues that during the Mao era, the government established a 'techno-scientific reasoning' in the name of 'scientific truth' through socialist planning as an important part of Chinese governmentality, turning individuals into relatively passive subjects to develop their 'population quality' (*renkou suzhi*). According to Sigley (2004), the social market economy intensified this reasoning into the comprehensive bio-political management of life. Mass campaigns comprise a central tool in disciplining the population, encouraging the voluntary 'self-conscious adaption' of central policy targets and administrative measures, for instance in the case of birth planning quotas. Within Chinese governmentality, local cadres play a 'pivotal and often ambivalent role […] as agents of the state. Local cadres themselves are positioned within a system of rewards and punishment for realizing or failing to realise the […] targets' (Sigley 2004: 559). Sigley emphasizes that Chinese officials need to negotiate the 'inherent contradiction in this juxtaposition of calls for self-conscious acceptance and strong reliance on administrative measures' (ibid.). It is this uncertainty in the various responsibilities of government – local cadres and communities being both object and subject of power – that is crucial to investigate in order to understand how mobility regulation is effectively exercised throughout the system. The following chapters show how the Chinese border regime exerts power through the sovereign institutions of its legal immigration system, and how it delegates responsibilities to various actors – state agencies, the security field, local authorities, border communities – that are themselves subject to security control.

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3 Graduated Citizenship and Social Control in China's Immigration System

Abstract

This chapter examines the legal framework of the Chinese immigration system since 2001 starting with a focus on how new categories and immigration schemes were created for some groups while others were disregarded. Building on discourse analysis of legal documents, academic publications and policy papers, it presents key characteristics of the Chinese immigration system, its norms, rules and historical trajectories and the different immigration labels, legal provisions and discourses that construct regular and irregular immigration, refugees, border residents and border tourists. The chapter shows that the Chinese state tightly controls regular immigration through means of 'necessary registration' and imposing time limits on residence and work permits. Nevertheless, with regard to irregular immigration and potential refugees, authorities apply strategies of local exceptions (i.e. individual and ad hoc decisions to maintain control over the group).

Keywords: migration, irregular migration, border residency, social hierarchy, neoliberal governmentality, refugees.

The Power to Choose

When China's National People's Congress (NPC) adopted the Entry and Exit Administration Law (*Zhonghua renmin gongheguo chujing rujing guanlifa*, or EEL) in 2012, the Chinese immigration system was fundamentally reformed. The law delegated new responsibilities within the political system for issuing regulations and visas, strengthened the role of local Public Security Bureaus, and outlined regulations for permanent residency. The law, however, was silent on several important immigration management issues that were increasingly the subject of public discourse, such as how to

regulate 'illegal' immigrants and refugees. While the law omits some groups, it creates specific categories of immigrants, stipulates their rights and whose responsibility they are within the immigration system (ministerial or local responsibilities). As such, the law institutionalizes legal authority over the immigrants. However, while the law establishes a system of authority at a central national level, how this authority is challenged and understood on a local level is a different story. While legal authority is produced in the Party bureaus and ministries, day-to-day authority is produced through the manifold immigration practices in Public Security Bureaus, by border guards and immigration officers. The question what is considered regular immigration and who is considered 'illegal' can mean something different at the border than in national policy discourses. In Dehong or Yanbian, local authorities know their constituents and the cross-border mobilities well and often find flexible ways to produce social control over them that are not a direct result of immigration laws, but they result from flexible stratifying their means of control. Accordingly, we have to pay attention to various means of control locally exerted over border-crossers.

The power to choose which border-crosser is welcomed and what methods of control is appropriate is a crucial factor in this border regime analysis. The particular regulations and border practices associated with certain groups of foreigners are implemented through techniques that help security agents sort the wanted from the unwanted, such as 'deterrence and the use of force, interrogation and detention, surveillance of populations on the move and the profiling of (un)trusted travellers' (Bigo 2014: 209). The present analysis takes into account these specific governmentalities, means of control, and border security discourses and practices as well as the society that produces them (Bigo 2007: 4). It is thus shown that the mode of control does not rely on coercion of the individual, but on how the population is collectively regulated. According to Vaughan-Williams (2010: 1078) border security also includes the momentum of biopower:

> Whereas disciplinary practices structure space by isolating, concentrating, and enclosing bodies in order to enable some form of control over them, biopolitical apparatuses of security work precisely by allowing circulation, flow, and movement, in order to govern mobile populations in an increasingly expansive space.

A government applies biopower, through knowledge about the physical and psychological condition of its subjects, to decide and control immigrants' and citizens' lives and behaviours; it sorts the healthy from the sick, the

uneducated from the educated, and the able-bodied from the weak. For instance, by selectively opening some travel routes for immigrants via airplanes while militarizing others for possible refugees (as is happening in the European Union (EU)), a government is able to select specific incoming groups. The ability to choose among various visa schemes and means of cross-border transport – whether by plane or by foot – is determined by income, age, and health, among other factors (Cuttitta 2010: 33). With the increasing digitalization of bordering technologies and 'smart borders' (Leese 2016), governments' knowledge about their subjects has increased and is now easily applied through 'normal' border control procedures. Just by applying for a visa and entering a country through a checkpoint, information about a person's status, income, and visiting purpose becomes available to the government. This data allows for a selection procedure that pairs economic principles valuing a skilled and productive labour force with an ethos of 'freedom' and openness, while simultaneously excluding people that are rendered as disruptive or unproductive through specific discourses. The government is thus further empowered to distinguish between wanted (normal, productive) and unwanted (disruptive, weak) migration, to profile its population (Dillon and Lobo-Guerrero 2008: 267ff.), to police and control individuals at a distance (Bigo 2005: 55) and to manage mobility. As Martin and Simon (2008: 282) put it, 'the spatial practices of domestic security work do not necessarily or always produce "spaces of security", but continually spatialize relations of power'. Accordingly, this book focuses on how Chinese practices of policing spatialize the relations of power over immigrants. Building on the premise that surveillance becomes a productive technique of social control, I look at how specific groups of foreigners are regulated and what specific technologies of control are directed at them. Assuming that a border regime applies 'appropriate' means of control to manage possible 'threats' to social stability, the means of policing reveal the underlying rationality behind its selection criteria.

Control through Identity Documentation

Passports play a central role in border security practices. ID cards, passports, and other legal documents proving identity lie at the core of techniques of control and surveillance and display the power relations discussed above. These documents show where an individual is placed within the societal project – whether they stay temporarily or long-term, and whether they have a status that is equipped with civil rights. Passports are central in the

process of crossing borders, serving as a 'boundary object' as they identify their carrier as a member of a group or nation that is tagged as wanted or unwanted within the global mobility regime (Häkli 2015).[1] As Salter (2004: 72) puts it, the passport

> serves as a modern heuristic device which serves to link individuals to foreign policy, and according to which government agents classify travellers as safe or dangerous, desirable or undesirable, according to national, social, and political narratives. [...] The passport is the primary document by which mobile individuals are identified, tracked, and regulated. Passports are intended to uniquely identify each individual traveller, indicate his/her point of origin, and the state to which s/he can be deported. In its present incarnation, the passport is primarily a document of identification certifying the identity of the bearer with regard to other official documents and certifying the international legal status of the bearer (refugee, citizen, government employee, or diplomat). The passport informs the admitting country who the bearer is and where he or she can be expelled to, but provides little other essential information. The unique identity of the individual is illustrated by a unique face and linked to a unique passport number.

These documents can be issued by various (non-)governmental entities besides governmental immigration administrations; private security agencies, militaries, and other security actors and supranational or subnational entities issue passports. They demonstrate how a government exercises its sovereignty over migration and population mobility and how it monopolizes this power and its means of control (Torpey 2000: 6ff.). The passport simultaneously contains a political dimension that can legitimize processes of inclusion/exclusion from a national project and serves as a symbol of the nation-building process itself (O'Brien 2001: 399) – a password to the entry door (Walters 2006: 192). The power that lies in issuing, codifying, and controlling the identity of people – and intervening through deportation or repatriation if the person is unwanted – constitutes a core element within a government's biopower. This power allows a state to select and filter out the undesired population and to segregate legitimate from illegitimate mobility (Amoore 2006: 339). Moreover, it allows governments to delocalize surveillance and control, as the passport holder is required to carry it at all times (Salter 2004: 8of.). With regard to

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1   The passport as a central device in travel history became only naturalized in the twentieth century, while the earlies documents go back to the thirteenth century (more on the history of the passport: Häkli 2015: 88–94; Salter 2003).

passport related instruments, Salter (2013: 10) points out that 'practices of visas, preclearance, and electronic travel authorities/no fly lists [create] a globalized system for the surveillance of the mobile public'. Against this background, investigating identity documents, understanding the bureaucracies issuing them, and probing their political and symbolic meanings are all relevant to the analysis of border regimes. Crucially, identification documents carry and represent the legal space that is assigned to foreigners entering China.

Accordingly, this chapter examines the legal framework of the Chinese immigration system since 2001, the identity documents it builds on and the spatialized security practices that it produces. It starts with a focus on how new categories and immigration schemes were created for some groups while other groups were disregarded. Section 1 presents the characteristics of the Chinese immigration system, its norms, rules and historical trajectories. In Section 2, I then introduce the different labels, legal provisions, and discourses regarding regular and irregular immigration, refugees, border residents, and border tourists. The different identification documents that are necessary and available for each group constitute an important analytical category as they function as 'boundary objects' representing legal status and depicting immigrants' place within the social hierarchy of the nation state. The different permits and allowances issued for immigrants represent different means of exerting legal authority. In Section 3, I scrutinize the underlying rationality that informs decisions regarding who the Chinese border regime selects for legalization and how it regulates specific groups of immigrants. I show that the Chinese state tightly controls regular immigration through 'necessary registration' and time limits on residence and work permits. Nevertheless, with regard to irregular immigration and potential refugees, authorities apply strategies of local exceptions and make individual, *ad hoc* decisions to maintain control. Here, I argue that creating these labels and differentiating the means of control follows an underlyingly neoliberal rationality of government that prioritizes high-skilled labour while failing to address low-skilled and refugee immigration. This legal differentiation among immigrants then results in social differentiation and ultimately graduated citizenship.

Characteristics of the Chinese Immigration System

Before going into detail on the individual groups of immigrants, I introduce three principles that inform the Chinese immigration system that surpass specific immigration regulations, applying equally to all foreigners entering and travelling within the country. By providing only temporary working

and residence permits, by not providing a universal pathway to citizenship for foreigners, and by integrating control and surveillance measures, the Chinese state controls its immigration system through domination. The regulatory and procedural norms and rules that permeate all levels and branches of the authoritarian government demonstrate how authorities aim to maintain social control over immigrants as long as they stay on Chinese territory.

Rules: Permission-based Immigration, Division of Responsibility, and Required Registration

The Chinese immigration system builds on a set of rules. First, it is *permission-based*, which means that visa or asylum applications are a necessary condition to enter Chinese territory; second, the control of entry, exit, and travel of foreigners is operated in a *division of responsibility* between the Ministry of Foreign Affairs (MoFA) outside Chinese territory and the Ministry of Public Security (MoPS) within Chinese territory; and third, all foreigners are obliged to *register* their temporary and permanent residence (Liu 2011: 7). These procedural rules are detailed in legal texts and reflect a neo-socialist governmentality that builds on tight control of immigrants as well as citizens (Palmer and Winiger 2019). As I have argued elsewhere, registers managing individuals according to their perceived productivity within the Chinese economy, such as the *hukou* household registration system,[2] is a key technology within neo-socialist governmentality (Plümmer and Habich-Sobiegalla forthcoming).

Permission-based immigration is commonly used by countries around the world. Generally, this rule is introduced in order to establish legal

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2   *Hukou* is the bureaucratic system in which Chinese citizens are classified according to their place of birth. This registration is hereditary and assigned at birth (Vortherms 2015). Obtaining a *hukou* comes with being issued a *hukoubu*, an additional identification document that bears social welfare privileges. Although the system had undergone major reform in the last decades (Shi 2021), the basic principle is that social welfare provisions are bound to citizens staying in their assigned hukou instead of moving to other cities such as for work. As such, it was one of the major economic development tools both during the communist and reform era (Wang and Liu 2016). In this sense, the hukou can be considered a social citizenship that leads to a fragmentation of legal statuses and a multiplication of the boundaries of citizenship (Zhang 2018). Shneiderman (2013: 32) argues that China's official *minzu* policy already constitutes a differentiated citizenship regime in that it offers preferential policies for Sherpa border residents in the China-Nepal border area (*Xiaerba* according to the official legal category). The *hukou* system, thus, somewhat levels the fragmentation of rights of internal Chinese migrants, citizens labelled as *minzu*, and foreigners.

latitude to demarcate 'illegal' from legal immigration. Permission-based immigration involves disciplinary techniques that allow authorities to carry out negative or positive decisions on immigration applications. Hence, Chinese identification documents and work and residence permits become instruments of migration regulation as they symbolize legality. Through such documents, administrative power over the bodies of immigrants becomes evident.

The second rule, the division of responsibility among different security actors is characterized by decentralization and transnationalization. Within the immigration system, the responsibility for security enforcement is divided and decentralized, reflecting the Chinese state's overall vertical and horizontal divisions of power and administrative hierarchies. It is important to note that in the Chinese case, the delineation of different responsibilities does not occur based on internal versus external threats (police-inside, military-outside). Rather, the shared responsibilities build on a complex system of decentralized coordination among different state agencies. This internal fragmentation is amplified by transnational actors both as immigration subjects and as enforcement actors.

The third rule of the Chinese immigration system is enforced through China's authoritarian state apparatus: *necessary registration*. Under this rule, neither foreigners nor citizens have the 'freedom to move'. Registration with the local Public Security Office applies to both immigrants and Chinese citizens. The *hukou* system requires citizens to register their place of residence, which is directly linked to being able to receive social services and work permits. Foreigners have to register their permanent place of residence as well as their places of temporary residence, such as hotels, during travels (Art. 39 EEL). 'Unsafe' areas may be temporarily targeted for travel bans only applying to foreigners when politically 'sensitive' debates on human rights violations flare up; this has recently happened, for instance, during the ten-year anniversary of the 2008 protests in Tibet (Radio Free Asia 2017), and regarding the violation of the human rights of Uyghurs in Xingjiang Province. Chinese citizens' mobility has become similarly fragmented during the COVID-19 pandemic. China's pandemic measures have strongly relied on selective mobility restrictions prohibiting Chinese citizens as well as foreigners from travelling to zones marked as high-risk.

In liberal democracies, such mobility restrictions would considerably limit one of the core elements of individual freedom: 'free movement'. Hence, one of the central challenges for liberal democracies is how to maintain the right to move while being able to impose control – in other

words, how to negotiate freedom and security. In China's illiberal system, the dilemma lies in how to attract high-skilled foreigners to work and tourists to visit while maintaining rigid control. I find that different types of foreigners are subject to specific technologies of control, creating a social stratification among different types of visas. Tourists with financial means are allowed to travel freely within China (with the exception of specific travel bans) as long as they register their stays with local Public Security Bureaus. In contrast, the travel range for less financially equipped immigrants in the country legally (e.g. to work in the border area) remain limited to the prefecture where they entered (see Chapter 6). For these workers, travelling to or living in a different Chinese administrative entity is illegal. Accordingly, local Public Security Bureaus are an important agent of border security as they enforce restrictions on where foreigners may reside or work.

Norms: Sovereignty, Temporality, and Merit

The immigration system builds on three norms: sovereignty, temporariness, and merit. *Sovereignty* is a constitutive norm that clearly gives Chinese state authorities a monopoly over the control and regulation of the immigration process; the underlying premise is that all foreigners who move within Chinese territory are subject to Chinese laws and regulations, as immigration affairs fall under Chinese territorial sovereignty. In a territorial sense, Chinese authorities are capable of safeguarding national borders against threats, including unwanted immigration and emigration. Though state power over border mobility is monopolized, specific actions of governance are decentralized within the state apparatus. Various practices of control differentiate the notion of sovereignty into 'graduating zones', as becomes apparent through an analysis of border control (Chapter 4) and sub-national border regulation practices (Chapter 6).

To my understanding, despite state discourses that emphasize the 'myth of the fortified border', officials do not necessarily believe that the credibility of the Chinese government relies upon fully closing the border. The authorities are well aware of the border's relative and inevitable permeability. Strategies to secure it do not aim to prevent all irregular border mobility, but rather to regulate and legalize *de facto* mobility. Local Public Security Bureaus play an important role in locally managing immigration, securing the border, and regulating legal immigration by taking measures such as creating locally valid border passes. Often, these extraordinary measures stretch the authority of the Chinese government to include borderland citizens who

do not reside on Chinese territory but live close to the border or partake in the border economy. Though I discuss these local exceptions at length in Chapters 5 and 6, it is important to note here that instead of fortifying the border against unwanted immigration, the Chinese government creates tools of differentiation to regulate irregular immigration. This involves creating specific documents that bestow the right to reside, work, or travel within a limited territory such as a county or prefecture, but which are not implemented nationally. With regard to the registration norm, this means that the Chinese authorities exercise control over immigrants by limiting their range of travel at all times.

Temporality is another central procedural norm of the Chinese border regime. All documents permitting residency or work in China are issued with a termination date. To my understanding, this indicates that Chinese authorities deliberately leave the door open for a change of direction. Each time immigrants return to the local Public Security Bureau to prolong their visas or residence permits, the immigration system gets access to more information on them and thus extends the state's reach. Provisional permits keep immigrants in vulnerable and insecure living situations. A path to permanent residency and citizenship is not *de facto* provided by the Chinese state, although a scheme has been introduced for 'permanent' residency that must be renewed every two years (see Chapter 3, Section 2.1). This builds on a basic notion of *jus sanguinis* rather than *jus soli*, defining citizenship through blood relation rather than birthplace, residence, or other forms of political belonging (Chen 1984). This citizenship concept includes Overseas Chinese who have never lived in China but excludes children born to non-Chinese parents on Chinese territory.

The third procedural norm defines the Chinese immigration system as *merit-based*. Policies such as the Thousand-Talent Programme (*qianren jihua*), the new point-based system for permanent residency, and strong links between work and residence permits indicate that the Chinese immigration system builds on a neoliberal rationality. The underlying premise is that each immigrant is an 'entrepreneurial development agent' creating their own value through optimizing their 'human capital' (Geiger and Pécoud 2013: 880). This neoliberal premise is an important part of the international immigration system as promoted by the International Organization for Migration (IOM) (Walsh 2011). On a local level, this is reflected in how authorities can create exceptions for illegal immigrants if they prove 'valuable' enough for local communities in terms of economic or reproductive abilities.

Labelling Immigrants: Differentiating Legal Authority and Control over Immigrants

Authority is a key concept in the analysis of political and social hierarchies within border regimes. Various forms of authority are exercised over the border crosser by various entities, including local authorities, border guards, employers, travel agencies, the immigration system of the host country, and the immigration system of the county of origin. In their analysis of the governmentalization of contemporary societies, Rose and Valverde (1998: 550) suggest that

> legal mechanisms played a key role in the authorization of disciplinary and bio-political authority, in the constitution of those deemed capable of exercising authority over others, and in the regulation of their powers. In contemporary forms of government, not merely legal licensure, but also the shadow of the law – the threat of legal action, the encoding of responsibilities and standards in law – act as powerful strategies of the regulation of the exercise of professional powers 'at a distance', along with the control of budgets and the use of audits and evaluations.

Accordingly, this 'authority of authority' includes the legal complex of border regimes as well as the invisible governmentalities of fear and policing at distance. The subject of authority, however, remains the border crosser. Understanding the various legal and invisible forms of authority exercised over them through their legal status, their symbolic status within the host society, and their supposed 'value' as (un)desirable allows us to reveal the governmentalities in place.

The legal complex informing the state's authority over people's mobilities within its territory works through labelling – that is, differentiating between citizens and immigrants. Citizenship can either be an involuntary process whereby citizenship is assigned at birth or parents make a decision for a child, or it can be obtained as a conscious decision later in life through naturalization. The basic notion of nationality can be regarded as either a legal institution, or, in a Foucauldian sense, as a disciplining instrument that helps the modern nation state manage its population (Bigo 2001: 112). It decides whether a person has access to civil rights and state resources. Hence, the border becomes an instrument of selection and enforcement over migration. The concept of citizenship implies that people not living within a certain territory are not part of the 'national community' and do not fall within the realm of authority of that state's government;

states are not responsible for non-citizens, since access to their resources and rights is 'limited', as is state capacity (Buckel et al. 2014). Other labels such as 'illegal immigrant', 'refugee' or 'guest worker' are just as powerful because these (legal) statuses are accompanied by specific rights. The legal authority over and implementation of the status selection process normally lies with the government. However, in some instances, this process might also be delegated or outsourced to private and other non-governmental or extra-legal agencies (Amoore 2006: 346). By analysing who is subject to a state's migration control, we learn how open the concept of citizenship is in relation to a state's 'limited' privileges. The notion of a 'perceived authority' over specific groups of migrants allows the state to differentiate between unwanted and wanted migration. Efforts to attract, facilitate, or legalize certain types of migration while considering other groups illegal show us the underlying rationality of which migrants the border regime wants to govern and appeal to; it carefully negotiates how to exert power and exercise legal authority over various groups of migrants.

In the following sections, I introduce the different legal regulations applied to border crossers and discuss how these regulations create specific groups of immigrants. The labels given to immigrants are manifestations of the graduated legal authority exercised by different actors within the Chinese border regime. The different rights attached to each label denote immigrants' position in the spectrum between citizen and alien other. Moreover, differences in state resources allocated to each of the immigration schemes reflect varying amounts of political will to integrate certain groups into the national project. These groups are discursively differentiated by immigrants' 'desirability', which is linked to their position within the social hierarchy of the Chinese state (see Figure 2)[3]. At the top of the hierarchy, the highly skilled worker experiences 'affirmative action' and experiences relatively easy immigration procedures with support such as social security provisions and the possibility of family reunification. Border residents take an intermediary position within the social hierarchy as they (ethnically) have close ties with members of Chinese society but often have foreign nationality. Low-skilled immigrant workers do not enjoy preferential treatment and strictly controlled through short-term residence permits that require frequent contact with authorities. On the bottom of the social hierarchy, 'illegal' immigrants (including 'foreign wives' and *sanfei*) are met with a racial discourse that links them to criminal behaviour; they face

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3   This social hierarchy is not a fixed ranking but an approximation of perceived and discursively constructed value and 'quality' of different social groups in relation to another.

Figure 2   Social hierarchy
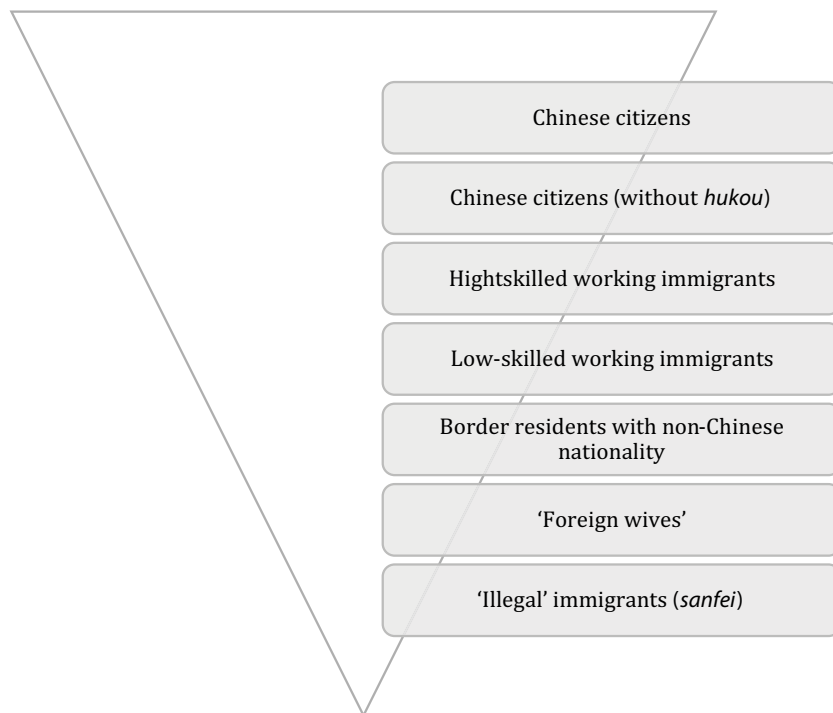
the disciplinary power of a border regime that tries to repatriate or punish them for illegal work, entry, or residence. The position of refugees remains somewhat unclear as cases are managed on an *ad hoc* basis, usually by deportation. Before I further address the legal framework and discursive practices that yield these different labels, I first provide an overview of the Chinese political discourse leading up to the general reform of the Chinese immigration system.

From General Suspicion to Selective Criminalization

After seizing power in 1949, Mao Zedong and the Chinese Communist Party (CCP) established a restrictive exit and entry administration system that applied both to foreigners attempting to enter China and Chinese citizens trying to leave. Suspicion dominated the immigration system: for Chinese citizens, an application to leave the country was interpreted as dissatisfaction with – and therefore collusion against – the socialist system (Liu 2009: 314), while foreigners were suspected of espionage. Immigration regulation was strictly enforced through specifically appointed entry and

exit points (ports, airports) and quota systems (Liu 2009: 315, 2011: 9). The immigration politics of the early PRC mainly addressed Overseas Chinese and their right to return, and a 'one-nationality' policy legally prohibited dual citizenship. During the Reform and Opening Period, the immigration system was relaxed. Chinese citizens gained a 'right to leave' the country and travel abroad (Liu 2007, 2009: 315). In 1980, the first official law on visa regulation was issued with *Passport and Visa Regulations and the Law of Nationality.* In the following years, regulations were further detailed in the *Law on the Control of Entry and Exit of Aliens* in 1985 and *Detailed Rules for the Implementation of the Law on the Control of Entry and Exit of Aliens* in 1986. Chinese citizens and foreigners were largely separated through strict monitoring of travel and the prohibition on foreigners residing in rural areas; separated shops and hotels were implemented by issuing foreigners a distinct payment system, Foreign Exchange Certificates, between 1980 and 1994 (Bork-Hüffer and Yuan 2014: 575). Liu (2009) argues that this period was characterized by ambiguity as the legislative process of immigration procedures was not institutionally unified. Many subsidiary orders and regulations remained unpublished, making it difficult for the public (or travel agencies) to be informed about immigration procedures and creating a 'bureaucratic barrier to immigration' (Liu 2009: 317). In the following years, the immigration system was continuously reformed (1992, 1996, 2000), mainly facilitating the returnee process for Overseas Chinese.

In 2001, two major developments impacted the Chinese immigration system and put more comprehensive reforms in motion. First, immediate reform was stipulated when China entered the World Trade Organization (WTO); second, the terrorist attacks against the World Trade Centre on 9/11 globally changed notions of national security and ultimately impacted the Chinese understanding of its border. Entering the WTO brought external demands to implement the rule of law and facilitate immigration and emigration through procedures such as a 'passport-on-demand-system' for Chinese citizens.[4] Authorities worked to institute reliable and transparent visa regulations for foreigners, introducing a new 'invitation letter system' for foreign visa applicants (Liu 2009: 318).

The institutionalization of immigration law increased steadily in the following years with numerous laws and regulations. In 2004, the Regulations for Examination and Approval of Permanent Residence of Aliens in China (*waiguo ren zai Zhongguo yongjiu juliu shenpi guanli banfa*) opened

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4   However, passports are still not available on a general basis, leaving millions of mainly rural Chinese without access to them.

the legal possibility for foreigners to permanently reside on Chinese territory for the first time. After ten years, Chinese authorities had issued over 7,356 permanent residence cards – although over 600,000 foreigners are estimated to live in China (South China Morning Post and Zhou 2017). In 2006, a Passport Law (*Zhonghua renmin gongheguo huzhao fa*) was enacted, delegating several shared responsibilities; the MoPS was given a leading role, with Art. 4 stating that ordinary passports shall be issued by the MoPS: the Exit and Entry Administration agencies of public security organs at or above the county level, and embassies and consulates of the PRC as well as other overseas agencies run by the MoFA. The law further grants Chinese citizens the right to a passport as well as the right to appeal if an application is rejected. However, it also contains rather vague terms such as 'under special circumstances' that leave room for arbitrary decisions (Liu 2009: 324). The right to administrative appeal does not apply to foreigners; their visa, work, and residence permits are regulated in Art. 4 of the EEL, which states that local Public Security Bureaus are responsible for issuing identity documents such as border passes, registering cross-border marriages, and granting residence permits.

Today, the regulation of border mobility mainly relies on the EEL, adopted in 2012 by the NPC. Liu (2014: 383) calls the EEL 'a symbol of China's national opening' towards international immigration as it provides 'transparent' guidelines for orderly immigration procedures. This law, however, does not constitute a comprehensive immigration system but only sets up a framework for exit and entry procedures and sanctions. It does not specify terms and procedures for permanent immigration and integration. The law is supplemented with several regulations (*guanli guiding*, *guanli tiaoli*), measures (*guanli banfa*) specifying implementation guidelines for subordinate state agencies, and opinions (*ruogan yijian*) by the State Council.

Chinese experts and the academic community have criticized the law's failure to comprehensively address immigration, demanding the integration of various departments and the creation of a new Department of Immigration and Refugee Management (*yimin yu nanmin guanlibu*) under the State Council (Hu et al. 2014: 460; Guo 2012: 140; Luo 2012). For instance, Song (2015: 57) argues that the existing system involves too many different ministries and departments, hampering coordination, information exchange, and effective punishment of illegal immigrants: 'The severe lack of immigration law has objectively caused frequent occurrence of illegal residence and illegal employment of foreigners in our country'. He argues that considerable 'vacuum zones' (*zhenkong didai*), or blindspots, emerge in the interstices between state agencies, especially with regard to the division of

institutional responsibilities between 'bodies of management and bodies of punishment' (Song 2015: 59). On a different note, Liu (2015: 51) observes that China's immigration policy documents lack transparency, the institutional framework fails to deliver timely corrections or adaptations, the laws are vaguely written, and the implementation is inconsistent. Luo (2012: 140) has criticized how the border is *de facto* unwatched and defenceless (*youbian wufang*).

These critiques represent different frames within the official discourse on the Chinese border regime. One frame focuses on how institutional inefficiency and interdepartmental miscommunication hampers effective border control. A second line of argumentation builds on the premise that current enforcement is insufficient to keep unwanted immigrants outside the country. The most common frame, however, is that there is a general lack of legislation, procedures, and accountability for providing transparent and credible information on immigration schemes. This organizational problem was tackled during a larger administrative reform in April 2018 following a decision by the 13th NPC. Under this reform, the MoPS established the National Immigration Administration (*guojia yimin guanliju*, or NIA), which is now responsible for developing further immigration policies and legislation, organizing implementation, coordinating the *sanfei* policy, and managing visas, permanent residency, refugee issues, and repatriation (Xinhua 2018b). Experts were particularly surprised at this institutionalization of the *sanfei* narrative in a concrete policy, as it had previously existed only as a discursive frame. Since its establishment, the NIA has hosted annual Migration Law Forums for academic exchange between scholars and experts, conducted audits to investigate the effects of certain policies on various migrant communities, written reports, and advised the government based on their research. During the COVID-19 pandemic, the NIA coordinated communication and enforcement of the (temporary) travel ban for foreigners entering China, which was issued in March 2020 and involved quarantine measures (NIA 2020).

Regular Immigration

The rules and means of regular immigration reflect the social differentiation inherent in a host society. By creating different visa regulations and immigration schemes that target specific groups of foreigners, the authority over those different groups varies. The careful construction of immigration schemes ultimately displays political intent regarding citizenship and the question of social order; hence, it functions as an instrument of population

management. 'Regular' immigration comprises a cultural and social trope for what is considered a 'wanted' immigrant and 'model resident'. The contribution and value of desired foreigners to the nation-building project must be clear, either because they already 'belong' to the host society through ancestry (as with Overseas Chinese) or because they can contribute economically through hard work or high talent. The immigrant's perceived value is reproduced in the different immigration schemes and has to be proven during the immigration process. This is, for instance, demonstrated in the points-based system piloted by the State Administration for Foreign Experts (SEFEA) in 2017 (SEFEA 2017). This guideline categorizes employment-stream immigrants according to their income and education, 'establishing a system for attracting and evaluating international talent that caters to the needs of the labour market' (Liu and Ahl 2018: 218).

Foreigners who want to enter or transit through Chinese territory have to apply for a visa through one of the issuing agencies. Depending on their passport, different regulations apply. Administrative details and procedures vary for the different visa categories. Chinese authorities have defined 16 categories (EEL, Art. 16, see Table 3) of visa that are grouped into four types: diplomatic visas, courtesy visas, service visas, and ordinary visas. For all visas, a letter of invitation or a proof of journey is necessary. If granted, visas are valid for 90–180 days and may be extended by the local Public Security Bureau (Article 29 EEL). If a visa holder applies for a long-term stay (Article 30), this is valid for a maximum of five years. Most visa holders (categories D, J1, Q1, S1, X1 or Z) must apply for a residence permit from the local public security authorities within 30 days of entry unless their duration of stay on the visa is marked as 30 days. There are a few exemptions to the normal visa process, which include transiting within 72 hours in a larger Chinese airport and short-term visits with tourist agencies in the Pearl River Delta and Hainan. Futhermore, citizens from Singapore, Brunei, and Japan can enter the country for 15 days visa-free, as can holders of the APEC Business Travel Card (ABTC).[5] China has also signed bilateral agreements with a large number of countries on facilitated exit and entry procedures for diplomatic and service passports. For ABTC carriers, special fast lanes at airports and border gates allow the travellers preferential treatment and to save time as they obtain a pre-clearance.

5   For special regulations in Jilin, see: Jilin Foreign Affairs Bureau (2012): Guanyu shi xingwei zhongwai hezi, waishang duzi he Tai Gang Ao zi qiye zhongfang (dalu) renyuan banfa APEC shangwu lü xing ka de tongzhi [Notice Concerning the Issuance of APEC Business Travel Card by Sino-Foreign Joint Ventures, Foreign-Wholly Foreign-Owned Enterprises and Chinese (Mainland) Personnel of Taiwan-Hong Kong-Australian-Funded Enterprises]. Available online at http://wb.jl.gov.cn/zhxw/tzgg/201409/t20140925_1755030.html, checked on 3/13/2018.

Table 4   Chinese visa categories

Visa	Eligible Applicants
C	Foreign crew members of means of international transportation, including aircraft, trains and ships, or motor vehicle drivers engaged in cross-border transport activities, or to the accompanying family members of crew members of the above-mentioned ships.
D	Foreigners who intend to reside in China permanently.
F	Foreigners who intend to go to China for exchanges, visits, study tours and other non-business activities.
G	Foreigners who intend to transit through China.
J1	Resident foreign journalists of foreign news organizations stationed in China. The intended duration of stay in China exceeds 180 days.
J2	Foreign journalists who intend to go to China for short-term news coverage. The intended duration of stay in China is no more than 180 days.
L	Foreigners who intend to go to China as tourists.
M	Foreigners who intend to go to China for commercial and trade activities.
Q1	Foreigners who are family members of Chinese citizens or of foreigners with Chinese permanent residence and intend to go to China for family reunion, or to those who intend to go to China for the purpose of foster care. The intended duration of stay in China exceeds 180 days.
Q2	Foreigners who intend to visit their relatives who are Chinese citizens residing in China or foreigners with permanent residence in China. The intended duration of stay in China is no more than 180 days.
R	Foreigners with high-level talents or whose skills are urgently needed in China.
S1	Foreigners who intend to go to China to visit the foreigners working or studying in China to whom they are spouses, parents, sons or daughters under the age of 18 or parents-in-law, or to those who intend to go to China for other private affairs. The intended duration of stay in China exceeds 180 days.
S2	Foreigners who intend to visit their family members who are foreigners working or studying in China, or to those who intend to go to China for other private matters. The intended duration of stay in China is no more than 180 days.
X1	Foreigners who intend to study in China for a period of more than 180 days.
X2	Foreigners who intend to study in China for a period of no more than 180 days.
Z	Foreigners who intend to work in China.

Legal texts continue to refer to individuals as foreigners (*waiguoren*) instead of international immigrants (*guoji yimin*) even a 'permanent' residence permit is granted. Although there is no clear legal definition of an immigrant that would directly link certain rights or procedures to this title, the conceptual differentiation indicates that Chinese authorities are careful to acknowledge official statuses and categories. Whereas the category of 'immigrant' lies in a legal grey area with no clear differentiation between immigrant, emigrant, and migrant, the term 'foreigner' is clearly regulated under international passport practices as well as individual agreements between China and other states.

Generally, four categories cover regular immigration: study, business, family, and 'talent' migration (*rencai yimin*). Students must provide proof of legitimation of their study plan and have an acceptance from a Chinese university in order to apply for an X1/X2 visa. Under the business category, the regulations cover people with a higher education diploma (such as a bachelor's degree) who have a minimum of two years of working experience. These immigrants have to simultaneously hold a Z visa, a Foreigner's Employment Permit (*waiguoren jiuyezheng*), and a Foreigner's Residence Permit (*waiguoren juliu xuke*). A signed working contract that usually should not exceed five years must be provided beforehand. High-skilled workers can similarly apply for an R visa and a Foreigner's Expert Certificate (*waiguoren zhuanjiazheng*). If a foreigner has successfully applied for permanent residence and has obtained a Foreigner's Permanent Residence Card (*waiguoren yongjiu juliuzheng*) or a Residence Permit for Foreigners (*waiguoren juliuzheng*) issued by the MoPS, they can exit and enter the country visa-free.

Generally, visas are issued by the consular services at Chinese embassies abroad as well as by the Exit and Entry Administrations of the local Public Security Bureaus within China. Further applications for visa extension or modification are also handled by the local Public Security Bureaus.

Family migration refers to spouses and children under 18 of foreigners who legally immigrated through one of the other categories. Such immigrants may apply for permanent residency if they stay in China for more than four continuous years, can provide sound taxation records, and invest in Chinese enterprises or hold employment in particular organizations, namely: institutions subordinate to the various ministries under the State Council or to the provincial-level people's governments, top tertiary educational institutions, enterprises or institutions executing key engineering or scientific projects, high-tech enterprises, encouraged types of foreign-invested enterprises, foreign-invested advanced technology enterprises, or foreign-invested export-oriented enterprises (Art. 7 of the Permanent Residence Regulations of 2004).

Since 2013, legally employed foreigners have been covered by all five social insurance schemes that are also available to Chinese citizens (pension insurance, medical insurance, work-related injury insurance, unemployment insurance, and maternity insurance) under the Temporary Measures to Participate in Social Insurance for Foreigners Employed in China (*zai Zhongguo jingnei jiuye de waiguo ren can jia shehui baoxian zhanxing banfa*) promulgated by the Ministry of Human Resources and Social Security (MoHRSS)[6] and the MoPS.

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6   The former Ministry of Labour and and Social Security was renamed and reorganized in 2008.

Several policies and campaigns target possible skilled immigrants with 'high human capital' that might help promote Chinese innovation technology and science. These campaigns are centrally designed by SEFEA, working directly under the State Council. One of these campaigns is the Thousand Talents Plan (*qianren jihua*) that aims to attract 'foreign talent' (Liu and Chen 2015; Liu 2011: 103–105) by enacting Provisions on Providing Entry and Residence Conveniences to Foreign Highly Skilled Persons and Investors (*guanyu wei waiguoji gao cengci rencai he touzi zhe tigong rujing ji juliu bianli guiding*) and introducing a points system to facilitate permanent residency for high-skilled foreigners (Chinese Green Card *lüka*; Zhu and Xu 2005). This strategy is integrated into the Belt and Road Initiative and China's strategic economic development plan to ultimately increase the global attractiveness of China as a migration destination (Czoske and Ahl 2016). In 2016, over 1,500 Green Cards were issued to foreigners, adding up to about 10,000 issued in total from 2004 to 2016. The card is valid for ten years – a long time compared to the one- or two-year limits on regular Foreigner's Residence Permits (Global Times 2017). Foreigners investing large sums (min. 500,000 USD) qualify to receive Green Cards, as do spouses married for more than five years to a Chinese citizen and people who 'contribute to society' (South China Morning Post 2017). With a focus on the Asia-Pacific region, the ABTC scheme issues a personalized card for frequent business travellers that expedites 'pre-clearance and fast-track entry into participating countries' (Asia-Pacific Economic Cooperation 2013). Indicating the importance of this policy, the number of opinions, regulations, and provisions for the attraction of high-skilled labour is higher for the ABTC than for the legal regulations covering all other groups put together. Trying to account for this development, Czoske and Ahl (2016) argue that China adapts to international standards of immigration procedures through strategies like the points-based system and hybrid forms of economic migrant selection in order to reassure the public that it can handle immigration matters.

Giving leeway to cities and prefectures in terms of managing their migrants has resulted in competition to attract talent immigration of both foreign and domestic workers (Meyer-Clement and Wang 2021). More cities – like Chengdu in 2017 (China Daily 2017b) – are joining those like Beijing and Shanghai in establishing pilot programmes to attract high-skilled foreign professionals (Wu and Webber 2004). For example, the Provisional Rules on the Implementation of the Shanghai Municipality Residence Certificate While Introducing Talents (*yinjin ren cun shixing Shanghai shi juzhu zheng zhidu zhan hang guiding*) granted foreigners the same welfare benefits as citizens as far back as 2002 (Wang and Lau 2008). In April 2017, China

introduced a new Foreigner Work License Notice (*waiguo ren gongzuo xuke tongzhi*) that further ranks the 'quality' of employment into A/B/C levels corresponding to high-level talent, professional, and non-technical or service jobs. These pilot provisions were tested in several cities before being implemented nation-wide (State Council 2017).

The special treatment of highly skilled foreigners in contrast with other foreigners highlights the merit-based normative foundation of this paradigm and indicates an underlying neoliberal rationality.[7] This rationality builds on self-disciplining individuals that optimize themselves to match the immigration scheme, which is supposedly quantifiable and operationalized through a points-based system. By applying this logic, the Chinese government links its immigration system to a 'market rationality that promotes individualism and entrepreneurialism' (Ong 2006: 9). The concept of citizenship is thereby stretched, translating high merit into a 'movable social entitlement' that allows certain people to obtain different citizenships 'like benefits in multiple locations' (Ong 2006: 9). This observation does not imply that people only voluntarily subject themselves to the Chinese immigration system, but rather that treating citizenship as a market tool bringing together nation state and immigrant like demand and supply holds 'false' promise. Nevertheless, citizenship always remains limited: culturally limited in terms of social integration, legally limited in the absence of a legal pathway for naturalization, politically limited as immigrants cannot participate in local elections or join the Party, and temporally limited as all statuses are temporary and revocable.

Overall, China's visa schemes and immigration system have become increasingly regulated and locally differentiated. The number of visas and work and residence permits issued grows steadily, peaking during mass tourism events such as the Olympic Games in Beijing in 2008 (Barboza 2008), despite more general debates about limiting foreigners. The 2010 population census stated that 593,832 foreigners were residing in China, mostly from South Korea, Japan, and the US (People's Daily 2011a). According to visa issuance numbers, 52.7 million foreigners entered the country in 2007, 54.12 million in 2011, 54.35 million in 2012, and 52.51 million in 2013, accounting for 3.83% of the Chinese population (NIA 2010). In 2014, official statistics stated that 64 million people entered the country (NIA 2014), and numbers

7   A common argument in the international community is that preferential treatment of high-skilled labour eventually produces spillover effects for other groups such as low-skilled workers who also profit from inclusion in the social insurance system. This premise, though, has not been substantiated.

further increased to 81.2 million in 2016. The number of work permits issued also grew from 180,000 in 2006 to 235,000 in 2016 (Liu and Ahl 2018: 219). These numbers show a steady yearly increase of around 10% (NIA 2016).

Border documents:
– Passport from home country
– Chinese visa
– Foreigner's Employment Permit or Foreigner's Expert Certificate
– Foreigner's Residence Permit or Foreigner's Permanent Residence Card

Irregular and 'Illegal' Immigration

Though the term is context-dependent, symbolic, and lacks a unified definition, 'illegal' immigrants are those who enter a country in spite of its immigration laws. This means that they are irregular to a specific immigration system, either because they are undocumented, unable to prove their claim to immigration or asylum, or because the state deems them unworthy and labels them 'illegal' accordingly. 'Illegality' is often associated by policy-makers as 'being a problem', as they must regulate the irregular. From a free movement of people perspective, however, 'the problem is the state rather than those who are mobile' (Harris 1995: 85). Considering the question of perspective, De Genova (2002: 421) critically assesses the researcher's role who run the risk of constraining themselves in following the state definition of 'the problem', instead of following the realities of other actors in the system. Thus, 'illegality' must be considered both as the legal category, but also as its discursive articulation and local practices and realities. Generally, I consider it a legal production within any given border regime, undertaken by a state bureaucracy that bases their decision either on a lack of registration or on an individual's characteristic that is unwanted and therefore prohibited by the host society. The underlying rationality how migration prevention, detention, and repatriation are legitimized and practiced, thus is crucial to understanding this legal production. 'Unwanted' features may include holding citizenship from an 'enemy' country, having a criminal record, or lacking the money or educational background to qualify for legal immigration schemes. While 'illegal' immigrants attract attention in the political discourse, they often stay relatively invisible to authorities in order to avoid punishment and deportation. Their very existence within the country is a testament to the state's failure to fully control immigration; preventing the entry of 'illegal' immigrants is therefore seen as a 'condition for the border's effective functioning' (Barabantseva 2015a: 58), and, by

extension, the legitimacy of the regime. 'Illegality' differentiates immigrants at both the social and legal levels and is constantly evolving and developing new definitions; these definitions serve as an important indication of how a particular border regime regards the 'other' and accordingly differentiates its categories of citizenship.

In China, 'illegality' as a legal concept developed along with the government's realization that it was in fact a migrant-receiving country. Today, the NIA institutionalizes the concept of illegality in the prominent catchphrase: *sanfei*, the three illegals, in its policies. But it started as an academic concept in the 1990s, in which certain mobilities started being addressed as 'illegal' rather than extralegal. Various terms are used officially to describe forms of irregular immigration: illegal immigrant (*feifa yimin*), irregular migration (*buhe guize de yimin*), undocumented migration (*wuzhengshi wenjian de yimin*), and unauthorized migration (*weijing xuke de yimin*). Human serpent (*renshe*) and plague (*wenyi*) are dehumanizing terms applied to potentially 'criminal' legal immigrants who overstay their visas or engage in smuggling or trafficking (Guo 2012). Another term, *sanwu,* refers to non-working immigrants without identification documents or work permits (He 2008: 37). Generally within the official discourse, 'illegal' immigration is anything besides legal immigration, and 'illegal' immigrants are those 'who violated China's Entry and Exit Law in relation to the conditions of entry, stay, and work' (Barabantseva 2015b: 356). The border regime therefore constructs 'illegal' immigration in a mutual process through which it establishes legal norms regarding 'appropriate' and 'normal' immigration procedures, with deviations from that norm comprising 'illegal' behaviour.

The most common way that the state prevents unwanted immigration is by denying visas to applicants considered a 'threat'. According to EEL, Art. 21, visa applications can be denied if the applicant was previously subject to deportation, has mental or infectious illnesses, threatens social order or political stability, or has documents that are false or insufficient. However, the law also allows authorities to cite 'other reasons' as grounds for denial without requiring an explanation of their decision. The 'problem' of 'illegal' immigration stems from individuals entering the country without visas or overstaying their visas without the knowledge of security forces, and continuing to work and have families in China without documentation. Because 'illegal' immigrants are not registered with the state, they are often not captured through the usual metrics of governance. Security actors therefore employ a range of alternative enforcement tools that strengthen the state's control of the population, including tight regulation of cross-border marriages and increased surveillance.

As in other countries, public and official discourses in China link 'illegality' with criminal behaviour, legitimizing extraordinary measures like incarceration and deportation by deeming 'illegal' immigrants a 'threat' to security. Deportation is the *ultima ratio* of the sovereign state removing unfit individuals from its territory. As long as they remain on Chinese territory, they still are considered potentially useful. In many cases, as long as they prove to be productive – either as workers or mothers – they enjoy a limited degree of acceptance by local communities and authorities. However, the discourses on 'illegality' stigmatize and securitize other forms of disruptive behaviour, including any form of disobedience against authorities. 'Illegal' immigrants are thus positioned as a threat to a 'harmonious society', security, and Chinese economic progress, while immigration violations damage 'China's national sovereignty and… the dignity of our country's laws' (He 2008: 39).

'Illegality' as perceived in public discourse may even encompass immigrants who enter the country legally but who must wait to receive work permits. This 'perceived illegality' ties in with arguments about how 'hard' it is to 'manage and control' illegal immigrants and their 'imported infectious diseases' as well as how they pose a 'hidden threat' to public security (Guo 2012: 137f.).

The securitization of immigration discourse ultimately identifies illegal immigrants as a 'dangerous' kind of 'social organization' that increases crime and threatens the social order through 'mass incidents' (Guo 2012: 137). Because they are positioned as a 'mass organization', they face the full force of China's counter-measures against 'class enemies' (cf. Vuori 2008: 90).

The government's slogan regarding the 'three illegals' (*sanfei*) – illegal entry (*feifa rujing*), illegal residence (*feifa juliu*), and illegal employment (*feifa jiuye*) – builds on language historically used in CCP propaganda like the Three-Anti and Five-Anti Campaigns (*sanfan wufan*) under Mao Zedong. The campaign thus gains political legitimacy through its link with central socialist policies and ideals. This discourse first emerged during the 1990s in reference to illegal marriages in Yunnan involving Vietnamese women (Deng and Jiang 1994). Academics then adopted the phrase (Guo 2012; Li 2012; Lu 2013; Luo 2012; Song 2015) and subsequently the media and official propaganda picked it up; since the establishment of the NIA in April 2018 the campaign has gained official status. Overall, the *sanfei* narrative justifies public officials taking extraordinary means to maintain social stability against external 'threats' (cf. Vuori 2008). These means explicitly include police operations against illegal immigrants (State Council 2012).

Estimates of how many 'illegal' immigrants live in China vary widely. Song (2015) pegs the number of people comprising the 'three illegals' in 2006 at 36,000. Liu (2015: 48) estimates that in 2013 there were about 80,000

illegally employed foreigners in China, including 40,000 illegal seasonal labourers regularly returning to their home countries (*jijiexing feifa jiuye waiguoren*). According to the (MoPS 2017), 5,533 'illegal' immigrants were detained in 2016.

Crackdowns on illegal immigrants have included Beijing's 2012 '100-day campaign' (*bairi zhuan xiang xingdong*), in which local authorities and police encouraged citizens to turn in illegal foreigners for deportation (Central Government News Portal 2012). Such campaigns disseminate the strong message that 'illegal' immigrants are a 'threat' to Chinese citizens' physical well-being and social harmony. The function is to 'warn' Chinese citizens about 'violent' illegal individuals in their midst and scare them into cooperating with repatriation efforts.

Skeldon (2000: 18) argues that China's strict criminalization of irregular immigration builds on popular 'deep-seated fears' that immigration always gives rise to further immigration in a cumulative manner, eventually overwhelming the nation state. Guo (2012: 141), for instance, warns about the dangers of foreigners entering the 'Chinese gold rush' (*Zhongguo taojin*) and illegitimately seeking higher wages in China's expanding economy. These views are premised on the belief that 'greedy' outsiders – particularly low-skilled workers who supposedly burden the Chinese economy without adding value – wish to profit off of China's successful development and the hard work of Chinese citizens (Song 2015). This discourse justifies the government's stringent entry and residence quotas as well as regulations that favour Chinese citizens in hiring (Liu and Ahl 2018: 228). While low-skilled workers face numerous hurdles in attempting to obtain work permits and are usually discussed in the context of 'illegal' immigration, 'talented' foreigners enjoy favourable immigration schemes, as discussed in the previous section.

Labour offenses are subject to various punishments, with Art. 80 of the EEL setting fines for illegal workers at between 5,000 and 20,000 CNY – plus imprisonment in particularly egregious cases. Employers and individuals facilitating illegal labour face fines of up to 100,000 CNY, the highest penalty mentioned in the EEL. Higher punishments for employers than employees have been in place since the MoPS, the MoFA and the Ministry of Human Resources and Social Security (MoHRSS) promulgated the 1993 Interim Measures for the Administration of Foreign Labour Services Cooperation (*dui wai laowu hezuo guanli zanxing banfa*) and the 1994 Circular on the Prohibition of Foreigners' Illegal Employment in China (*guanyu zhizhi waiguoren feiefa jiuye de tongzhi*). By targeting employers, the state aims to increase overall accountability and reduce grey labour markets.

From its beginnings, the phrase 'illegal' and specifically the *sanfei* discourse was closely entwined with tropes of criminal illegals. As I have argued elsewhere (Plümmer 2021), the trope increasingly became entwined with fears of foreign influence and specifically the 'three evil' discourse on foreigners working towards terrorism, separatism, and extremism which remains an important part of the security discourse within the Shanghai Cooperation Organization. The *sanfei* discourse encourages the perception of illegal immigrants as a 'danger' to society (*weihangxing*), blaming them for tax evasion (Guo 2012: 137), drug and weapon smuggling, and prostitution in the border area (He 2008: 40). Immigrants are also blamed for 'mass incidents' (*quntixing shijian*); for instance, in July 2009, police in Guangzhou met public outrage after an immigrant had died during a raid (Branigan 2009). Qiu (2005: 13) cites the tremendous 'economic cost' of illegal immigrants in justifying crackdowns despite their small numbers. While these academic contributions serve to legitimize the state's securitization of illegal immigration by bolstering the discursive links between 'illegality' and the disruption of the Chinese social order, other scholars have been more sympathetic to humanitarian immigration (Hao 2017; Li 2015).

As previously mentioned, the *sanfei* discourse was first used in racialized debates regarding foreign wives in Southwest China's borderland. Ethnic minority women, such as Yao, have long crossed the Chinese border to get married and take up residence (Barabantseva 2015a: 65). This situation – involving frequent cross-border migration, unregistered marriages, children in excess of state population allowances, and local officials flexibly applying the *hukou* system – raised concerns that the central government was no longer in full control of border areas (Barabantseva 2015a: 66–68). Such cross-border marriages therefore became 'illegalized' in the 2000s, with officials more frequently repatriating wives. Barabantseva (2015b: 357) argues that before this crackdown, cross-border marriages gained little attention outside of the border area. These women living in China fill a local demographic gap as the rural countryside has a gender imbalance. In order to start a family, rural men often use marriage agencies or informal channels to find a spouse. Often, the women come from neighbouring countries, either voluntarily or involuntarily being brokered. Despite occasional prosecutions, these marriages are to a large extent still tolerated. Many local officials view the foreign wives as 'normal' residents providing reliable, cheap labour in the local agriculture industry (Barabantseva 2015a: 74); these women even regularly perform traditional songs in government-supported concerts, reflecting 'the desire of the Chinese state to celebrate itself as a multi-ethnic, diverse society' (Barabantseva 2015a: 75).

Though the presence of undocumented residents is perceived by higher-ups as symptomatic of deficiencies in local governance, there is no realistic way for local officials to put a stop to marriage migration (Barabantseva 2015a: 70ff.). This is one reason why local governments have decided to register marriages on case-by-case basis. Another reason has to do with the legal status of their children: if a marriage is not officially registered, the children cannot obtain a *hukou* registration or official Chinese citizenship. To avoid this inherited illegality, local cadres do try to create pathways to legalization of the marriages. However, 'foreign wives' are heavily monitored by local security agents, such as through a database that monitors reproductive data like unexpected pregnancies, health data such as HIV infections, or their relationships (interview 31). The All-China Women's Federation (ACWF), an officially non-governmental organization with local branches, has been instrumental in surveying populations in border towns in order to gather data on the status of foreign wives (interview 27, Shen 2016b). The ACWF works under the 'supervision' of the CPC Central Committee but outside of the ministerial structure; surveillance has thus been delegated away from 'traditional' border security actors and to a quasi-state agency concerned with women's interests. Though the heightened level of surveillance faced by illegal immigrants is a hallmark of increased securitization, the state has signalled a de-politicization and de-securitization of this issue by locating it within gender policy alongside traditional security policy.

In sum, illegality is a politically constructed category, defined as violations of existing legal regulations. China's construction of 'illegality' builds symbolically on the *sanfei* narrative – illegally entering, residing, and working – that pervades official and academic discourse. The practices of border security enforcement hence aim to prevent illegal entry, and internal policing results in the detention and deportation of lawbreakers. The *sanfei* narrative serves to legitimize the securitization of 'illegal' immigration by discursively positioning it as a threat to Chinese society and China's economy. To bring immigration more firmly under its control, the state utilizes preventive measures like visa denial, security practices like prosecution and deportation, disciplinary techniques like fining employers, and surveillance of target groups like foreign wives. Despite their status, 'illegal' immigrants still take part in various aspects of Chinese political belonging as they labour, wed, and raise families within China.

This discourse further shows how the various political levels interrelate. While the central government defines guidelines for foreigner immigration, the ways that is locally practiced, how 'illegality' is perceived by local communities vary widely. While cities such as Beijing or Guangzhou

govern (mostly African) 'illegals' with police coercion to set a warning example, border prefectures where 'illegal' foreigners (from the neighbouring countries) are part of the local community, such as the 'foreign wives', try to integrate them. Partially, this differentiated treatment is a result of racism and ethnic relations. Whereas African immigrants in Guangzhou are perceived as 'low quality' immigrants (Huang 2018: 21). Similarly, despite sharing ethnic relations with the local community, 'foreign wives' are framed as inheriting 'lower quality' (*di suzhi*) to their children compared to a full Chinese couple (Barabantseva 2015b: 361). Moreover, the differentiated treatment shows the various technologies of government applied to irregular migrants. When these foreigners are considered productive for the local community – either in terms of reproduction or in terms of labour – local authorities appropriate them. In that case, they lose the *sanfei* label, such as 'foreign wives' in Yunnan did in a decade-long process (interview 9). This differentiation leaves some groups as subject to security measures (crackdown), others as targeted by pastoral care and disciplinary measures (educating 'foreign wives'), while others are quickly repatriated thus becoming subject to sovereign power.

Border documents:
– Passports from home country or no documentation at all

Refugees: A Volatile Concept

The legal status of refugees in China is ambiguous. Throughout the twentieth century, Chinese authorities acknowledged the refugee status of few people and often redefined the term. Beijing's inconsistent approach results from its fundamental issues with the concept of 'political refugees': its position changes as China sways between its Great Power ambitions and its claims of being the victim of discriminatory practices (Fey et al. 2013). Furthermore, authorities fear a public debate about welfare distribution, which to some extent can be seen in the discourse on 'illegal' immigration. Though official terminology for refugees uses terms that refer to certain statuses, these terms do not represent legal categories. The legal term for refugee (*nanmin*) is not clearly defined, but applies to all foreigners that apply for asylum.[8] Some foreigners that would be considered refugees according to

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8   The frequently used term 'convention refugee' (*gongyue nanmin*) emphasizes how China discursively differentiates among refugees, in contrast with the universal 'blanket definition' promoted by the United Nations (UN) Refugee Convention. This term indirectly blames other

international standards are not labelled as such. In cases where refugees have an ethnic relationship to the Chinese nation, they are redefined as returning (*guiguo*) Overseas Chinese (*huaqiao*), though they may even voluntarily choose a different nationality. In cases where refugees turn up on Chinese territory after conflicts in border areas, authorities term them border citizens (*bianmin*), legitimating the denial of their asylum requests and justifying repatriation (*qiansong chujing*). Chinese leaving the country and applying for asylum elsewhere are largely framed as unpatriotic and greedy emigrants that escape China (*tiaoli Zhongguo*) (Zhongguo faxue wang 2014). I will explain these variations in detail, but I start by introducing the legal and institutional backdrop for the existing discourse and practices addressing refugees.

Although China signed the 1951 Refugee Convention and the 1967 Protocol Relating to the Status of Refugees (both ratified in 1982), it did not implement these agreements' norms and regulatory suggestions in national law and practice (Song 2018: 147). Border crossers seeking protection under the Refugee Convention do not automatically obtain refugee status; they must apply with the responsible authorities, and until the credibility of their claim is determined, they are labelled as asylum seekers. National mechanisms conduct this verification procedure, or alternatively, the documentation can be issued by an international authority such as the United Nations High Commissioner for Refugees (UNHCR). States are obliged to cooperate with the UNHCR in the exercise of its functions and must facilitate its duty of supervising the application of the Refugee Convention. Although China's constitution and the 2012 EEL do provide the opportunity to apply for asylum, the government has not adopted national legislation or established appropriate institutions. Article 32, Paragraph 2 of the Chinese Constitution states that asylum may be granted for 'political reasons' (zhengzhi yuanyin yaoqiu binan). Article 20 of the EEL states only abstractly that

> foreigners who need to enter China urgently for humanitarian reasons […] or have other urgent needs, and hold materials that prove the competent departments' approval of their applying for visas at port, may apply for port visas with the visa-issuing authorities entrusted by the Ministry of Public Security [MoPS] at the ports […] which are approved to issue port visas by the State Council.

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countries that do not accept refugees according to the Convention's standards, justifying the China's redefinition of its own refugee approach (Zhang 2007).

Article 46 of the EEL states that it is possible to apply for refugee status and remain on Chinese territory for the duration of the application process. However, there are no regulations detailing this 'temporary protection status'. The EEL further mentions that the MoPS is responsible for issuing temporary identification documents and household registration during ongoing asylum processes or resettlement after a successful asylum process. However, even a successful asylum process does not necessarily imply permanent residency; permission may be revoked later or not renewed. In addition, the MoFA is given responsibility for international collaboration on refugee issues and the Ministry of Civil Affairs is responsible for repatriating detained illegal immigrants or those denied asylum. Legal regulations regarding subsidiary, humanitarian, or temporary protection of refugees have not yet been enacted, so operational procedures remain unclear (Liu 2011: 90f.). According to media reports, the asylum process takes up to 16 months and requires three officials to vet the applicant's statements. During this process, the applicant's family receives up to 1,000 CNY financial support but are not allowed to work and remain subject to resettlement, preventing them from putting down roots (Cui 2015).

The Chinese government has not institutionalized collaboration with the UNHCR. The function of the Beijing UNHCR office is therefore limited and largely symbolic. UNHCR staff does not have access to Chinese refugee camps and they are not consulted in asylum cases. They conduct independent refugee status determinations (RSD), but few refugees manage to get registered through this process; in 2016, their direct assistance programme covering shelter, food, and education reached only 200 people. UNHCR-registered refugees are not legally recognized by the Chinese government. There are even reported cases in which people with UNHCR documentation, mostly North Korean defectors, were repatriated. If they do not obtain a working or residence permit, they remain 'illegal' in China. Most people registered as refugees with the UNHCR obtain working visas in 'immigrant cities' such as Yiwu. In a few cases, the UNHCR has managed to resettle refugees in third-party countries that accept them as asylum seekers. But the bulk of its refugee work is conducted directly in neighbouring countries such as Myanmar and South Korea, where the UNHCR works together with government agencies. As in all other signatory countries, the UNHCR monitors refugee policies and writes reports and recommendations for the government (UNHCR 2015). In these reports, they estimated that at the end of 2016, the overall number of refugees in China was 317,255, of whom 668 officially have a pending asylum process (UNHCR 2016: 60). The reports accordingly criticize the lack of a comprehensive national asylum process

in China (UNHCR 2018). China violates the Refugee Convention's principle of non-refoulement, which suggests that states should not expel or return refugees against their will to a territory where they face threats to life or freedom. Further principles in the Refugee Convention also include norms of non-discrimination and non-penalization, according to which refugees should be neither discriminated against nor penalized for their illegal entry or residence. In theory, host states must respect these rights and others granted by the Convention, like access to courts and freedom of movement. Soboleva (2021) argues that China's practices concerning refugees are not in-sync with its rhetoric. While China follows the Convention in terms of burden sharing, it often avoids its responsibilities by making reference to ideals of sovereignty and non-interference. When positioning China as a 'global player', officials discuss reforms and improvement while continuing to deport vulnerable people from countries like North Korea and Myanmar.

According to Chinese scholars, China has shifted from a sending (*shuchu guo*) or transit country (*guojing guo*) to a receiving country of refugee immigration (*nanmin laiyuanguo zhuanxiang shuru guo*) (Guo 2012; Liu 2015: 48). However, laws and regulations regarding accepting refugees are nearly completely lacking. Nevertheless, by the end of 2015, China had officially accepted nine Syrian refugees and donated 3 million USD (as much as Hungary) to the UNHCR (Lesh 2017). The relationship to the UNHCR and the international community, however, is strongly characterized by blame. Chinese diplomats accuse countries who start wars (mostly the US) for forced migration that other countries (such as China) have to bear the consequences of. According to China, the solution to the international 'refugee crisis' is that countries whose global policies ultimately produce migrants should be the ones to take refugees in (Zhang 2007). The Chinese academic discourse on refugees largely disapproves of the UN's human-rights based approach to international migration governance 'because of the lack of a clear and complete content and regulatory system' (Hao 2017: 88). The consensus states that the international community should further strengthen legal requirements instead of blaming individual countries (Fang 2016).

Short history of China's ambiguous approach to refugees
In the twentieth century, China experienced several encounters with refugees. By 1945, approximately 29,000 European refugees had fled to China from the Nazis or the Soviet Union; 19,000 were repatriated to third countries through the US-supported International Refugee Organization (IRO) (Peterson 2012: 328). It was unclear how many of these refugees actually stayed in China due to the chaotic political situation of the early 1950s.

In 1952–1955, the UNHCR first gained access to China with a mandate to represent and improve the situation of an estimated 10,000–15,000 European refugees, especially the large number of Soviet refugees employed by Chinese railway companies and paid 'starvation wages' (Peterson 2012: 329). According to UNHCR estimation, China hosted 321,800 refugees in 2018 while at the same time having produced 212,100 that had fled to other countries (UNHCR 2019a).

First, a few words on China producing refugees. After Mao's Great Leap Forward, many Chinese citizens left the country, seeking refuge in Hong Kong and elsewhere in order to escape famine. Between the 1950s and 1970s, in what can be described as an exodus (Song 2018: 141), more than 700,000 Mainland Chinese citizen escaped to Hong Kong. In the Chinese authorities' attempt to try stopping them from leaving, many died in the attempt to cross the border (ibid.). This 'Great Escape to Hong Kong' (*dataogang*) set the tone for how generations would speak about Chinese citizens leaving the country. Until today, mainlanders who escape the country are deemed unpatriotic. Instead of escaping for better economic futures, they should stay and work for the better future of the common destiny: 'good people have a sense of responsibility, are willing to breath with their compatriots, and share a common destiny' (Zhongguo faxue wang 2014). Regardless of the reasons for why having escaped from China (*tiaoli Zhongguo*), they are not considered refugees. Especially since 2009, the increasing oppression of ethnic Uyghurs in Xinjiang resulted in Chinese citizens fleeing the country to Afghanistan, Kazakhstan, Thailand, and Turkey (Aljazeera 2015). Instead of acknowledging their attempts to apply for asylum, the Chinese government tried to frame them as going on a cultural journey to connect with their cultural heritage (Global Times 2015) or as dissidents (Han 2020). In some cases, they later successfully applied for asylum in third countries such as Australia, Europe or Japan where they often continue to being intimidated by Chinese authorities (The Guardian 2020b). In other cases, the Chinese government successfully demanded their repatriation (Schiavenza 2015).

The second topic is the influx of people. In the 'World Refugee Year' of 1958, anti-Chinese policies in Indonesia resulted in an influx of over 100,000 ethnic Chinese into China (Peterson 2012: 336). These were mostly third-generation descendants of earlier immigrants born in Indonesia (*peranakan*). Many of them applied for asylum through the Chinese embassy in Jakarta and were brought to China on special ships. In 1955, China and Indonesia had previously signed a treaty that ended the practice of dual citizenship (*shuangchongguoji*) and required ethnic Chinese to choose one citizenship

(Godley 1989: 335). Although those who had opted for Indonesian citizenship and subsequently needed to flee would have counted as refugees under the UNHCR convention, China welcomed them 'back' as 'returning Overseas Chinese' (*guiguo Huaqiao*) in order to help the battered economy (Godley 1989: 336). As they arrived in the wake of the great Chinese famine, the Indonesian refugees were further disadvantaged by not speaking or writing Chinese. Around 60 percent were assigned to Overseas Chinese State Farms (*Huaqiao guoying nongchang*), mostly located in Hainan, where they worked on agricultural plantations under tough conditions (Peterson 2012: 339). Over time, however, the descendants of these refugees become well integrated and were able to draw on public services such as education, health, and social security – though they did not yet qualify as Chinese citizens.

During the Sino-Vietnamese War in 1978–1979 (also called the Third Indochina War), up to 300,000 Vietnamese refugees arrived in China. The UNHCR temporarily provided humanitarian assistance to this group and established its permanent office in Beijing in 1980. Chinese authorities did not guarantee permanent refugee status, but also did not grant these immigrants full citizenship. Similar to the 'returnees' from Indonesia, the Chinese government provided them with employment, housing, health care, and education (Liu 2011: 95).

China's flexible approach to the status of refugees has continued. Following violent conflicts in 2009 in Kokang, along the Sino-Myanmar border, over 37,000 refugees entered Chinese territory. These people were not termed refugees but rather 'border residents' by Chinese authorities who adopted the narrative that Myanmar's 'internal conflict' would soon be resolved and the temporary refugees would eventually to go back (Song 2017b: 470; Thompson 2009: 14). The relatively new Chinese emergency response system (*guojia tufa gonggong shijian zongti yingji yu'an*) 'effectively contained […] the unrest' (Thompson 2009: 15). This strategy introduced tools for managing security and humanitarian responses in the wake of a refugee influx or border conflict. Yunnan, Liaoning, and Jilin Provinces now have detailed contingency plans outlining chains of responsibly in cases of emergency, learning from past experience of 'sudden events' such as SARS and civil unrest in Tibet and Xinjiang (ibid.). In Yunnan, the camps hosting Myanmar citizens closed shortly after they arrived in 2009. When violence broke out again in 2011, more than 10,000 displaced Kachin re-entered China. Chinese authorities once again claimed that they were 'border residents' visiting China 'to live with their friends and relatives temporarily' and provided little to no humanitarian assistance (Song 2017b: 470). Many of these camps were self-established and only privately supported by local villagers (ibid.: 471).

According to regulations governing border residents, introduced in the subsequent section, Kachin people were not allowed to move further into China but were locally bound.

A similar situation is found at the North Korean border, where already 30,000–300,000 North Korean people live in camps, with estimates varying considerably (Margesson et al. 2007: 8). January 2018, following heightened political tensions, Chinese authorities started preparing for a possible increase in refugees and preventively established detention camp sites (Perlez 2017). Although defectors from the the Democratic People's Republic of Korea (DPRK) are internationally acknowledged as political refugees, Chinese authorities have refused this recognition and denied access to international human rights organizations and NGOs. Similarly, in the Myanmar case, only some selected media but no human rights groups have been granted access.

Refugees have constantly arrived from North Korea since the 1990s, fleeing human rights violations and famine and often becoming victims of human trafficking, forced labour, or forced marriage after their arrival (Margesson et al. 2007: 9). Although UNHCR regulations are part of international law, China argues that its bilateral agreement with the DPRK from 1986 on mutual repatriation legally supersedes international law in deciding whether to grant refugees asylum. This bilateral agreement undermines the refugee convention. Chinese authorities only rarely grant temporary humanitarian stays on a case-by-case basis, and do not recognize their status as 'political refugees'. As officials like Hong Lei, spokesman for the MoFA, have argued, 'We always oppose making [North Korean defectors] an international and political issue or an issue of refugees', claiming that since they are fleeing from poverty, these people are 'economic migrants' (Reuters 2013). However, North Koreans become delinquent by fleeing their country and are subject to persecution if they return (*refugee by place*). By forcing North Koreans to repatriate, China is subject to regular criticism by the international community for the violation of the principle of non-refoulement (Soboleva 2021).

Chinese state media such as Xinhua associate the international refugee crisis (*nanmin weiji*) largely with Europe and the United States. Media reporting often depicts China as a 'saviour' in the crisis, propagating its image as a Great Power engaged in the international community, sending financial assistance, and providing technical guidance in places such as Lebanon (Xinhua 2017, 2018c). Media coverage of the European 'refugee crisis' (*Ouzhou nanmin weiji*) associates the failure to handle refugees with the inherent weakness of democratic states. Writers directly link criminal behaviour by refugees with political failure, arguing that the 'refugee crisis' will be the 'last straw that overwhelms the West' (Di 2017; Song 2017a). The

media discourse, however, externalizes the problem to other countries and does not associate the crisis with China. This assignment of the 'refugee crisis' to other states mirrors China's blaming strategy within the UNHCR and is reflected in how the term 'refugee' does not have the same meaning in China as it does internationally. Instead of talking about 'refugees' in China, the media covers stories about 'illegal' and 'legal' 'immigrants', further redefining these terms. This discursive exclusion of refugees seems to be a deliberate act in order for China to avoid its international convention obligations to extend humanitarian aid to these people.

How Chinese authorities blend the terms 'immigrant' and 'refugee' also becomes evident in Yiwu, one of China's experimental 'immigrant cities'. Here, the local government has welcomed immigrant families from conflict areas like Syria, Yemen, and Iraq, granting short-term visas and introducing foreigners' ID cards (Meyer-Clement and Wang 2021). In 2016, 1.25 million foreigners lived alongside 771,000 Chinese citizens in Yiwu (Roxburgh 2017). In many cases, war and violent conflicts drove these people from their home countries, constituting grounds for asylum. However, in the 'immigrant cities', they are processed as economic immigrants bringing businesses to China – in fact, the immigrant community is legally constructed as a 'business community' (Ke 2004; Wang and Chen, Jie, Yang, Xin 2015; Xia 2015). Accordingly, they can apply for permanent residency in a process similar to the high-skilled workers scheme. Social services such as language training are not provided, but immigrants are able to send their children to local schools (Reuters 2017a). Some of these 'immigrants', however, do receive support from the UNHCR, which lists them as refugees (Cui 2015).

In sum, the term 'refugee' does not constitute a legal category in China, as no asylum law has been issued and procedures for applying for 'temporary protection status' are not specified. Historically, Chinese authorities granted refugee status to certain groups such as 'returnee ethnic Chinese' based on individual political decisions. China, however, does not acknowledge refugees based on international Refugee Convention principles. Although several refugees living in China are undergoing an asylum process, most are denied an asylum application in the first place – as with refugees from North Korea and Myanmar – or are diverted into other legal categories. For instance, displaced Kachin people in Yunnan have been categorized as 'border residents' rather than refugees, and in Yiwu, Middle Eastern refugees are regarded as 'economic immigrants'. Hence, China lacks a reliable, official legal and political process regarding refugees and the term remains ambiguous.

Border documents:
- – Passport from home country
- – Visa (*qianzheng*)

Border Residents: Multiple Citizenship

Border residents (*bianjing diqu jumin*, short *bianmin*) constitute a special legal category within the Chinese border regime. Article 90 of the EEL stipulates that provinces and autonomous regions can enact legal norms and rules on territorial governance if they are in accordance with the State Council. In 1999, the MoPS issued Order 42 (*Zhonghua renmin gongheguo bianjing guanli qu tongxingzheng guanli banfa*) introducing 'PRC Border Management Area Passes' (*Zhonghua renmin gongheguo bianjing guanli qu tongxingzheng*, or border passes). These border passes are available to Chinese citizens as well as foreigners who live in the border area. For such foreigners, these passes replace other documents like employment licenses, work permits, and residence permits. Border passes are only valid within the administrative area of the county (*xian*) providing them (Art. 7); local Public Security Bureaus serve as the issuing institution (Art. 15). The document is only valid when the carrier also provides a national ID card (*shenfenzheng*) and is only valid for three months at a time (Art. 19).

The Yunnan Border Management Regulations (*Yunnansheng bianjing guanli tiaoli*) state that border residents from both sides of the border who obtain identification documents may cross in accordance with bilateral agreements. Non-Chinese border residents are specifically prohibited from leaving the county where they entered China (Art. 16). Residents who do not obtain identification documents or border passes are not allowed to cross but can apply for entry permits if crossing is 'necessary' (Art. 17). Border residents who enter to take up employment or to marry have to register at the local Public Security Bureau.

Art. 22 of the Regulations state that county-level governments are responsible for monitoring border residents' mobility and enhancing public education regarding legal regulations. Local Public Security Bureaus accordingly design campaigns and propaganda to communicate laws and regulations to the local population. During my fieldwork, I encountered several examples of this kind of campaign to teach 'appropriate' behaviour to border residents (Dehong Prefecture Government 2017a). Besides to omnipresent propaganda street-posters depicting ethnic harmony in the borderland and national security, the campaigns also aim at individual households. Figure 3 shows images from a calendar that I found during the

**Figure 3   Pictures from a 2016 calendar issued by the Yunnan Provincial
Government**

(author's foto)

fieldwork, depicting wanted and unwanted border-crossing behaviour and
reminding residents to only use official border checkpoints, legalize their
cross-border marriages, and comply with trade regulations. The picture
on the left states that exit and entry is only allowed via official border
gates and that cutting timber and exporting mineral resources is strictly
forbidden (*zijiue zunshou churu guanli xiangguan guiding. Churu bianjing
ying teyou zhengfu jian, cong zhiding kou an, tongdao chu rujing. Yanjin feifa
chujing kanfa mucai, kaicai kuangchan*.) The picture in the middle states
that cross-border marriages are to be officially registered through the Civil
Affairs Bureau (*yifa yu jingwai bianmin tonghun. Bixu zunshou Zhongguo yu
pilin guijia youguan falü, fagui, zhudong dao minzheng deng bumen banlin
hunyin dengji shouxu*) The picture on the right-side states that smuggling
is strictly prohibited (*yanjin zai bianjie song kai tongdao he zuosi huowu*.).

In the multi-ethnic and accordingly multilingual border areas, local
authorities often use pictures as a basis for communicating massages. Similar
pictures can be found in almost every household in the border area. In many
of the materials, calling the police or notifying the local Public Security
Bureau is depicted as the 'appropriate' thing to do, for instance if one sees
others 'illegally' crossing the border. This encourages border residents to
report on others, subtly bestowing them a dual role as both security subjects
and agents and bringing the local population under tighter control.

Governing the mobility of border residents is crucial in the government's
attempt to exert its sovereign prerogative over the border area. Although
border residents trespassing the border without giving official notifica-
tion at a border gate does not necessarily mean that they undermine state
sovereignty, but the fact that they live across the border without government
supervision challenges the state's claim to effectively govern the border. The
primary goal of local authorities thus is to gather information on the local
border communities and monitor their mobility up-close (interview 27, 28).

'Border resident' is an official category in bilateral agreements regarding the management of border ports and control, such as with Laos in 2011 (*Zhonghua renmin gongheguo zhengfu he Laowo renmin minzhu gongheguo zhengfu guanyu bianjing kouan ji qi guanli zhidu de xieding*) and with Myanmar in 1997 (*Zhonghua renmin gongheguo zhengfu he Miandian liangbang zhengfu guanyu Zhongmian bianjing guanli yu hezuo de xieding*). Article 4.1 of the 1986 agreement with the DPRK states that border residents who obtain a border document should not be considered illegal immigrants even when leaving the border area with permission of the local Public Security Bureau. Border residents thus gain a special status that exceeds traditional citizenship concepts by including mobility rights within the border area in both countries.

Importantly, border passes are only valid in a confined area around the border and do not provide the right to freely travel, reside, or work in other parts of China. Foreigners who enter Chinese territory on a border pass cannot pass further into the interior. For border residents, the border is thus shifted and multiplied: though they may live their everyday lives traversing the international border, they are not free of it. For them, new, relocated internal borders define the extent of their mobility.

Studying differentiated conceptions of citizenship in the Himalayan borderlands, Shneiderman (2013: 31) argues that the legally recognized category of border citizenship is a response to practices ‚from below' such as frequent undocumented border crossings and business activities, as well as double-taxation of goods on both sides of the border. She finds that border citizens can draw on and contribute to resources in both countries, but in many cases do not possess a citizenship from either side. In the Tibetan case, a border citizen card was implemented in 2002, though this is only available to people with a citizenship and ID card. Shneiderman concludes that by acknowledging the everyday bordering practices of the multi-ethnic border residents, authorities actively constructed the periphery as a place of state-making. Here, new categories such as 'Nepali', 'Sherpa', and 'Xierba' were introduced as official designations in documentation that eventually became part of the local (ethnic) identity construction. Brubaker and Kim (2011: 24) similarly argue that states exert a symbolic power that reaches across territorial boundaries to include transborder populations on both sides of the border. To my understanding, introducing and institutionalizing the category of 'border resident' in Chinese immigration law is a tool for the state's spatial re-articulation of border areas.

In a nutshell, the legal status of border residents follows a twofold logic. First, in recognizing border residents as a distinct category, the state aims to incorporate formerly 'under'-regulated communities into the official border

regime. By categorizing and surveying the identities and mobility of border residents, the state gains power over them. This power is symbolic in terms of recognizing their status within the national project, and is regulatory in terms of providing differentiated control over their mobility and personal lives. In the end, local authorities get to decide whether a visit to the other side of the border is 'necessary' and legitimate, though the people applying for border residency cards may have practiced regular cross-border mobility for decades. Secondly, the state adjusts its 'one citizenship' sovereignty norm to fit the realities of border residents. Instead of illegalizing mobility behaviour that is 'impossible' to effectively regulate, the state introduces a differentiated mode of sovereignty that still allows it to regulate as much as possible. The border residents *de facto* obtain multiple citizenships: firstly, their official citizenship, which might belong to China or a neighbouring country, and secondly, their alternative identification documents, which reflect their practices of paying taxes, supporting families, and living on both sides of the border.

Within the management of border citizens, 'foreign wives' comprise a distinct group. In the previous section, I discussed cross-border marriages in terms of their perceived 'illegality'. 'Foreign wives', however, are also subject to the border resident regulations, as they can receive locally valid border documents such as legal marriage certificates (*jiehunzheng*) that are a *de facto* acknowledgement of their residence. Moreover, some counties have further introduced special identity documents for this specific group. The responsible authority for issuing marriage licences is the county-level Civil Affairs Bureau. The 2012 Measures for Registration of Marriage between Chinese Border People and Border Countries states that all parties must provide valid immigration documentation and passports (Art. 6). In Dehong Prefecture in Yunnan, the local government has introduced a Blue Card (*lanka*) for foreign wives that gives additional incentives to register the marriage and allows the wives to benefit from rural cooperative medical care and other public health welfare services (interview 9). The Blue Card, accordingly, serves to further differentiate between 'illegal' and citizen, as it not only provides public services but appoints a specific identity category to those women.

Border documents:
- Chinese household registration (*hukoubu*), national ID card (*shenfenzheng*) or passport (*huzhao*) or passport of neighbouring country
- Border pass (*bianminzheng*)
- Work permit for bordering county or prefecture (*zanzhuzheng*)
- Marriage registration (*jiehunzheng*), Blue Cards (*lanka*)

Border Tourists: Controlled Trespassing

International borders are often considered a tourist attraction, gaining appeal by providing access to special tax reductions in shopping centres, gambling, and enclaves or exclaves that appear 'exotic' (Dallen 1995: 529f.). Both of the provinces under investigation in this book are sites of touristic interest. In Yunnan, the multi-ethnic population has been marketed as a folkloristic exhibition in which 'traditional' dances and rituals are performed for tourists (Laruelle and Peyrouse 2009: 109). In Dehong Prefecture, 'one village, two countries' (*yizhai liangguo*) is one such attraction. The village is located directly on the international border to Myanmar in Dehong Prefecture. Once an ordinary villate, the town today hosts showsites for the various ethnic groups. Like in many ethnic tourist sites, actors dressed in 'traditional' costumes sell artisanal work and food. The architecture of the village represents a sinicized version of traditional Dai and Kachin houses in an effort to show the 'beauty of the borderland' (as a brochure of the village reads).

In Jilin, peering over the border to North Korea has become a zoo-like event, with viewpoints at the fences and large shopping areas hawking imported North Korean and Russian products. As I travelled along the Tumen river, there were many small vendors selling North Korean memorabilia as well as time on chairs where you can sit and watch the other side of the border with field glasses. Some would sell rice packages that one could throw across the border, so the 'poor' North Koreans would get something to eat. Besides this informal tourism spectacle, museums and monuments along the border draw thousands of mainly Chinese tourists to the Yanbian border area.

However, the two provinces have issued quite different legal provisions on border tourism.

In Yunnan, apart from the special regulations for border residents, there are no regulations on border tourism. The available documents on tourism mainly concern the increasingly negative environmental and social impacts of growing numbers of tourists. The Yunnan Provincial Tourism Administration has further issued Measures for Administrative Punishment of Tourism in 2013 (*lüyou xingzheng chufa banfa*) and in 2015 its Interpretation of the People's Republic of China Tourism Law (*Zhonggua renmin gongheguo lüyou fa jiedu*). These laws have increasingly regulated the different licences necessary to conduct guided tours, such as business licenses for travel agencies, tour guide certificates, and 'leader licenses' (*lüxingshe yewu jingying zheng, dayou zheng, lingdui zheng*). The Yunnan

Development and Reform Commission also issued newly revised 'Yunnan Province Tourism Regulations' that were implemented 2014 (*xin xiuding de 'Yunnan sheng lüyou tiaoli'*). Public outcry regarding misconduct on the part of travel agencies and tourist guides led Yunnan to promulgate further rules on proper tourism in 2014 (*Yunnan chutain 15 tiao shishang zui yan zhengzhi lüyou jinling: bu zhun ma youke*). These '15 bans' (*shiwu buzhun*) aim at ensuring tourism safety, for instance by guaranteeing product quality and ensuring complaint mechanisms. Overall, these laws aim to attract more tourism to the province – both Chinese and foreign – while also regulating 'appropriate' ways of conducting tourism. On a local level, however, Ruili and Dehong authorities have coordinated with their cross-border counterparts (Shan and Muse) to facilitate cross-border tourism. They agreed on licencing some travel agencies that can bring Chinese tourists on the Myanmar side for guided daytrips (interview 35, 36).

In Jilin, border tourism is part of a coordinated campaign within the regional framework of the Greater Tumen Initiative (GTI). Concerning legal regulations, it is important to note that Jilin Province allows licensed travel agencies, in cooperation with local Public Security Bureaus, to issue special 'border visas' (*lüyou qianzheng*) that allow short-term (two to three day) border crossings as part of organized group tours to North Korea and Russia. These border visas minimize bureaucracy for the traveller and facilitate regional tourism for Chinese and Russian citizens. The legal framework for border tourism in Jilin constructs the border as a tourist site and aims to facilitate infrastructure and market availability for incoming tourists. The county level is responsible for implementation of a 'safety management system' (*anquan guanli zhidu*, see Art. 5 *gonganbu guanyu jinyibu qianghua gongzuo cuoshi qieshi jia da jin du gonguo lidu de tongzhi*). In 2005, the Jilin Provincial Tourism Administration issued a notice on outbound tourism, which concerned both local border-crossing tourism and international travel (*Jilin sheng lüyou ju guanyu zhuanfa guojia lüyou ju 'guanyu chujing you zutuan she jishi baogao youke zai jingwai fasheng zhilu bu gui wenti de tongzhi' de tongzhi*). In 2007, the administration clarified that tourists must plan their trip either with an organized travel agency or, if they are travelling independently, must stay at least one night and visit two official tourist sights (Art. 3.1, *Jilin sheng lüyou ju Jilin sheng caizheng ting guanyu yinfa 'Jilin sheng rujing lüyou fuchi zijin guanli zhan hang guiding' de tongzhi*). Article 19 of the 2010 Jilin Province Tourism Regulations (*Jilin sheng lüyou tiaoli*) specifically mentions broadening the scheme of 'border tourism' as a development goal. These regulations directly link 'ethnic minority' tourism to the development of the border

area, as the tourist industry 'helps revitalize' the local economy (*Jilin xing renmin zhengfu bangong ting guanyu zhuanfa sheng lüyou ju sheng min wei zhiding de Jilin sheng fuchi shaoshu minzu diqu lüyou ye fazhan yijian de tongzhi*).

Another issue that concerns authorities in border areas of both Jilin and Yunnan is exit gambling, in which Chinese citizens cross the border to a neighbouring country – often informally – to visit a casino touristically (Cheng and Yunling 2011: 65). Gambling is categorically illegal in China. In border areas, however, large industries have profited from Chinese citizens' willingness to cross state borders in order to gamble. In the view of Chinese officials, this gambling activity also 'reinforces the spread of AIDS, drug trafficking and money laundering' (Li and Zheng 2009: 626). The casinos in Myanmar are mostly run by Chinese citizens, while in North Korea they are state-run, according to local sources (interview 22). In 2006, Beijing reinforced a national gambling ban (*Gonganbu guanyu jinyibu qianghua gongzuo cuoshi qieshi jia da jin du gongzuo lidu de tongzhi*), urging local authorities to take vigorous action against illegal gambling. Locally enforced countermeasures included the cutting of electricity to casinos – which often tap into the Chinese power grid from across the border – and the prosecution of casino owners (Reuters 2007). Provincial regulations furthermore prohibit border crossings for gambling purposes (*Jilin sheng lüyou ju guanyu zhuanfa guojia lüyou ju 'guanyu jinzhi chujing lüyou tuandui canyu dubo huodong de guiding' de tongzhi*). It has therefore become more difficult in Yunnan to obtain short-term travel visas if one wants to travel alone. Despite occasional crackdowns, though, these cross-border casino towns continue to play a vital role in the touristic attractiveness of border areas.

In conclusion, border tourism constitutes a legal field that is regulated at the provincial level according to local tourism characteristics. National tourism and visa regulations allow provinces to create local exceptions to incentivize cross-border tourism. However, security concerns, as in the case of exit gambling, are systematically tackled by the central government. Overall, the border tourist is only a visitor to the border, and is not subject to differentiated notions of citizenship; border tourists are Chinese citizens who only temporarily receive an allowance to cross the border. The selective issuance of visas shows how the border regime individualizes the privilege of free mobility, bestowing it to people who can afford to travel with agencies. This legal practice also reflects how carefully security actors manage every section of the border, allowing or prohibiting the freedom of movement depending on whether the cross-border mobility is considered a risk.

Border documents:
– Chinese national ID card (*shenfenzheng*) or passport (*huzhao*) or passport of neighbouring country
– Short-term visa for border travel (*lüyou qianzheng*)
– Business license for travel agency, tour guide certificate, and 'leader license' (*lüxingshe yewu jingying zheng, dayou zheng, lingdui zheng*)

Rationalities of the Chinese Immigration System

The above categories reflect the logic of the border regime. These legal constructs show how the border is governed and also how exceptions to the standard are designed. As Agamben (1998) has stated, the domain of law is established through its legally authorized suspension. The Chinese border regime builds on two forms of legal exception. First, it tries to regulate the irregular through politicizing, criminalizing, and ultimately securitizing 'illegal' immigration. Secondly, it delegates power over specific groups such as border residents and border tourists to local governments. This delegation reflects spatialized legal suspension, allowing for local fixes according to political and cultural realities in peripheral areas. This investigation shows that in order to understand the authority that the border regime exerts, we need to consider not only the legal standard but also its exceptions and local suspension. The border regime creates legal procedures enabling 'wanted' immigrants to navigate various modes of government, while other immigrants are excluded from legislation. A social hierarchy therefore emerges, locating immigrants on a continuum ranging from being desirable/low-risk to unwanted/high-risk. In this way, immigration management becomes risk management, determining who to allow to take part in the national project. The border regime exerts legal authority through issuing and denying identity documents, but gives leeway for exceptions. These exceptions can be local, as with provincial or county-level border documents and immigration schemes, or they can be targeted to specific groups, as in the case of the selective recognition of refugees. Consequently, the Chinese border regime is constantly evolving, with specific selection criteria and immigration procedures varying based on local characteristics. Although the specific local practices may vary, the political decisions that inform these variations follow a consistent logic. The particular rationality that underlies regulations and the management of risk with foreigners builds on historical principles that have long informed laws regarding Chinese citizenship and access to it.

The following sections detail how the Chinese border regime 'involve[s] practices for the production of truth and knowledge' (Dean 2006: 28) by creating and steering specific discourses on 'appropriate' and 'useful' immigration on the one hand versus risk and threat on the other. These discourses legitimize and rationalize immigration practices, shift social borders for specific groups to be included in the nation-building project, and ultimately inform the separation between inside and outside to create a governmentality that produces 'population quality'.

I first discuss how the Chinese border regime prioritizes and orders immigration labels, thereby creating graduated citizenship. Then, I illustrate how the 'desirability' and 'value' of immigrants is informed by a neoliberal notion of 'individual quality'. I find that the Chinese immigration discourse mainly focuses on 'illegal' immigration and high-skilled labour immigration, creating social difference among groups. These discourses are promoted within specific campaigns that construct public awareness on the matter. The official view of 'illegality' as a 'threat' manifests in attempts to assert comprehensive control through a complex set of surveillance techniques and the normalization of mandatory registration for both foreign immigrants and Chinese migrants. Moreover, the decentralized issuance of identity cards, passports, border passes, and their exceptions comprise elements of 'policing at distance' via hierarchical administration, allowing for local autonomy and work-arounds for specific border mobilities. These local exceptions are designed to incorporate immigrants that are 'valuable' to local communities into the Chinese labour market and enhance authorities' reach on both sides of the border. These metaphorical zones and practices of exception ultimately link border politics with a development rationale that emphasizes the 'quality' of individuals as the defining factor in national strength (Jeffreys and Sigley 2009: 14).

Graduated Citizenship: Social Differentiation through Labels

As introduced above, in the absence of a comprehensive immigration law, the Chinese border regime has developed a set of regulations regarding different categories of immigrants such as high-skilled immigrants, refugees, and border residents. These laws are designed and executed differently for each group. Regulations encouraging high-skilled labour immigration have increased over the past decade in concert with a discourse on the Chinese 'search for talent'. To achieve the goal of facilitating high-skilled immigration, the state has institutionalized legal regulations and increased transparency and accountability for those applying within the talent programme. Recent

legislation has made it generally more difficult to apply for non-talent working visas, and low-skilled immigration and asylum processes have been ignored or deliberately omitted from regulations. By politically disregarding these groups, the government indicates that these types of immigration are unwanted. Consequently, the immigration system is based on unequal access. Foreigners' rights and opportunities within the Chinese state and national project depend on whether they match certain criteria. Some groups thereby became marginalized in the official discourse while finding themselves dependent on a non-transparent immigration system. This is especially true for asylum seekers; although they are not illegalized *per se*, the legal and political relationship between the state and the individual refugee remains unclear. While the state maintains a monopoly over immigration by not allowing other (private) actors into the governance process, it creates grey areas that allow for *ad hoc* and individualized decisions rather than systematic procedures. In this way, groups become differentiated not only by their desirability within Chinese society, but also by their legal status.

This social and legal differentiation comprises a system of 'graduated citizenship' that implements a stratification of rights. Access to citizenship is limited *per se*, since foreigners cannot become citizens via the immigration system. Such access is always temporary, as visa and residence permits need to be renewed, allowing control over foreigners to continue. The different rights and processes regulating various foreigners further determine their status within the larger society. The immigration system develops selection criteria in order to legitimize and facilitate different immigration procedures, offering permanent residency and work permits only selectively. Immigrants arriving via the 'talent scheme' can enjoy family reunification and orderly processes as long as they are employed in China. Asylum seekers and other working immigrants cannot rely on these rights.

Within this graduated immigration approach, the category of 'border residents' is paradigmatic as it provides limited access for foreigners and ongoing control for officials over temporary access to China. Border residence permits are available to non-Chinese citizens, allowing limited access to citizenship – that is, residency and work permits. On the one hand, border residents gain a preferential status with additional identification documents and favourable border-crossing procedures. On the other hand, they become increasingly subject to education campaigns and community-based surveillance as local authorities monitor them closely. As I further elaborate in Chapter 6, local authorities apply strategies of legalization to non-Chinese border residents by issuing marriage registrations, work permits, and border passes. However, these non-Chinese citizens do not

have systematic access to Chinese society or state resources. Ultimately, the category of 'border residents' is both practical, as it represents a legal category in Chinese laws and regulations, and symbolic, delegating a perceived responsibility from the central government to local authorities. Border passes constitute a 'boundary object' that identifies the carrier as part of a specific group – the border community – with specific rights and responsibilities that only apply within the border area. These passes are thus simultaneously a symbol of inclusion in the nation-building process and a means of exerting tight control over the carrier within the borderland. Moreover, the issuance of these border passes constitutes a site-specific policy that ultimately creates metaphorical 'sites of exception' from the traditional concept of citizenship.

Bound to the Border: Peripheralization of Immigrants

Through this literal and metaphorical 'sites of exception', the Chinese government reduces the spaces of asylum and immigrants' mobility. This system effectively peripheralizes foreigners in the border areas and locally binds them. With regard to the spatial articulation of authority, research on other countries has similarly shown that states are increasingly creating specific borderland 'corridors' such as camps and spaces of confinement (Jones et al. 2017: 1), which may become disrupted or disaggregated from state law by (violent) border practices (Jones 2012). Mountz (2011: 126) has shown how enforcement camps on remote islands blur the legal authority of states over immigrants, excluding them from their possible right to asylum by relocating the site of control. She argues that these 'sites of exception' constitute a strategy, a 'tactic of migration control' to ultimately reduce spaces of asylum. Vaughan-Williams (2015) argues that EU zones of detention become zoo-like spaces in which irregular migrants face animalized rather than humanitarian treatment. Similarly, van Houtum (2010: 970f.) argues that by issuing black and white lists of countries of origin, the 'border machine' of the EU uses increasingly sophisticated technology to subordinate the individual traveller to the political order, 'dumping' them in a buffer zone of camps at the EU's external border, where their rights are suspended.

'Sites of exception' that allow governments to flexibly 'manage' border mobility takes the form of deportation prisons, transit zones, departure centres (Cuttitta 2010: 32), and refugee camps (Mountz 2011). A prominent example for extraterritorial jurisdiction is the US-established Guantanamo Bay as an extra-legal space for US 'war prisoners' (Kaplan 2005; Reid-Henry 2007). Other examples are offshore island refugee camps such as on Bintan, where asylum

seekers are processed in an unclear legal jurisdiction. Some of Australia's island camps were closed after its High Court ruled their detention practices unconstitutional in April 2016. These places constitute legal exceptions that entail a 'spatial ambiguity' that can go both ways: either foreigners are not handled according to national law, or citizens may be treated as foreigners. McNevin (2014: 305) argues that

> [t]here are numerous precedents, from offshore financial centres to special economic tones, enclaves and colonial concessions, where the disaggregation of territorial space and the outsourcing of certain forms of sovereignty have been justified as being in the interests of bounded nation-states. Nevertheless, in a context where state borders have become sites of intensified governance activity, the creative deployment of state space does suggest a need to think outside territorial norms in order to understand the mechanics of power purporting to defend them.

Similarly, Rajaram and Grundy-Warr (2004: 57f.) conclude regarding externalized refugee camps in Australia, Thailand and Indonesia

> that sovereignty demands an exception in order to cohere itself. In this exception, both marginal and yet so very central to the territorial norm, refugees and irregular migrants are left in conditions of informality and brutality; the state legislates for its own withdrawal from zones of exception or exemption where irregular migrants are consigned and consequently they depend for their lives, livelihood, and dignity on the whims of the state or its auxiliaries, such as the police.

The relocation of these camps is the result of a discourse of fear that irregular migrants would disrupt national unity and therefore must be excluded from the national project – invisible in a social, political, and also territorial sense. I consider these relocations as 'spatial tactics', strategies of peripheralization that allow governments to put people away until they figure out what to do next, in detention and under strict control and surveillance (Mountz et al. 2012).

In the Chinese case, the treatment of foreigners in sites of exception does not constitute a case of extra-judicial conduct, but a site of intensified government activity. It shows how the Chinese border regime uses its periphery to experiment with certain policies while closely monitoring their effects. A selective, temporary, and limited integration and legalization of certain immigrants in the periphery reveals the spatial ambiguity applied

by the central government. While Beijing tries to actively integrate border areas in terms of infrastructural and economic development, the periphery also represents a site of exception. On the one hand, the Chinese border regime produces 'zones of exception' to limit spaces of asylum (both in Yunnan and Jilin), but on the other hand, broadens its citizenship regime by creating 'special border passes' that allow more flexible mobility for foreigners in the border area. In the end, the immigration approach remains ambivalent, with local authorities determining how legality is constituted and only selectively and gradually legalizing some foreigners while leaving others in limbo.

Neoliberal Rationalities of Exceptions: The Wealthy and the Poor

As there is no comprehensive discourse on low-skilled immigration or asylum seekers, the discourse on 'illegal' immigration refers to all kinds of unwanted immigrants, including low-skilled immigrants. It is important to realise that there is no in-between or grey zone in immigration discourse: wanted 'talent' is directly opposed to unwanted 'illegal' immigration. This strict black-and-white approach follows a neoliberal logic: the individual is responsible for having the discipline to become economically more valuable as an immigrant and may eventually choose where to go to best meet their citizenship needs (cf. Mavelli 2018). Accordingly, the Chinese discourse on the 'talent programme' claims that a 'need for human capital' justifies policies that facilitate the hiring of foreign high-skilled workers. As in other countries with high-skilled labour immigration schemes, China's programme is based on the premise that the capitalist value of a person equals their value as a resident. Since applying for citizenship is categorically impossible anyway, this view does not undermine the citizenship concept *per se*, but does rewrite societal principles of belonging to reflect economic measures of desirability.

The Chinese discourse on citizenship and becoming Sinicized builds on the notion of individual 'quality' (*suzhi*). People of 'high' quality are 'autonomous' citizens with the capacity for self-improvement, while 'low' quality people are 'lacking'. The emphasis on self-discipline in this approach is inherently neoliberal. This notion of 'population quality' has even been invoked in debates over Chinese citizens' reproductive rights, as 'low quality' individuals face obstacles to parenthood. The metaphor ultimately links the 'quality' of the individual to national development: only with disciplined, socialized, rich citizens can a nation flourish (Sigley 2009: 558). Chinese citizens are discursively differentiated, as illustrated by the case of 'foreign

wives' in border areas who are valued as mothers of future Chinese citizens but excoriated 'as a social problem and associated […] with "fake marriage, real prostitution", and "the deteriorating quality of the next generation"' (Barabantseva 2015b: 359).

The 'quality' discourse does not discriminate between foreigners and Chinese citizens *per se*. However, it is rooted in a hierarchical society that judges people based on their allegedly objective value for the national project. Hence, citizens as well as immigrants become a 'resource' for national development.

The perceived 'quality' and desirability of immigrants manifests in legal frameworks as well as in the law enforcement practices that facilitate or prevent them from entering. Accordingly, border control and surveillance techniques target specific groups of foreigners. While security actors have been increasingly keen to prevent 'illegal' immigrants from entering or travelling within Chinese territory, they have also worked to prevent legal immigrants from exercising their rights. Huang (2018) for example, demonstrates how the non-transparent and regularly changing enforcement practices targeting African immigrants in Guangzhou are discriminatory, effectively preventing legal immigration. Hence, specific regulations and policing practices target different social groups in order to exclude people defined as poor and unwanted. They institutionalize the underlying political order but also manifest social differences, build social frontiers, and reproduce systems of domination and inequality.

A second neoliberal regulation mechanism present in the Chinese immigration system is the differentiation between tourists and immigrants on financial grounds. This rationality builds on the premise that China's 'harmonious society' and political stability relies upon equal development across the state. Producing equal development relies on the government's ability to allocate resources and predict population development. Beijing sees 'free movement' of immigrants and citizens alike as a challenge, and strictly controls mobility through *hukou* and residence registration and monitoring. For both foreigners and Chinese citizens, the right to freely travel and choose where to reside depends upon their economic performance and 'value' for local communities.

With regard to global migration trends, Guild (2005) argues that an individual's ability to travel reflects larger patterns of exclusion and discrimination targeting poor people unable to leave their country of origin. She argues that states aim to avoid overburdening their social welfare systems by trying to keep poor immigrants outside. As the cost of travel has decreased and the number of migrants has increased, states

have reacted by adding compulsory expenses to specific immigration or travel routes to differentiate between unwanted and wanted migration (Guild 2005: 15). By building fences, border security authorities keep poor refugees from coming in; by issuing preferential visas to certain tourists, the state differentiates among international immigrants. In other words, the difference between tourist and migrant is inherently discriminatory, as migrants' ability to travel reproduces their position within the global economic system.

This neoliberal rationality equally applies to China's immigration schemes. 'Talent' immigration targets well-educated foreigners who are not likely to be a 'burden' to the Chinese social system. These immigrants are treated preferentially, receiving Green Cards that allow for longer residency, free movement within Chinese territory (as long as they locally register their stays), and 'trusted traveller' options when leaving or entering the country. At the same time, the regime excludes low-skilled workers and specifically aims to keep 'risky' foreigners out, either because they are unhealthy or supposedly cannot contribute to the Chinese economy. I further elaborate on local exceptions to the non-integration of low-skilled workers in Chapter 6, arguing that the local exceptions to the national immigration system aim to restrict 'unwanted' immigrants to border communities. When these immigrants gain a quasi-legal status for working or residing on the Chinese side of the border, they are still bound to the county where they registered. They are not allowed to travel or choose their location of residence. Thus, they live within 'zones of exception' at the Chinese border where they are legal. These zones follow a neoliberal rationality as immigrants are integrated to the point where they are 'valuable' for the local community, but lose their status in other locations where their individual 'value' is not recognized. The immigrant's capital is not embodied in them, but assigned by the immigration regime.

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4   Making Border Politics: State Actors & Security in the Chinese Border Regime

Abstract

This chapter elaborates how responsibility over immigration and border management is shared among government levels and how they conceptualise and practice 'security' and 'development' at the border. I depict how border politics are regulated in a decentralised and transnationalised system that emphasises central rule over the immigration system while deliberately allowing leeway for local actors (i.e. local governments and local Public Security Bureaus) to find solutions that are legal, yet, different from standard immigration procedures. The role of local governments as 'scalar managers' both within the security field of border control and within domestic development campaigns is discussed.

Keywords: Yunnan, Jilin, border security, security field, periphery, development

To effectively control cross-border travel, the Chinese government establishes rules and regulations. In the last chapter, I showed how the border regime differentiates between wanted and unwanted mobility, creating a social hierarchy of desirability for immigrants of various backgrounds. This chapter probes the government apparatus that constitutes the institutional and bureaucratic infrastructure enforcing these rules. While the security apparatus aims to punish irregular mobility, the immigration system carefully utilizes technologies of biopolitical control to allow limited circulation and movement. These ambiguous practices ultimately spatialize the power relations between centre and periphery and between government and subjects. The border lockdown that followed the COVID-19 outbreak at the beginning of 2020 provides a crucial illustration. The swift and effective lockdown of specific border areas built on the already dense network of the border security apparatus. The lockdown only constituted a further manifestation of the overall surveillance

state, allowing immigrants (including returning Overseas Chinese) to be labelled a local health threat and thus mandatorily quarantined. In the north-eastern city of Suifenhe, Heilongjiang Province, infection numbers spiked after Chinese citizens returned from Russia, resulting in a local and border lockdown in early April (BBC News 2020). Around the same time, Chinese citizens living in Myanmar tried to travel back to Yunnan despite the local border lockdown established on March 31 (National Health Commission 2020). According to an article by China's government-supported Global Times, because the border city of Lincang was a destination for returning Chinese, a local lockdown had to be instituted in early April (Global Times 2020). At the end of March, border police in Xishuangbanna Prefecture arrested several people for illegally crossing the border (China Daily 2020). Also in March, Reuters reported on people crossing the border into Baise in Guangxi Province, resulting in them being immediately repatriated to Vietnam (Reuters 2020). The security apparatus of border control and police tried to prevent 'imported' COVID-19 cases with increasingly powerful technologies such as drones and facial recognition systems; control also included a grassroots element, with voluntary neighbourhood committees patrolling the border and using informant boxes to anonymously report quarantine breakers. For the first time, building a fence along the Sino-Myanmar border became a political objective (Radio Free Asia 2020). The sudden militarization of the border has had consequences for border residents; quarantine measures have produced hardship as their livelihoods rely on crossing the border. If caught informally crossing, residents violate the quarantine policies and risk losing their border residency status – and with it their privilege of relatively free movement across the border, often their only source of income.

These border lockdowns have been jointly administered by the provincial and prefectural governments, their public security organs and bureaus, and the National Health Commission. Other perceived threats in the context of border mobility, such as smuggling, human trafficking, and 'illegal' immigration and work, are administered by respective policy actors accordingly. Coordination among the different government levels involved is a crucial aspect of policy implementation. Accordingly, policy outcomes and security enforcement strategies vary, not only according to the policy field, but also depending on whether a given locality has securitized a certain issue. For instance, while 'foreign wives' are highly securitized in some localities, other local officials aim to improve their social inclusion. In all cases, however, local public security bureaus' exit and entry administration departments (*gongan jiguan churujing guanli bumen*) serve as the coordinating agency. These departments are responsible for issuing residency permits, enforcing

repatriations, coordinating police actions, and providing pandemic control during COVID-19. This administrative 'decentralization' is generally considered a 'good thing', as according to Thun (2006: 16), it is

> associated with a deepening of democracy and increased political stability. The devolution of political power away from a centralized state creates the opportunity for opposition parties to be incorporated into the political process. Even in cases that do not involve democratization, however, decentralization is believed to increase the quality and flexibility of government policy.

This book argues that local governments in China are able to flexibly design legal pathways for border residency and selectively legalize some groups of migrants, which could be considered 'deepening democratization'. However, the decentralization of policies has not resulted in emancipating these people or integrating them into the national community. Rather, these examples show how context-dependent China's neo-socialist governmentality is and how the security apparatus internalizes spatialized relations of power. The central government functions as a scalar manager that delegates to the local level; local governments then decide on and design specific technologies – disciplinary, biopolitical, or pastoral – to produce a productive, healthy, and socially harmonious border area.

Locating Border Security Control: Externalization/ Internalization

The various forms of authority also manifest in the spatial configurations and organizational structure of border security enforcement. In this section, I scrutinize how border security is organized and how responsibilities are shared among different state actors, the military, and the police. The specific locations where these actors conduct border control become an object of analysis because they represent the geographic extent of the border regime and epitomize the applied technologies of control. I show that border security enforcement does not only include border checkpoints and the prevention of 'illegal' border crossings, smuggling, and trafficking; it also encompasses a wide range of government strategies such as sending development aid to neighbouring countries to keep immigrants from migrating in the first place (externalization of the border security), as well as population management tools targeting the border population (internalization of border security).

Regarding enforcement strategies, Bigo (2001) states that the spheres of influence of border agents have traditionally been separated, in that the military operates outside a state's territory while the police operate within it. These spheres of internal and external security, however, appear to have merged, especially in terms of immigration enforcement (Bigo 2001: 91). To illustrate this convergence, Bigo builds on Agamben by making use of the image of a Möbius strip whose inside and outside are not clearly separable, creating a 'zone of indistinction' (Vaughan-Williams 2009: 101). Bigo sees security as a 'boundary function' that is increasingly challenged by international organized crime, intrastate conflicts, and migration chains.[1] Immigration, especially illegal, poses a much-cited 'threat' to the normative order of many states as it changes the form and meaning of the border and sometimes directly challenges the existing order. Bigo (2001: 93) states that

> the dividing line, which has long been porous, between the forces in charge of security within territory (i.e., police forces) and those responsible for defending the territory itself (i.e., military people), is now becoming more and more uncertain, that the border of the state is at the symbolic level, a powerful boundary, less than before.

Hence, his analysis focuses not on the geographic location of the border, but on the 'physical state frontier'. As both the 'symbolic frontier and an administrative demarcation', the border determines where the power of the state is applied and where it stops, and locks up identities in specific forms by marking citizens as distinct from foreigners (Bigo 2001: 101). It guides 'the social practices of surveillance and the control of people and resources' (ibid.). By examining these different practices of control in the European Union (EU), Bigo (2014) finds that the formerly clear distinction between inside (police) and outside (military) security is no longer valid; as the two spheres have merged through democratization and Europe-anization, security has become dependent on networks and agreements between countries, private companies, and various security agencies (Bigo 2001: 105). In the case of migration, security has become transnationalized (Bigo 2008: 11ff.) and the fact that police handle migration matters – rather

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1   The notion of national security depends on how the economic, political, ecological, and societal sectors are secured and defended by different actors. Thus, the border itself no longer performs a securing function; rather, by analysing security actors in both internal and external spheres along with their varied repertoires of actions and technologies, we can uncover the security practices that reflect the state's underlying political rationality.

than the military, which formerly handled external affairs – has become normalized (Bigo 2005: 83). Similarly, as security agents increasingly perform outside their traditional spheres, new security techniques have emerged in international peacekeeping and internal military operations. The visibility of 'the enemy' has simultaneously become more complicated: they are no longer by definition on the disordered outside of the state, but could lurk within (Bigo 2001: 107). The border thus becomes multiplied through 'internal fragmentation'.

However, I argue that in the Chinese case, rather than truly fragmenting, the border regime intentionally designs graduated zones of sovereignty. In this chapter, I show that the de-centralized state apparatus deploys border security actors and that the (formerly) separated spheres are not equally differentiated. Rather, the complex web of responsibilities shared vertically among different security actors produces internal boundaries.

Investigating the interpenetration of internal and external security and their accompanying capacities and strategies is important in conceptualizing the different zones of mobility regulation. By analysing how traditional distinctions between internal and external securities blur, we better understand how the border functions. I agree with Bigo's notion of the multiplication of the border as it becomes manifested in security discourses and practices. But the border is more than a security function – it is also a *method of social control*: the regulation and control of mobility reflects and reproduces power relations. My understanding of the border regime builds on Bigo's work, but I further develop the notion of 'security spheres'; I not only focus on the interpenetration of the two formerly distinct spheres, but also define a spectrum of graduated zones in which security as well as political practices are differentiated. Border security agents are central in the analysis as they function as 'policy translators' (Côté-Boucher et al. 2014: 198f.), and their location within the border process is important. Moreover, my analysis accounts for the border complex that encompasses the whole policy-making process and how the regime implements security on the border crosser.

Overall, the selection function of the border is a method of social control. I approach the assumption that border control is a way to 'solve' immigration policies (Bigo 2005: 54) by drawing on a Foucauldian model of population management through surveillance and other security practices of control. I elaborate on several key questions in the next pages: How are power relations constituted between government and subject? How is power over subjects enforced through selection criteria? What other forms of power and control are embedded in the bordering process? What do the concrete techniques of surveillance and control as well as their location and their form represent?

My first argument is that in modern border regimes, profiling a person's individual identity has become a key element in how the security apparatus aims to regulate that individual's mobility. Depending on the individual's country of origin, passport, or skin colour (Pratt and Thompson 2008; Schwarz 2016), different strategies of control will be applied. A basic distinction applies between citizens and non-citizens: While the freedom of movement for a state's own citizens is relatively 'normalized', extraordinary control is enforced over people that may be considered 'threats'.[2] Further distinctions depend on how other discourses on 'others' translate into the differentiated treatment of wanted and unwanted people. As regulations and policing practices target specific groups and try to exclude people defined as poor and unwanted, they both institutionalize the underlying political order and manifest social differences, building social frontiers that reproduce systems of domination and inequality. Foucault's principle regarding the 'equality of all under surveillance' no longer applies in these modern border regimes, which implement neoliberal strategies that prioritize global mobility to improve national markets while increasing the regulation of 'unqualified' and hence unwanted immigrants. Instead, as Bauman (1998) has noted, the freedom of movement applies only for some privileged people and the right to move for economic gain is limited to those who already possess advantages. Baumann further argues that globalization has produced an inequality 'between those people who can live globally and those who are anchored in their localities' (Bigo and Guild 2005a: 3).

I apply this understanding in my analysis by scrutinizing the selected technologies of control over different groups of immigrants and citizens. In analysing the differentiated approach to mobility control, I show how the border regime exerts authority and manifests a social hierarchy. This hierarchy both builds on underlying notions of population and nation and is reinforced by the economic 'value' the individual immigrant is deemed to have within the national project. To Bigo (2005: 78), discourses on 'Sieve Europe' and 'Fortress Europe' are historically constructed and yet politically impossible because they are associated with obsolete practices like closing the border against invasion. However, these security discourses are not

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2   In a similar fashion, other literature calls this a 'liberal paradox' that describes the dilemma of democratic governments when they deny immigrants equal liberal rights (e.g. of freedom of movement) as those that it grants its citizens (see, for instance, Bigo 2005: 56; Buckel et al. 2014: 30). Democratic states that rely on liberal ethics and promote norms like free movement and global mobility get caught in a dilemma when their 'interest in selective control over entry collides with the individual rights of immigrants to which the very same state is bound' (Mau et al. 2009: 22). Here, the state's objectives of national security and human rights conflict (ibid.: 24).

purely symbolic but need to be seen in the context of practices of control that can be regarded as the result of norm conflicts – for instance, in the case of the EU, liberal norms of free movement conflicting with control over the movement of unwanted/illegal migrants. Within this process of exclusion, the act of labelling and selectively putting people into identity categories plays a crucial role. Guild (2005) argues that these categories are closely associated with the economic value of an immigrant and the gain or 'threat' they would pose to the welfare state they seek to enter (Guild 2005: 15). For instance, the European legal framework introduces four major categories for migration: visitor/tourist, labour migrant, family member, and asylum seeker. These are subdivided into separate measures for European Community nationals and third-country nationals (Guild 2005: 16). Depending on their financial means, labour migrants have various opportunities to obtain a lawyer or get a job that may eventually allow them to reunite with family; the poor asylum seeker, on the other hand, is excluded from all the benefits of the welfare state (Guild 2005: 41). These fixed categories also have a discursive implication as they construct identities and affect perceptions of otherness, belonging, and discrimination. The political discourse defines each migrant's value for the host society, whether it is a *sans papier* who is made illegal *per se* by the immigration system, or an immigrant who is associated with criminal activity by entering illegally, or an expatriate or guest worker who is thought to contribute to society.

A second line of argumentation in the border regime debate revolves around the discourse on regular and irregular immigration. The framing of different types of immigration is crucial in how the discourse negotiates economic and cultural arguments: Can a migrant be culturally 'valuable' if they are economically 'unproductive'? Often these discourses are incoherent and ambivalent. In many cases, securitarian discourses overlook the demographic and economic benefits of immigration and emphasize the 'threat of illegal immigration' to social stability and economic justice (Tsoukala 2005: 162). Immigrants are thus collectively constructed as a 'social enemy', with certain groups (e.g. low-skilled immigrants) particularly targeted while others (e.g. high-skilled immigrants) are welcomed. This securitization should not be understood as a linear process, but as a result of the politicization and marginalization of immigrants within a discourse that links immigration with crime. Moreover, this securitization focuses on how the (low) social quality of incoming migrants subverts the (high) social quality of the internal population, and reflects fears of demographic imbalances, foreign domination, and super-alienation as immigrants have more children (Tsoukala 2005: 170).

These discourses do not only 'other' foreigners but also differentiate between people from the 'core' of the nation and people from the 'margins'. Border area residents, for instance, are often constructed as 'people from the margins' who are not at the heart of the national project. In some cases, they are regarded as being 'primitive' in contrast to 'civilized' people from the nation's centre. This narrative has been studied in various places, including in the uplands of Malaysia (Toyota 2007) and in reference to 'population security' concerns raised by foreign wives in the Sino-Vietnamese border-lands (Barabantseva 2015b). Horstmann (2007) has also explored how this discourse criminalizes Pattani people as second-class citizens in Thailand's border areas finding that they are identified with sex work, the drug and weapons trade, and communal violence.

By discursively criminalizing migrants, the immigrant's rights get revoked, often resulting in structural discriminatory practices that further facilitate their economic exploitation. In the EU, some authors argue that migration issues have been integrated into border security discourses to 'the extent that migration policies are effectively being securitized, and that similarly discursive, illegal migrants are being criminalized' (Pijpers 2011: 420f., see also Huysmans 2000). Within global labour circulation, migrants are the victims of economic development in core areas that always require labourers from outside or from the periphery (Gidwani and Sivaramakrishnan 2003). Sassen (1988: 36f.) emphasizes the role of selective border policy enforcement in criminalization and, hence, exploitation:

> National boundaries are one way of facilitating international specialization and higher returns on accumulated capital, including human capital. [...] Border enforcement is a mechanism facilitating the extraction of cheap labour by assigning criminal status to a segment of the working class — illegal immigrants. Foreign workers undermine a nation's working class when the state renders foreigners socially and politically powerless. At the same time, border enforcement meets the demands of organized labour in the labour-receiving country insofar as it presumes to protect native workers. Yet selective enforcement of policies can circumvent general border policies and protect the interests of economic sectors relying on immigration labour. This points out the contradictory role of the state in the accumulation process, especially evident in the consolidation of the liberal state.

I argue that the internalization of border control compensates for a perceived security deficit, since the border cannot be effectively closed against unwanted immigration. The extension of border controls allows for sustainable

control over specific groups of migrants by creating a second or third barrier behind the actual borderline. The border zone thus becomes extended into the territory, with each line filtering out irregular or unwanted mobilities. Ultimately, this 'zoning activity' of externalization and internalization creates different sites of mobility regulation that increase the effectiveness of border control. We can thus define a spectrum of spatial bordering zones differentiated by security as well as political practices. New forms of 'policing (at distance)' have evolved, delocalizing the locus of controls from the border in order to create new social frontiers both inside and outside the state's territory (Bigo and Guild 2005a: 1). The relocation of border controls aims to preserve the 'myth of the fortified border' – that the government and its security agents could close the border at any time. The state tries to emphasize that the porous border is not the result of a structural fault or the 'incompetence' of security agents, but rather that it results 'from the incoherence and the ambivalence of the very discourse on the need to adopt compensatory measures to the "security deficit" that would be provoked by the abolition of internal controls within the EU' (Tsoukala 2005: 162).

As a consequence, security agents have begun governing their frontiers abroad, at the point where migrants start their journey (Bigo and Guild 2005b: 233), thereby externalizing border controls beyond their territory. Border security agents are central to the analysis as they allow us to locate key sites and function as 'policy translators' (Côté-Boucher et al. 2014: 198f.). Security agents operate in various scales, while international networks and private organizations further blur the inside/outside dichotomy, effectively transnationalizing security (Bigo 2008: 11ff.). Joint border security operations, such as within the Greater Mekong Subregion (GMS, Chapter 5), allow policy-makers to apply extraordinary resources and measures to keep 'threats' outside their territory and deal with problems where they emerge. Similarly, states that support development aid projects abroad, such as humanitarian assistance in migrants' countries of origin, aim to prevent migrations. These projects seek to reduce the number of people deciding to leave their home country by increasing the income of farmers in 'underdeveloped' areas or by providing jobs. Both types of externalization involve a relocation of resources beyond the national territory in order to regulate mobility before it even gets to the actual border (Buckel et al. 2014: 39f.). The European border agency Frontex comprises a different example. In the EU, border control is located outside the national jurisdictions of member states, allowing European policy-makers to apply extraordinary resources and utilize their own security agents to keep 'threats' outside of EU territory. Marchetti (2010) argues that Frontex in fact functions as 'preventive refoulement'

that keeps African refugees from reaching European and Italian territory. This externalization of border security brings new actors in, becoming internationalized and further blurring the line between internal and external security (Bigo 2001: 103–106). It is not a question of either national or external border controls, but an ongoing process of 'softening' national border controls while 'hardening' external border controls. Analysing Spain's role in the externalization of the EU border, Casas, Cobarrubias and Pickles (2011: 87) argue that

> following the border externalization logic provides a more complex window into how processes of transnationalization are creating new regimes of governance that both facilitate and shut down movement and mobility in precise ways. At the same time, border policy becomes a field occupied by a myriad of actors with at times distinct or even conflicting goals, thus highlighting this transnationalization as a contested site.

Ultimately, governments take border control – and hence the border itself – to the migration route, spatially externalizing power wherever an ordering of population seems necessary.

These examples of externalization involve a relocation of resources beyond the national territory in order to regulate mobility before it meets the actual border. By looking at the localities where border controls take place and what kind of cooperation frameworks exist, we can analyse the different nodes of the border regime and its underlying power structure (Buckel et al. 2014: 39f.).

State Configurations in Border Politics

China's authoritarian system is characterized foremost by the Chinese Communist Party (CCP), whose organizational structure connects all government levels and centrally guides state ideology. However, while policy design and legislation come from the central government, the political structure is administratively and fiscally de-centralized at the level of implementation. The local state plays a particularly important role in implementing policies regarding immigration, labour, and development (Landry 2008). Indeed, local governments are foreign policy actors responsible for establishing cross-border liaison mechanisms, a situation which transnationalizes the local state space. Security actors that share responsibilities within the border regime include the Ministry of Public

Table 5   Different policy fields within immigration system

Exit and Entry Administration Law of PRC (2012) — Regulations of PRC on Administration of the Entry and Exit of Foreign Nationals (2013)	Entry and Residency	Opinions on Strengthening the Administration of Permanent Residence Services for Foreign Nationals (General Office of the CPC Central Committee & General Office of the State Council 2016)
		Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China (Organization Department of the CPC Central Committee, MoHRSS, MoPS + 22 other departments 2012)
		Measures for the Administration of Examination and Approval of Foreigners' Permanent Residence in China (MoPS & MoFA 2004)
		Working Rules on Visas and Residence Permits for Foreigners (MoPS 2004)
	Employment	Issues Concerning Allowing Outstanding Foreign University Graduates to Be Employed in China (MoHRSS, MoFA, MoE 2017)
		Service Guide for the Permit for Foreigners Working in China (for Trial Implementation) (SAFEA 2017)
		Comprehensively Implementing the Work Permit System for Foreigners in China (SAFEA, MoHRSS, MoFA, and MoPS 2017)
		Provisions on the Employment of Foreigners in China (MoHRSS 2011 Amendment)
		Interim Measures for the Participation in Social Insurance of Foreigners Employed in China (MoHRSS 2011)
	Social Welfare	Tentative Measures of the State Education Commission of the People's Republic of China for Administration on Establishment of Schools for Children of Foreign Personnel (MoE, revised 2010)
	Special Policies for Highly-Skilled Migrants	Relevant Matters concerning the Handling of Visas and Residence Formalities for High-Level Foreign Talents (General Offices of the Organization Department of the CPC Central Committee, MoHRSS, MoFA, MoPS, SAFEA 2013)
		Some Opinions of the Ministry of Education on Further Strengthening the Absorption of Excellent People with Overseas Educational Background (MoE 2007)
		Guiding Opinions on the Definition of High-level Talents Having Studied Abroad in the Introduction Work of Talents Having Studied Abroad (Ministry of Personnel, MoE, MoST, MoF 2005)
		Some Opinions on Encouraging Those Having Studied Abroad to Render Their Services to the Motherland in Multi-ways (Ministry of Personnel, MoE, MoST, MoPS, MoF 2001)*

*   Within categories based on Liu (2015a: 5), the listed policy papers are not complete but exemplary for the different fields.

Security (MoPS), the Ministry of Foreign Affairs (MoFA), and their respective sub-organizations (Exit and Entry Administrations, local Public Security Bureaus, and Border Control Groups). This is explained in detail in the

following section, 4.2. Section 4.3 further illustrates the structure of the state, first asking how coherent the legislative body of the Chinese border regime is, then discussing the role of the local state and other actors within the border regime.

Previous chapters have discussed the institutional reforms that led to the reforming of the Exit and Entry Administration Law (EEL) by the National People's Congress (NPC). Such 'parliamentary' approvals by the NPC, however, come rather late in the decision-making process. Policies are designed and deliberated within the Politburo's Standing Committee of the CCP and the State Council. Most committee members also serve as ministers or head Central Small Leading Groups (*lingdao xiaozu*) or State Administrations on the national level. Various central state agencies are relevant to the regulation of border mobility (see Appendix A and B for the institutional architecture across government levels):

–   The National Development and Reform Commission (NDRC) designs development agendas that set goals for national development, specifically addressing the Western peripheries. The NDRC designed the institutional and legal architecture that underlies the preferential policies and 'bridgehead' strategies in border areas.
–   The Ministry of Foreign Affairs (MoFA) is responsible for establishing border-related agreements and treaties with neighbouring countries. It is also responsible for organizing embassies and consulates that issue visas abroad.
–   The Ministry of Commerce (MoC) is responsible for issuing tax regulations and collecting customs in border trade.
–   The Ministry of Human Resources and Social Security (MoHRSS) controls social benefits for foreigners in China; local bureaus issue work permits for (regularly working) foreigners.
–   The State Administration of Foreign Experts Affairs designs specific policies targeted at high-skilled workers and issues their working permits.
–   The State Tourism Administration is responsible for planning and regulating key tourist areas and the associated industry.
–   The Ministry of National Defence (MND) and the Ministry of Public Security (MoPS) share responsibilities for organizing border control and securing the border against national security threats either internally or externally. The MoPS also organizes immigration control by maintaining the Public Security Bureaus and the Bureaus for Exit and Entry. The National Immigration Administration, established in 2018, works under the MoPS.

Inter-ministerial communication and cooperation are well-established, as can be seen in the joint issuing of statements and opinions; relevant ministries are consulted when necessary on labour, transport, or finance issues. The ministries and administrations contain sub-national bureaus such as provincial Development and Reform Commissions, Foreign Affairs Offices, Divisions of the Bureau of Exit and Entry Administration, and Departments of Commerce. On the local level, prefectural governments are institutionally supported by the Public Security Bureaus. Local bureaucracies are responsible for locally implementing policies; in autonomous areas, local officials also draft 'local autonomous legislation in the form of autonomous regulations (*zizhi tiaoli*), specific regulations (*danxing tiaoli*), modifying regulations (*biantong guiding*) and supplemental regulations (*buchong guiding*)' (Kaup 2018: 9).

The literature on Chinese policy-making has increasingly acknowledged the importance of local actors; this 'subnational turn' has emphasized how analysing local policy implementation can be more informative than focusing on national-level variables (Rithmire 2014: 166). Provincial and subordinated governments are responsible for coordinating and implementing central policies according to local characteristics, which often exposes divergent interests between central and local levels and leaves the mark of local priorities on the execution of central policy priorities and national programmes.[3]

China's governance structure is fragmented by function as well as by rank. This fragmentation along vertical and horizontal lines (*tiao-tiao kuaikuai*) regularly leads to conflicts, as binding orders cannot be issued across separate units; for instance, a central ministry cannot direct provincial governments, but only the subordinate central bureaus which it controls (Liebenthal 1997). Local governments follow various strategies when implementing central directives. These logics strongly depend on incentives and flexibility extended by higher levels, which are institutionalized in a cadre management system that allows for the monitoring of lower-level agents (Edin 2003). These strategies, however, are not simple responses to central incentives but reflect sub-national authorities' 'long political and economic histories and distinct institutional structures' (Thun 2006: 17). In some cases, competitive behaviour emerges between parallel units of the same level. As part of this competition to

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3   China's multi-level administration system basically consists of the central (*zhongyang*), provincial (*shengji*), prefectural or county (*xianji*), and township or village (*xiangzhen*) governments (Heberer (2008: 67)).

successfully implement policies, local states cooperate with other actors, producing forms of what has been variously called 'local corporatism' (Oi 1992), 'local corporationism' (Lieberthal 1997: 5), and the establishment of regional innovation systems (Rithmire 2014: 174). Local governments thus possess relative autonomy over policy implementation in certain fields, encouraging experimentation and effectiveness yet operating under strict fiscal regulation and pressure to deliver 'good' outputs that satisfy cadre evaluators (Ahlers and Schubert 2014: 392). The central government's rather vaguely formulated policies leave room for interpretation and negotiation between central and local agendas and priorities (Holbig 2004: 335–336).

The success of a policy is directly tied to the allocation of fiscal and other resources to affected localities, which in many cases is subject to negotiation between local and central governments. In negotiations related to border politics, localities that are close to the border and host large cross-border ethnic groups have considerable bargaining power for resources. These localities are very important both to domestic development strategies that aim to develop border areas and to China's 'good neighbourhood' policy in which they function as bridges to neighbouring countries. Provincial leaders play a crucial role in border politics as they interpret central objectives for national development and set policy agendas for their province; likewise, they directly promote provincial interests abroad and in multilateral organizations such as the Greater Mekong Subregion (GMS) and the Greater Tumen Initiative (GTI). The performance of provincial authorities is evaluated by the central government based on the province's economic outcomes, political and social stability, and other soft factors. Accordingly, leaders of border provinces are eager to leverage their relative geostrategic advantage and develop international economic exchange. Township and county governments can similarly use their geographic location to develop cross-border energy, trade, and labour relations. In doing so, local cadres must carefully manage social stability and economic performance, which are key policies or 'veto targets' (*yipiao foujue*) according to which they are personally evaluated within the cadre management system (Edin 2003). If they fail to maintain social stability, their overall evaluation fails and they do not get promoted (Ong 2012: 78). Successful local cadres and provincial personnel can keep their positions or are promoted. For example, after the successful management of the Kokang 'incident' in 2009, Yunnan's Party Secretary Bai Enpei stayed in his position, while Xinjiang's Party Secretary Wang Lequan was demoted for not 'adequately' handling violent incidents in Xinjiang in 2010 (Branigan 2010).

Such incentives and disciplinary measures encourage provincial and local leaders to prioritize 'veto targets' while creatively finding local solutions for other central directives.

Local authorities are pivotal in negotiating bilateral agreements with neighbouring countries, as they are responsible for creating a 'liaison system' (*lianxi zhidu*) or 'reciprocal contact mechanism' (*duideng lianxi jizhi*). On the Chinese side, the responsible administrative levels are provincial, autonomous region, county, or township governments. These actors directly communicate with their cross-border counterparts, implement border management according to central directives, and regulate border crossings and enforce border control (see Art. 7 of the 2011 agreement with Laos, Art. 3 of the 1997 bilateral agreement with Myanmar). In this way, implementation and enforcement are shared between public security actors and local governments.

Direct communication among local border authorities is particularly important in the context of responses to natural disasters like floods or fires. During my fieldwork, I witnessed public perceptions of how Chinese security personnel handled a flood along the the Democratic People's Republic of Korea (DPRK) border in August 2015. According to local sources, security forces crossed the border to 'rescue' Chinese citizens after heavy rain flooded the Tumen River and made roads impassable. This kind of cross-border security action could be interpreted as a breach of the territorial sovereignty of the 'invaded' side. However, due to reciprocal communication mechanisms, such operations occur in consultation with the cross-border counterpart and are in fact tolerated. In this case, local authorities quasi-autonomously functioned as foreign policy actors mediating a crisis. China's National Emergency Response Law of 2007 (*Zhonghua renmin gongheguo tu fa shijian yingdui fa*) states that county-level governments are responsible for preparing for emergencies according to local conditions and must accordingly communicate with other non-governmental actors such as companies to prevent disasters and facilitate emergency response (Art. 17). Though this law does not mention border issues, cross-border cooperation is nevertheless institutionalized in the Yunnan Border Management Regulations. In terms of disaster relief, county governments are responsible for setting up agreements with neighbouring governments to allow Chinese security agents to cross the border to evacuate Chinese citizens in case of floods, fires or earthquakes (Yunnan Border Management Regulations, Art. 18). Similarly, the 1986 'Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in Border Areas' with the DPRK states in Art. 1.1. that both sides should cooperate in cases of disaster relief.

As demonstrated above, border policies promulgated by the central state apparatus are decentralized in their implementation. The legal processes regarding immigration are firmly in the hands of state actors; intermediary non-state actors that support individual visa applications, such as private student exchange agencies, sponsors for immigrants, labour market test schemes, and private security forces in surveillance or enforcement, play only minor roles (Bork-Hüffer and Yuan 2014: 577).

Local cadres in border prefectures and townships need to carefully navigate many different policies and relationships. National development policies are processed through provincial governments, which then assign priorities for local officials to carry out. Cadres must also monitor local demographics and communicate with local Public Security Bureaus (interview 30, 32). As mentioned above, they directly communicate with their cross-border counterparts and are responsible for establishing liaison systems. In addition, they are required to establish relations with local entrepreneurs. As part of the national border development agenda, private and state-owned companies have increasingly moved to border areas; local officials must manage labour availability, in many cases involving cross-border migration, in order to supply these new employers with a cheap and reliable workforce. Local authorities are responsible for maintaining order while facing the manifold challenges of reconciling their own priorities with national policy directives and regional initiatives. They must simultaneously secure the borders while keeping them permeable, and at once must follow central directives while creating strategic opportunities within a dynamically changing regional order. Local border governments find creative solutions adjusted to local characteristics: experimental zones such as Open Test Areas (*shiyanqu*), border towns (*bianjing chengshi*), Border Economic Cooperation Zones (*jingji hezuo qu*), and border ports (*yanbian guojia ji kouan*) have been introduced.[4] In Chapter 6, I will further show how local governments develop individual strategies to develop their localities and 'manage' their subjects, for instance by legalizing immigrants from the close border area for the purposes of work, residence, and marriage. These solutions are in line with the overall Chinese immigration system and Chinese laws yet constitute local exceptions. In this way, local governments differentiate between 'sovereignty' and 'territoriality'

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4   Central Committee, State Council of the People's Republic of China (2016): *Youguan bumen fuze ren jiu 'guowuyuan guanyu zhichi yanbian zhongdian diqu kaifa kaifang ruogan zhengce cuoshi de yijian' jieshou zhongyang zhuliu meiti caifang* [The Heads of the Relevant Departments Accepted the Central Committee's Mainstream Media Interview on the Opinions of the State Council on Some Policy Measures to Support the Development and Opening of Key Sites along the Border].

as their integration practices multiply Chinese border politics within and beyond Chinese territory. These local exceptions show how the Chinese state 'governs at a distance'. The Chinese immigration system builds on a norm of strict control and disciplinary power rather than free movement, requiring registration and surveillance of foreigners travelling or residing in China. This approach is not suspended in border communities, but translates into distinct treatment of areas seen as potential threats versus those that create opportunities for connections with neighbouring economies. Local border governments exert extraordinary control, as demonstrated by the exceptions to central immigration policy that they grant for low-skilled immigrant workers. Local officials are thus central to border politics, acting as the pivot for understanding how laws are applied in the border region, how exceptions arise, and how the irregular is regulated.

Defending the Border: Security Enforcement

The Chinese White Paper on National Defence in 2010 (Information Office of the State Council of the People's Republic of China 2011) links 'safeguarding national sovereignty' to territorial integrity and national development. It states that 'China's national defence is tasked to guard against and resist aggression, defend the security of China's lands, inland waters, territorial waters and airspace, safeguard its maritime rights and interests'; yet 'national defence is both subordinate to and in service of the country's development and security strategies'. The triangular connection among sovereignty, development, and territorial integrity builds the foundation for the Chinese notion of national security, and border defence policies have to be analysed within this context.[5]

Fravel (2007: 708) argues that Chinese military border security doctrine reflects a 'defensive' stance and that a 'key source of this defensive orientation is the persistent threat of ethnic unrest within its vast frontier regions, unrest which can become a locus of conflict with neighbours or attract foreign intervention'. He further argues that external and internal security are historically linked: 'In Chinese military thought, the concept of frontier

5   Carla Freeman (2010) mentions an essay by a former PLA commander that describes the Chinese concept of the 'five borders' including 'using politics to make the border safe, enriching the people to make the borders flourish, having the military strengthen the borders, using diplomacy to make the borders friendly, and using science and technology to control the border' (Freeman 2010: 140). Though I have not been able to find the original essay, this quote demonstrates how entwined border security is with political and economic development.

defence, or *bianfang*, includes more than just border defence. It also encompasses the internal political stability of China's frontier regions (*bianjiang*), especially the absence of ethnic unrest, in addition to the protection of borders (*bianjing*) from external aggression' (Fravel 2007: 719f.). In the case of China, the border is thus not necessarily the delineating line between internal and external threats or between the different security actors dealing with such threats. Bigo (2014) found (for the EU) that the formerly clear distinction between internal (police) and external (military) security is no longer valid, but that the two spheres have merged. He observes that managing migration has become part of the transnationalized security field, involving various security agencies across different levels of government (Bigo 2008: 11ff.). This has normalized the fact that police, rather than the military, handle migration (Bigo 2005: 83). I argue that the specific ways in which China deploys its security forces and divides responsibilities within its border regime results in a multiplication of the border. In other states, such border multiplication is often a result of changing threat perceptions, for instance seeing the enemy as no longer being on the outside but on the inside as well. In China, this multiplication is inherent to the state's understanding of its border security. Accordingly, section 4.2.1 first shows how the organizational structure linking Chinese border security actors indicates internal fragmentation through hierarchical implementation; various armed forces share responsibility and do not follow a strict internal/external differentiation. In section 4.2.2, I then reflect on whether the 'myth' of the fortified border holds against my first-hand experiences during field research and describe *de facto* local border control practices and border porousness.

Sharing Responsibility among Security Actors: PLA, PAP, BCG and Joint Border Control

In order to understand the spatial articulation of the nation state, it is crucial to investigate how the border regime secures against unwanted immigration and possible territorial threats. Border security enforcement represents how the state manages the porous membrane that surrounds it. Identifying border security actors, their geographical scope of action, and their organizational and legal background offers insight into how the government understands the inside/outside interplay. This section therefore probes the organizational superstructure of the Chinese security field, focusing especially on the geographical positioning of the various internal, external, and transnational actors within the border regime. I aim to map

the 'social space' of the security field, 'constructed from the differentiated positions of the agents of security' (Bigo 2000: 196).

Historically, the control and regulation of exit, entry, and travel of foreigners has been divided between the MoFA, dealing with issues outside Chinese territory, and the MoPS, operating within Chinese territory (Fravel 2007: 728). These ministries have subordinate entities on the provincial and local levels which are responsible for the local implementation and enforcement of central policies. Responsibilities over actual border controls are also divided: the MoFA is responsible for extraterritorial border controls and transnational cooperation on border security, as within the joint Mekong River Patrol, whereas the MoPS is responsible for internal border checks and the repatriation of illegal immigrants. With regard to security enforcement, administration of border areas is split among the People's Liberation Army (PLA), the People's Armed Police (PAP), and (until 2018) Special Border Control Groups (BCG, *gongan bianfang budui*) operating under the PAP (see Figure 6). These security actors share jurisdiction depending on the administrative level of a given border gate, port, airport, or checkpoint (Liu 2011: 18). All border defence actors are obligated to safeguard national territory against terrorist violence, (cross-border) riots or rebellions (*saoluan baoluan shijian*), and illegal flows of immigration (Fravel 2007: 715). In 2003, the Central Military Commission transferred control of both the Myanmar and the North Korean border from the PAP to the PLA as part of a restructuring of the security forces (Fravel 2007: 728). This increased militarization followed discussions about corruption in the PAP and a rising awareness of political tensions across these borders (Freeman and Thompson 2011: 42). However, this administrative division of border agents had again been reformed as part of a comprehensive institutional reform in 2018 (CCP 2018). Since then, securing cross-border mobility has become recentralized under PLA responsibility. Before, the BCGs had constituted a highly professionalized border agency, well-trained for specific risks such as human trafficking and drug smuggling. They were selectively deployed in specific border areas that were considered potentially vulnerable and further specifically concerned with the 'fight against the three evils' (Yang 2015).

In order to understand the specific spatial configuration of the border regime, I illustrate how the different lines of defence are conceptualized. Instead of imagining the border as a single line of fortification against another country, the Chinese security concept draws differentiated lines of control (see Figure 4). This three-line control imaginary is part of the official security concept and has become internalized as an ideological

guiding principle for border security enforcement.[6] To my understanding, the different lines represent spheres in which different security actors are deployed and apply distinct technologies of control. The geographic area that is most strictly controlled by security actors is the 'first line' (*yixian*), referring to the international border. In order to defend the first line, mostly lightly armed infantry are stationed several kilometres behind the international frontier. These troops are responsible for immigration control, port security, conducting counter-intelligence operations, preventing separatist and terrorist incidents, enforcing laws internally, inspecting border infrastructure, and – in war time – defending the first line of the border (Fravel 2007: 727). A second line of border control extends into the interior, where permanent internal control sites are located along major roads leading from the border; mobile BCG units also enforce controls by searching cars or buses for illegal smuggling or entrance and checking IDs. The third line of control – conceptually, in-between the first and second lines – comprises more subtle strategies that are not associated with actual physical controls. The whole border area and its residents, immigrants, travellers, and workers are subject to this sphere of control. The third line utilizes population management and disciplinary practices to comprehensively control the border area. One such tactic involves ideological work such as producing informational material on 'appropriate' behaviour in the border area. Another strategy comprises state surveillance and control over the health, reproduction, and organization of the population (biopower) by keeping tabs on marriages with 'foreign wives', tracking HIV infections, and maintaining the ubiquitous *hukou* household registration system. These third-line techniques are not enforced by security actors but are the result of various policies targeting development and stability in the border area. Depicting border security along these three lines illustrates how border security radiates from the international border into the interior, multiplying into various holistic strategies to control the border area. This section focuses on the first and second lines of control and the responsible security actors.

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6   This three-line imaginary even filtered into Xishuangbanna Autonomous Prefecture's local propaganda in response to the COVID-19 pandemic. Matching pandemic prevention measures with party ideology, this Yunnan border prefecture designed a concept of 'three lines of defence' (*san dao fangxian*) against the spread of COVID-19. The first line of defence consists of border checkpoints, airports, and train stations where officials can take the temperature of travellers. The second line of control is supposed to be at the grassroots level, where self-controlling residents enforce grid-style social management in every neighbourhood. The third line of control consists of newly built hospitals and quarantine zones for infected people (Yunnan News 2020).

Figure 4   Model of Chinese border defence lines

First line of control

China

Second line of control
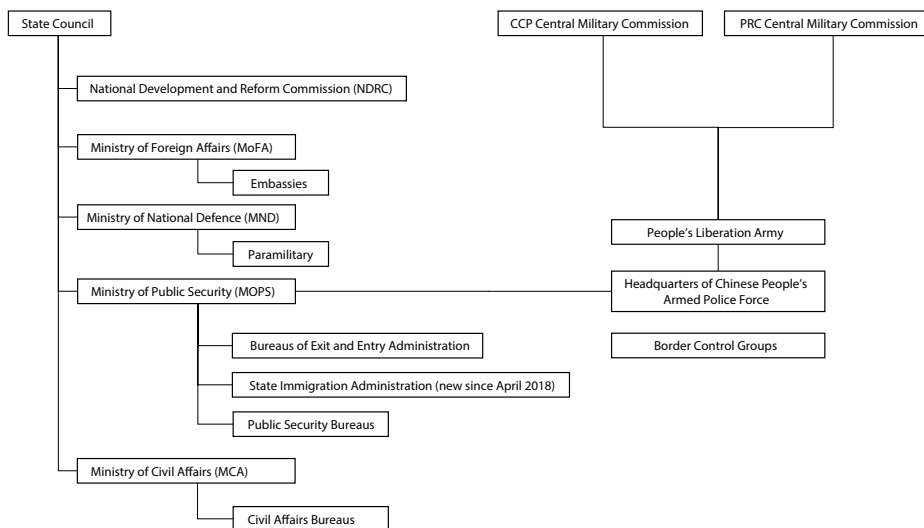
Third line of control
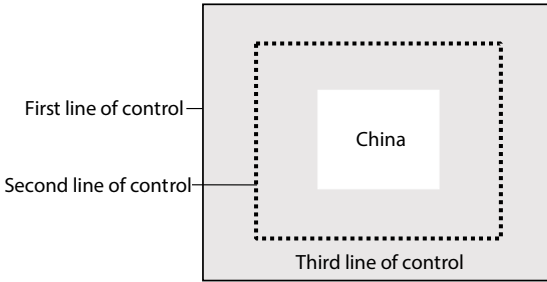
(drawn by author)

Sharing administrative responsibilities among different actors is typical for Chinese security forces. The 2010 White Paper on China's National Security (Information Office of the State Council of the People's Republic of China 2011) emphasized the dual leadership of civil and military actors with regard to border defence:

> State Commission of Border and Coastal Defence, under the dual leadership of the State Council and the Central Military Commission (CMC), coordinates China's border and coastal defences. All military area commands, as well as border and coastal provinces, cities and counties, have commissions to coordinate border and coastal defences within their respective jurisdictions.

The armed forces stand directly under the authority of the CCP Central Military Commission and the PRC Central Military Commission. The State Council and the relevant ministries (MND, MoFA, MoPS, and the Ministry of Industry and Information Technology) coordinate vertically (See Figure 5.

The political role of the PLA has decreased since the Mao era, giving way to Party politics in security issues. Institutionally, the PLA has become increasingly distanced from domestic affairs. The representation of military personnel in the Politburo, its Standing Committee and the Party Secretariat has been declining (Cheng 2010: 172). Further, the CCP Central Military Commission and the PRC Central Military Commission in practice report to the Standing Committee (party committee) rather than the State Council (government committee) which reinforces party rule over military affairs (Cheng 2010: 174). Party-military relations are further institutionalized in two Small Leading Groups (*lingdao xiaozu*) that work directly under the State Council to coordinate the work of the armed forces in the Western region: these are the PLA Leading Group on Military Unit Participation

Figure 5 Organization of Chinese border security actors

State Council

- National Development and Reform Commission (NDRC)
- Ministry of Foreign Affairs (MoFA)
  - Embassies
- Ministry of National Defence (MND)
  - Paramilitary
- Ministry of Public Security (MOPS)
  - Bureaus of Exit and Entry Administration
  - State Immigration Administration (new since April 2018)
  - Public Security Bureaus
- Ministry of Civil Affairs (MCA)
  - Civil Affairs Bureaus

CCP Central Military Commission — PRC Central Military Commission

- People's Liberation Army
- Headquarters of Chinese People's Armed Police Force
- Border Control Groups

(drawn by author)

and Support for Large-Scale Development of the Western Region and the PLA Leading Group of Armed Forces Emergency Control (Miller 2008: 3).

In 2013, the State Council issued a White Paper on The Diversified Employment of China's Armed Forces, which introduced a modernization and professionalization plan to the armed forces under party authority (Information Office of the State Council of the People's Republic of China 2013). The White Paper focused on the aim to win 'local wars', which refers to conflicts on or close to Chinese territory, deliberately avoiding language that could imply possible international war ambitions by China. The doctrine of 'active defence' (*jiji fangyu*) was reinforced as an implementation strategy for the armed forces.[7] In the name of 'openness, pragmatism, and cooperation', it further emphasized Confidence Building Measures (CBM) in border areas. It stated that the armed forces consist of the PLA, PAP, and the militia,[8] each with operational divisions

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7   Active defence (*jiji fangyu*) is a key term within the Chinese military. In 'active defence', a military operation has three phases: the first phase of military action against an attack or assault is a defensive operation aiming to block the enemy and stabilize the situation; if this is not successful, the second phase includes counterattack and decisive actions; a possible third phase, 'people's war', includes guerrilla forces attacking behind enemy lines (Fravel 2007: 719f., 2019).

8   The militia is a paramilitary organization consisting of trained and armed civilians that are not released from their regular work. They are recruited and organized by the National Defence Mobilization Department within the MND.

Table 6 Scope of action of Chinese border security actors

Security actor	Internal	External
PLA	– safeguard borders and maintain national stability – contribute to "national economic and social development" by supporting infrastructural projects – conduct disaster relief operations such as after earthquakes and floods	– operate joint border controls under regional frameworks like SCO, GMS – undertake Confidence Building Measures with neighbouring countries – contribute to international peacekeeping operations – conduct disaster relief operations to retrieve Chinese citizens from neighbouring countries in case of earthquakes and floods
PAP	– safeguard borders and maintain national stability – contribute to "national economic and social development" by supporting infrastructural projects – conduct disaster relief operations such as after earthquakes and floods	– operate joint border controls under regional frameworks like SCO, GMS – contribute to international peacekeeping and counter-terrorism operations
BCG (until 2018, after 2018 PLA responsibility)	– control roads leading to and from the border, creating second and third lines of control – administer border and coastal public security – conduct inspection and surveillance at ports and border points – prevent and crack down on illegal and criminal acts such as illegal border crossing, smuggling, and drug trafficking in border and coastal areas	– conduct patrols and surveillance in areas adjacent to Hong Kong and Macao – conduct patrols and surveillance along the demarcation line of the Beibu Gulf

(PLA: Navy, Second Artillery, Air Force) and regional divisions (Military Regions). In addition to safeguarding borders and maintaining national stability, the armed forces also contribute to 'national economic and social development' by supporting infrastructural projects, participating in disaster relief operations, contributing to international peacekeeping operations, and guaranteeing the wellbeing of Overseas Chinese citizens (as in Libya in 2011).

In sum, while responsibilities are shared between the different armed forces, the division does not follow a traditional 'inside-police, outside-military'

pattern, but is determined on a case-by-case basis through the vertical author-
ity of the various ministries under the State Council. In Europe, Bigo (2005)
has observed that the traditional spheres of action for police and military
actors have been challenged by increasing immigration and the dissolution
of borders. In China, the inside-outside dichotomy has traditionally been
more fragmented as the Chinese state has always been more decentral-
ized. The Chinese 'physical state frontier' – both a symbolic frontier and an
administrative demarcation – is subject to different, sometimes conflicting
actors and interests. I now introduce the actors that operate in the various
border spheres and become transnationalized in the process (see Table 6).
I will show that border security practices are locally diverse, reflecting the
internal fragmentation and multiplication of the border.

With regard to its sphere of influence, the PAP is in part responsible for
domestic affairs but also supports international counter-terrorism operations
by sending personnel to other countries, for example as part of anti-piracy
operations in Somalia (Lanteigne 2013: 297). Overseas operations under the
umbrella of international organizations like United Nations Peacekeeping,
however, are mainly deployed by the PLA. The PLA also participates in
multilateral CBM that China organizes with neighbouring countries to
increase trust and exchange security information (Kondapalli 2006: 222).
For instance, at China's Western border, the PLA closely cooperates with
the militaries of Kazakhstan and other neighbours in regular joint exercises
under the framework of the Shanghai Cooperation Organization (SCO)
(Ramani 2015). The World Trade Organization (WTO) supports the belief that
joint border control operations build security agents' capacity (Andrijasevic
and Walters 2010: 988); as such, China is a signatory to several agreements
on border control cooperation and is participating in ongoing negotiations
regarding joint border control within various regional frameworks like the
GMS and the GTI (see Chapter 5). As of 2016, the PLA also maintained 46
frontier inspection stations on major border routes as well as 113 mobile
groups deployed in important sections of border areas (MND 2016). The
BCG is responsible for 'border and coastal public security administration;
ports and border inspection and surveillance; patrols and surveillance in
areas adjacent to Hong Kong and Macao; patrols and surveillance along the
demarcation line of the Beibu Gulf; and the prevention of and crack-down on
illegal and criminal acts in border and coastal areas, such as illegal border
crossing, smuggling and drug trafficking' (ibid.).

Within the wider field of actors, local government officials also play an
important role as informants for security actors. As the border provinces
are vital to economic relationships with neighbouring countries, they are

expected to establish direct relations with their cross-border counterparts, as described above with reference to agreements regarding border residents. In 2006, the MoPS issued the 'Love the People, Secure the Borders' strategy (*aiguo hubian zhanlüe*),[9] emphasizing the role of border provinces such as Yunnan and Jilin in securing against external threats like smuggling and other illegal activities like illicit gambling and logging. Within this strategy, local officials are deemed essential to defence because they know local realities. In order to gain local knowledge regarding illegal activities, they are required to regularly visit the border communities (*sanfang sijian*) and collect comprehensive data on community behaviour.

The provincial governments also play an important role in promulgating intermediary regulations and guidelines that link central directives to local implementation measures. Yunnan Province implemented new Regulations on Border Management (*Yunnan sheng bianjing guanli tiaoli*) in January 2017 as a result of the ongoing debate over the lack of comprehensive border regulations. This provincial initiative states that the local Public Security Bureaus and the Public Security Frontier Defence Department (*gongan jiguan ji gongan bianfang bumen*) are responsible for exit and entry of foreigners as well as maintaining social stability in the border area (Art. 4). The regulations require defence committees at all levels to meet regularly to exchange information and strengthen cooperation (Art. 5) and explicitly mention international law as the framework within which enforcement agencies should carry out their duties (Art. 6). They prohibit the destruction of border infrastructure, illegal fishing, and disposing of waste in the border area as well as privately opening or expanding border crossings (Art. 8, Sect. 5). Importantly, both sides of the border are encouraged to cooperate in terms of gate opening hours and customs regulations (Art. 14). With regard to the location of control, Art. 19 explicitly states that security agencies may establish temporary border checkpoints and conduct road inspections on access roads to/from the border – the second line of control.

The equivalent regulations for Jilin (*Jilin sheng bianjing guanli tiaoli*) were issued in 1997 and amended in 2004. The 1997 regulations assign the local Public Security Bureau responsibility for licenses and permits, while the provincial government is responsible for demarcating the border and the overall management of the border area in areas such as surveillance and

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9   Ministry of Public Security of the People's Republic of China: *Gonganbu zhaokai xinwen hui tongbao gongan bianfang budui shishi 'aimin gu bian' zhanlüe youguan qingkuang* [The MoPS Press Conference Briefing the Public Security Border Defence Forces on the Implementation of the 'Love the People and Strong Borders' Strategy] 2006.

exploration. Art. 22 assigns responsibility for environmental protection of the border area to both bordering governments, requiring close coordination. Art. 30 states that governments from all levels are bound to organize education events for cadres and the masses to improve patriotism and the state of border security. Border Operation Permits (*bianjiang zuoye zheng*), addressed in Art. 19, were abolished in 2004 as they proved to be bureaucratically costly. These permits, issued by the local Public Security Bureau, were necessary to handle any sort of 'production activity' within the border area. Jilin's regulations do not address border control apart from prohibiting blasting and shooting within a one-kilometre zone along the border (Art. 20), nor do they further detail intergovernmental or local cooperation.

Overall, provincial regulations give leeway to local Public Security Bureaus and local governments regarding how to manage mobility, security, and social stability in the border area. The control landscape at the Chinese border appears as a militarized and fortified zone. Media representations of the Yunnan and Jilin borders build on stories of 'coercive crackdowns' against trafficking, drug smuggling, and illegal immigration, especially with regard to the Golden Triangle (Xinhua 2015, 2016a). Militarization is manifest through pictures of armed personnel and gear (China News 2017) and even the romanticization of Chinese troops (Chuansong 2017). These representations echo political campaigns depicting the state as maintaining a fortified and closed border that it safe against external threats. Such reporting associates military presence with safety and stability for the border area. The media thus supports the 'myth' of the fortified border, masking security agents' inability or unwillingness to fully prevent irregular mobility and 'fortify' the border against illegal trafficking and smuggling.

In sum, in order to make border control more comprehensive and effective, the actual sites of control have been decentralized, diversified, and relocated away from the border both within and beyond Chinese territory: Chinese border control has become both internalized and externalized. *Internalization* refers to the fact that border authorities acknowledge the *de facto* porousness of the border, relocating controls to a second line of control with mobile units and street controls. This way, security forces not only control who enters Chinese territory but also who penetrates inland of the border area. This strategy of secondary immigration control effectively contains the 'problem' of irregular migration to the border area. *Externalization*, on the other hand, locates border control outside Chinese territory. A prominent example is the participation of the PLA and PAP in joint border patrols on the Mekong River within the GMS framework. All Mekong riparian countries contribute to these border patrols, which seek

to prevent illegal trafficking and drug smuggling on the Mekong (Xinhua 2016b). In order to police non-violent illegal immigrants, China draws on joint GMS resources. China's Armed Police contribute personnel to such operations beyond the Chinese border. Su (2015: 78) argues that

> by holding joint patrols along the Mekong River, China asserts respect for the territorial logic of national sovereignty and fosters transnational engagement networks against drug trafficking and armed crime groups. This is the first time in almost three decades that Chinese security forces have operated beyond Chinese territory in a mission that was not mandated by the United Nations, but rather for its own national security concerns. Hence, these patrols demonstrate an expansion of China's role in regional security and economic integration in mainland Southeast Asia.

China's active role within these joint manoeuvres indicates that Beijing increasingly links national and regional security, extending its security policy beyond the border by applying different strategies of 'coercive crackdown and development assistance' (Su 2015: 80). The former directly places Chinese security agents on neighbouring territory, while the latter aims at stabilizing bordering countries and preventing local causes of emigration; for instance, China finances an opium substitution programme that helps ex-poppy farmers grow cash crops in northern Laos and Myanmar (Su 2015: 79). Chapter 5 addresses these joint measures within regional frameworks.

Turning a Blind Eye: De facto Border Control Practices

Mapping the official organization of border control is important for understanding the intended regulatory framework, but the practice of border security enforcement deviates from its design. I show here how practices of border control vary across locations, indicating deliberate loopholes for informal border mobility. Sometimes security actors turn a blind eye to informal border mobility, and sometimes border control is in fact lacking or dysfunctional.

At the Yunnan border, the mountainous countryside and thick rainforest are crossed by only a few large transportation routes that also pool much of the cross-border mobility. Only the Mohan-Boten crossing is a first ranked border gate, which means that Chinese, Laotian, and international travellers can pass. All of Yunnan's other border gates are second ranked, only allowing Chinese nationals and Laotians (to Laos) or Myanmar citizens (to Myanmar) to cross. In Mohan, the border checkpoint maintains a 'representative' border gate on both the Laotian and Chinese sides, a quarantine bureau, and a

customs clearance station with automated scanners for trucks and cars. The checkpoint is a fenced area with hotels, a gas station, and shops which appear abandoned. This stands in sharp contrast with the ambitious infrastructural plans for the border area depicted in the construction plans on site. Nonetheless, the border gate is a busy crossing point, letting hundreds of people pass every day and producing long lines of incoming and outgoing traffic. The border gate itself also serves as a symbol of 'national unity', displaying propaganda of the different bordering communities in their ethnic dress.

The ethnic diversity of the area is important because it determines everyday border mobility. My case sites in Yunnan, Dehong Dai Jingpo Autonomous Prefecture and Xishuangbanna Dai Autonomous Prefecture, are both characterized by a mix of ethnicities such as Dai, Bai, Zhuang, Miao, Hui, and many more. These officially recognized ethnic minorities (*minzu*) often straddle the border, with state frontiers to various degrees separating locals who historically had been in free contact. Often, people cross the border on a daily basis, for instance to farm together with cross-border kin (Sturgeon 2013a; Wang et al. 2016) or get married (Barabantseva 2015b). Cross-border trade is frequent, with people flexibly visiting markets on both sides of the border (Dean 2005: 823).[10] In one rare example, the border between China and Myanmar runs straight through the middle of a town now only called 'one village, two countries' (*yizhai liangguo*). Today, the town is merely a tourist attraction, but it still represents the artificial separation of many ethnic groups and communities along the border.

Although Mohan is a first ranked border gate, the personnel are not used to international travellers, indicating a high percentage of local border mobility. Most of the people that I interacted with there were locals conducting business and paying short term visits, as well as tourists from Southwest China going to Laos for holidays.

Other Yunnan border gates that I visited were in Ruili, Mangxi, Zhenkang, and Daluo. These gates were less technically equipped. Only Ruili also maintained a vehicle scanner. None maintained a quarantine station. I observed that in many cases, border guards let some people cross into China without checking any identification documents. These people often carried baskets or crossed on motor scooters carrying goods purchased on the Myanmar side.

Aside from Mohan and Ruili, the other border gates were not heavily frequented. Instead, I observed many locals crossing the border within a few metres of checkpoints. Although these informal crossings were quite

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10   For more on the construction of cross-border ethnic identities, see Egreteaux 2017; Siriphon 2015.

visible, they made rudimentary attempts at hiding from security forces. Such illegal crossings were tolerated either because security personnel were scarce or because they intentionally chose not to completely close the border to 'local traffic'. I witnessed baskets carrying all sorts of goods being pulled over fences with long ropes. Moreover, a thriving informal local infrastructure exists to transport people from where they illegally cross to the nearest town. Residents cut quasi-permanent doors in the border fences which they open during 'business hours'; groups of men on motorcycles wait on the Myanmar or Laos side to provide taxi services. In places without fences, locals offer transportation across the border on forest roads, bypassing border control completely. The people utilizing this mode of transportation often possess legal documents and the ability to cross with a visa, but choose this cheaper, less bureaucratic way to bypass customs and smuggle smartphones and other goods. The 'border entrepreneurs' in this private parallel infrastructure profit from the toleration of informal border mobility and cross-border price differences. In a way, the border area is operated by both state agents and these 'entrepreneurs'. Although these 'entrepreneurs' help 'illegal' crossings, the border-crossers themselves are not necessarily 'illegally' entering because they are either Chinese citizens or have border residency cards that allow them to cross the border on a daily basis. The service itself, though, is considered a criminal offense, which means that they could be criminally charged if caught in the act. These examples constitute a range of illegal yet visible and somehow tolerated bordering practices that ultimately demonstrate how porous the border is.

In Jilin, I visited two border ports in Hunchun City – Quanhe Port (*Quanhe kouan*) and Hunchun Port (*Hunchun kouan,* also known as *Changlingzi kouan*) – and one in Tumen City (*Tumen kouan*). Hunchun Port is a first tier national border gate allowing international travellers to cross between China and Russia; Quanhe and Tumen Port are second tier border gates. All of the border gates handle cargo, though with a much lower volume than in Yunnan. None of the gates maintain quarantine stations. The busiest was Hunchun Port, where people and cars were crossing; the other ports appeared quite inactive. The larger border area is highly militarized, with wired fences, cameras, and watchtowers flanking both sides of the border. Fended-off zones with visible military infrastructure such as bunkers and satellite dishes are positioned directly at the border. Besides the military presence, another visible 'state symbol' positioned on the Chinese side is a stone tower that dominates the scenery and allows tourists to survey the surrounding area. However, despite the dense fencing, the border is also apparently porous. Local sources said that despite increasing border

controls, it is still possible to informally cross the border: mushroom and ginseng pickers from North Korea can come to the Chinese side to sell their goods or give them to relatives, while food and medicine are traded by middlemen transporting them across the Tumen River. This river plays a crucial role in border mobility. During the summer, when the river runs shallow, it is easier to cross but also becomes easier for security forces to detect trespassers. People take the risk of being caught, though, and continue to cross the border, often on a regular basis. These crossers and traders are almost always North Korean citizens, indicating that this informal business is not 'worth' the risk for Chinese citizens. In this sense, taking the relatively high risk of Technical equipment for border control has rapidly developed over the last decade. Most crossings and the roads leading up to them are surveyed by CCTV. Recent media reports suggest that troops are implementing a new early warning monitoring system that includes the use of drones to guard sparsely populated borders in Yunnan, Tibet, and Xinjiang. The boats and vehicles of border security forces are increasingly being connected to China's BeiDou satellite navigation system as part of a new border monitoring system (The Economic Times 2018). Residents are being issued ID cards that monitor and automatically register the dates of their border crossings. This growing automatization and digitization of control equipment and practices reflects an increasingly comprehensive surveillance approach that allows the government to compile huge datasets regarding the legal mobility of border crossers.

In conclusion, irregular cross-border mobility and trade are tolerated to a certain degree by local governments and other security actors responsible for border control. In part, this is a result of the overlapping responsibilities of border security authorities. Their priorities often intersect, manifesting a fragmented security field. As explained above, border control responsibilities are shared among the PLA, PAP, and BCG. Local Public Security Bureaus issue the necessary identity documents, visas, and permits, while local governments are responsible for setting up agreements with their cross-border counterparts on border mobility issues. These different actors are all bound by state law and central regulatory frameworks and report back to their respective central state agencies (MoFA, MoPS, and the central government). They follow different priorities and strategies: While the border patrol focuses on preventing the smuggling of narcotics, local governments are interested in facilitating cross-border mobility. Rather than prohibiting it, local officials accept the existence of informal mobility and trade in order to enable border economies to thrive through the exchange of goods and labour. Local authorities aim to legalize mobility by providing a legal

framework for documentation. They try to establish good neighbourly relations, for instance by attending ethnic festivals frequented by people from both sides of the border, in order to ensure stability within the cross-border community. The perception of what constitutes a 'threat' to border security therefore diverges between levels of government.

Border controls themselves are to a large extent symbolic. This does not mean that they are ineffective, but rather that they constitute an important 'performative role' at the border. The first line of border control is extended to a second line that consists of mobile units and more subtle extensions of population control within the larger border area. The state's security techniques include both a traditional military presence and comprehensive population governance, creating a holistic set of controls.

Surveillance and Control: Mandatory Registration and IDs
As shown in Chapter 3, the legal provisions and security techniques applied to foreigners entering China differ depending on the immigration scheme through which they enter. The fundamental instruments of immigration control are identification documents (visa, work, and residence permits) and physical controls at checkpoints. In China, the MoFA is responsible for organizing visa issuance, while the MoPS is responsible for the registration and management of foreigners while they reside on Chinese territory. Local Civil Affairs Bureaus, which are part of the Ministry of Civil Affairs, issue marriage licenses and manage *hukou*-related matters. Public Security Bureaus play an important role in enforcing immigration laws, as they issue work and residence permits on a local level and are responsible for repatriation. They work closely with local governments to interpret central policy directives and decide how to implement and enforce immigration laws. In the case of border residents and 'foreign wives', they often have some leeway in interpreting directives, with widely varying enforcement practices. While some localities work toward integrating and legalizing immigrants, others are quick to repatriate them. Ultimately, this is a political decision based on whether cadres perceive immigrants as a 'threat' to the local community and public health or as 'valuable' for local economies. In my interviews, cadres emphasized that their responsibility is to help 'valuable' immigrants stay. Moreover, they declared that an important part of their job is to publicly acknowledge the cross-border realities of local border communities. As they cannot effectively prevent all foreigners from crossing the border, they signal to the local communities that they are aware of the situation by attending local ethnic holiday festivities and public events with participants from both sides of the border (interview 28). Such public events

are also a way to monitor local communities. While local authorities strive to accept and even legalize *de facto* immigrants, they closely monitor their mobility and actions through mobile Border Control Groups that check IDs and try to prevent illegal smuggling. Digital surveillance includes a computer database monitoring reproductive data such as the unexpected pregnancies of foreigners (*shewai bubiao*) (Barabantseva 2015a: 73). Local governments maintain statistics on health, social status, employment status, and family status of border residents whether or not they are legally registered or informally tolerated. Local authorities distribute propaganda material to educate local communities on 'appropriate' behaviour and what is considered 'legal' border mobility. These various forms of disciplinary power and security create a comprehensive monitoring, surveillance, and education network – the third line of control over border communities.

Internal Border Security: Developing Border Areas from Within

As the differentiation between external and internal security is muddled, the specific configurations of power-exerting agents change. To Bigo (2005: 90), 'controls are de-localized, dispersed, fragmented, transnational and done by networks of security professionals beyond the national frontiers'. In liberal regimes, de-locating the immigration process justifies extraordinary measures that would face criticism if conducted on national territory. A quasi-state of emergency within the border regime thus becomes permanent. Such relocated spaces become subject to graduated sovereignty: while the government maintains its reach over the territory, it applies differentiated governmentality over the people on it. The Australian detention of illegal migrants on islands exemplifies an intentional exception to liberal government and democratic accountability. While immigrants and refugees in Australia formally enjoy the right to due process, immigrants relocated to extraterritorial islands do not; the immigration process in these spaces is not subject to 'normal' means of control, ultimately producing 'graduated zones of sovereignty' (Mountz 2011). The island camps represent a site of exception, whereas the mainland is associated with normal politics and human rights (Rajaram and Grundy-Warr 2004). In non-liberal regimes, a relocation or fragmentation of control also indicates the politicization and securitization of border politics. No matter the regime type, when immigration procedures are public, transparent, and equal, the issue is less politicized. In contrast, for the site of control to be placed beyond the nation's territory or confined to the periphery indicates the execution of extraordinary measures that

are outside the realm of normal politics. Furthermore, when the security agents dealing with the issue (military, police) are more centralized, the issue is more securitized. Towards the more 'normalized' and away from the more 'securitized' end of the spectrum are immigration policies like private sponsorship programmes – present, for instance, in Canada and newly adopted in Australia (Jones et al. 2017: 9). These schemes also represent a dislocation of responsibility for immigration policy, in this case from the centre of the nation to private households. In authoritarian regimes like China's, the privatization of immigration procedures is restricted, with the state unlikely to cede power to non-state actors.

In China, beside safeguarding against external threats, local governments must also maintain internal (social) stability as a 'veto target' (*yipiao foujue*). The fear of internal instability and territorial disintegration stems from Beijing's history of governing its frontier ethnic groups with a decreasing amount of control from the centre to the periphery. In this sense, safeguarding the border area itself – also internally – becomes a security issue. The assignment of specific security actors to address internal versus external threats becomes more difficult as the border multiplies inwards. Correspondingly, Freeman and Thompson (2011: 2f.) argue that in Beijing's view, 'international and domestic security are closely intertwined' in the border regions, which are 'hot zones for potentially contagious minority unrest' and 'particularly vulnerable for external forces'. This ambiguity of internal and external security also manifests in Chinese military strategy. As Peng and Yao (2005: 66) explain: 'there is an integrated identity between frontiers and national boundaries. Change of border area means a change of national territory. Correctly handling […] the outward screening effect of frontiers and opening up' is considered of "vital importance" to both "stabilization" and the "balance" of China's 'geostrategic relationship with neighbouring states'. Similarly, Fravel (2007: 714) encapsulates the special role of ethnically diverse border areas:

> China's ethnic geography as an empire state links political unrest in the frontiers with the defence against external threats, a linkage which sustains the prominence of frontier defence in Chinese military writings in the post-Cold War era. Ethnic unrest receives this attention because the frontiers, which constitute more than half the country, are regions where the authority and legitimacy of the central government has been weak compared to China proper and where neighbours could under certain conditions influence internal affairs, threatening territorial integrity, ethnic stability and regime security.

Hence, the Chinese periphery is defined by the weak authority and legitimacy of the central government and to a large part has acquired an 'autonomous' status within the Chinese administrative system. Yanbian Korean Autonomous Prefecture, Dehong Dai Autonomous Prefecture, and Xishuangbanna Dai Autonomous Prefectures – the selected case studies for this book – all are Autonomous Prefectures whose residents are to a large part 'ethnic minorities' (*shaoshu minzu*). In China, the population is categorized into 56 officially recognized ethnic groups that are organized into specific administrative entities designated for one or more ethnic minorities. According to the 2010 census, 1.8 million Koreans live in Jilin, while Yunnan's ethnic diversity includes Zhuang, Hui, Tibetan, Bai, Dai and other minorities (Jacka et al. 2013: 147). The Chinese constitution acknowledges the state to be a 'unified multi-ethnic country and a nation with diverse cultures'. The *minzu* policy also translates into affirmative action, with members of the ethnic minorities sitting in the National People's Congress. Within autonomous regions, the *minzus* appoint their own local cadres.

Sturgeon (2004) shows how frontier areas often contain ethnic patronage networks that reach across borders, eluding the central power of the nation state. These networks can be seen as an advantage and resource for the Chinese state as they facilitate cross-border economic cooperation. Supporting the cross-border links of Autonomous Regions to strengthen their economic independence, however, is also 'understood as an inherently risky strategy as it could stimulate ethnic-nationalism within China's border regions' (Freeman 2010: 140) and result in extremism, terrorism, or separatism, hence undermining territorial integrity. The Chinese government also fears that the overall marginalization of these communities – with poor access to Chinese infrastructure, unequal political participation compared to Han Chinese, and uneven access to labour markets and state resources – could produce grievances that erupt into conflict or riots. To revitalize the border area and Enrich People's Lives (*xingbian fumin*[11])*,* various political campaigns have been designed to address uneven development. Since 2000, the National Development and Reform Commission (NDRC) has issued policy directives under the slogan of Develop the West (*xibu da kaifa*), building up infrastructure and key industries to 'integrate the western region into modernized domestic and international economic systems' (Lan 2010). While Develop the West only operates on Chinese territory, the Belt and Road Initiative (*yidai yilu*) has developed a territorial strategy for China's

11   Literally, 'prosperous borders, wealthy minorities'.

regional and global integration. Both campaigns constitute 'soft policies' that utilize decentralized decision-making processes to realize their goals at the provincial and local levels (Holbig 2004: 356).

The idea of Develop the West originated in a joint working group of representatives from Yunnan, Sichuan, and Guizhou during the 1980s; they requested compensation for being side-lined by Beijing's focus on the industrial development of the coastal provinces (Holbig 2004: 336). After they were granted preferential policies by the central government, the provinces kept on lobbying in the National People's Political Consultative Conference (NPPCC) and the National's People's Congress (NPC) for further support (Li 2014: 283). The programme was piloted by the State Ethnic Affairs Commission, the NDRC, and the Ministry of Finance. The north-eastern provinces of Heilongjiang, Jilin, and Liaoning were not addressed in the first round of investment as they 'did not qualify to belong to the 'poor interior' according to the prevailing ideological geography' (Holbig 2004: 343). After a 'dynamic labour movement' formed in 2002 and Beijing began fearing social unrest, the preferential policies were extended to these provinces. In 2002, the CCP's 16th National Congress made a landmark decision to revitalize and rejuvenate the North-east (ibid.). Yanbian Prefecture, however, was able to gain advance preferential policies in 2001, as it represented a gateway to neighbouring countries within the GTI framework (see Chapter 5).

In 2009, Hu Jintao introduced the phrase 'bridgehead' (*qiaotoubao*) to official discourse to describe the important role of border provinces in linking national development to the wider region. Beijing provided the provinces with additional funds for infrastructural investment and flexibility in terms of border trade taxation. The bridgehead strategy was an attempt by the central government to both coordinate and regulate local governments according to central policies and priorities while using local governments' resources in their capacity as foreign policy actors and establishing good relations with cross-border counterparts (Jakobson and Knox 2010: 31–33). The 'spatial selection' of Yunnan based on its geographic and cultural proximity to Southeast Asia has been central in territorial discourse on regional development that emphasizes its 'geostrategic' importance. Yunnan has established several bilateral cooperation agreements with Myanmar, Laos, and Vietnam, including the Yunnan–Myanmar Economic and Trade Cooperation Forum, a joint Commission for Trade and Technology, the Yunnan–Northern Laos Working Group, the Economic Consultative Conference between Yunnan Province and northern Vietnam, the Yunnan–Myanmar Cooperation Business Forum (Su 2014: 96), the Joint Coordination Committee of Mekong Commercial Vessels and Sailing, the

Yunnan–North Thailand Cooperation Working Group, and an agreement with Laos on 'Border Crossing and Its Management System' in 2011. These direct cooperation mechanisms, all authorized by Beijing, promote upward coordination and downward implementation (Su 2012a: 508–509).

The actual numbers quoted for Beijing's investment in these 'underdeveloped' regions varies throughout the literature because the way investments link to the Develop the West campaign is not clearly defined by the central government. It is certain that Beijing has allocated several billion CNY in addition to 'normal' funds. By 2009, every border county had received funding (Freeman and Thompson 2011: 16). Between 2001 and 2006, Yanbian Prefecture alone received over 19 billion CNY representing a quarter of the funds for Jilin Province (Freeman and Thompson 2011: 34). Yunnan invested 250 billion CNY in infrastructure alone between 2000 and 2010, supported by special funds from the central government (Central Government News Portal 2010). During this time, at least 4 billion CNY was specifically invested by all levels of government in projects to enhance living conditions and accessibility in the Yunnan border area (Freeman and Thompson 2011: 69). Besides building infrastructure to integrate these regions into larger transportation networks, projects included the construction of local administration buildings, environmental improvements like enhancing the quality of drinking water, expanding energy infrastructure, and reducing poverty. A main focus was the improvement of cross-border trade including trade infrastructure in Special Economic Border Zones to attract Chinese as well as foreign direct investment. As the neighbouring communities would also profit from these projects, it was also 'expected that these new opportunities will garner China (and China's local government) good will and influence in communities on the opposite site' (Freeman and Thompson 2011: 16). The preferential policies in these zones, such as duties being waived for locals living within 20-30 kilometres of the border on goods up to 3,000 CNY, continue to apply to both Chinese and non-Chinese nationals (ibid.).

In sum, the combination of increased funding and preferential policies has led to infrastructure development in 'underdeveloped' border areas. For the CCP, these investments directly contribute to creating jobs, improving living situations for the 'endangered' ethnically diverse border population, and creating social stability. This has served the central government's twofold goal of securing the border area from within against possible secession movements and increasing trade with neighbouring countries through improving border provinces' infrastructural connections. This development programme has also served a 'civilizing' purpose, integrating areas traditionally inhabited by ethnic minorities into the nation-building process and establishing more equal

development. A stable and 'harmonious' border area is a key component of the Chinese approach to border security. In this sense, Beijing extends the 'third line' of control by using development policy in tandem with military control to secure the border area against internal secession threats and instability.

Policing at Distance and Local Exceptions

'Policing at distance' is a theoretical concept describing how governments delocalize the site of border controls away from state borders 'to create new social frontiers both inside and outside of the territory' (Bigo and Guild 2005a: 1). In Europe this follows a 'governmentality by fear' according to which governments fear their own incapacity to effectively fortify the border against unwanted immigration. Hence, they decentralize responsibilities in order to relocate and multiply border control into other policy fields such as social and labour policy. Within the EU, 'freedom of movement' for individual travellers is the norm and the control is the exception. In China, due to the lack of a comprehensive immigration system, the border regime has traditionally been more decentralized and integrated into different policy fields. The first part of this chapter showed how border regulation is organized bureaucratically within China's larger political architecture. The second part illustrated how border security enforcement is organizationally shared among MoPS and MoFA and their local bureaucracies, and the third part demonstrated how border security spills into other fields such as social, labour, and economic policy under the umbrella of national development – a bundled policy campaign aiming to integrate the periphery. These government interventions are specifically targeted at border areas since they are regarded as vulnerable to social instability. Border communities are subject to both disciplinary technologies and pastoral care and are closely monitored while enjoying privileges such as extraordinary development funds. The central government allows local exceptions to national standards to spur local development. This policing at distance is deeply entrenched into the Chinese political system, which builds on the testing of solutions within locally contained experimental policy zones. In Bigo's (2005: 90) words China embodies a 'permanence of the quasi state of emergency', the 'permanence of the exceptional'.

    As shown above, local Chinese authorities do not truly carry out the 'myth of mastering the frontier' and do not even aim to effectively close the border. Instead, their countermeasures include the comprehensive monitoring and surveillance of border communities through traditional security techniques

like border checkpoints and repatriation as well as pastoral elements such as education campaigns. Local governments must creatively implement central security and development directives, resolving contradictions between official discourses that celebrate both fortified borders and the state's primary goal of developing border regions to maintain social stability.

Lastly, the 'spatial selection' of border provinces as bridgeheads emphasizes their political importance for the nation state. The nation state, in fact, becomes spatially re-articulated as the periphery becomes gentrified relative to the centre. How this re-scaling has further gained momentum within regional development projects is discussed in Chapter 5.

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5   Re-Scaling Territorial Authority within Regional Organizations

Abstract

This chapter analyses the spatial articulation of the Chinese border regime within regional development projects and the multiplication of border within the process. With regard to the case studies, I discuss the spatial selection of Yunnan and Jilin province as 'bridgehead' and link towards them to neighbouring countries and the wider region. Specifically, I analyse how Beijing attempts to economically integrate the borderlands into regional organisations such as the Greater Mekong Subregion and the Greater Tumen Initiative. I show how strategies of direct local cross-border interaction and 'sites of exception' in special border development zones constitute a 'zoning activity' that allows to integrate resources that lie beyond Chinese territory. This spatial re-articulation also shows how the centre-periphery relation is politically designed and assembled.

Keywords: multiplication of borders, Greater Mekong Subregion, Greater Tumen Initiative, spatiality, bridgeheads, politics of scale

Territorial authority is at the ontological and epistemological centre of border studies. How does a sovereign exert its power over a given territory and how does this power emanate? This chapter addresses the question of how the Chinese government varies the spatial reach of its power throughout its territory and beyond. Considering the relative political inattention paid to China's territorial periphery historically, its government has needed to assert coherent spatial planning in order to reintegrate these peripheries. Regional integration measures have ultimately allowed the government to reclaim peripheries as bridgeheads towards regional markets and establish them as hubs for regional trade. In this process, territorial authority has shifted. Historically underregulated political borders have become central to national economic restructuring. As border prefectures have become

relatively empowered due to changing centre-periphery relations, the Chinese government's authority has grown to encompass the exploitation of labour and natural resources in neighbouring regions. Managing the various scales of political and economic activities has birthed a strategy of spatial fixes that aims to avoid 'capitalist crises through temporal deferral and geographical expansion' (Harvey 2003: 115). Different (sub-)national governmental entities comprise an 'interscalar rule regime' in which the nation state plays a crucial role as 'scalar manager' (Su 2012a: 504). Chinese participation in regional organizations plays a crucial role in this process. I demonstrate in this chapter how China's engagement in the Greater Mekong Subregion (GMS) and the Greater Tumen Initiative (GTI) serves to carefully negotiate development and security authority in shared border areas, with Beijing deliberately decentralizing these consultations in order to avoid spill-over effects.

Su (2012b: 1333) argues that this re-scaling of vertical and horizontal linkages should be understood as a network operating through three mechanisms: 'upward coordination, downward implementation, and outward corporatism'. Upward coordination involves nation-states or supranational actors using discursive persuasion, aid programmes, cross-border trade, and coercion to 'formulate an extraterritorial regulatory framework for regionalization' (ibid.). Downward implementation, on the other hand, is undertaken when the state and its subnational agencies use 'fiscal investment, preferential policies, local-specific cross-border initiatives, and subnational foreign ties to motivate local governments to develop place-specific cross-border projects and cooperation mechanisms with neighbouring partners'. Lastly, outward corporatism refers to state-owned and private enterprises using 'policy guidelines, preferential loans, contracted work, and tax reduction' to expand capital, labour, or products or to secure a supply of raw material, to assist host country's economy (ibid.). This chapter investigates how these heterogeneous forces shape the Chinese border regime.

Border as a Method of Spatial Development

Understanding borders as a method of spatial development allows states to adjust their centre-periphery relations through strategic resource allocation. The border has become multiplied, not only in terms of the location of border control, but also in terms of how territorial authority is exerted over different regions and especially over the periphery of a country. I argue that the increasing disaggregation of the traditional

border results in a re-articulation of the state in terms of how it integrates its border regions into its spatial development plans. I further establish how border politics becomes a tool for 'zoning', which comprises spatial activities that actively revise the role of the 'periphery' and construct 'zones of exception' to selectively integrate strategically important border areas into the nation.

Multiplication of the Border

Describing borders as multiplied refers to the uncoupling of borders from traditional territory. Borders become multiplied in terms of their geographic location – as described in the previous chapter on the shifting locations of border control – but also in terms of the overall disaggregation of territorial authority (Andersen et al. 2012; Dürrschmidt 2006; Kesby 2005; Sandberg 2015). The term refers to Balibar's notion that 'borders are everywhere' (Balibar 1998: 218):

> [...] multiplied and reduced in their localization and function, they are being thinned out and doubled, becoming border zones, regions, or countries where one can reside and live. The quantitative relation between 'border' and 'territory' is being inverted. This means that borders are becoming the object of protest and contestation as well as of an unremitting reinforcement, notably of their function of security. [...] This in fact means that borders are no longer the shores of politics, but have indeed become [...] objects or, let us say more precisely, things within the space of the political itself.

Balibar emphasizes the political nature of the border, meaning that the border extends beyond the actual frontier of sovereignty. Laying the ground for Bigo, he states that practices of bordering and border control have diffused inside and outside traditional territory, sometimes to the point where whole countries become borderlands, or 'technical landscapes of control' (Paasi and Prokkola 2008: 16f.). In other words, border practices have 'unbundled' the border from its traditional location and have re-bundled it with the practice of border security and control. Moreover, a multiplication of borders changes their meaning, increases the number of actors involved, and shifts the nature of bordering practices. As the border disaggregates, new actors and new scales of government become relevant to the border regime. Questions arise regarding how and by whom borders are managed, and how centre-periphery relations and cross-border relations develop in times of unbundled borders.

The Politics of Scale: Re-scaling Territorial Authority

The multiplication of borders is not an arbitrary outcome, but represents the result of a decision-making process and reproduces the hierarchy within the nation state (Kesby 2005: 113). Jessop (2003) argues that the emergence of new scales or regions is not a natural economic process, but that regions become 'discursively "naturalized"' as well as being economically and politically constructed (Jessop 2003: 183). This relates to my third notion of 'border as a method': a method of spatial formation and of resource allocation. In my analysis, I link the multiplication of the border to the nation state's spatial strategy, which produces different 'zones of graduating sovereignty' – that is, the politics of scale.[1] Scaling generally is understood as a form of 'structuring space and of constructing boundaries which define trajectories for social action' (Liubimau 2017: 38). In other words, this method allows for an actor-centred perspective that focuses on the quality of interactions in cross-scale relationships – how a local actor interacts with other national and global actors in a cross-border relationship, and how this affects the construction of space, territory, and identity. The scalar perspective has gained significant attention in the analysis of globalization in Political Geography and Political Economy (Delaney and Leitner 1997; Herod and Wright, eds. 2002; Jessop 2003; Peck 2002).

The discourse on 'territorial authority', which legitimizes specific scales of actors' social control over one another and manifests a hierarchy of political representation, is critical to these debates. Several studies have illustrated the discursive construction of territorial authority across the world. In Belfast, Herof and Wright (2002: 2) illustrate how the 9/11 terrorist attacks become either constructed as global or local, and are accordingly associated with a certain scale of responsibility. Howitt (2003: 148) discusses how a national union is constructed by the interests of the 'majority population' while indigenous groups become marginalized in reservation areas. Bouzas (2013) investigates how Kashmir has become marginalized within Pakistani territory through different phases of the nation-building process. As Cox (1998: 43) puts it, thinking scalar is central to understanding political discourses, helping us understand the 'spaces of engagement' between different levels of politics. Ultimately, this multi-scalar perspective extends

1   Delaney and Leitner (1997) break with the notion that political and geographic scales are pre-ordained and fixed categories, emphasizing instead the constant transformation and social construction of scales (Delaney and Leitner 1997: 93). As a consequence, scales are 'historically changeable through socio-political contestation' (Brenner 2001: 599).

my border regime analysis as it becomes actor- and interaction-centred, taking the various power relations that form cross-scale connections among the different actors into account.

Another assumption in the re-scaling literature is that territorial strategies link local, national, and regional development projects. Hence, border politics is intertwined with regional integration and becomes a field through which a government links domestic and regional development plans in a coherent 'territorial strategy'. A strategic re-ordering of administrative responsibilities allows the nation state to re-establish territorial authority over its periphery. Border politics thus allows the government to exert power beyond its traditional territory and create different zones of sovereignty within the state. The nation state becomes an open and transformative concept that reflects historically established relations between centre and periphery. Thus, the nation state no longer performs as a 'bounded territory' but as a 'transforming and historically contingent assemblage of social practices, discourses, rules, power, and symbolic and material forms of governance and institutions. [...] [S]tate space is increasingly understood as a multi-scalar, networked and relational social process rather than a static territorial frame' (Moisio and Paasi 2013: 255, 257).

A central question for my analysis thus concerns the governing capacity of (local) cross-border arrangements and how they are embedded within the larger regional spatial development perspective (cf. Brunet-Jailly 2013: 36; Lagendijk 2005: 79). How do governments prioritize developing specific regions along the border while neglecting others? How do they try to attract and bundle labour and resource allocation? What is the role of local governments in this process? How can governments integrate regional development centres, production and distribution routes, and (labour) resources according to their own manufacturing structures (Su 2012b: 1327)? As the government carries out these functions, the territorial reach of the nation state transforms, and the state undergoes a 'rescaling'. This process, of course, is not solely undertaken by a single nation state, but is also a result of continuous struggles over land, resources, and populations between states (Jessop 2008). Moreover, it is a result of national interests, capital accumulation within the region, regional frameworks, and local border institutions and their (historical) relations with the centre. Often, this relationship is asymmetrical, dominated by a regional hegemon that tries to actively impose its normative orientation on others (Cox 1983; Destradi 2010). However, these structures also produce oppositional movements that try to challenge the existing scalar structuring by 'jumping scales' to circumvent hegemonic institutional practices (Brenner 2001: 594).

Development Rationalities: Spatial Fixes

The underlying rationale or governmentality of the re-scaling process promotes certain norms and techniques regarding how development is to be achieved. Neoliberal rescaling, for example, promotes free markets, deregulation, and competition as organizing principles of state, society, and market while facilitating marketization and privatization (Mansfield 2005: 462). Ong (2006: 77) draws the construction of zones of exception back to:

> neoliberal reason [that] has taken economic rationality in a highly flexible direction that does not use the national territory as the overriding frame of reference for political decisions. Rather, the neoliberal stress on economic borderlessness has induced the creation of multiple political spaces and techniques for differentiated governing within the national terrain. Especially in emerging postcolonial contexts, varied techniques of government rely on controlling and regulating populations in relationship to differentiated spaces of governance, with a graduating effect on sovereignty, and on citizenship.

It is through the flexible allocation of capital and the flexible regulation of mobility that governments create special areas like border zones, regional hubs, and free trade zones. By implication, these zones are differentiated from the rest of the nation by specific policies and a characteristic mix of technologies. Jessop (2003: 185f.) develops categories for specific forms of re-scaling, such as 'relocalization' or 're-regionalization', 'multicentric metropolitanization', 'inter-localization', 'translocalization', 'global city networks', and 'proper globalization', among others. 'Inter-localization' here refers to the 'development of horizontal linkages between contiguous localities or regions on the same scale but in different national states' such as cross-border regions. These local forms of cooperation sometimes bypass national governments or are supported by just one of the adjacent governments. Cross-border regions, to Jessop's understanding, have become a widespread policy instrument to produce new types of innovation of production and consumption. By creating new, location-specific regulations, these zones are experimental areas that aim to attract capital while competing with each other. Some of these cross-border regions may be long-established cohesive areas with resurgent activity, while others may be newly created economic spaces. Others still may be the result of a spill-over effect of metropolitan hinterlands or the result of uneven economic development. Establishing these zones can (re-)stabilize the national scale or link the space to a multinational project (Jessop 2003: 187–192).

Other scholars read this process of re-scaling via capitalist forces through a critical (or radical, cf. Belina 2011: 88) lens that builds on Marx, where it becomes a strategy for 'spatial fixes' of a relatively 'underdeveloped' periphery (see Anderson 2012; Brenner and Schmid 2015: 154; Fischer-Tahir and Naumann 2013; Harvey 2001). Harvey (2003: 115) understands a 'spatio-temporal fix' as a 'metaphor for a particular kind of solution to capitalist crises through temporal deferral and geographical expansion'. Building on Harvey, Su (2012a) argues that in China, the need for 'geographical outlets for surplus capital exerts mounting pressure on "political power"'. Further building on Peck (2002), Su analyses the interplay among provincial government, central government, and transnational actors which he understands as an 'interscalar rule regime' in which the nation state plays a crucial role as 'scalar manager' (Su 2012a: 504). He concludes that 'China's economies no longer "represent coherent, neatly self-contained geographical units, but are today being permeated by new types of vertical and horizontal linkages among diverse, multi-scaled institutional forms"' (Su 2012a: 523). He concludes that Chinese engagement within the Greater Mekong Subregion (GMS) has resulted in a rescaling process that ultimately allows China to shift resources to its periphery in Yunnan while simultaneously shaping the transnational economic structure, which constitutes a spatial fix for its uneven development.

I build on this argument and develop it one step further. I argue that the Chinese government has not only shifted financial resources to the border area in order to implement its spatial developmental strategy, but that this 'spatial fix' is supported by a local – and exceptional – immigration system that also allows for the relocation of labour resources. The temporary need for labour in specific locations such as economic development zones often comes at the expense of labour migrants who are marginalized and exploited (Gidwani and Sivaramakrishnan 2003). Chalfin (2012: 284) links the political economy of the border to security discourses and practices, arguing that the post-9/11 notion of border security overall represents a 'spatio-temporal fix' that helps to reorder the crisis of US hegemony. She builds on the premise that border control is 'bound up with the flow of commerce, labour and capital', which indicates that these resources are available through the 'right' border reforms. Chalfin (2012: 285–295) links the political economy of the border to security discourses and practices, arguing that the post-9/11 notion of border security overall represents a 'spatio-temporal fix' that helps to reorder the crisis of US hegemony. She builds on the premise that border control is 'bound up with the flow of commerce, labour and capital', which indicates that these resources are available through the 'right' border reforms. Chalfin (2012: 285-295) investigates the economic

to introduce new border regimes, or to adapt to them, utilized by those agents'. Against this backdrop, regional organizations in the Chinese border regime play a crucial role in how Beijing utilizes the border to rescale its development. Chapter 5 accordingly addresses the interactions of regional, national, and local actors in the GMS and the Greater Tumen Initiative (GTI) and investigates how special border zones constitute spatial fixes.

From Left behind to Bridging the Gap: Re-scaling the Chinese State

Spatial planning, especially in the forms of urban transformation and rural decentralization, has become a common policy tool in China (Wang and Shen 2016). This means that the central government selects places that become subject to customized, sometimes experimental policies which promote development projects such as infrastructure construction and industry hubs. These place-specific policies are designed according to local characteristics, with the potential for later up-scaling to the national level. In addition, such policies have increasingly been re-scaled to the level of regional initiatives. According to Li and Wu (2012: 91)

> The selectivity [on new spatial strategies] transformed away from decentralization and localization to recentralization in administrative arrangements and regionalization in political-economic space; in other words, another scale at the regional level is emerging in the contours of China's state spatiality through centrally orchestrated strategies and bottom-up collaboration.

Spatial planning has thus become especially relevant to border politics, with border provinces featuring prominently in strategically important regional initiatives. Yunnan and Jilin were labelled 'bridgeheads' (*qiaotoubao*) in 2009 as an integral part of China's Going Out strategy, which aims to facilitate the 'geographical expansion of capital, labour and knowledge'. These border areas within the reach of the Chinese central government had been scarcely touched by global capitalist forces, and as such comprised a major opportunity (Su 2013: 1221).

Being bridgeheads, the Provinces were prioritized in financial resource allocation and infrastructural development. A key instrument of this spatial strategy is establishing Special Border Zones (SBZ) at the border that allows to integrate border markets. Besides just granting them preferable tax policies,

Chinese provincial governments have viewed SBZs as a chance to promote cross-border trade while at the same time implementing central development strategies. Creating zones has been a major tool within China's economic reform since the 1980s. With the increasing regional integration of the early 2000s, the government merely adopted this strategy to selectively and targeted steer cross-border integration. As such, the selection of the locations for these zones is a multi-layered process connecting Beijing's national development strategies, regional infrastructure initiatives and local markets. The SBZ selection accordingly is part of national development strategies, while the implementation includes the Provincial Development and Reform Commission, the Department of Customs, the Department of Industry and Commerce, and other organizations comprised of high-ranking provincial officials such as the Yunnan Bridgehead Construction Steering Group.

The 'spatial selection' of Yunnan acknowledges its geostrategic importance, especially within the regional integration projects of the Association of Southeast Asian Nations (ASEAN) and the GMS. A central-local alliance has been configured so that resources and administrative support can be allocated (especially by the General Administration of Customs) to implement the goals of the central government. Specific policies have included 'constructing cross-border ports, providing more onsite service, helping [the provinces] to implement the Administration's various tax policies, streamlining regulation for a benign trade milieu, supporting the export of Yunnan's special agricultural products, providing technical support for [provincial] decision making on foreign trade and propelling cross-border trade facilitation' (Su 2013: 1225f.). This 'spatial repositioning of cross-border regions' overall provides opportunities for the Chinese state to 'engineer subnational spaces for economic development and consolidate 'the recentring of the regional economy in China'' (Su 2013: 1213, quoting Arrighi). Since preferential policies were introduced, Yunnan has profited from subsidies such as tax-free import practices for the local manufacturing industry, as well as a 24% tax reduction for exporting. In 2011 the State Administration of Industry and Commerce also began allowing foreign investors to invest in CNY (instead of US$) in the border area to attract more foreign direct investment (People's Daily 2011b). Along with other border provinces, Yunnan's role in the Opening Up strategy was promulgated in the 12th Five-Year Plan (FYP) (chapter 50, section 3; Central People's Government 2011). This role consisted of increasing trust in regulatory measures and providing incentives for state-owned enterprises and private investors to further invest in the area. The 11th FYP had previously noted the need for more integration in the region and established 'development axes' under

the slogan of 'active development', which was further refined into a plan to 'enrich people's lives' (*xingbian fumin*). The 11th FYP also increased financial support for border areas to support the wellbeing of low-income border communities and facilitated the implementation of Special Border Zones (SBZ) (State Council 2007).

Spatial planning focusing on China's Northeast, especially Jilin Province, was written into the 12th FYP. Jilin is part of the eastern coastal development structure that has benefited from the Changchun-Jilin-Hunchun Expressway and the Eastern Border Railway, integral regional infrastructure projects which were announced at the same time as the Yunnan 'bridgehead' strategy in 2009. Their completion reflects the reorientation of China's national spatial development process toward its peripheries and border areas. Jilin is also regionally integrated into the GTI, which aims to expand these infrastructure routes beyond China's borders and facilitate trade and transport. Within this complementary framework on the national and regional scales, a pilot zone was established in the Hunchun border area (*Zhongguo Tumen jiang quyu hezuo kaifa kaifang gang yaoyi zhang ji tu wei kaifa kaifang xiandao qu*; Gao 2015).

Greater Mekong Subregion (GMS)

Between 1992 and 1994, the Asian Development Bank (ADB) began promoting the GMS, an organization set up to implement regional integration initiatives on a transnational basis. This process catalysed a redefinition of territorial strategies for the member countries – Cambodia, the People's Republic of China (PRC, specifically Yunnan Province and Guangxi Zhuang Autonomous Region), Lao People's Democratic Republic (PDR), Myanmar, Thailand, and Viet Nam – to expand trade and foster transnational integration (Taillard 2014: 24).[5] This re-scaling process involved a rethinking of centre-periphery relations within member states; they had to integrate border areas into their national development programmes as well as establish regional economic corridors with the goal of reshaping the regional economy and linking local economic centres (see Map 1). Projects aiming to increase interconnectivity involved roads and railroads, integrated hydropower dams and joint river management on the Mekong River, electrical and telecommunications networks, gas and oil pipelines, and cross-border free development zones. With regard to the re-scaling of the Chinese state, Su (2012a: 519) argues that

5   For more on the economic integration of Yunnan in the GMS see Poncet 2006; on Yunnan's energy network and water security, see Hensengerth 2010, 2017; Lei et al. 2009.

Beijing deliberately de-emphasized a centralized power structure to build an 'interscalar institutional framework' that facilitated Yunnan's integration into the transnational organization. Additionally, Su (2014: 99) claims that Yunnan shuffled its intraregional coordination among different provincial ministries and actors in order to better connect the urban industry cluster of Kunming into the regional economy, thereby re-scaling the provincial economy. With regard to local-global interaction, Glassmann (2016: 62) argues that Yunnan's economy is 'less an internally articulated economic unit than a gateway to the broader East Asian economy, mediating connections between sites like Singapore and Beijing'. Similarly, Tubilewicz and Jayasuriya (2014: 193) find that the 'distinctive character of China's state capitalism shapes the institutional form regional engagement takes in the GMS' meaning that the internationalization of state capital is directly linked to the internationalization of the local state (Tubilewicz and Jayasuriya 2014: 187). The authors conclude that Chinese regional integration, is thus shaped by capitalist rather than political considerations. Though I largely agree with this assessment, I argue that the Chinese logic of regional development combines both capitalist and political goals under the umbrella of a 'good neighbourhood' policy.

An ongoing debate within the GMS concerns Chinese dominance in many projects and a high degree of dependency on Chinese investments. This dependence became palpable when, for instance, a Kunming-Bangkok railway venture was shelved in 2011 after the Chinese company withdrew due the Ministry of Railways' high debts (Taillard 2014: 42). Local grievances have followed the 'Chinese presence' in infrastructure projects (Lin and Grundy-Warr 2012). Another major source of conflict lies in the negative environmental and economic effects of China's ambitious hydropower dam construction on the Mekong, which produces floods and droughts in downstream riparian countries (Magee 2006; Myint 2014; Tan 2014: 428; Will 2010).

For China, regional integration has also involved a re-ordering of subnational policy actors. The direct participation of Yunnan and Guangxi in the GMS reflects their important role in the overall Going Out strategy for development in Southeast Asia (cf. Colin 2014: 110). These formerly remote border areas with poorly developed infrastructure have become new centres of development, with the territorial edge becoming a connecting hub. Yunnan's provincial government has used its geographic position to its advantage, receiving special funds for transnational projects from the Chinese central government in addition to ADB financing. In 2016, Yunnan affirmed its development of integrated trade networks by further investing in the Two Asias Cross-border Logistics Centre (*liangya kuajing wuliu zhongxin*) (Xinhua 2016c).

The GMS framework integrates various administrative levels of the Chinese state. These organs include the National Development and Reform Commission (NDRC), which works directly under the State Council, alongside other state ministries and the provincial governments and departments of Yunnan and Guangxi. The GMS Cross-border Transport Agreement (CBTA) signed in 2003 includes exclusively non-military cooperation to build economic corridors facilitating commodity exchange and other trade (ADB 2011a; Ishida 2013). The National Coordination Group for the GMS coordinates projects between national and provincial governments and directly addresses China's Ministry of Commerce (MoC), Ministry of Foreign Affairs (MoFA) and the Ministry of Finance (MoF). This institutional arrangement better integrates the provincial governments into the process and highlights the importance of the GMS for Beijing (Su 2012a: 515). According to the ADB (2011b: 2), the CBTA includes mechanisms that facilitate

– vehicles (on designated open routes), drivers (with mutual recognition of driving licenses and visa facilitation), and goods (with regimes for dangerous and perishable goods) to cross national borders through the GMS road transport permit system;
– avoidance of costly transshipment through a customs transit and temporary importation system and a guarantee system for goods, vehicles, and containers;
– the reduction of time spent at borders, through single-window inspection, single-stop inspection, information and communication equipment and systems for information exchange, risk management, and advance information for clearance;
– and increases in the number of border checkpoints implementing the CBTA in order to maximize its network effects and economies of scale. (ADB 2011a: 2)

The CBTA aims at harmonizing and standardizing cross-border procedures, taxation, and transportation regulations to a 'critical level' without offending national legislation in the member countries. Hence, the Agreement does not dictate how visa regulations are handled for member countries and instead includes a number of annexes that involve best practice recommendations for member countries' border authorities. Annex 5 on Cross-Border Movement of People includes recommendations on visa application duration, health inspections, and duty-free allowances. Other annexes regulate standards for custom clearance, vehicle safety, and licensing for transport operators. Three protocols also address (1) Designation of Corridors, Routes, and Points of Entry and Exit (Border Crossings), (2) Charges Concerning Transit

Traffic, and (3) the Frequency and Capacity of Services and Issuance of Quotas and Permits. In conforming to these protocols, countries agree to inform each other about changing border crossing locations and statuses, sign a non-discrimination clause for charging transit costs, and recognize a GMS Road Transport Permit that facilitates multiple border-crossings by including standardized English forms for consistent communication. Member countries are responsible for implementing these procedures at the local level, with the ADB hosting trainings for border authorities to establish a standardized level of expertise. Projects initiated by the ADB include the Yunnan Pu'er Regional Integrated Road Network Development Project (project number 46040-002) in 2012-2013 and a project on Capacity Development for Economic Zones in Border Areas in the Greater Mekong Subregion in 2015 (project number 48122-001). These projects involve close monitoring of ongoing road construction and transport improvement as well as permanent consultancies and workshops.

The Yunnan provincial government plays an active role in these projects, actively seeking the expertise of ADB consultants and participating in regional workshops. Various regional mechanisms involve the participation of Yunnan, such as the Bangladesh, China, India and Myanmar (BCIM) Economic Corridor, which aims to boost regional cooperation among these countries. Yunnan also actively participates in the Yunnan–Northern Thailand Working Team, the Yunnan–Northern Laos Working Team, the Economic Consultative Conference between Yunnan Province and northern Vietnam, and the Yunnan–Myanmar Cooperation Business Forum (Su 2013: 1224).

Joint Border Control on the Mekong River

Although border security is not one of the official 'issue areas' within the purview of the GMS, regional agreements do tackle some matters like disease control and public health, food security, and human and drug trafficking (GMS Ha Noi Action Plan 2018-2022). Countries pledge to address these issues through improving education, facilitating safe labour migration, and addressing cross-border health issues. Several programmes have been planned and implemented, including a consultancy on Strengthening Regional Health Cooperation in the Greater Mekong Subregion (project number 51151-001, with 1,000,000 USD ADB investment) and a Study of Social Welfare and Labour Adjustments for Enterprise Reform in China (project number TA1923).

In addition to aiding these security-adjacent development projects, the GMS also facilitates cooperation within the realm of 'traditional' security measures. For instance, the GMS organizes joint border control along the Mekong to fight

Map 1 GMS transport corridors
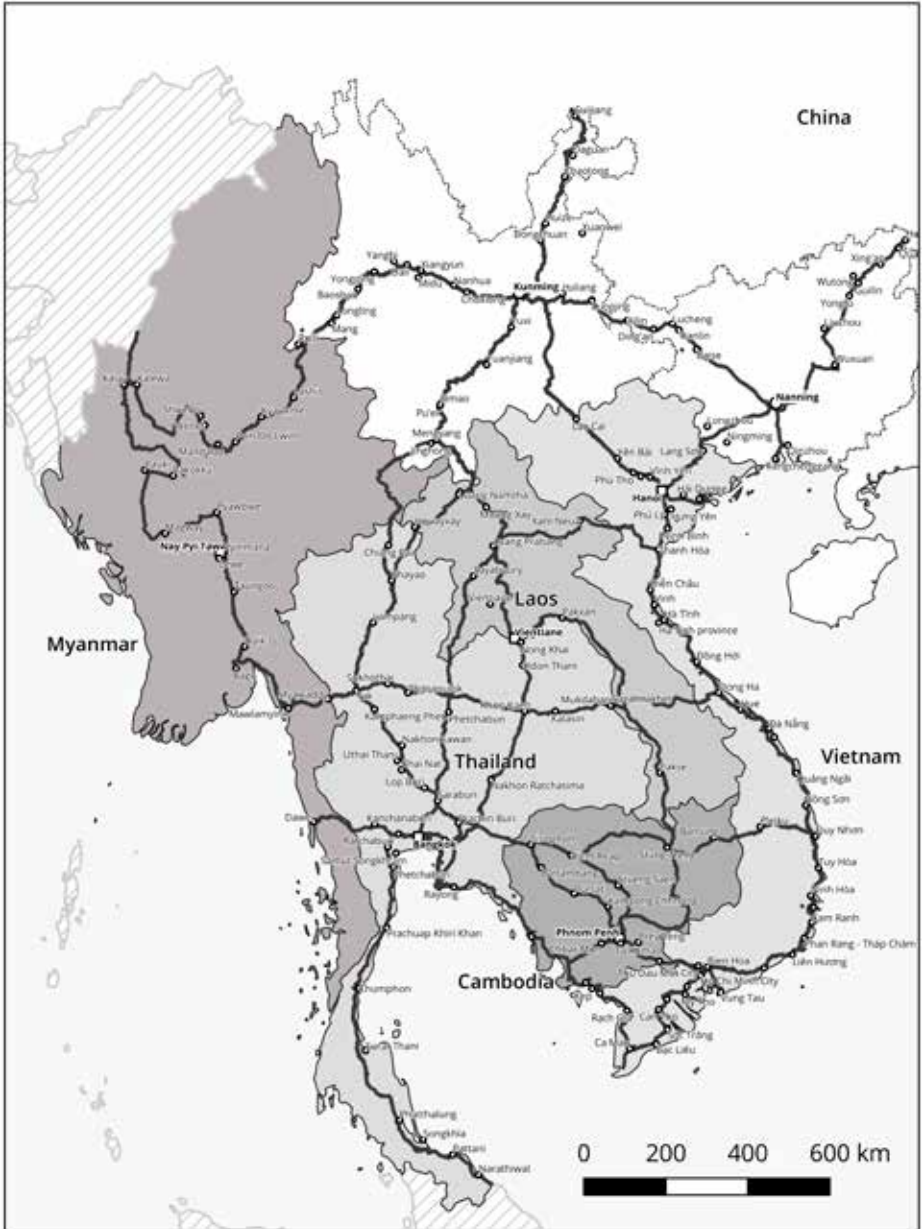
(map drawn by author)

organized crime, illegal trafficking, and drug smuggling. In a 1993 MoU, GMS member states created a Border Liaison Office mechanism that aimed to ease the sharing of information on illegal border activities in order to facilitate cooperative action. The mandate was successively broadened from illicit drugs and drug precursors to include migrant smuggling, human trafficking, and the illicit cross-border transport of wildlife, timber, hazardous waste, and Ozone Depleting Substances. In cooperation with the United Nations Office on Drugs and Crime (UNODC), this mechanism evolved into the Partnership against Transnational Crime through Regional Organized Law Enforcement (PATROL). PATROL organizes customized trainings for border security personnel (China Daily 2011) and conducts surveys among border personnel to evaluate what critical infrastructure and equipment is missing (UNODC 2013: 7). The UNODC (2013: 9ff.) has reported a general lack of border security infrastructure as well as increased illegal trafficking of women across borders by highly professional trafficking organizations. China, Vietnam, Laos and Myanmar hold regular meetings and event-based discussions with border inspection agencies regarding the facilitation of inspection procedures, expedited customs clearance, and joint crackdown on illegal and criminal activities.

The GMS has also initiated a joint border control unit, staffed by security personnel from all member countries, that aims to curb illegal trafficking and drug smuggling along the Mekong (Xinhua 2016a). China is represented by both People's Liberation Army (PLA) and PAP, dispatching around 200 soldiers and police for these patrols. The Yunnan PAP unit presides over the joint mission, functioning as a transnational coordinator. The Yunnan Police Academy cooperates with the UNODC by conducting trainings to which neighbouring countries' security forces are invited. Between 2002 and 2008, the joint unit launched around 100 joint cross-border raids (Su 2015: 78). These raids gained wide media attention in China after a 2011 incident known as the 'October 5th Massacre': thirteen Chinese sailors were killed when drug traffickers hijacked their boat, and in response, the traffickers were hunted down in a cooperative action initiated by the Ministry of Public Security (MoPS, ibid.). Since 2011, the joint patrols became more institutionalized, conducted regularly along the Mekong River from Yunnan's Guanlei Port to Chiang Saen in Thailand, escorting cargo ships to deter hijackers and searching private boats for drugs. The operations involve China, Laos, Myanmar, and Thailand, with Cambodia and Vietnam observing. Since then 73 operations have taken place and the project has been positively evaluated by Chinese authorities (Xinhua 2018a).

This security framework brings Chinese threat perceptions to bear on regional issues, with international drug control cooperation serving the interests

of China's crackdown on drug smugglers. In order to effectively conduct this crackdown, China draws on joint GMS resources. Though these operations are not under the mandate of the United Nations (UN) or United Nations Office on Drugs and Crime (UNODC), these actions result from the joint security concerns of the Mekong riparian countries. China's People's Armed Police (PAP) contributes personnel to operations beyond the Chinese border in the 'Golden Triangle' of the Mekong River. On the significance of these multilateral operations for territorial sovereignty, Su Xiaobo (2015: 78) finds that

> by holding joint patrols along the Mekong River, China asserts respect for the territorial logic of national sovereignty and fosters transnational engagement networks against drug trafficking and armed crime groups. This is the first time in almost three decades that Chinese security forces have operated beyond Chinese territory in a mission that was not mandated by the United Nations, but rather for its own national security concerns. Hence, these patrols demonstrate an expansion of China's role in regional security and economic integration in mainland Southeast Asia.

Security cooperation continues on a local level. In Dehong, Chinese local security authorities meet regularly with their Myanmar counterparts to exchange information on illegal activities and enforcement strategies. The exchange process, however, is asymmetrical, with the Myanmar forces having rather limited expertise, equipment, and reach (interview 44,45). In Xishuangbanna, the prefectural development plan addresses joint border security enforcement along with the need to professionalize and standardize procedures (Xishuangbanna Prefecture Government 2017). Such local cooperation is part of the Border Liaison Mechanism and entrenched in the provincial Regulations on Border Management.

This case demonstrates how China's security priorities extend into the GMS framework. Although the GMS does not constitute a security community with a coherent security concept or threat perception, the organization addresses certain security issues under the umbrella of development policies. While the joint border operations are not directly part of the GMS organization, they derive from its integration process. China is thus able to externalize its security enforcement through these joint operations; China also supplies a major part of the resources involved, so they are actively involved in the engineering of the operations. The Border Liaison Mechanism has become an integral part of China's border regime facilitating the application of Chinese national law to security enforcement in extra-territorial operations.

Security and Development: Drug and Disease Control

In regionally projecting its security needs, China utilizes both 'coercive crackdown and development assistance' (Su 2015: 80). Alongside the regionally integrated security enforcement described above, development assistance aims to prevent local causes of migration and strengthen neighbouring countries' economies to reduce poverty. Against this backdrop, China finances opium substitution programmes in northern Laos and Myanmar that help ex-poppy farmers transition to other cash crops (Su 2015: 79). The smuggling of poppy from Myanmar and Laos has long been a major concern for Chinese officials. In 2000, China entered the ASEAN and China Cooperative Operations in Response to Dangerous Drugs (ACCORD), which introduced multilateral solutions through public education, demand reduction, improved law enforcement, and the elimination of narcotic crops via alternative development programmes. The ACCORD programme, which is financially and technically supported by the UNODC, has been substantiated with several MoUs that further detail countries' responsibilities. In 2004, Chinese authorities announced a 'People's War on Drugs' that supplied additional funding for border controls as well as investments in rehab, detoxification, and methadone facilities for Chinese addicts.

As China directly finances opium substitution programmes for Laotian and Myanmar farmers, Chinese agricultural companies pressure these farmers to buy seeds and fertilizer. Farmers have complained that they then become dependent on the companies as well as on the Chinese market, which is depressing prices and driving many into bankruptcy (Freeman and Thompson 2011: 72). Hence, the programmes do not offer a sustainable alternative and discontent with the Chinese substitution methods has risen. Su (2015: 80) quotes a Myanmar farmer saying that 'it is not opium substitution, but colonialism'. The Ruili local government has tried a different approach, financing local agricultural companies that directly cooperate with farmers across the border to ensure import licencing and duty-free status and offer better market conditions for the farmers (Freeman and Thompson 2011: 73).

In Ruili and other border cities, local authorities also regularly interact with their cross-border counterparts to discuss HIV/AIDS programmes, including trainings, technical exchange, and monitoring and evaluation of drug users (cf. Freeman and Thompson 2011: 74). In my interviews, local officials repeatedly stated that this was the most major issue that they had to deal with in terms of border security, public health, and population

security. In Ruili, an International Law Enforcement Security Cooperation Brigade (*Ruili shi guoji zhifa anquan hezuo dadui jigou*) was established in order to coordinate joint law enforcement, exchange information, and improve relations between various governments and enforcement units (Ruili City Public Security Bureau 2017).

Drug and narcotics control is central in both the GMS and the Chinese security discourses. The issue is directly linked to public health, as drug use spreads HIV infections, which in turn pose a major security concern in the region and impose high costs on the Chinese health and social support systems. Demonstrating the nexus of security and development, the issue is also linked to development policy, exemplified by Chinese support for ex-poppy farmers in neighbouring countries.

Zones of Exception: Border Trade and Investment Facilitation

The transport corridors planned by the GMS enhance trade routes in the region. Along the corridors, Special Economic Zones (SEZs) have been established by member countries in order to spur foreign direct investment, facilitate customs regulations, and incentivize local labour markets. The creation of SEZs is common in the Chinese political system, which builds on local pilot areas and experimental zones. Accordingly, the Yunnan government had by the early 1990s already started creating special zones at important border crossings. The following section introduces functions and preferential policies in two Yunnan Special Border Zones: the 'Mengla Key Development and Open Economic Zone' (*kaifa kaifang shiyan qu*) and the 'Ruili Jiegao Border Trade Zone' (*jiegao bianjing maoyiqu*).

Under governor Qin Guangrong (2007-2011), Yunnan's provincial government cooperated closely with the National Development and Reform Commission (NDRC) to implement 'infrastructure improvement, human resource training, tax recoding and cross-border port construction' (Su 2013: 1226). In 2010, they launched the Yunnan Bridgehead Construction Steering Group, led by the governor and supported by the party chief. This steering group is vertically organized and appoints prefectural administrative chiefs that chair local steering groups. These local units are responsible for implementing policies from the bridgehead strategy according to local specifications and then reporting back. Chapter 5 of the 2017 Yunnan Regulations on Border Management (*Yunnan sheng bianjing guanli tiaoli*) directs provincial and prefecture governments to further develop cross-border infrastructure and facilitate mobility, travel, communication, and business by issuing preferential policies for the border area.

As the SEZs along the border integrate national and local development goals, they represent a deliberate consequence of the 'bridgehead' strategy. From the reform period onward, local experimental zones have been used to trial innovative policies (Heilmann et al. 2013). One of Yunnan's first SEZs, Ruili National Key Experimental Zone for Development and Opening-up (REZ, *guojia zhongdian kaifa kaifang shiyan qu* or Jiegao Border Trade Zone *Jiegao bianjing maoyiqu*), was established in 1992. Close by, the Ruili-Muse border gate in Dehong Dai and Jingpo Autonomous Prefecture represents one of the area's most infrastructurally developed zones (Bie et al. 2014: 5290). Both of these zones were directly authorized and granted 'preferential policies' by the State Council (Custom Inspection and Preferential Tax Privileges Pertaining to Trading along the Sino-Myanmar Border of the PRC and the Notice for Further Liberalizing the Border Towns and Counties of Nanning, Kunming, Pingxiang, Ruili and Hekou by the State Council). Here, the central government strategically integrated the border area into spatial planning strategies through such preferential policies as well as symbolic appreciation as a 'bridgehead'.

The REZ is located in Dehong Dai Jingpo Autonomous Prefecture on the border with Myanmar, close to the Mangshi Airport, and with good road connections to the rest of Yunnan. The Zone comprises the whole town of Ruili plus two 'wings' (*liang yi*) that stretch into Mancheng and Longchuan Counties. Two first-ranked border gates and one second-tier border gate are located in the Zone. The REZ is run by two Management Committees (the CPC Ruili National Key Development Open Experimental Zone Working Committee and the Ruili National Key Development Open Experimental Zone Management Committee), the first of which belongs to the Party while the other does not; this strategy is known as 'one institution two names' (*yi tao banzi, liang kuai paizi*). Other levels of government functioning directly under the Working Committees include an Integrated Department, a Policy Planning Bureau, an Economic Development Board, a Project Coordination and Investment Promotion Bureau, and a Foreign Cooperation Bureau, overall employing 30 people. The zone's special customs status treats exported goods as internal goods for the purposes of omitting taxation (*jingnei guanwai*). Export licenses, issued within one day, facilitate transactions. Zone authorities claim that over 60% of China-Myanmar trade is processed through Ruili (Ruili National Key Experimental Zone for Development and Opening-up 2018). In 2015, the zone reported a total import and export trade volume of USD 5.2 billion, an inflow and outbound flow of 20.73 million passengers, and an inbound and outbound traffic volume of 4.49 million vehicles. Since 2011, these represent increases of over 385.19% (trade volume), 168% (passenger), and 172.03% (traffic) respectively (NDRC 2016).

The Ruili Jiegao REZ functions as a processing zone that accommodates manufacturing and storing sites for imports and exports in various industries such as electronic mailboxes, textiles, and biopharmaceuticals (ibid.). In 2015, the average paperless customs clearance rate reached over 90%, with average customs clearance time reduced to five minutes. 1,289 enterprises had established representation in the zone, including China Minmetals, COFCO, CNBM, CNPC, BAIC Group, Agile Property, and the major car and motorcycle companies Beiqi Ruili and Ruili Yinxian, who also manufacture in the border area. Local authorities have also signed strategic cooperation agreements with the National Export-Import Bank, the China Development Bank, the Bank of China Yunnan Branch, the Agricultural Bank of China Yunnan Branch, and the Industrial and Commercial Bank of China Yunnan Branch.

Besides its economic and fiscal goals, the zone also aims to 'deepen cooperation in border social affairs: Strengthen inter-governmental consultations between China and Myanmar and promote cooperation in border city construction. Expand cooperation in transnational education, culture, science and technology, human resources development, medical and health care, anti-drug and anti-AIDS programs, gambling and counter-terrorism in border areas' (Ruili National Key Experimental Zone for Development and Opening-up 2018). To facilitate immigration, the zone has established a registration office for cross-border marriages and the first foreigners' service point for Myanmar citizens (more details in Chapter 6.1.1. Legalizing through Work Permits, NDRC 2016). As part of the Enrich People's Lives policy (*xingbian fumin*), local authorities plan to include 'ethnic minority people' in the 'fruits of local establishment' and to establish a 'subsidy system' for border residents who help guard the border (*dui chengdan shou bian renwu bianmin de buzhu zhidu*) (Ruili National Key Experimental Zone for Development and Opening-up 2018).

The Mohan International Special Economic Border Zone (*Mengla (Mohan) zhongdian kaifa kaifang shiyan qu*), formally established in 2014, is located in Xishuangbanna Dai Autonomous Prefecture bordering Laos (State Council Gazette 2015). Previously the place was designated to become a hotel-casino complex but failed due to mismanagement (Rippa 2021: 232). Local authorities lobbied the national and provincial governments for years to then gain the preferential status as an SBZ (interview 9). The zone borders Laos but also strives to attract direct investment from The Boten-Mohan border area is a first-ranked border gate with special economic zones on both sides. The border gate handles up to 70% of all Sino-Laotian trade (Tsuneishi 2013: 221). The Mohan Border Trade Zone accommodates several hotels and restaurants as well as space for factories. The local government's

planned industrial park, however, has not yet materialized, even though Yunnan Haicheng Industrial Group has largely invested in the area and continued the development trying to speed-up previous slowdowns and revive the area (Rippa 2021). Nevertheless, the zone is highly developed compared to neighbouring border ports, with newly built streets and well-developed tourism infrastructure. Similar to the Ruili zone, the Mohan zone is governed by a dual structure with a Party and a non-Party working committee; personnel work for both the zone administration and the county government (Yunnan fazhi wang [Yunnan Law Online] 2018). International companies can invest in the zone; in 2017, 71 foreign firms had registered here, mostly from Laos and Myanmar (China Daily 2017a). The Yunnan Department of Finance allocated 100 million CNY for 2016-2025 to boost investment in port and transport infrastructure, with an overall goal of implementing an integrated transport network for the region and attracting an industrial cluster to Mohan (Xishuangbanna Prefecture Government 2017). Aside from economic and fiscal regulations, the zone has not yet developed other special policies. The only exception the zone offers with regard to immigration practices is that foreigners working in the zone – but not elsewhere in the border area – can directly apply for working permits there (Yunnan Provincial Government 2016).

The NDRC's evaluation of Ruili's zone indicate under-performance relative to other zones. In 2015, Ruili's regional GDP was 12.5 billion CNY, falling short of other zones such as Dongxing Experimental Area in Guangxi, which reached 51.27 billion CNY. The statistics for Mohan are not yet available because it only started running in 2014 (NDRC 2016). However, the zone plays an important role in Chinese regional development as it pools trade and transportation along clearly designed corridors and attracts foreign direct investment. By enhancing local conditions and nurturing of regional development hubs, the Chinese government has enhanced the role of its periphery.

These zones are quite literal 'zones of exception' comprising preferential taxes and labour conditions. Since 2011, foreign investors have had the option to directly invest CNY in the border area rather than other freely convertible currencies (People's Daily 2011b). Although these zones attract foreign direct investment both within the ADB's GMS framework and from foreign private companies, the biggest portion of financing is provided by the Chinese central government and allocated through the provincial government. In 2019, the local government in one SEZ tried to use its funds to build a cross-border golf course, though the plan was nixed by the provincial government. This anecdote aside, zones' financial means and

planned expenditures on border infrastructure and management often exceed locally feasible investment goals. The current implementation status of Mohan's development planning lags behind other ambitious GMS infrastructure. Most roads and border infrastructure are unbuilt or simply not in full use, for instance the quarantine office at the border gate. The spatial configuration of these border areas, however, exerts their symbolic value for cross-border cooperation. The border zone in Ruili City is situated within Chinese territory but incorporates a small enclave across the Shweli River on the Myanmar side; this enclave is an attraction where tourists buy relatively cheap jade from Myanmar. In addition, the locality serves as a point of contact between people from both sides of the border and as a hub for both legal and illegal trade (i.e. currency exchange, jade and wood imports into China, and exporting smartphones, cars, and motorbikes).

This institutional interplay constitutes an interscalar border regime in which Beijing functions as 'scalar manager', carefully negotiating the responsibilities and rights of the actors involved. Authority over the border area is deliberately decentralized, and border prefectures implement guidelines with a considerable degree of local leeway to create different development measures and generate cross-border cooperation mechanisms. In this way, the territorial frame becomes dynamic, producing the border as a multiscalar process. The zoning technologies described here show how the Chinese government regulates through policy guidelines and fiscal allocation, inventing various preferential policies as spatial fixes for the relatively underdeveloped periphery. 'Zones of exception' thus becomes a common means of scalar production.

Greater Tumen Initiative (GTI)

In the three decades since China started its engagement in the Tumen River Development Programme (TRADP) and its successor organization, the GTI, actual progress on goals such as infrastructure development and investment in China's northeast has fallen short of expectations (Cotton 1996: 1095). Despite these shortcomings and the 'historic void of multilateralism' in the region (Freeman 2011: 34), Beijing continues to support the GTI in order to manage 'security along its territorial periphery' and engage with North Korea (Freeman 2010: 138). The GTI framework serves China's interests in stabilizing and securing its border areas, developing its territorial periphery, and connecting it to neighbouring countries.

The GTI further links national campaigns such as Develop the West and the Belt and Road Initiative to regional development projects, which scales them up and allows them to dovetail with national and regional development goals.

China's goal to develop the Tumen area has aimed to 'transcend its historical territorial loss […] through cooperation with its neighbour' (Freeman 2010: 141) by creating a hub for trade and investment in its 'underdeveloped' north-eastern provinces. As a 'brainchild of academics in Jilin' during the 1980s, the Tumen project 'reflected local concerns about the failure to capture the benefits enjoyed by China's coastal areas for international trade and investment' (Freeman 2010: 142). In 1990, the first conference on developing the Tumen area was held in Jilin, with participation from the PRC, the Democratic People's Republic of Korea (DPRK), Mongolia, Republic of Korea, and Russian Federation. The project ran into difficulties such as a 'lack of Russian legislation that would permit such an agreement' and the North Korean delegation dropping out after the death of Kim Il Sung (Cotton 1996: 1095). Meanwhile, the United Nations Development Programme (UNDP) started offering financial and technical cooperation in 1991. The initial idea was to establish an international corporation to directly manage the Tumen River Economic Zones (TREZ) that each member country would provide land for. This model, however, did not materialize, mainly due to Russian concerns about the loss of territorial sovereignty to a supranational organization (Pomfret 1997/98: 83). When TRADP was officially established in 1995, China, Russia, and North Korea established a committee to oversee common security issues such as border transit (Cotton 1996: 1096). In the initial stage of UNDP involvement, there was controversy regarding its investment in the project, with 30 million USD of funding falling through (Davies 2000: 8). In 1998, the UNDP established a permanent office in Beijing. In 2005, TRADP was renamed GTI with a 'vision of enhanced and expanded self-reliant intergovernmental economic cooperation mechanism' (Greater Tumen Initiative 2018). The Beijing Office was renamed accordingly and remains today.

The organization has five intergovernmental boards (Transport Board, Tourism Board, Trade Facilitation Committee, Energy Board, and Environmental Board) composed of ministerial representatives from the member countries. GTI meetings are attended by representatives of the north-eastern provinces of Jilin, Heilongjiang, Inner Mongolia, and Liaoning in addition to Vice Ministers of relevant ministries. In 1995, Jilin's provincial government had previously established a Tumen River Area Leading Group, which

coordinated existing infrastructure development projects and established local-level leading groups and special sub-provincial offices, including in Yanbian. This Leading Group provided the basis for Jilin's active participation in the GTI framework. For the GTI Consultative Commission, the Chinese central government sends Vice Ministers from the State Development and Planning Commission (SDPC), the Vice Minister of Foreign Trade and Economic Cooperation (MOFTEC), the Vice Minister of Science and Technology, the Vice Minister of Finance, and the Vice Governors of Jilin Province. By deputizing high-level personnel to the GTI, Beijing signals that regional negotiations are politically important. GTI member governments and the Secretariat are responsible for formulating project proposals and assessing requirements. The Consultative Commission meets once every year to approve project plans and allocate budgets.[6]

In 2012, the NEA EXIM Bank Association was created to facilitate financial resource allocation for joint development projects. The Association builds on a MoU between the member countries on integrating national banks. The participating national bank in China is the China EXIM Bank, which is subordinated to the State Council and responsible for financing state policies regarding industry and foreign investment. EXIM Bank's involvement speeds up the investment process and reinforces Chinese influence over all of GTI's projects.

A key goal of the GTI is to integrate members' domestic trade and transport systems into one coherent regional framework. The aim is to harmonize and align border crossing procedures and documentation into a 'single window' system. This comes along with a simplification of regulations and a standardization of processes. The GTI therefore conducts surveys of existing trade and investment practices, standardizes regulations on cross-border processing in line with member country legislation, and builds capacity through training local officials. The GTI Secretariat has 'frequently acted as an advocate at the Chinese central government level on behalf of Chinese local and provincial authorities' such as in creating the Hunchun Border Economic Cooperation Zone. Such efforts have not always been successful, as when local governments lobbied for an international airport in Yanji in the late 1990s that did not materialize (Davies 2000: 26f.)

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6   The GTI budget in 2011 was estimated to be around 650,000 USD, with member countries contributing based on GDP; China was therefore the largest donor at 260,000 USD, with Russia contributing 212,000 USD, ROK contributing 152,000 USD, and Mongolia contributing 25,000 USD. The DPRK did not financially contribute.

Another important body of the organization is the GTI NEA Local Cooperation Committee (LCC). Since 2011, the LCC has been bringing together local governments from the member countries annually. The LCC aims at

> strengthening the capacities of NEA local governments participating in regional economic cooperation, enhancing policy coordination between local & central authorities to synergize development strategies, identifying and implementing joint cooperative programs and projects for mutual benefit, mobilizing resources and international support for local cooperation activities, exchanging information on local economies and sharing knowledge on regional development, encouraging favourable regional business environment to attract business, promoting dialogue, communication and mutual understanding among NEA neighbours, and laying out a foundation at the local level for NEA economic integration (Draft of Terms of Reference GTI NEA LLC, 12th GTI Consultative Commission Meeting, 28 September 2011, Pyeonchang).

The LCC emphasizes the importance of local initiatives for cross-border cooperation and follows a pragmatic approach by solely focussing on GTI priority areas. Nine local governments in China send representatives from Heilongjiang, Inner-Mongolia, Liaoning, and Jilin to these meetings. Additionally, Japan and the DPRK participate as non-GTI members (see Table 7). The Chinese Ministry of Commerce (MOFCOM), in cooperation with the ADB and UNDP, has hosted trainings on capacity building for local officials to improve their knowledge regarding best international practices and multilateral economic cooperation. The GTI 2013 and 2014 Progress Reports indicated that the LCC level of participation and representation was 'unbalanced', with Chinese local governments actively engaging and much smaller participation from Russian, Japanese and South Korean local governments. However, the GTI Secretariat does not have any mechanisms to level the representation except to encourage member countries to contribute. An additional problem was noted regarding the widely differing ranks of participating local officials (Progress Report 2015).

Yanbian Korean Autonomous Prefecture is the centre-piece (*hexinqu*) of China's representation in the GTI (Gu and Yang 2015: 180). Ranking among the active participants in the LCC is the Vice Mayor of Yanbian, Gu Jinsheng, who has attended many Consultative Commission meetings as the only local government official. The Jilin Department of Commerce and the Jilin Tumen River Area Leading Group are also heavily represented (interview 11-15). The active involvement of Jilin Province and Yanbian Prefecture illustrates the importance of this specific locality to the regional framework.

The GTI also operates in close cooperation with private enterprises, with public-private partnerships further institutionalized within the GTI Business Advisory Council. The German development assistance organization, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), functions as an external technical advisor, sending representatives to all official GTI meetings. The GIZ advises the GTI Secretariat regarding (1) relations with companies and Chambers of Commerce in participating countries, (2) national quarantine and customs agencies, (3) ministerial relations such as with the MOFCOM. The GIZ provides expertise by hosting workshops and trainings, and no financial support is given (interview 10). In 2016, two other sectors were attached to the GTI Business Advisory Council portfolio, namely the Agriculture Committee and the GTI Research Institutions Network.

The integration process was further facilitated when in 2009 the Chinese State Council issued the 'Outline of Plan for Regional Cooperation and Development of Tumen River in China — Open and Pilot Area for Changjitu Development' (*Zhongguo tumen jiang quyu hezuo kaifa guihua gangyao — yi zhang ji tu wei kaifa kaifang xiandao qu*), which set out a vision for the region until 2020 and suggested an international border cooperation zone in Hunchun to further promote international trade and investment. This Outline gave local governments leeway to attract foreign direct investment and facilitate joint ventures in the pilot area.

The UNDP's ambitious plans to entirely reconstruct regional infrastructure were abandoned in favour of 'harmonizing and coordinating existing projects and initiatives'. Over time, the organization developed a transport corridor approach that geographically connects member countries' existing infrastructure. According to official documents, the corridors 'act as a vehicle for countries to establish efficient intermodal transport and develop the logistics industry, providing opportunity to maintain the region's competitiveness and increase the benefits of regional trade' (Project Profile GTI-TR-I-1). Overall, nine transport routes have been planned, spanning railway, road, and water infrastructure such as ferry ports. The Tumen River Transportation Corridor (nr. 1 on Map 2) connects Mongolia and Jilin Province to the sea and by 2015 was partially built, with a high-speed railroad connecting Changchun to Tumen and under construction from Tumen to Hunchun. The 'Promotion of the Transport and Logistics Service Project: NEA Ferry Routes (Soktcho—Niigata—Zarubino—Hunchun)' (GTI project number GTI-TR-I-1) exemplifies how different government levels are coordinated, with the corridor approach clearly defining the involved governments and parties. This project aimed to connect the Chinese and Russian coasts to Japan by sea. A ferry company was already maintaining

Map 2   GTI transport corridors

(Greater Tumen Initiative 2013b)

the Sokcho–Zarubino–Hunchun route, which was then extended to Niigata, Japan. Plans were made to cut the long waits for customs clearance and multiple inspections by different border control points, which had previously made the ferry an unattractive mode of travel. The goal was to facilitate customs procedures in Zarubino, modernize the immigration desk, and support small vendors by implementing new visa requirements for Chinese and Korean travellers in a 'transit zone' around the port (Doc. 11, 3rd Meeting of GTI NEA Local Cooperation Committee and Local Development Forum, Choibalsan, 2015). Participants in this project included various levels of governments from China (central, Jilin Province, Yanbian Prefecture, Hunchun City), Japan (central, Niigata Prefecture, Niigata City), South Korea (central, Gangwon Province, Sokcho City), and the NEA Ferry Route Co. Ltd., a ROK-Japan-China-Russia Joint Venture. When the project was initiated in 2008, costs were estimated at 50,000 USD for consultancy services and taskforce workshops. China directly supported the project, with Jilin Province Changjitu International Logistics Group Co., Ltd. funding a joint venture with Zarubino Port International to enhance port infrastructure and ultimately 'resolve the clearance facilitation problem for cross-border goods' (GTI Project Proposal, Land and Sea Cross Border Transportation Project of Hunchun via Zarubino Port, 2015). Dozens of similar projects involving one or several member countries and their subordinate governments were

Table 7   Participants in the LCC

NEA countries		Local Provincial Governments in GTR	Other Local Provincial Governments
GTI Members	China	Jilin, Liaoning, Heilongjiang, Inner Mongolia	
	Mongolia	Dornod, Hentii, Sukhbaatar	Tuv
	ROK	Gangwon, Gyeongsangbuk, Busan, Ulsan	
	Russia	Primorsky Territory	Khabarovsky Territory
Non-GTI Members	Japan		Tottori, Niigata, Fukui, Akita, Toyama, Yamagata
	DPRK		Rason

initiated under GTI Secretariat guidance. These projects usually consist of infrastructure development or capacity building training on how to create 'business-friendly environments'. The ferry project outlined here links several different GTI issue areas as it involves transport connectivity, facilitating multi-destination tourism across borders, and attracting foreign investment to ports situated close to Special Economic Zones.

Through such 'port alliances', Beijing channels direct investment into strategic infrastructure projects in Russian territory under the framework of the GTI. Similarly, Chinese companies have invested several billion CNY in the reconstruction of Rajin Port in North Korea (Freeman and Thompson 2011: 35). These investments are often linked to pier leasing contracts, which assure long-term cooperation on the part of China. Ultimately, these direct investments are asymmetrical, with China's outgoing investment outpacing incoming investment; China thereby expands its own infrastructure development across the border and beyond its national territory.

To summarize, the GTI establishes a framework for coordinating domestic development projects to facilitate regional transport connectivity. The organization is active in areas such as transport, trade, and tourism. It does not constitute a supranational agency requiring binding legal priority before national law, but instead provides an organizational superstructure that coordinates among members. The GTI aims to integrate member states' varying foreign investment and border control practices into a coherent 'single window' approach that would align knowledge, documentation, and procedures for investment, trade, and travel in the region. Since the process started in the 1990s, the organization has developed a steady negotiation forum, though policy outcomes have been very limited; challenges include vastly different border processing practices, a lack of technological

integration between border control systems, and incomplete infrastructure development.

Zones of Exception: Border Trade and Investment Facilitation

As described above, the GTI designed corridors to connect designated trade hubs and nurture regional development. One of these hubs was established in Hunchun, a county-level city in Yanbian Prefecture located in the tri-border region (*sanguo bianjing diqu*) of China, Russia, and the DPRK. In the 1970s and 1980s, the prefecture was completely closed to foreign trade and investment, with the local economy reliant on coal mining and forestry (Lee 1998: 249). Even today, coal mined in China and the DPRK is transported by train to Russia for further refinement. In 1992, Hunchun was labelled a 'national open city' (*guojia ji kaifang jingji*). In 2009, the county approved the implementation of the 'Outline of China's Tumen River Regional Cooperation and Development Programme – Developing and Opening Pilot Areas with Changjitu', which designated Hunchun an open 'window' city for the region – known as 'Changjitu', an acronym combining Changchun City, Jilin Province, and Tumen River. The main priorities of this policy were threefold. First, the 'integrating two areas' (*liang qu*) goal involved linking the border area and the Chinese hinterland in a regional 'reaction chain' (*liandong*) comprising the metropolitan areas of Changchun and Jilin City by using Hunchun as a window (*chuangkou*), core (*hexin*), and bridgehead (*qiaotoubao*) to the region in terms of infrastructure, communication, and resources. Second, the 'building the three belts' (*san dai*) goal stated that Changjitu should become the forerunner (*xiandao*) in three areas, namely the urban development of satellite cities (*tese chengzhen dai*), the logistics industry (*wuliu chanye dai*), and tourism (*jingpin lüyou dai*). Lastly, the Changjitu project aimed to establish the 'four functional platforms' (*si ge gongneng pingtai*) of the Hunchun International Cooperation Demonstration Zone (*Hunchun guoji hezuo shifan qu*), the Changchun Free Trade Zone (*Changchun zonghe baoshuiqu*), the Jilin Food Zone (*Jilin shipin qu*), and the New District Changchun (*Changji xin qu*). These zones all aim to develop better infrastructure and expedite customs procedures and investment regulations in order to strengthen the region's economic competitiveness (Bai 2015: 173f.). The (Hunchun) International Cooperation Demonstration Zone (*Changjitu kaifa kaifang xiandao qu shiyitu*, or TRR ICDZ for short) is the only national-level zone in Jilin, granting it greater leeway in determining customs regulations.

This zone comprises various areas dedicated to the different investor countries, with a Sino-Russian Zone, a ROK Zone, an area for Hong Kong trade, and others. The companies are mainly involved in seafood processing, bio-pharmaceuticals, electronics production, and textile manufacturing. The zone handles its own border controls for goods, including quarantine zones and customs (interview 19). The zone is run in close cooperation with the local government, with a coordinated Construction Bureau (*jianshe ju*), Economic Cooperation Bureau (*jinghe ju*), Joint Market and Trade Bureau (*hushi maoyi ju*), Project Office (*xiangmu ban*), Development and Reform Bureau (*fagai ju*), Finance Bureau (*caizheng ju*), and Export Processing Bureau (*chukou jiagong ju*).

Although the zone constitutes an important site within the GTI, when TRR ICDZ officials were asked about GTI or UNDP involvement in the regulation of their zone, they seemed to not be aware of any and instead indicated that they follow national guidelines on border development; they argued that the area is the most 'successful' of the border zones in the Northeast. This indicates that the zone's primary purpose is to facilitate trade on a bilateral level with the DPRK (Bai 2015: 174; cf. Zhang 2013: 56) and that the GTI's regional development programme is fully embedded in Chinese national development alongside Belt and Road infrastructure discourses.

TRR ICDZ officials do not engage in direct contact with cross-border counterparts like Hunchun City officials do. The 50 cadres employed to govern the zone are civil servants, but their status is somewhat unclear within the administrative system. Their salary is less than that of Hunchun cadres and they did not receive proper training (*meiyou zhengshi de bianzi*, interview 19). The zone's liminal position within the Chinese administration hierarchy produces uncertainties among cadres. To meet this uncertainty and further facilitate cooperation between cross-border counterparts, over 300 supporting policy regulations have been issued at the national and provincial levels (Gu and Yang 2015: 182).

Local officials complained that the success of the zone is still limited due to central government neglect, limited surrounding market infrastructure, poor coordination between different agencies, strict custom regulations, and low investment. Overall, they stated that locally produced goods were too few to establish sustainable trade routes (interview 19). Addressing this concern, in August 2015, Jilin Province boosted the administrative autonomy of border counties by upgrading their ability to independently issue trade permits. This further decentralized border control in order to facilitate trade (Paragraph 4, The Provincial Public Security Bureau Issues Five Entry Exit, Convenience and Benefit Measures).

The actual regulations deriving from the zone's preferential policies are constantly renegotiated between companies located in the zone and provincial and local governments (interview 19). Many regulations directly address the largest company in the area, Zijin Mining, which exports timber, coal, and minerals from the DPRK to China. They only pay 15% income tax as opposed to the usual 25% income tax for foreign companies.

South Korean companies contribute most of the zone's foreign direct investment, with three quarters of the share in 2002. The site presents certain advantages for South Korean companies as their employees can benefit from the Korean language competence of locals and they can strengthen North Korean bonds bypassing the sensitive ROK-DPRK border (Freeman and Thompson 2011: 31). Freeman and Thompson (ibid.) further detail how South Korean investment gave rise to tensions as Yanbian authorities tried to contain or even discourage South Korean investment, fearing that they are 'treating Yanbian as a sort of "Korean territory"' and profiting off preferential policies.

Like Ruili REZ, the Joint Market Zone with Russia (*Zhong E hushi*) at the Hunchun port follows the directive of 'internal border control but external customs' (*jing nei guang wai*, Zhao 2015: 64) – that is, border security stands at the first line of control, but customs control moves back in order to create this tax-free site. Tourists and border residents can easily access the zone to shop for Russian goods, mostly signature food and tableware. This zone is not linked with a Russian counterpart and exists only on Chinese territory. Border residents can buy products with a tax exemption of 8,000 CNY per year as part of the zone's preferential policies (interview 19). Local authorities have established an Ad-hoc Foreigner Service Centre (*te she waiguo ren fuwu zhongxin*) that provides free training for traders who want to sell products on the cross-border market and offers dispute resolution in Chinese, Korean, and Russian (interview 19). Special entry and exit permits for Chinese traders are issued by the local Public Security Bureaus to enhance market competitiveness. In 2014, the MoPS officially introduced an Exit and Entry Pass (*churujing tongxingzheng*) for Jilin Province that is only issued to border trade enterprises. In July 2014, the border inspection department of the DPRK formally agreed to allow Chinese border trade personnel to use the documents to pass through Hunchun, Tumen, Ji'an, Linjiang, and Changbai ports into DPRK territory. In that year, 625 travellers and 206 border traders were processed using this pass, and 99 border trade enterprises were registered with the system. Local authorities consider this a successful implementation, as it has facilitated business mobility, improved cross-border cooperation, and saved time and costs for local traders and bureaucrats (Jilin Provincial Exit and Entry Administration 2014).

Security and Development: Illegal Immigration as Schrödinger's Cat

From the Chinese perspective, national security rests on the ability to maintain social stability in the multi-ethnic border area inhabited by a large number of Korean immigrants, both irregular and regular. Local authorities perceive increasing price inflation and stagnant incomes as a growing threat to social stability. The region is perceived as a 'shadow belt' that does not yet access the benefits of the Belt and Road Initiative. The main issue for local officials, though, remains how to manage 'illegal' immigration. They simultaneously need to address the issue in order to get support from higher authorities and downplay the problem as it would reflect poorly on them for the issue to get out of hand. Hence, like the cat in Schrödinger's box, 'illegal' immigration is at once a problem and not.

As detailed in Chapter 3, the Chinese government does not formally acknowledge North Korean defectors as refugees. Nevertheless, the government hosts thousands of refugees in camps along the border (Perlez 2017). North Korean people are very visible in the border economy, crossing the river with commodities and selling products on local markets. Often they are not officially registered with Chinese authorities. However, it is nearly impossible to prevent or effectively monitor informal cross-border mobility. Local cadres stated that the security infrastructure is not at all integrated and direct links are lacking between the local and national governments. These cadres see a need for further cooperation mechanisms. Smuggling and 'illegal' immigration are perceived to pose a 'threat' to the local economy. In the words of one official: 'smuggling is a bottleneck restricting the local economy, but it is hard to enforce central guidelines with North Koreans crossing the border'. At the same time, the smuggling is an integral part of the border economy and remains a central source of goods and income for many families, small businesses, and local markets. Informally sold forest mushrooms and ginseng are common tourist attractions. However, compared to the extraterritorial development programmes supported by the Chinese government in Southeast Asia, no such cooperation takes place within the GTI to address the root causes of 'illegal' immigration in Northeast Asia. No regional security cooperation currently supports peoples' livelihoods or income like the poppy farm subsidies do in Laos. Moreover, local officials stated that regional security cooperation is hampered by the absence of bilateral agreements between the DPRK and Russia and the lack of direct cooperation mechanisms between local governments. One official stated that inconsistency between the different administrative systems creates difficulties: 'At the same time, at the provincial level, communication between

the provincial leaders and the Russian government are too little, the cost of customs clearance with Russia is higher, and the misalignment between the administrative system of Russia and the DPRK has also caused great difficulties to the mutual market'. Chinese local authorities cite the disparity of access to working permits across the various borders as a central issue. One specific source of Chinese officials' dissatisfaction is that in Russia, Chinese workers are treated differently from DPRK immigrant workers, who can easily obtain Russian working permits (*laodong daka*). When Chinese Zijin Mining Company was leasing timber mines in Russia and bringing their own workers with them, it caused problems because Russian authorities did not grant them working permits (interview 17). Chinese merchants also need these working permits if they want to sell on the Russian side, but they are very difficult to get according to local people (interview 20, 21).

Although there is no joint strategy addressing 'illegal' immigration among the neighbouring countries, there is a common sense that the local governments in the area have good direct relations with their DPRK counterparts. Although central and provincial directives are lacking and national politics are complicated, local governments have reached informal neighbourly agreements on issues like security procedure information (interview 17). While DPRK local officials wanted to more openly coordinate security infrastructure with their Chinese counterparts, they were restricted by their military (interview 19). This lack of coordination results in a high militarization of the border area, with heavy security infrastructure on both sides. One expert stated:

> There is no such thing as [joint] China, North Korea and Russia. North Korea is relatively closed enforcing strict controls. There are dark whistles [informal alarm systems] and clear whistles [formal alarm systems] at a certain distance to the border. The river is joint, and the shore is a natural boundary. Therefore, the entire border is secured with barbed wire. (interview 16)

Overall, the security infrastructure is not integrated, but relies on separate security procedures on each side of the border.

Exceptional Travels: Border Tourism

One of the GTI's priority sectors is tourism. In the Strategic Action Plan (2006-2015) the strategic objective for the tourism sector was 'to create an environment for tourism that facilitates the number of international (cross-border) visitors to the Tumen area by between ten and fifteen percent per year'. This project was coordinated in several subprojects focusing on

Capacity Building on GTI Tourism at the Regional Level, initiated in 2007 at the 9th meeting of the Consultative Commission in Vladivostok. The objectives were to (1) create a tourism board, (2) publish a GTI tourism guide, and (3) develop a multi-national tourism product. The official goal was to increase international (cross-border) tourism by ten to fifteen percent. To survey the actual visits, the GTI NEA Tourism Database was established to register tourism flows, facilities, and products, travel and time costs, and cross-border procedures. As a direct result, governments have begun to gather statistical data on ongoing tourism; in the long term, the database of itineraries and information will be available for tourists themselves as well as travel agents. This database implements GTI's 'single window' approach, channelling all available information using one technology. The database should ultimately help to create a brand for Tumen tourism.

In this context, the GTI introduced guidelines for tourism visas that would allow multi-destination tourism (MDT) and ultimately facilitate cross-border tourism. In 2014, the GTI Tourism Board specified eight MDT routes.[7] Developing these routes completed the initial project phase for Capacity Building on GTI Tourism at the Regional Level (Greater Tumen Initiative 2013). To promote the project, the Jilin Provincial Tourism Administration sponsored field trips for the Multi-Destination Tourism Consultants and the GTI Tourism Board on the NEA ferry and a trip to Mongolia and Northeast China in June 2012. Shortly after, Hunchun Municipal Tourism Administration organized a trip to its own Tourism Demonstration Zone and Rason in September 2012. Afterwards, three local governments wrote a MoU on tourism (GTI Project Report 2014). In 2013, the GTI National Coordinators Meeting commissioned a Comprehensive Visa Facilitation Study to provide policy recommendations on facilitation of tourist visas (single and multiple entries, cases of visa free entries for tourists), business visas, and transit visas for cross-border transport. The Asia Pacific Economic Cooperation (APEC) Business Card is mentioned as a reference point for business visas. The main goal of this step was to identify responsible governments in order to integrate visa procedures and create 'single window' MDT tourist and transit visas. However, at this time none of the member states issue visas on arrival for citizens of the GTI member countries. Chinese, Korean, and Japanese

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7   (1) Sky-to-sea land and cruise (Eastern dream) tourism route (China, DPRK, Russia, ROK, Japan); (2) Yanbian to Changbai/Beakdu Mountain Biosphere Reserve to Changchun; (3) Ulaanbaatar – Khentii Province – Chita – Lake Baikal – Ulaanbaatar; (4) Bolshoi Ussuriysky/ Heixiazi Island Ecotourism; (5) Manzhouli and Southern Siberia/Lake Baikal (Inner Mongolia and Russia); (6) Ulaanbaatar – Dornod Province – Chita – Lake Baikal – and Ulaanbaatar; (7) The Tea Road; (8) Shenyang – Dalian – Incheon – Donghae – Vladivostok – Hunchun/Yanji.

passengers arriving by ferry in Russia are allowed a 72-hour stay. Chinese citizens are obligated to personally apply for visas at a Russian consulate, which is especially difficult in border areas such as in Harbin, where people have to travel over 500 km to access one. Although Russia and China signed agreements on mutually facilitating tourism access (February 16, 1998) and visa-free group tourist visits (December 18, 1992, February 29, 2000), the actual process of visa issuance is still costly and lengthy (Concept Note on Comprehensive Visa Facilitation Study in GTR, August 9 2012, National Coordinators Meeting, Beijing).

In 2014, a GTI tourist office was established in Hunchun, offering information on guided tours within the multi-destination tourism agreement. The plan to establish the centre had been raised at the 4th meeting of the GTI Tourism Board Meeting in Ulaanbaatar in 2011. Besides providing information to tourists, the centre also conducts surveys and studies on tourism and is responsible for sharing and disseminating tourism information among GTI members.

Guided tours for cycling and sightseeing include destinations in Russia and the DPRK. Travellers with a valid Chinese passport can be issued a visa within three days by the local Public Security Bureau. Since 2011, the Hunchun Municipal Tourism Administration has organized motorcycle tours to Rajin Port in the DPRK. The official tourist guide proposes several tourist spots in North Korea such as the local market in Rason, Rajin Port, Sonbong Port, Lute Island, and beaches for seeing nature and having picnics.

By simultaneously extending legal schemes for border tourism and raising the bureaucratic bar for visa application, the Chinese government creates a zone of limited mobility within the larger regional framework. Whereas worker migration across the borders of the GTI countries is bound to the designated Special Border Zones, border tourism extends spatially farther and involves zoning technologies in the larger border area. Here, the GTI provides a convenient framework for integrating tourism. The border tourism visa constitutes a local extension of the very limited – yet regionally integrated – immigration regime. Such heterogeneous regulation practices encapsulate the flexible, multiscalar nature of the border regime; the authoritarian system utilizes its regulatory leeway to flexibilize migration management in order to meet the requirements of an integrated regional economy while hardening borders elsewhere. China both extends the physical control of customs and visas to infrastructures beyond its territory and re-scales regional development in specific border zones; this particular process of zoning builds on a 'multilevel system of filters, connections, and disconnections' (Mezzadra and Neilson 2013: 225).

Zoning through Development

Developing China's borderland peripheries has been a focus of in Beijing's national development policy for decades. These plans have integrated all-encompassing national campaigns such as Develop the West that allocating resources throughout the country, more context-specific infrastructure projects under the framework of the Belt & Road Initiative, and regional initiatives such as within GMS and GTI. The development largely was established through infrastructure development that, however, remains poorly implemented. Roads that had been planned for decades are still under construction, ports are either under construction or not exhausted to their capacity, and tourist facilities are ghost towns. It seems that developing these peripheries keeps being a political project that justifies the quasi-permanence of exception: exceptional policing through extraordinary security measures within the GMS, exceptional control through trade administrations in the Special Border Zones, and exceptional travels within the borderlands.

Within both the GMS and GTI, borders play an important role, becoming a method of re-scaling the Chinese state. The allocation of development funds then becomes more flexible, as in the example of Chinese investment in Northeast Asian ports. Both private and state-owned companies have increased resources, tax cuts, and cross-border labour forces available to them as long as they are located in specific zones. Similarly, security issues traditionally associated with border fortification – such as human and narcotics trafficking – are to some degree externalized and become rearticulated within regional development programmes. Hence, the border offers exceptions to national policies by re-scaling certain issues to the spheres of regional politics (scaling up) and local exceptions (scaling down). Ultimately, this does not imply that the Chinese government is losing its grip over the peripheries; rather, these re-scalings constitute spatial fixes and illustrate a strategy to (re-)establish territorial authority through development. In other words, the special economic border zones represent geographic manifestations of specific interactions between neighbouring countries. These spatial fixes are dynamic, impermanent, and ultimately manifest regional asymmetries.

I also want to emphasize that this process becomes increasingly complex as the regional frameworks expand in scope and reach. Security cooperation is increasingly formalizing and proliferating the border while decentralized politics of exception exacerbate social inequalities among different Chinese border regions; the border thus becomes multi-scalar in nature. The construction of special development zones has resulted in the establishment of multiple internal and external boundaries articulated by the Chinese

border regime. The multi-scalarity of the border lies in the fact that no two border sites are identical in terms of immigration procedures and investment conditions. This situation creates internal differences and ultimately distinct borders, resulting in new assemblages of governmentality and sovereignty that shape the relationship between centre and periphery.

These spatial planning policies show how Chinese border regions have been actively constructed as 'bridgeheads', or links to increasingly important regions. Within this process, the Chinese state has revaluated its periphery, transforming centre-periphery relations. Provincial governments directly engage with regional organizations and are provided with additional financial resources to initiate comprehensive regional development plans. Territoriality is therefore shown to not be a fixed category; rather, it is the result of different assemblages of regulatory processes that are not necessarily congruent, contiguous, or coextensive.

An important precondition in this process is local governments' ability to directly address their cross-border counterparts. This way, border politics have become transnationalized, allowing for place-specific solutions to local problems. As China increasingly engaged with regional organizations, this interaction changed, with a growing focus on integration into regional development programmes; in turn, ADB and GTI funds became available. This has ultimately changed the quality of local authorities' interactions, again re-scaling the Chinese border regime.

Within the GMS, provincial and local governments play a crucial role in establishing good neighbourly relations. Through the special role of Yunnan, China has managed to extend its 'governance frontier' beyond its territory and into neighbouring countries (Hameiri and Jones 2016: 74). Chinese companies are heavily involved in implementing development projects such as poppy substitution programmes and pipeline and dam construction, which ultimately prolong Chinese influence in the region. The joint management of non-traditional security issues such as drug trafficking and disease prevention through ASEAN and GMS has facilitated Chinese investment. The close connections between national and regional development projects have allowed the central Chinese and Yunnan governments to acquire regulatory control of regional energy, labour, and agricultural markets as well as infrastructure building and security enforcement. The lack of governance capacity in neighbouring countries, especially in Myanmar's Kachin and Shan States, facilitates the development of Chinese regional hegemony.

Within the GTI, local governments' leeway is relatively limited. However, local leaders from all sides of the different borders function as facilitators and policy translators. Their transboundary governance functions are

dependent on the governance capacity of their cross-border counterparts. Especially in the case of the DPRK and Mongolia, local officials who are relatively weak compared to their Chinese counterparts prove acquiescent to the reach of Chinese development and regulation of local labour and commodity markets. However, weak states have the drawback that their citizens may more readily emigrate. Within this context, Special Border Zone authorities are able to harness local labour resources and are authorized to issue trade licenses. The GTI tourism programme exemplifies an attempt by the Chinese government to better develop the area while providing legal ways to cross into the DPRK. Much of the border mobility here takes place informally, both as North Koreans conduct trade and Chinese tourists visit North Korean casinos and markets. The programme aims to better monitor *de facto* mobility and formalize crossings. Here, the GTI provides a convenient framework for integrating this tourism scheme. The border tourism visa constitutes a local extension of an immigration regime which is very limited in scope yet ultimately meets the regional integration interests of all sides.

In both the GMS and GTI, the border itself is the chief resource facilitating Chinese development. The state exploits connectivities by enabling subnational authorities to establish special zones of exception in terms of trade permits, labour regulations, and border mobility. In this sense, the central government becomes a scalar manager as it carefully considers local authorities' leeway for cross-border relations, interfaces with global and regional actors, and decides which security issues are negotiated locally or up-scaled. In this way, Beijing designs the spatial re-articulation of the Chinese state while leaving implementation up to local governments. This practice is part of a larger territorial strategy that involves both opening towards China's neighbours and internationalizing towards global capital. This strategy also serves an underlying development rationale, providing the Chinese Communist Party (CCP) a source of legitimacy in the 'left-behind' periphery.

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6 Local Bordering Practices and Zoning Technologies

Abstract

This chapter focuses on sub-national effects of the Chinese border regime's 'zoning activities'. By analysing local practices of issuing permits for residency, work and marriage, the chapter shows how legality becomes a selective, conditional, and locally bound privilege. Legal and 'illegal' immigrants become peripheralized and ultimately remain in an unsecure state of existence. The Chinese border regime produces different legal 'zones of exception' by creating special border passes that differentiate both legal authority over immigrants as well as territorial authority. In the end, local authorities determine what legality constitutes, selectively and only gradually legalizing some foreigners while leaving others in a legal limbo.

Keywords: legality, illegal migrants, work permits, visa, local governments, repatriation

A waterproof bag is drawn through the Tumen River; a motorcycle carries smartphones through the Sino-Myanmar jungle. Both transactions constitute informal border mobility. Although illegal, the local border economy depends on these forms of exchange. Oftentimes, local authorities and security agents turn a blind eye to such small offences, either because they themselves benefit from these actions or because they see the larger benefit for the local economy. While some officials connive, others develop strategies aiming to contest these informal practices or work to adapt laws according to local realities.

This chapter focuses on sub-national effects of the 'zoning activities' of the Chinese border regime. By analysing local practices of issuing permits for residence, work, and marriage, I show how legality becomes a selective, conditional, and locally bound privilege. Legal and 'illegal' immigrants become

Table 8   Local policy implementation measures*

Policy target group	Policy goal	Implementation
Border communities	Facilitate cross-border mobility	Issue border passes for border residents
	Promote border tourism	Issue special border tourism passes and one-day visas
	Regulate illegal entry, illegal immigration	Issue temporary residence permits; second- and third-line of border control; decentralize border control
	Survey de facto border mobility and immigration	Maintain database on border crossings
Cross-border marriages	Legalize de facto marriages	Issue marriage certificates and Blue Cards
	Prevent trafficking of women	Issue inbound marriage record registration certificates
	Survey de facto marriage immigration	Maintain database on marriages, pregnancies, and children
Border trade	Facilitate cross-border trade	Increase number of border gates and Special Economic Border Zones; enforce preferential policies for import/ export taxation
	Prohibit smuggling	Increase customs inspections; use second-line border control and joint cross-border control
	Integrate regional trade infrastructure	Lobby to reallocate funds to local infrastructure projects such as road construction and energy networks
Immigrant workers	Facilitate 'necessary' labour immigration	Enforce preferential labour measures in designated spaces such as Special Economic Border Zones
	Legalize de facto labour immigrants	Issue temporary residence permits for employed immigrants

*   This table builds on Bie et al. (2014: 529of.)

peripheralized and ultimately remain in an insecure state. The Chinese border regime produces different legal 'zones of exception' by creating 'special border passes' that both specify legal jurisdiction over immigrants and differentiate territorial authority. In the end, local authorities determine what constitutes legality as they selectively and gradually legalize some foreigners while leaving

others in a legal limbo. Table 8 lists local policy implementation measures and their goals according to different target groups: border communities generally, cross-border marriages or 'foreign wives', border trade, and immigrant workers.

Southwest: Dehong and Xishuangbanna Prefecture/Yunnan Province

Yunnan's border with Myanmar and Laos is an internationally recognized border between sovereign states, although the Myanmar side is *de facto* governed by autonomous groups in the Kachin and Shan States (Whyte 2013). The border largely runs through a thick rainforest that contains small towns on both sides. In order to analyze local border practices, the following section presents insights from two specific places lying along this border: Ruili, a county-level city in Dehong Dai Jingpo Autonomous Prefecture bordering the Shan State in Myanmar; and Mohan, a town in Mengla County, Xishuangbanna Dai Autonomous Prefecture, bordering Laos. Both Ruili and Mengla accommodate a Special Border Zone (SBZ) and thus host significant cross-border mobility and trade. However, the two municipalities differ in their administrative rank. While Mohan is ranked as an international border gate, Ruili is a second-tier border gate, meaning that only Chinese and Burmese citizens are allowed to cross.

Overall, Yunnan has eleven first-tier border gates, including the Kunming airport, sea-ports along the Mekong River, and seven official gates spread along the border. Nine second-tier border gates are officially recognized for local use, along with over 89 temporary border crossings (*lingshi tongdao*), 62 of them along the Myanmar border (He 2008: 35). It is estimated that Yunnan hosts a combined 20,000 daily legal border crossings at its first-tier, and second-tier and temporary gates (Freeman and Thompson 2011: 77) adding up to 6 million per year (Bie et al. 2014: 5289).

Chinese relations with Myanmar are a complex issue. The border was established in 1949 and an Agreement on Border Issues and later a Border Treaty were signed in 1960.[1] In 2004, a MoU was signed specifically on border defence (China Online 2004). However, the Myanmar side is governed not by the Myanmar central government, but by autonomous groups in Kachin and Shan States. Following violent conflicts in 2009 and 2015, refugees from these areas crossed into China (Thompson 2009). The ensuing negotiations

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1   For more on the boundary settlement and bilateral relations with Myanmar, see Hyer 2015: 67–83, Yue 2015: 254–260.

Map 3   Map of Yunnan Province
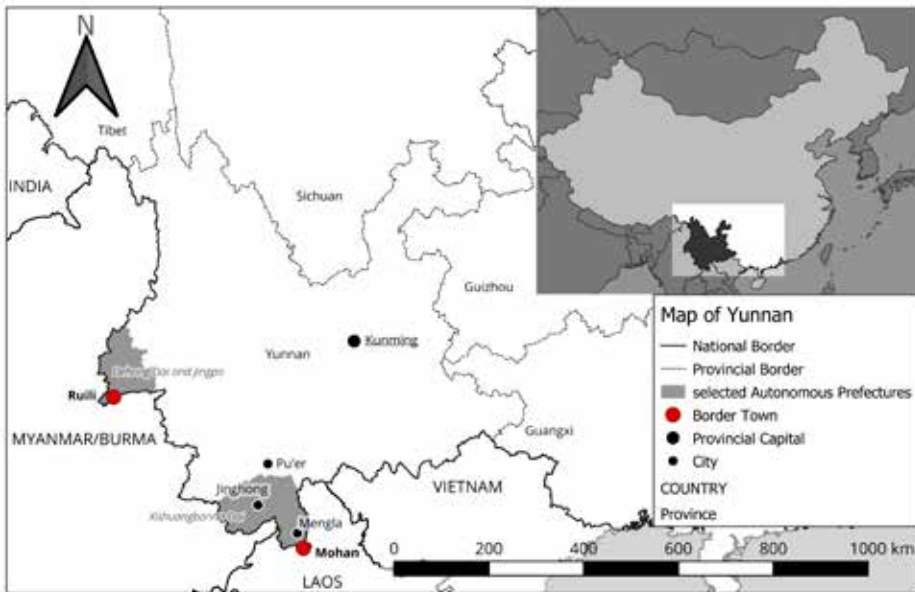
(drawn by author)

regarding their repatriation revealed that the responsible counterpart on the Myanmar side was unclear. The official Chinese stance, however, is that 'China respects sovereignty and national integrity of Burma' and supports its 'national reconciliation' (MoFA 2010).

Relations with Laos are stable. The two countries signed a Treaty and Supplementary Protocol on the border in 1992, establishing a border commission. China has continuously invested in Laos since the Asian financial crisis of 1997, building infrastructure and universities while in turn establishing special conditions for Chinese companies (Townsend-Gault 2013: 150). In 2009, the two countries established a liaison office in Kunming to strengthen law enforcement cooperation with regard to human trafficking.

Chapter 5 investigated how China spatially relocates responsibility to its border provinces and utilizes exceptional funding allocations. In addition, zoning activity at the border is carried out through immigration control practices targeting both formal and informal immigration, which can sometimes be difficult to differentiate due to officials' perpetual redefinitions of legality. The implementation strategies undertaken by local authorities vary widely. In the following sections, I investigate the functions of the Foreigners Service and Administration Centre of Ruili City and present examples such as the issuing of border passes *bianminzheng*. Special Border

Zones (SBZ, *kaifa kaifang shiyanqu*), which were previously described in Chapter 5. These practices show how local governments aim to legalize informal border mobility by creatively adapting to *de facto* realities. Though such efforts enhance the living situation of some immigrants, other related policies effectively confine them geographically and socially within a very limited area, ultimately peripheralizing them.

These local practices have to be seen in the context of national strategies combating 'illegal' and unwanted immigration, such as active engagement in the war against cross-border crime and efforts to repatriate illegal foreigners. This issue is particularly sensitive; while the Exit and Entry Administration Law (EEL) prohibits illegal entry into Chinese territory and security actors actively aim to prevent such crossings, local authorities are often willing to accept the reality of permeable borders for the sake of social stability. The following section scrutinizes local authorities' strategies for preventing 'illegal' mobility where deemed necessary, while adapting enforcement to immutable realities.

Legalizing through Work Permits

In 2013, the People's Government of Dehong Prefecture promulgated the Interim Measures for the Management of Workers from Outside of Dehong, which allows Burmese residents to apply for temporary residence permits (Bie et al. 2014: 5289). The Foreigners Service and Administration Centre of Ruili City (*Ruili shi waiji renyuan fuwu guanli zhongxin,* henceforth the Service Centre) is the issuing agency; an associated job agency operates here in cooperation with the Yunnan Nationalities University in Kunming, with financial support from the Association of Southeast Asian Nations (ASEAN). The Service Centre is a place of waiting. Here, mostly Burmese men and women wait for their turn to come to the counter to show their passports, then wait again for their turn to give a blood sample, then wait some more for an interview that they must pass to eventually be granted a certificate that allows them to legally work and live within Ruili/Dehong Prefecture. Often these people have worked for Chinese employers for many years – mostly doing manual labour in shops, farming, or manufacturing – and are now trying to legalize their employment relationship so that they can avoid being deported and so that their employer can avoid fees for illicit employment. Employers are particularly important in the application process because they have to invest time and money in their employees, increasing immigrants' dependence on their willingness to do so. The Service Centre constitutes an example of a local government aiming to legalize

everyday informal bordering practices. As mentioned in Chapter 3, the EEL allows county-level governments to issue permanent and temporary residence permits. The working permit that these Myanmar workers are issued in Ruili, however, does not appear on the official list of visa or work permits, but instead constitutes a specific border document allowing them to work legally for a Chinese employer only within the prefecture. The so-called 'green book' (*lüshu*) is valid for two years before it has to be renewed and gives workers limited mobility within Chinese territory; holders are not allowed to leave the prefecture, as the document does not replace a passport. The Service Centre exclusively provides working permits and job offers with Chinese state-owned companies for Burmese citizens, not for other foreigners. Those who want to use this service have to provide legal, translated immigration documents (passport and immigration stamp), pass an HIV blood test, and pay an administrative fee of approximately 180 CNY. Often, the collection of the necessary documents poses a problem since the Myanmar central state and the Shan and Kachin quasi-states sometimes fail to provide them.

Two young men waiting in the job centre told me that they want to learn Chinese to make a good living as long as they are in China; as soon as democracy returned to Myanmar, however, they would go back. Another young man, who introduced himself as James, offered another perspective, explaining that the Service Centre deemed him ineligible because his HIV infection excludes him from applying. He studied chemistry but because of the unstable political situation in Myanmar, he had no job options but to trade smartphone parts across the border. His example highlights how central health is for possible immigrants and their employability. Moreover, the internalized perspective of returning to Myanmar, either daily or per-manently at some point in the future, normalizes the temporary nature of the Chinese immigration system. Other than through the Service Centre, employment opportunities for Myanmar immigrants mostly comprise informal, low-skill and thus low-wage jobs (interview 35). Most of these people are employed in the agricultural sector, working on rubber and tea plantations. As long as people stay in the informal and illegal working sectors, they are kept invisible within the Chinese administrative system and do not appear in official immigration statistics.

Many of the Myanmar workers that I met were Muslim. This observation coincides with Egreteau's (2017) research on Myanmar immigrants in Ruili, based on his field research between 2010 and 2012, he estimated that between 30,000 and 40,000 (Muslim and other) Myanmar citizens are living in Yunnan. For Ruili, estimates have suggested that about 30% of

the population is from Myanmar (Chen and Stone 2018: 494). Reportedly, Muslims feel relatively safe living in China compared to Myanmar, where ethnic violence often targets them[2] (Egreteaux 2017: 190). They obtain either real or fake Myanmar identity papers with which they are granted either business visas or temporary residence permits valid for up to one year; these documents are often extended if they can prove that they have obtained an income and do not get in conflicts with the locals (Egreteaux 2017: 194 and 196). Besides being employed in Chinese businesses, immigrants often open their own restaurants, guesthouses, and cosmetics shops. Depending on their qualifications, Myanmar workers declared incomes between 1,000 CNY for working in a tea shop, 2,000 CNY for working in manufacturing, and up to 3,000 CNY for trading jade (interview 31), relatively high compared to Myanmar civil servants earning 1,400 CNY (Shen 2016a). Most often, they establish gem or jade shops using their cross-border contacts to buy stones to then sell to tourists or Chinese middlemen (Egreteaux 2017: 195). In order to buy supplies in Myanmar, they often use one-day permits granted by local authorities to cross the border. These cost only 2 CNY, are valid for seven days, and can easily be renewed multiple times. It is not uncommon for people to commute to work every day on these renewable day passes.

Establishing financial security is another bureaucratic challenge for these immigrants. Prohibited from opening bank accounts with Chinese banks, they rely instead on informal channels to transfer money to their families in Myanmar. These 'friend-to-friend' networks are costly and insecure, relying on paid middlemen. Ultimately, the inability to rely on the Chinese banking system leaves them procedurally limited. While some argue that this is a voluntary decision to avoid fees (Chen and Stone 2018: 494), it nonetheless keeps immigrants from renting urban living places, applying for credit or investing long-term.

Moreover, these immigrants are required to obtain identification papers issued by the Myanmar, Shan or Kachin authorities. According to local sources, this capacity is lacking, with immigrants complaining about the difficulty of obtaining the necessary documents. Yunnan officials also complained about these authorities' inability to send documents in a timely

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2   Egreteaux shows that Muslim Burmese immigrants in Yunnan experience notably less hostile discrimination by their Chinese neighbours and authorities than in Myanmar. After being persecuted for publicly performing their religion in Myanmar, once in Yunnan, they 'felt a huge sense of relief and soon realized that they were allowed to practice their religion far more openly' (Egreteaux 2017: 197). They experience 'security and opportunities' on the Chinese side, with the border and theacting' as a positive barrier that protects them from a brutal Myanmar state and a Buddhist-dominated society often prone to religious violence' (ibid.: 198).

manner or provide technical data on border mobility (interview 27). Overall, cross-border cooperation with military and political authorities is difficult, though officials regularly meet to discuss issues such as drug trafficking within the liaison system (see Chapter 5).

As van Schendel (2010: 61) notes, borderlands are a game of unequal powers in which states cooperate with transnational corporations in setting up immigration structures that benefit their interests while unauthorizing transnational mobility flows. In the case of these borderland workers, the rules to become a legitimate immigrant incorporate the immigrants' need to work for a legitimate employer. If they are self-employed or work in small family businesses, they remain unauthorized and irregular immigrants. Although they yield power in that they know the borderlands, the best ways to cross the border, the best places to buy goods, and have big kinship networks, the legitimacy of their mobility ultimately remains up to local authorities' judgment.

Legalizing Informal Border Mobility: Border Passes

For local cadres, the problem of 'illegal over-stayers' poses a challenge. In order to tackle this issue, legalizing short-term stays is an effective strategy combining decriminalization with defining terms and conditions for legal border crossings. Chinese citizens as well as Laotian and Myanmar citizens can obtain special border passes (*bianminzheng*) to enter a bordering prefecture in an adjacent country for 10–30 days without an actual visa. Myanmar citizens can obtain a border pass (*Miandian Zhongguo bianjie tongxingzhen*) from the local Public Security Bureau issued on behalf of the National Immigration Administration. Chinese citizens who are local residents with a Chinese ID card can apply for a border area pass (*Zhonghua Renmin Gongheguo zhong Mian bianjingdiqu churujing tongxingzhen*) from the local Border Management Brigade and the local police (Lingdao liuyan ban [Message Board for Leaders] 2019). This only allows them to cross specific border gates but facilitates their commutes. Chinese citizens who do not live in the border area but can prove that they are engaged in cross-border trade or business can obtain an entry-exit pass (*Zhonghua Renmin Gongheguo churujing tongxingzheng*) from the county-level Exit-Entry Administration Bureau; this pass allows them to cross the border but is only valid for up to one year. Along the Sino-Laotian border, Yunnan's Xishuangbanna Autonomous Prefecture/Mengla County and the Laotian provinces of Luang Namtha, Bokeo, Oudamxay, and Phongsaly issue passes that are especially aimed

at traders and students. The situation with Myanmar is more complicated, as it involves two autonomous military regions, Shan and Kachin States. Kachin State bordering Dehong Prefecture issues special passes for entering China that are accepted by the border authorities. As with work permits, this border pass practice is in accordance with the EEL and is implemented locally through the Work Regulations of the Exit-Entry Administration of the Yunnan Provincial Public Security Department on the Handling of Entry-Exit Passes for Border Traders (*Yunnan sheng gongan ting churujing guanli ju guanyu bianmao renyuan banli churujing tongxingzheng de gongzuo guiding*).

The border pass for Myanmar citizens only allows the holder to cross the border – it does not comprise a work or residence permit and does allow travel farther into Chinese territory. It constitutes a very specific tool that facilitates border mobility without technically allowing immigrants into the state. Arguably, it simplifies the everyday border crossings of people living in border communities. In these areas, people often have close family living across the border or commute to work on the other side. Since the same people cross the border regularly, border security agents often do not check their passes and just let them proceed.

It is difficult to obtain official figures on the number of Myanmar and Laotian individuals crossing the border to travel, trade, live, or work in China, either legally or illegally. The only official data available is the 2010 census, which stated that a total of 39,776 Myanmar citizens were in China legally for reasons of business, studies, or visiting relatives (National Bureau of Statistics of China 2010). In Dehong Prefecture, He (2008: 37) reports that 62,292,235 foreigners crossed the border in 2002 (30,984,882 entering and 31,307,353 leaving the country) and that 44,326 foreigners were officially employed by Chinese companies in 2003. In 2016, Dehong authorities issued 31,784 work certificates to border residents along with 218 employment certificates (Liu and Ahl 2018: 231). Building on my field research experience, I assume that the overall number of migrants has increased over the last five years, motivated by political and financial constraints in their home countries. The Chinese side of the border is far more developed than the Myanmar/Laotian side, with a higher standard of infrastructure. I repeatedly heard from both Chinese and Myanmar border residents that roads, hotels, hospitals, and other signs of 'civilization' end at the border. This means that sometimes people cross the border just to drive on the concrete road on the Chinese side for a few kilometres before crossing back into Myanmar. But more importantly, Myanmar and Laotian people try to find work in China because business is scarce on the other side. Several

Chinese state-owned enterprises like China National Petroleum Company have invested in Myanmar to directly produce jobs there, but most firms invest on the Chinese side of the border.

In addition to their attempts at legalization, local cadres actively engage in cross-border cultural activities. One cadre told me that 'in order to keep the good will of the local community, you must attend cultural festivities such as religious festivals or national holidays' (interview 28). Local authorities organize public education events to which the border community is invited. Informing them on legal procedures and broadcasting political ideology regarding harmonious borderlands. These events are held in multiple languages in order to reach the various ethnic communities. Cadres actively aim to recruit villagers to join the Party in order to expand access to local communities and increase locals' knowledge of official party line. Propaganda materials include a calendar (see Figure 3 containing information on 'appropriate' behaviour along the border in terms of cross-border marriage, trade, and mobility.

As Myanmar immigrants comprise a necessary work force for the local economy, Dehong Prefecture offers them a way to legally cross the border and work on the Chinese side. Moving between these two countries, they can access both labour markets. Higher salaries in China make it much more attractive to work there while living on the Myanmar side or sending money back to their families. However, beyond issuing border passes and temporary work permits, the Chinese government's efforts to integrate these immigrants are limited. Firstly, while the border passes allow for border crossing, further mobility within Chinese territory is prohibited. Myanmar border residents are effectively bound to the prefecture where they crossed, with Mobile Control Units providing enforcement through internal checks along roads leading away from the border. Immigrants thus become peripheralized within the Chinese state as their geographical access is limited. Secondly, health screenings for HIV constitute another barrier for Dehong work permit applicants. Such screenings are not enforced for travel along the border but are required to gain access to Chinese social services. China's social welfare provisions are thus contingent upon proving one's status as healthy and employable. Once access is granted, it applies only to the screened individual; for instance, immigrants are not able to send their children to Chinese schools. Thirdly, border residents' access to the Chinese system is procedurally limited. Border residents are not able to open Chinese banking accounts and instead must rely on informal networks to send earnings back to their families. In addition, they continue to fear repatriation despite legally entering the country with a border pass

or legally working after applying for a local work permit. Rumours abound regarding workers detained for not complying with employers' requirements, contributing to immigrants' dependence on their employers (interview 34). Ultimately, these distinctions manifest in inequalities among the different groups of immigrants.

Dehong and Xishuangbanna Visa-free Border Tourism

After an eight-year travel ban (2005-2013), the Dehong border re-opened for cross-border tourism in 2013. Until then, the border was largely closed for tourists due to the political conflict on the Myanmar side. Ruili City, however, still attracted internal tourism; as the 'Jewel City', it is famous for its markets selling imported gem and jade stones. The larger border area is also famous for its ethnic diversity – with traditional handcrafts and folkloric events representing the local 'ethnic minorities' – as well as its green countryside, including AAAA-rated botanical gardens. Besides Ruili, Jinghong in Xishuangbanna Prefecture is a popular site where many Chinese tourists stay on their way to Laos. Jinghong was classified a 'tourist site of excellence at national level' as early as 1999 (Colin 2014: 127). The Jinghong Mekong port is also an important site of transhipment for regional trade. During my fieldwork, I met dozens of Chinese tourists, mostly from Yunnan and Guangxi, who travelled in organized bus tours or individual day trips in the border area. Many of them visited Laos as well as Myanmar. People visiting Laos were often teachers or office workers whose good salaries allowed them to afford this holiday. Though they did not all have passports, many – even the Guangxi residents – reported that they could obtain passes to travel across the border for ten days. The tourists going to Myanmar, mainly young men, appeared more adventurous; they told me that they do not have passports and cross beside the official border gates to circumvent border control. On a bus back from the border, I interviewed two young men who had just spent a 'spa holiday' (probably including prostitution) on the Myanmar side, which they said they could not have afforded elsewhere (interview 36).

Since 2013, Chinese tourists with valid ID cards have been allowed to legally cross the border without obtaining a visa in advance. The border tourism pass (Exit and Entry Permit Border Tourism Only, *bianjing lüyou yidi banzheng*), issued by the county-level Exit-Entry Administration Bureau at the border gate, can be obtained by any Chinese citizen holding an ID card and is valid for three months. The application costs 20 CNY and is completed within 30 minutes (Mangshi Daily 2013). Before 2013, such permits were

valid for one year. An official in the Exit and Entry Administration Bureau of the Jinghong Public Security Bureau stated,

> The newly-issued travel permit also has a difference on the inside page of the document, which states 'this document is a special border travel document' [*ben zhengjian wei bianjing lüyou zhuanyong zhengjian*]. The permit holder shall be allowed to enter and leave the country in accordance with the law of China and the country they go to and shall not engage in illegal activities. (Yunnan Daily Newspaper 2013)

The Chinese government justified the temporary closure of the border from 2005 to 2013 with referring to military activity on the Myanmar side, but also by voicing concerns about Chinese citizens crossing to avail themselves of illegal casinos and gambling sites in Myanmar. In 2005, following a suspension of multi-day trips for Chinese residents across the border and the promulgation of a gambling ban (*jindu*), all visa-free border crossings were halted. Chinese border guards started to turn back Chinese tourists who did not obtain a proper visa in advance (Nyíri 2017: 60). During the border closure, however, economic development in the area boosted tertiary industries (hotels, tourist facilities, etc.) and ultimately encouraged the government to reinstate visa-free border tourism (Dehong Tourism Bureau 2013). Since the government resumed issuing one-day visas for travel into Myanmar, the numbers increased up to 290,000 tourists in 2013 (Bie et al. 2014: 5289).

This border tourism is strictly regulated: only three travel agencies are approved by the National Tourism Administration (including Xishuangbanna Mekong International Travel Service, *Xishuangbanna Meigonghe guoji lüxingshe*) and only a handful of routes are open (in Dehong from Ruili to Lashio, Baamo, and Mandalay in Myanmar; in Xishuangbanna from Mengla and Daluo to Keng Tung, the Old Pagoda in Namtha Province, Luang Prabang, and the Golden Triangle on the Mekong River). The scope of border tourism is thus limited and monitored by local authorities.

Securitizing 'Illegal' Cross-Border Immigrants

Conceptualizing how regimes enforce the 'friction of international (dis) order and domestic order' is crucial in the understanding of border functions (Lipschutz 2001: 79). The border demarcates symbolic and practical separations of 'outside' versus 'inside' that are challenged by migration and organized crime (Bigo 2001). Questions of how 'illegal' immigration is handled and whether it constitutes a threat to the normative order of the

state offer critical insights into where the regime draws the line in this inside/
outside dichotomy. That is, how border security is enforced and what security
actors recognize as a threat are key to understanding the security rationale.
In China, official discourse on illegal immigration focuses on the concept of
the 'three illegals' (*sanfei*), which refer to illegal entry, illegal residence, and
illegal employment (*feifa rujing, feifa juliu, feifa jiuye*). This discourse focuses
on the negative effects of foreigners on 'population security' and the social
order (Barabantseva 2015b: 360), with immigrants supposedly responsible
for 'raping, stealing, and smuggling' (Li 2012: 116). Moreover, immigrants are
accused of 'stealing the benefits of China's development', 'begging at their
relatives' houses', and ultimately 'damaging the image of the border region for
tourists and public opinion' (ibid.: 117). Border 'incidents' – violent conflicts
involving Myanmar militias – have resulted in refugees seeking asylum in
China, further adding to the 'begging foreigners' discourse (ibid.). Views of
marriage migration also show a similar discriminatory attitude. Although
cross-border marriages are quite common, it is almost always non-Chinese
women being married to Chinese men – whether voluntarily via professional
marriage agencies or forcibly sold by human traffickers. These women often
do not have legal documentation when being married to ethnic kin across
the border (Gu 2011). Due to this lack of legal recognition, they are often
perceived as 'prostitutes' who are 'lowering the quality of Chinese society'.
They continue to be perceived as foreigners even if they work, bear children,
and live in China their whole adult lives (Barabantseva 2015b: 356–364). These
discourses ultimately manifest in local authorities' perceived responsibility
to control population 'quality'. They monitor statistics on crime, health, and
drug abuse among their residents and design local campaigns accordingly.

Interviews with local cadres showed that they perceive these 'threats'
as coming across the border (interview 27). Political campaigns comprise a
common tool for crime prevention and the fight against drug abuse and HIV
infection. Warnings about the effects of drug abuse on health and HIV infec-
tions are publicly displayed everywhere in the border area. These are often
paired with news from security forces showing pictures of police successfully
uncovering drug smuggling, burning the confiscated products, or punishing
agents that helped illegal trafficking. This communication strategy builds
on both preventive warnings (outlining the negative effects of misbehaving)
and deterrence (showing punitive measures against wrongdoers).

Official data shows that authorities in Dehong found 303 immigrants
illegally residing in the prefecture in 2007, along with 447 illegally entering
the country, 201 illegally employed, 492 illegally married, 432 repatriated,
432 labelled as *sanfei*, 653 with temporary residence permits, 108 with

ongoing residence permit processes, 225 detained in drug addiction treatment centres, and 3 women saved from trafficking; the police were also reported to be handling 22 foreigner-related criminal cases involving drug smuggling and illegal residence (He 2008: 39).

As introduced earlier, the peripheralization of migrant workers within state territory refers to migrants' ability to move both geographically within the territory and procedurally within the system. By administratively binding migrants to specific localities, it becomes easier for Chinese officials to control them collectively so that they the immigration system has not to consider their individual situations.

Repatriation of 'illegal' immigrants is another means of peripheralizing them. As mentioned above, repatriation can be ordered by the Ministry of Public Security (MoPS), but the local Public Security Office is responsible for carrying out these orders. In practice, local government officials are responsible for identifying illegal migrants and visa over-stayers and organizing their repatriation, which is then enforced by border troops. In many cases, Myanmar or Laotian women unofficially married to Chinese men are targeted. Some local police regard these cross-border marriages as a form of human trafficking due to the high commissions – up to 20,000 CNY – paid to intermediaries (Wangyi 2010). These semi-illegal marriages are quite common in the border area because people marry within their ethnic group, but often across the border. Such marriages are not officially documented but are *de facto* acknowledged by township officials. However, if the local government wants to set an example, they may escort married women across the border, even when it is expected that they will return later the same day (Barabantseva 2015b: 363). In one pilot project in Dehong Prefecture, local governments have issued so-called Blue Cards to register 'foreign wives' who often do not have legal documents. This policy aims to encourage residents to register their marriages, bestowing legal recognition and granting the wives access to medical services (Shen 2011).

Exemplifying inefficient repatriation practices, Song (2015) states that 90% of deported Myanmar illegal immigrants return to Chinese territory within three days, putting border enforcement agents in a situation of 'repeated repatriation' (*lüqian lüfan*). While Myanmar agencies refrain from punishing illegal border crossings, Chinese authorities and local border agents are overwhelmed. Insufficient training, language skills, and legal education among local border enforcement agencies result in a 'reluctance' and 'unwillingness' to perform controls and acts of repatriation (Song 2015: 60).

Myanmar Refugees and Undue Asylum Processes

The treatment of refugees is another aspect of how border regimes allow or deny access to the host society. Because refugees have to flee dire living situations or violent conflicts, they often do not come prepared for new jobs and represent possible welfare recipients. In Chapter 4.2.3. Refugees: A Volatile Concept, I discuss how the Chinese government applies an unstable concept of refugee status, enabling the state to select certain groups of people as deserving of support while neglecting others. While they welcomed ethnic Chinese from Indonesia as returnees in the 1950s, they have labelled Myanmar refugees as border residents, thereby excluding them from a due asylum process. Since 2009, several border incidents have occurred in which the Myanmar National Democratic Alliance Army and the Myanmar military have fought over Kokang border areas. During these times of chaos and violence many Myanmar citizens have been forced to cross the Chinese border in order to stay safe, with some of them later applying for asylum in China (Thompson 2009; Xiong et al. 2015). After the second violent incident in February 2015 in Kokang, the Yunnan provincial government initially reacted by building camps and providing food and health supplies for up to 70,000 refugees (Wang 2016). After a Myanmar military aircraft killed five Chinese soldiers a month later (Panda 2015), the Chinese government started dismantling the camps. Some of the displaced were re-shuffled to other camps, and some were expelled immediately (interview 33, Song 2020: 104). When violence forced Myanmar citizens into Chinese territory again in 2017, no direct assistance was provided, leaving people dependent on support by private networks or forcing them into extremely menial jobs to create some income (Reuters 2017b).

Similar to the Kokang, the Kachin represent another case of displaced Myanmar citizens in Chinese territory. Violent conflicts during the 1990s, in 2011 and 2015, forced many to flee crossing into Yunnan (Kachin News 2015). Like the Kokang, they were denied refugee status but were generally allowed to enter. However, they received considerably less humanitarian assistance and were largely repatriated by 2012 with the police destroying their self-made homes in China (Song 2020: 120).

Having interviewed cohorts from the early displaced people, Hu and Konrad (2017) found Myanmar people's chief motives for crossing the border were safety (cited by 49% of interviewees), seeking refuge with friends and relatives (27%), following the crowd (21%), and seeking shelter (3%) (Hu and Konrad 2017: 21). Refugees who managed to stay in China adopted Chinese names and assimilated into the ethnically diverse border community,

as they no longer had homes to return to (Hu and Konrad 2017: 22). Song argues that it was the ethnic ties between Kokangs and Chinese (mostly ethnic Jingpos) living in the mutual border area that created a welcoming atmosphere for the displaced. On a local level, villages individually decided to host the displaced, 'because they are all relatives' (Hong wang 2015). On a national level, Song argues 'strong public sympathy towards the Kokangs probably created pressure on the central Chinese Government to assist the displaced Kokangs' (Song 2020: 114).

Since the first major influx of Myanmar citizens in 2009, the Chinese government referred to them as border residents, carefully avoiding the term refugee or displaced people. However, it is highly unlikely that all of the approximately 70,000 people[3] displaced on Chinese territory had an official identification card legitimizing the government's assumption that they were in fact border residents. Rather, this rhetorical trick allows the Chinese government to avoid having to provide assistance as they would be obliged to according to the Refugee Convention while upholding their sovereignty over the border population. While these people formally qualify for border residency according to the 1997 agreement with Myanmar, this scheme had considerably become formalized, requiring border residents to apply for formal border residency cards and register their entry with Chinese authorities (interview 34). Further, their long-term stays are not covered by the border residency scheme, as the 1990 Yunnan Rules for Entry–Exit of External Border Residents in the Chinese–Myanmar Border Areas specify the duration of each stay is up to 15 days and up to 90 days by approval of the local Public Security Bureau (interview 33, Song 2020: 111).

This case shows how flexible the immigration rules are applied on a local level. While both Kokang and Kachin displaced people qualify for border residency. The decision on whether to let them in, to let them stay, and to consider them border residents rather than refugees was highly political. There is no formal regulation that would disbar border residents to apply for asylum with Chinese authorities; however, it was agreed upon local and central governments that their status should be only temporary. Moreover, Kachins without identification papers were less often granted to cross the border by border guards compared to Kokangs without documentation (Song 2020: 124). This speaks to the fact that a political rationale informs each individual decision how to react to border mobilities instead of following generalized rules of immigration enforcement. Other than daily political

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3   It is safe to assume that the 20,000 who were officially counted in 2017 were the same as people from the previous years.

context, an alternative explanation might be the different cultural contexts of the displaced people. If this selection mechanism is built on Kachins being considered as less 'desirable' border crossers than the Kokang – either due to their ethnic ties to China or their smaller numbers – this would undermine Beijing's and Kunming's attempt to govern these irregular mobilities.

During my fieldtrips, I found refugee camps at several locations along the border. The camps are located close to the border, but are inaccessible to foreign researchers such as myself. As mentioned, shortly after their construction, most of the hastily constructed official camps were closed and relocated to the Myanmar side. Although China is a member of the United Nations High Commissioner for Refugees (UNHCR), it has no previous experience with refugee and asylum processes. Relocating camps beyond Chinese territory appears to be some kind of 'speedy procedure' to manage refugees without acknowledging their individual situations or possible asylum claims. Today, the remaining camps on Chinese territory mostly house women and children, while the men have left to search for work elsewhere. This hidden placement of refugees directly at or beyond the Chinese border ultimately peripheralizes them.

Northeast: Yanbian Prefecture/Jilin Province

Yanbian Korean Autonomous Prefecture is located in China's northeast Jilin Province, bordering the Democratic People's Republic of Korea (DPRK) and Russia in a tri-border region (*sanguo bianjing diqu*). As described in further detail in Section 3, the prefecture has been a focal point in the regional development of the Greater Tumen Initiative (GTI); additionally, the Korean population has become an asset in business relations promoting Chinese investments in South Korea (Cotton 1996: 1093).

The border with Russia was officially set in 1991 after the collapse of the Soviet Union in a climate of overall normalization of relations between the two countries. Although the details of the boundary treaty between China and North Korea remain unpublished, the two countries agreed on their border and shared use of the Tumen River in 1962 (Fravel 2008: 115). This river, which forms a natural boundary between the two countries, has various degrees of seasonable accessibility; in the hot summer the river runs dry, allowing people to cross by foot or swimming, while in the winter the ice is often thick enough for people to walk over the river. In order to keep people from informally crossing, the DPRK border is heavily guarded on both sides using barbed wire and military personnel.

Map 4   Map of Jilin Province
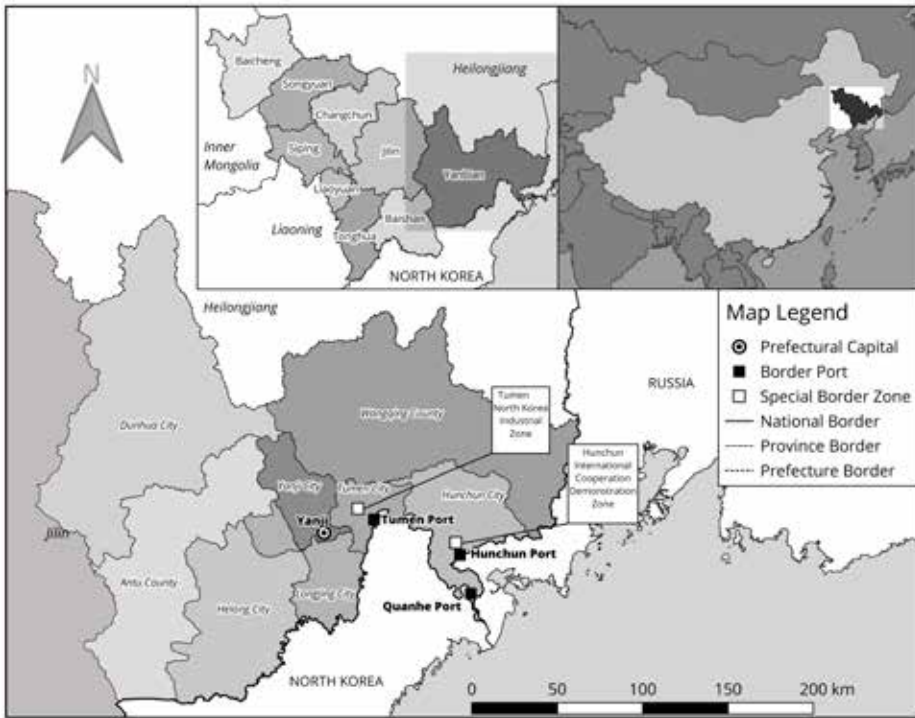
(drawn by author)

Bilateral relations with Russia are stable and have recently focused on joint energy and transportation infrastructure. Chinese migration into Russia is a contested issue, with angry responses among the Russian border population despite the Russian government's increasing facilitation of immigration (Alexeeva 2008; Dyatlov 2012; Wishnick 2008). Another source of conflict is the negative environmental impact of Chinese poachers' illegal fishing activities in the Amur River (Ryzhova 2012). Sino-DPRK relations are complex and prone to international political pressure and conflict. China publicly condemns North Korea's nuclear ambitions while providing food aid and continuing to trade coal, seafood, and other products (Zhang 2013). China only reluctantly implements UN sanctions while projecting a 'façade of solidarity' (Freeman and Thompson 2011: 23). China has reportedly defied UN sanctions by sending coal to the DPRK (The Guardian 2020a), successfully exploiting the geographic proximity by exclusively trading and investing in the joint border area. Similar to my findings for the Dehong Prefecture in Yunna Province, Freeman (2011: 26) argues that this shared border area represents an advantage for Yanbian

Prefecture, enabling local officials in Yanbian Prefecture to 'capitalize on the ethnic Korean identity of the prefecture's ethnic majority and its location to promote local development'. At the same time, however, the border area is highly vulnerable to spill-over effects of North Korean political instability.

I conducted my field research in two counties, Hunchun City and Tumen City, which both border North Korea; Hunchun also borders Russia. Two border ports handle most of the cross-border transport and mobility in Yanbian: Quanhe Port (*Quanhe kouan*) and Hunchun Port (*Hunchun kouan,* also known as *Changlingzi kouan*), both in Hunchun City. Hunchun Port is a first-tier national border gate allowing international travellers to cross between China and Russia, while Quanhe Port is a second-tier border gate and an important hub of trade between China and North Korea. A North Korea Economic and Trade Zone is attached to Quanhe Port on the North Korean side. In Tumen City, Tumen Port (*Tumen kouan*) handles cargo and people as a second-tier border gate with North Korea.

Jilin Province, especially in Yanbian Korean Autonomous Prefecture, has been actively supporting China's North Korea investment strategy and plays a leading role in bilateral relations. Jilin is a landlocked province that profits immensely from overall regional infrastructure development and direct access to North Korean ports. Members of the Korean population (officially called 'Korean ethnic minority', *Chaoxianzu*) play an important role as mediators in cross-border trade, also facilitating business relations with South Korea through personal connections and language advantages. In the 2010 census, 32.45% were recognized as Korean, 2.52% Manchu, 0.28% Hui, and 0.13% Mongol as part of China's official *minzu* policy. Koreans constitute the largest minority in Yanbian and were among the first in China to be officially recognized and granted their own autonomous region. The group is regarded as a 'model minority' with 'impeccable revolutionary credentials and model agricultural collectives' (Freeman 2010: 154). Yanbian Prefecture, however, is listed as a 'sensitive area' (*mingan diqu*), demonstrating the government's fear of ethno-nationalism or riots among the Koreans. Luova (2009) argues that Yanbian officials see the economic potential of increasing ties with the Koreas but are wary of possible foreign influence in the region as well as migrant workers brought in by companies. These officials have described 'migrants as channels and nodes for international economic cooperation' while they create special economic zones to 'provide a supportive environment for […] the migrant entrepreneurs' that ultimately contain their sphere of influence (Luova 2009: 441).

Despite immigration being seen as a possible threat to what local officials regard as social stability, transnationalization efforts aiming to connect the area to neighbouring countries have yielded positive results. In 1992,

Hunchun was labelled a 'national open city' (*guojia ji kaifang jingji*), putting a symbolic focus on the area that allowed the city government to further implement policy exceptions encouraging foreign direct investment and labour immigration. Hunchun maintains a 'unique' Border Zone Committee that streamlines negotiations between Party central directives and local initiatives (Cotton 1996: 1097). As discussed in Chapter 5, this committee has established several Special Economic Border Zones, among them the Hunchun International Cooperation Zone (*Hunchun guoji hezuo shifanqu*, Gao 2015; Yanbian Prefecture Government 2012). The zone was established in 1993 to attract industries in sectors such as textile and clothing manufacturing, wood processing, energy and mineral resources, high-tech electronics, food and seafood processing, and new materials (State Council 2009). Private companies – mainly from South Korea and Russia, but also some from the US and the UK – have entered into joint ventures with Chinese capital in the zone. Other Special Economic Zones located in the border area include Hunchun International Cooperation Demonstration Zone (*Hunchun guoji hezuo shifan qu*), Changchun Free-Trade Zone (*Changchun zonghe baoshuiqu*), Jilin Food Zone (*Jilin shipinqu*), and the New District Changchun (*Changji xinqu*). As outlined previously, local governments are sometimes unclear on their administrative responsibilities regarding management of these zones and creating incentives for foreign capital investment. The practice of engaging with cross-border counterparts, however, is very productive in terms of labour exchange. The following sub-sections address how practices of border control and labour mobility are managed in these specific zones.

Ambivalent Border Control Practices

Researching the state of security cooperation across the Sino-DPRK border is difficult. The border is strongly secured with barbed wire and observation posts are located close together. Compared to the Myanmar border, this one seems effectively secured against unwanted mobility at first appearance. Nevertheless, the local border economy depends on informal cross-border mobility, with people finding ways to cross the border despite the high fences. In Yunnan, security forces turn a blind eye to 'illegal' border-crossers as they very visibly cross the border close to border checkpoints (see Chapter 5.2.2. Turning a Blind Eye: De facto Border Control Practices). In Jilin, however, security forces are not tolerant towards these informal mobilities. It is quite risky for traders to cross the border, which they mostly do through the river. On a small scale, individual traders bring mushrooms and ginseng from North Korea to Chinese markets; to increase their profit, DPRK farmers may cross

the border to sell mushrooms themselves in order to avoid losing money to a middleman. When these individuals cross the border, they try to avoid or bribe border guards. On a larger scale, smuggling drugs such as methamphetamine involves organized crime that in some cases even cooperates with North Korean security forces (Cathcart 2018: 422). Chinese media regularly reports on security breaches and how Chinese forces 'appropriately' meet these threats (Radio Free Asia 2019). The scale of the drug trade indicates that the North Korean state is involved, or at least fails to prosecute infractions, increasing the pressure for Chinese security forces to control the issue unilaterally.

Despite the border being increasingly fenced and guarded, these 'illegal' crossings continue. According to Cathcart (2018: 428), such 'crossings' happen because border surveillance technology is not up-to-date, as a result of involvement of security guards in drug smuggling, because individuals move through the void of effective bilateral cross-border communication, and because regulations around foreign espionage and even simple tourism continue to change. Aside from these technical reasons, it is reasonable to assume that to some extent authorities themselves turn a blind eye to small-scale transgressions. Local farmers' markets and tourist shops rely on these products; traders, in most cases, are North Koreans. Since they risk getting caught by security forces and jailed, their business remains dangerous. According to local sources, Chinese citizens avoid these risks in conducting their business, instead transferring risks to their North Korean trading partners. Crossing the border thus becomes a commodity that adds value to the smuggled goods.

With regard to the border mobility of Chinese citizens, considerable leeway remains to travel into North Korea. Local border residents reported commonly crossing the border without a visa in order to spend leisure time in the DPRK, shop in local markets, and visit casinos (interview 23). It is an open secret that Chinese citizens can easily access North Korean territory without any permits as long as certain informal criteria are met: travelling with an officially designated travel agent, in a car, heading to one of the designated casinos or shopping areas close to the border, and returning on the same day. This fact was indirectly confirmed when I encountered news about Chinese security forces rescuing Chinese tourists on DPRK territory after a flood in July 2015. In this case, Chinese security forces entered North Korea and cooperated with DPRK forces in Rason City in order to get Chinese tourists out under the umbrella of disaster relief (interview 18). The case is particularly interesting because it reflects the asymmetry between Chinese and North Korean security forces and demonstrates the *ad hoc* nature of their cooperation. Though it was obvious to the local population that these Chinese tourists had not crossed legally, they were still evacuated and taken care off.

The Visa Question

In investigating the border regime's ability to effectively regulate cross-border mobility, the question arises: How can Chinese citizens and local border dwellers legally cross? Jilin has nothing comparable to Yunnan's border area passes, and no interviewees mentioned initiatives or discussions regarding creating a similar scheme. However, there are several visa exceptions for specific groups. Chinese citizens of Korean descent (*chaoxianzu*) who have family across the border can apply for day passes to visit their relatives. Another exception is planned for border tourists. Jilin Province generally allows licensed travel agencies in cooperation with local Public Security Bureaus to issue special 'border visas' (*lüyou qianzheng*) that allow short-term (two to three day) border crossings as part of organized group tours to both North Korea and Russia. These border visas aim to minimize bureaucracy in order to facilitate regional tourism for Chinese and Russian citizens. The Jilin Exit and Entry Administration also plans to introduce a specific border visa for travellers to the Hunchun International Cooperation Demonstration Zone (*Hunchun guoji hezuo shifanqu*) that would be issued within 12 hours in a specifically appointed service centre.[4] In addition, the administration plans to issue border passes for employees of companies located in Hunchun Demonstration Zone. These travel permits should be valid for three months to facilitate cross-border trade and must be issued by the local Public Security Bureau.

The target groups for these visa schemes are mainly Chinese tourists and local businesses. This indicates that local authorities do not aim to extend border mobility for all residents, but rather for selective groups that contribute to the border economy. Tourism is an important industry in Yanbian, generating 10% of local GDP (Freeman 2011: 31). Local attractions include museums and statues commemorating the Korean War as well as ethnic Korean villages, cultural events, and markets. A tower at the border triangle is marketed as 'looking into three kingdoms' (*yiyan wang sanguo*) as you can see Russia, China, and North Korean territory. The main attraction, however, is watching the 'exotic other': the North Korean people that live in poverty under harsh state control (interview 20, 21). Along the border, I

4   Article 9 of the Jilin Provincial Exit and Entry Administration (2016): *Jilin sheng gongan jiguan jifa shehui chuangzao chuangxin huoli zhu tui Jilin xin yi lun zhenxing fazhan sanshi xiang cuoshi jiedu zhi yi* [An Interpretation of the Jilin Provincial Public Security Organs to Stimulate the Creation and Vitality of the Society, and Boost the 30 Measures of Jilin's New Round of Revitalisation and Development.]. Available online at http://gat.jl.gov.cn/zwgk/zcjd/201601/t20160106_2137744.html, accessed 29 August 2020.

found many tourist stations run by local residents providing refreshments, border memorabilia, and telescopes for rent to watch the North Korean side. Also available are rice packages and other food that you are supposed to throw over the fence in order to 'feed the poor North Korean people'.

While most tourists are content to travel along the border without crossing it, some also enter North Korea. For these visitors, special visa schemes were introduced within the framework of the GTI (see Section 3.3). In 2014, a GTI tourist office opened in Hunchun, offering information on guided tours in Russia and the DPRK. Most popular are cycling and road tours into the DPRK. Participating travellers must have a valid Chinese passport, and a visa can be issued within three days by the local Public Security Bureau. Local sources, however, could not confirm that these visa schemes have effectively reduced the number of informal border crossings.

Managing North Korean Immigration

In Chapter 3, I illustrated how the Chinese government does not classify North Koreans as refugees. Insisting that North Koreans leave their country for economic reasons, Chinese officials and state media refer to defectors as 'those who have escaped from the North' (*tuobeizhe*). However, several policies aim to address the North Korean immigration that does not result in defection.

North Korean Women as Wives
One issue that is comparatively well represented in the academic literature is the marriage of North Korean women to Chinese husbands. Unlike the Blue Cards in Yunnan, Jilin has no specific passport schemes addressing these 'foreign wives' (Lee 2004: 54). According to Liu (2011: 92), there were 'short-lived' efforts to create temporary ID cards for North-Korean wives who had been married for a long time, had children, and were not causing any trouble with authorities. This means that when these women 'illegally' enter the country, their marriage is not officially registered and often they do not have any identification documents. This legal limbo leaves them vulnerable to sexual abuse and labour exploitation (Hwang and Parrenas 2018: 69). If children are born out of these 'illegal' marriages, in most cases they will not obtain a Chinese citizenship or *hukou* papers, leaving them in a legal grey zone, unable to attend school or seek medical care (Yun 2016). According to the Korea Institute for National Unification, this affects about 30,000 children living in China (ibid.). In the Jilin provincial opinion on the 2016 Opinion on Resolving Issues of Hukour Registration Persons with no Hukou, the provincial government created a solution to the issue of the children's

'illegality'. This Opinion states that children born to a Chinese national and a foreigner or stateless person can register for hukou in case their Chinese heritage can either be verified by local police or by a DNA test (Song 2020: 101).

By remitting money through middlemen, many of these women financially support their families that still live in North Korea, increasing their living standards. Although officially prohibited, the CNY has become a widespread currency in North Korea (Cathcart 2018: 428). Middlemen take considerable sums for smuggling the money, reportedly around 30% of remittances.

Choi (2011: 521) argues that women repatriated to North Korea are punished for culturally polluting the homogenous Korean society. Especially if they return pregnant, their children are stigmatized in North Korea under its 'pure blood' ideology. Despite the danger of repatriation and subsequent imprisonment, many women take the journey and marry Chinese men. Many of them are pressured into marriage by their own families or decide to do it due to a lack of other income alternatives (Choi 2011: 523). Fleeing poverty, some women become victims of human trafficking by agencies that broker them for 100 CNY or 'a sack of rice' (interview 23, 25). Often, these brokers try to renegotiate their fees after helping someone leave the country, resulting in forced marriages if they do not comply (UNHCR 2019b: 24).

Worker Exchange Agreements: Exploiting North Korean Workforce
China's immigration authorities provide a guest worker programme for North Korean labour immigrants.[5] The DPRK dispatches workers around the world, with an estimated 19,000 all over China, not only in the border area (Gyupchanova 2018: 184). In particular, this scheme helps Chinese restaurants hire North Korean women as waitresses. They often get contracts for two or three years, with the DPRK state taking up to 90% of their income (Cathcart 2018: 429). Though they possess papers legalizing their presence, these North Korean workers are not free to move or travel outside their immediate residence.

This guest worker programme is active in the Tumen North Korean Industrial Park (TNKIP, *Tumen jingji kaifaqu Chaoxian gongyeyuan*), a zone

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5   This programme specifically addresses North Korean workers, while South Korean labour immigrants are treated differently. South Koreans arrive with companies that establish joint ventures in economic zones and are treated like other international labour and 'talent' immigrants coming to China for a limited time. However, they are given special attention by local officials concerned about their transnational activism. These concerns are caused by incidents such as South Korean teachers assisting North Korean defectors to reach South Korea without being detained by Chinese authorities, as well as instances of missionary work (Luova 2009: 443). While this sort of organized activism is closely tracked by Chinese authorities, individual labour migrants are under less strict surveillance (Luova 2009: 444).

located along the main road leading from Tumen City to Yanji, the capital of Yanbian Korean Autonomous Prefecture. Established in 2010, the zone hosts three big Chinese companies, Huiren Electronics, Hualong Technology, and Konkyo Electronics (Gu and Yang 2015: 182), along with several North Korean joint ventures mainly producing textiles (Yanbian Prefecture Government 2013). In 2015, according to interviews with experts, the zone hosted almost 1,000 workers from North Korea in on-site facilities that include spaces for living, dining, and entertainment as well as Chinese police stations. Plans to enlarge capacity have also been proposed. In order to 'increase the humane treatment of workers', health and safety measures and healthcare facilities have been introduced by the zone administration, and North Korean holidays and traditions are respected (Invest in China 2015). North Korean officials who visit on a monthly basis inspect the site for compliance with DPRK standards (interview 19). The workers have special contracts allowing them to work in China while living in the TNKIP. They are prohibited from residing or travelling within China, have no access to the special rights of border residents, and are not free to cross the border when they want; they are simply put in the zone to work and return to North Korea when their working period of two to three years is over. This (one-sided) labour exchange is organized by the Jilin Talent Service Centre (*Jilin rencai fuwu zhongxin*), which issues the special working visa and labour contracts (interview 17). According to Chinese officials, a special labour company (*zhuanmen de laodongli gongsi*) on the DPRK side manages the contracts and provides the workers. In other words, the zone constitutes a closed area hosting North Korean workers employed by Chinese-North Korean joint ventures. These companies strategically profit from the cheap labour available through this cross-border arrangement as well as Chinese investment in border infrastructure development. Yet this zone is not part of the GTI framework and therefore is only directed towards North Korean investment.

Local officials from Hunchun also stated that the availability of North Korean labour is the region's central economic advantage. Unlike China's support for this labour agreement, local officials said that Russia refrains from this kind of cooperation with the DPRK due to 'political uncertainty' (*zhengce bu juedingxing*) (interview 19).

North-Korean Refugees: Hidden and Anticipatory Camps
In Chapter 4.2.3. Refugees: A Volatile Concept, have characterized the Chinese approach towards refugees as volatile due to the changing political definitions that depend on refugees' country of origin. As for North Korean defectors, Chinese authorities tend to regard them as 'economic migrants'

and not as political asylum seekers. Most often, however, officials deny their existence; one expert told me: 'North Korea does not allow people to emigrate and migrate at all. It is completely closed. (*Bei chaoxian shi bu yunxu minhzong yimin he yiju de, ta shi wanquan fengbi de zhuangtai*)' (interview 16). Nonetheless, local officials admit that they have North Korean immigrants in their localities that need to be addressed, emphasizing that officials need political guidance and support from the central government.

Public opinion regarding North Koreans entering China depends on whether they come to stay permanently or temporarily; border mobility is not equated to immigration. The fact that there exists informal border mobility is widely acknowledged. The inevitability of North Koreans 'illegally' crossing the border to conduct trade is accepted because people are aware that some products and necessities are lacking there. Some locals told me that they know this kind of border crossing is 'illegal' and dangerous, as border security personnel on both sides try to prevent it from happening. In the case of 'illegal' immigration, Chinese citizens often distrust defectors, saying that many of them are criminals or poor people coming to China to profit. Chinese media demonizes North Korean defectors, linking them to human and drug trafficking as well as robberies along the border (China Daily 2010). Freeman and Thompson (2011: 25) argue that 'North Koreans are increasingly seen as a problem in the region associated with the smuggling and other illegal activity — a symptom of the country's brittle and dysfunctional economy, and a reminder of the ongoing uncertainty about its political stability'. Local cadres in turn face pressure to maintain public security by implementing China's central 'drug free communities' policy.

If caught, defectors face deportation. Following a 1986 bilateral agreement with the DPRK on mutual repatriation, Chinese authorities have put defectors in camps for unpredictable periods of time before sending them back through official channels. The locations and conditions of the camps remain unclear. When international sanctions hit North Korea in 2017, China was reported to be constructing camps in anticipation of possible refugees (Perlez 2017). Security forces' primary aim is to halt the problem at the border by not letting 'illegal' immigrants spill into the country. Chinese authorities decisively oppose South Korea's granting of citizenship to North Koreans. Security forces actively prosecute and imprison immigrants with South Korean passports who originally emigrated or fled from North Korea, implementing a tough policy on North Korean defectors (Luova 2009: 442).

Moreover, the role of North Korean security forces inside China is under investigation. In theory, the terrain should be relatively easy to survey as the

border runs along the river. While Chinese security forces try to effectively secure the border against 'illegal' crossings, the fact that North Koreans do leave the territory despite omnipresent security agents is suspicious to some experts. Defectors' success either reflects the sheer desperation of the people risking their lives to cross or indicates that North Korean border guards *de facto* allow 'problem citizens' to leave the country (Freeman 2011: 29). As a result, Chinese authorities have increased border surveillance by organizing patrol groups in villages and border towns and have implemented video surveillance and border sensors that provide 24/7 monitoring (Freeman 2011: 39).

Legality as a Selective, Conditional, and Locally Bound Privilege

The legal framework and government support for in borderlands of both Yunnan and Jilin is quite similar. However, provincial and local governments' enforcement strategies differ in terms of how immigrants are integrated into the local border economy and society as well as in terms of border residents' degree of mobility.

The security field including the Border Security Groups and the People's Armed Police (PAP) try to effectively secure the border against unwanted mobility. Drug trafficking is a major issue that is prioritized by both security forces. Yet their prioritization in terms of punishing 'illegal' border mobility differs. In Jilin, preventing North Koreans from entering Chinese territory is a high priority, whereas in Yunnan, informal mobility is tolerated to a considerable degree. In part, this seems to result from the different geography and landscapes of the border areas, with Yunnan's thick rainforest more difficult to effectively survey than the Tumen River. However, during my interviews it became clear that the political will to effectively deter immigrants also diverges considerably. In Yunnan, local officials clearly stated that the cross-border relations of the local population comprise a resource that should be exploited rather than deterred. Issuing border passes that allow frequent border crossing represents a certain level of trust in the border communities on the part of local authorities. They try to establish more open and mobile borders that facilitate cross-border trade. Moreover, there is a considerable amount of direct cooperation with the Myanmar and Laotian authorities. In Jilin, however, local authorities feel a significant amount of political pressure as international sanctions and human rights debates make direct engagement with North Korean authorities potentially problematic. Rather than risking negative effects, they keep quiet.

In both cases, ethnic relations and cross-border kinship play an important role. In Yunnan, the geographic distribution of ethnic groups such as the Dai and Jingpo *minzu* results in lively commuting and visits across the border. The boundaries of peoples' family lives do not necessarily coincide with the international frontier. Local officials try to acknowledge this fact, legalizing border crossings and trying to integrate the cross-border workforce. In the case of the Korean *minzu*, networks also straddle the border. But unlike in Yunnan, Yanbian authorities aim to contain rather than promote cross-border contact. In both cases, however, immigrants feel the need to stay in contact and send money to their relatives. These financial transactions in all cases are privately organized through informal networks rather than through official banks, leaving them vulnerable to exploitation and fraud.

Chinese authorities also differ in terms of their strategies for integrating the available migrant workforce into the local economy. In Dehong, work permits have been introduced specifically for Myanmar residents, providing a much-needed workforce for the Chinese development strategy in the region. The ambitious goals of the Develop the West programme include the infrastructural and economic development of the western periphery. An increasing number of companies have relocated factories to the border area and the agriculture sector is growing. Myanmar immigrants are therefore a welcome supplement to the local population. Nevertheless, work permits legally bind migrants to the border prefecture. In Jilin, the available schemes for North Koreans working in Chinese companies are even more restricted. Permits are only issued for specific zones, with workers unable to leave compounds controlled by North Korean and Chinese authorities. In this case, the system is more appropriately described as 'modern slavery' (cf. Gyupchanova 2018) than labour market integration.

Furthermore, the issuance of border passes is implemented differently. In Yunnan, border passes are governed by provincial Exit and Entry Regulations and are issued by local Public Security Bureaus to individuals who live in the border area and who have to cross regularly. The practice is common and widespread. In Jilin, no such arrangement exists. Here, visa regulations are eased for border tourists and professional border traders rather than border residents.

The way that local authorities communicate and cooperate across the border also varies between the cases. In Dehong and Xishuangbanna, local governments maintain constant relations with their cross-border counterparts. They discuss issues such as repatriation and border security infrastructure, but also coordinate cultural events. In Jilin, cross-border

liaison, especially with the DPRK, is largely limited to military cooperation and closely controlled by the central government. This is not to imply that Yunnan is acting contrary to central guidelines, but rather that authorities there have considerably more leeway in implementing policies and strategically developing the local economy.

Lastly, we return to the question of how local authorities produce legality for immigrants. By selectively granting work permits and prioritizing different groups, the Chinese border regime implements its neoliberal rationality. It favours working immigrants over possible refugees, conditionally and temporarily accepting able-bodied individuals into the local economy. Applying rules of exception to migrants keeps them locally bound, dependent on visa renewal, and thus at the control of the authorities. Providing legality thereby becomes a selective, conditional, and locally bound privilege. The border economy exploits and coerces immigrants to comply with Chinese rules because living and working conditions on the other side of the border are worse. Instead of contesting their status, migrants adapt to the limited legal space provided by Chinese authorities. Both legal and 'illegal' immigrants become peripheralized and ultimately remain in a vulnerable state of existence.

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7   Conclusion — Authority in the Chinese Border Regime

Abstract

To contextualize recent developments, this book demonstrates how the Chinese border regime operates, specifically by differentiating its strategies of control according to a subject's geographic location (graduated sovereignty) and immigrant group (graduated citizenship). Following Ong, governmentality is shown to be territorialized in *literal* zones of exception. Further, the book demonstrates how authority over state territory is graduated: the regime rearticulates the border on both a regional and a local scale through establishing Special Border Zones that provide preferential policies, exceptional immigration procedures, and additional resources to integrate the local economy and facilitate cross-border trade. The border regime can also be shown to create *metaphorical* zones of exception if the border is understood as biopolitical as well as geopolitical.

Keywords: exception, border, Covid-19, Chinese government, biopolitics

After the outbreak of COVID-19 in early 2020, China went into a lockdown, starting in the epicentre of Wuhan and extending to other provinces and localities where local and central governments deemed it appropriate (Plümmer and Habich-Sobiegalla forthcoming). After this initial phase, the central government identified border areas as a potential risk and declared a state of emergency to avoid 'imported cases'. While the emergency level in Beijing was lowered in April 2020 (Xinhua 2020), the level was increased in border areas (Global Times 2020). The Global Times reported that medical personnel were deployed to the Myanmar border area to conduct health monitoring, along with military reinforcements to constantly patrol the border. The threat was supposedly posed by not only 'illegal' border crossers, but also Chinese citizens returning from

abroad. Accordingly, non-essential border crossings were prohibited, and the issuing of entry and exit permits in border regions was suspended (Global Times 2020). These examples illustrate how border areas and cross-border mobilities continue to be associated with danger and met with extraordinary force. COVID-19 has shown how mobilities that for decades have been considered key to these areas' global economic integration are in fact securitized, with emergency measures able to specifically target border crossers. However, this situation has also thrown into relief how dependent governments are on their cross-border counterparts in terms of adopting equally appropriate measures and effectively monitoring people's health in the context of a health crisis. This suggests the extent to which contemporary political life has internalized a political imaginary of frontiers that includes cross-border mobilities. It would be naïve to try to battle a global epidemic with national rather than international measures. In order to effectively control and safeguard its subjects, border regimes must communicate, cooperate, and ultimately integrate across borders. However, China's responses to the outbreak constitute a continued governmentalization of the border – a quick border lockdown, deploying the military, increased surveillance of border residents, and a securitization of border mobility. Appearing to close the border as part of epidemic control is what Foucault called a 'political dream' (Foucault 2003: 47). In this dream, a disease legitimizes government intervention. These moments of crisis reveal which freedoms and liberties are deemed essential and which government interventions are deemed appropriate. To understand these interventions, we look at the border as the space where security and freedom is immediately tangible.

This recent transformation of these borders becomes even more critical when we think back to Zomia; Scott's (2009: 13) influential approach to understand Southeast Asian states' historic difficulty to establish authority in their borderlands. The gradual development of this formerly nonstate space and increasing government's attempt to 'bring the periphery into line', to modernise, civilise and serve its citizens in the margins, shows how the spatial articulation of states is established and challenged in the borderland. In China's recent development, these nonstate spaces are shrinking in the context of national development and regional economic and infrastructural integration. An increasing need to integrate the borderlands, utilize border spaces as hubs for economic integration, and exploit the natural resources of the borderlands translated into a civilizing mission that aimed at reasserting sovereignty in the border area and particularly over state subjects. This territorial governmentality largely works through redefining security on

national and local government levels to create a system in which legality becomes a selective, conditional, and locally bound privilege; thus the border becomes a method to socially control its subjects and spatially develop its territory.

In order to contextualize such developments, this book has demonstrated how the Chinese border regime operates, specifically by differentiating its strategies of control according to a subject's geographic location (graduated sovereignty) and immigrant group (graduated citizenship). Following Ong (2006), governmentality is shown to be territorialized in *literal* zones of exception. Chapters 5 and 6 demonstrated how authority over state territory is graduated: the regime rearticulates the border on both a regional and a local scale through establishing Special Border Zones that provide preferential policies, exceptional immigration procedures, and additional resources to integrate the local economy and facilitate cross-border trade. The border regime can also be shown to create *metaphorical* zones of exception if the border is understood as biopolitical as well as geopolitical. Here, the regime exerts differentiated authority over border crossers, resulting in a graduated citizenship. The immigration system mainly selects immigrants based on whether they are economically valuable, peripheralizing those who are less so. Although the central government has reformed the immigration system, there is still no coherent concept or imaginary of border politics within Chinese political or academic discourses. Though immigration has become significantly more institutionalized and procedures have been clarified, some important issues – like refugee and asylum law – are omitted. To a large degree, questions of how the border area is actually governed are passed on to local authorities. Local governments and Public Security Bureaus cooperate to find solutions for immigration issues, such as border residency permits and locally valid work visas. Rule by exception has become normal.

Special Border Zones: Normalizing Local Exceptions

The Chinese border has become multiplied both internally and externally. This is thanks to the re-articulation of the border regime, which has become re-scaled and more internally decentralized as China increasingly integrates into regional organizations. Regarding internal decentralization, Chapter 4 has shown how Chinese national border policies intersect within different (national) policy fields. Most importantly, different actors within the Chinese regime are responsible for border security and border development, and these

actors sometimes follow divergent or even contradictory priorities. Power to implement policies, however, largely resides with local governments. In order to reintegrate this decentralized system, the Chinese government has designed Special Border Zones with preferential policies and extra resources for local governments to meet central targets. These zones are special in the sense that they provide exceptions for foreigners' immigration to or investment in China. However, they are conventional in the sense that they have become a widespread and common policy tool at China's borders. The exception has thus become normal here, too.

Chapter 5 investigated how these zones have become integrated into regional organizations. By labelling Yunnan and Jilin Provinces as 'bridge-heads' (*qiaotoubao*) with the neighbouring countries, Beijing has provided them with a strategic advantage. Since 2009, the National Development and Reform Commission has set preferential tax, trade, and cross-border mobility policies within these provinces; such 'spatial selection' has bol-stered these areas' regional geostrategic importance and has shifted the centre of regional interaction to borderlands. Beijing has thus ensured and extended its influence in neighbouring Asian countries. This book shows in detail how the bridgehead strategy is implemented within the Greater Mekong Subregion (GMS) and the Greater Tumen Initiative (GTI). In both organizations, provincial governments play an active and central role in decision-making. While both organizations focus on the facilitation of cross-border trade, they also provide a forum for cooperation in other policy fields. Within the GMS, collaboration even extends to direct security cooperation like joint Mekong River patrols and police actions against smuggling and trafficking. Within the GTI, an alliance on border tourism has developed. Both organizations have formed plans for regional road and rail construction as well as agreements on river and port management. In sum, the regional frameworks provide an opportunity for China to re-establish authority over its border areas in terms of security and development by flexibly allocating funds and influencing relevant infrastructure even beyond its own territory. China's Special Border Zones comprise a central tool within this spatial re-articulation, serving as hubs within the regional projects. Although zones are established through national administrative actions, their impacts surpass Chinese territory and effectively transnationalize the Chinese border regime.

Chapter 6 presented detailed accounts for three border zones, two in Yunnan Province (Ruili and Mohan) and one in Jilin Province (Hunchun), illustrating how exceptions are implemented in practice. In Ruili, for instance, immigration policies are extended to Myanmar workers in the

border area. The local government has been able to integrate formerly 'illegal' immigrant workers into the local economy and has legalized them. Similar policies are in place in Jilin, where North Korean workers are employed in Special Border Zones on Chinese territory. Moreover, Yunnan provides border residency cards for Chinese, Myanmar, and Laotian residents who live in the border area. These cards do not replace passports, but qualify as identification documents in the border area both inside and outside of China. Bureaucratic expenses are thus reduced because the local Public Security Bureau does not have to issue visas for every border crossing. No such policy exists in Jilin. Although these working permits and border residency cards do not appear in official lists of visas, they constitute specific border documents allowing the owner to legally work for a Chinese employer only within the prefecture and cross the border as often as necessary for business or to visit family. Special Border Zones are therefore not only an instrument for allocating development funds, but also a way to legalize and match the realities of cross-border lives.

The Role of Local Governments in China's Border Management

Kalir, Sur and van Schendel (2012: 12) propose that common reasons why states only slowly react to migratory realities rather than proactively modelling them are either because they draft overambitious policies in the first place or because of policy disagreements among different government levels. In this case, disagreement between central and local government authorities is difficult to prove because of the authoritarian nature of the Chinese political system. However, local governments play a crucial role in the implementation and in many cases create zones of exception to national law. This way, the political system still reacts to migratory realities, but in a flexible way that allows to locally accommodate policies. Ultimately, this constitutes a multiplication of the border as multiple authorities complement the national legislation with local realities or compete among each other.

As explained above, local governments develop creative strategies for legalizing immigrants that are necessary for the local economy; they have considerable leeway in doing so and obtain additional resources within China's national development plans to implement their projects. The underlying rationale for their behaviour, however, remains an open question. It is clear that they aim to promote development in their localities while

competing against other locations. Economic development and social stability are key policies or 'veto targets' (*yipiao foujue*) that all local governments have to meet, though they may differ in how far they are willing to go in normalizing the exploitation of a cheap, readily available cross-border workforce.

Indeed, it is difficult to even say whether immigrant workers in the border area are exploited or themselves exploit the local economy. Some scholars argue that the Myanmar workers in Yunnan face unemployment and worse conditions on the Myanmar side of the border, which is comparatively un-industrialized and relies on China to provide cell phone service and border infrastructure (Chen and Stone 2018: 493). Salaries for such workers are relatively high on the Chinese side; depending on their knowledge of the local language and their education, they can earn between 1,000 and 3,000 CNY per month in China, while on the Myanmar side, public officials – certainly a step up from farmers and construction workers – earn the equivalent of 1,400 CNY. In Ruili, these workers can receive further education and language training provided by the local Service Centre. This, however, is a model case and does not apply for Laotian workers who reside in the neighbouring prefecture. Such treatment especially does not apply for North Korean workers in Chinese factories, for whom no income data is available. The political situation in North Korea indicates that the Democratic People's Republic of Korea (DPRK) government has some role in deciding who works in these prison-like factories that they cannot leave (Gyupchanova 2018). The question of how voluntarily or desperately these immigrants come is thus central in answering whether Chinese local governments exploit immigrant workers. Certainly, a lack of alternatives forces these people to accept Chinese working conditions. The Myanmar workers in Ruili often have lower wages than Chinese workers and work under bad conditions with regard to work safety on plantations and construction sites. If they acquire a work permit, it is always temporary (usually up to one year) after which they have to maintain 'good relations' with local authorities to earn an extension. Although it is hard to make a living and support families, they often succeed. The Chinese side of the border indeed often provides a 'safe haven' for those persecuted for their religion (Egreteaux 2017: 196f.), fleeing violent conflicts, or trying to escape poverty. These immigrants profit from the jobs provided by the growing Chinese economy and their *de facto* freedom of movement to flexibly cross to and from Myanmar. Many save money to remit to their families. However, whether they can stay for longer and contribute to the local community depends on how integrated into the Chinese state and society they feel in the long run.

Local governments' legalizing efforts thus position them as central actors in the relocation of China's regional economic development. By creating pull factors to attract immigrants from neighbouring countries, they establish new hubs of cross-border mobility and trade. Moreover, within the 'liaison system' (*lianxi zhidu*) they directly negotiate with their cross-border counterparts on security cooperation, neighbourly relations, and cultural activities. In this way, the local governments create new interaction patterns, shaping the transnational economic structure and benefiting from uneven cross-border development differentials.

Their legalizing efforts, however, also are limited by *de facto* informal border mobility. At all border sites investigated in this book, frequent crossings circumventing official border gates were quite obvious. Border fences with semi-permanent doors cut into them and the illicit passing of baskets with goods are normal part of the scenery just a few metres from official border control points. Since this was visible to me as a researcher during my field trips, local officials were clearly turning a blind eye to informal border mobility. Two reasons can explain their decision to ignore such breaches: first, the local economy depends on this kind of interaction, and second, it is impossible to effectively secure the border against all unwanted mobility. Moreover, both in Jilin and Yunnan, cross-border gambling tourism is an open secret. As explained in Chapter 3, the government tries to tackle this issue but only succeeds in short-term disruptions. Cross-border trade in agricultural products is also an integral part of local markets: rice, fruits, and forest products from Myanmar and Laos as well as mushrooms and ginseng from North Korea are desired by borderland households as well as the larger Chinese consumer markets. By trading through remote routes, farmers can avoid taxes. Depending on the scale of the informal trade, local officials react differently; if it is small-scale, they let it pass to 'support' farmers and markets. At least in Yunnan, local security forces focus on large-scale smuggling, such as the shipment of drugs and narcotics. As local governments closely cooperate with the security forces and Public Security Bureaus, it stands to reason that they reach a common decision on the relative risk perception of different threats. Whether to focus on preventing 'illegal' immigration and repatriating 'illegal' foreigners, or how to put more pressure on drug smugglers and human traffickers, are questions constantly discussed among local officials. The central government's agenda plays a crucial role in these debates, but local authorities are ultimately responsible for providing social stability in the region and managing cross-border mobility.

Border as a Method of Social Control: Graduated Citizenship in China's Immigration System

Chapter 3 scrutinized how the Chinese border regime sorts immigrants into different categories. By analysing legal frameworks, immigration control practices, and official and media discourses, I have shown how the Chinese immigration system differentiates between wanted and unwanted foreigners. The immigration system thus provides controlled access for selected groups – such as foreign students and 'talent' immigrants – who experience preferential treatment like settlement subsidies, medical care, insurance, housing, tax advantages, and family reunification. Less qualified and thus less desired immigrants are treated differently and undergo less privileged immigration procedures. Other irregular forms of immigration are included in a comprehensive *sanfei* (three illegals) discourse that constructs 'illegal' immigrants as criminals. The underlying rationality of the selection process builds on a specific set of values: the immigrant may be wanted depending on their economic contributions to the local community and on their 'quality' (*suzhi*). The immigrant labels create a social hierarchy implying graduated access to social security. All foreigners are strictly controlled through limited work or residence permits, even if they are called permanent residents. Public discourses on the desirability of immigrants reproduce their place within the social hierarchy: 'illegal' immigrants are met with discriminating language, while talent immigration is hailed as contributing to the national project. This logic builds on inherently neoliberal values that promote self-discipline and individual responsibility to strive for social and economic 'quality' as an 'autonomous' citizen. The Chinese government tries to quantify individual quality through a points-based system that rates a foreigner's desirability for the Chinese economy. Overall, this social differentiation manifests as a system of 'graduated citizenship'. Legal responsibilities and rights are differentiated according to an immigrant's label, and the state applies different technologies to incentivize or prevent immigration. Foreigners are provided no universal path to full citizenship through naturalization, and privileges like permanent residence permits and family reunification are only selectively granted for 'high quality' immigrants.

Within this graduated immigration approach, border residents (*bianjing diqu jumin*, or *bianmin* for short) constitute a special legal category. This category also exemplifies the governance through exception that is characteristic of the Chinese border regime. The issuance of a border residency card is restricted to inhabitants of the border area and only locally valid. The benefits of obtaining this card have trade-offs: although residents gain

an additional identification document and favourable border-crossing procedures, they become increasingly subject to education campaigns and community-based surveillance as local authorities monitor them closely.

This locally differentiated, legally graduated immigration system produces various forms of power. It produces symbolic power in categorizing foreigners, placing them according to their value within the social hierarchy and appropriating their status within the national project. Regulatory power is also exerted, providing control over foreigners' mobility and personal lives. The Chinese state thus adjusts its one-citizenship sovereignty norm to a differentiated mode that fits the realities of immigrants. Although naturalization is not an option, selective access to social security and the Chinese job market may be granted. Instead of illegalizing behaviour that is 'impossible' to effectively regulate, the state introduces a graduated mode of sovereignty that still allows it to regulate as much as possible. Border residents, in fact, may have multiple citizenships: one full citizenship and one that is practiced by working, paying taxes, and socializing in the other country. However, foreigners remain dependent on the goodwill of Chinese authorities. The Exit and Entry Administration Law (EEL) states that the final decision on whether an individual is granted a residence permit does not need to be justified, and issuance of a border residency card depends on whether the local Public Security Bureau regards the individual's cross-border mobility as 'necessary'. Ultimately, this narrows the scope of immigration reforms as it ties the individual's rights to political will. Border passes and work and residency permits become symbols of inclusion, yet they are selective, locally bound, and temporary, constituting an exception to the traditional concept of Chinese citizenship.

Border as a Method of Spatial Development: Territoriality and Centre-Periphery Relations

Chapter 4 demonstrated how Chinese authorities use national development projects to produce social stability in 'underdeveloped' regions such as peripheral (mostly western and ethnically diverse) border areas. This place-specific resource allocation functions as a spatial fix for uneven development within China. Borderlands thus become key sites of national territorial articulation. The government's fear of ethnic nationalism among ethnic minorities (*minzu*) represents not only an internal ideological struggle for 'ethnic harmony', but also a question of how to integrate the historically remote peripheries into the national project. Within the Develop the West

policy (*xibu dakaifa*), campaigns such as Enrich People's Lives (*xingbian fumin*) specifically address ethnic minority areas and uneven development around the border. Historically, as early as 1689, Qing Dynasty China had 'administrative jurisdiction in frontier territories' in terms of resolving ownership and trade issues among borderland *minzu* populations (Wang 2009: 131–132), however, the general concept of nationhood was not traditionally reliant on distinct frontiers. Rather, Wang (2011: 180) stresses that the Chinese understanding of territory was a fluid concept. In the wake of twentieth and twenty-first-century territorial struggles, international borders have now been drawn and the centre-periphery relationship has been re-designed such that the doctrine of territorial integrity (*lingtu wanzheng*) defines the construction of the nation. The question of how Beijing projects sovereign power into its peripheries has to be analysed in the context of its decentralized administrative system. The relative autonomy of 'ethnic minority' provinces and local governments results in a differentiated system of territorial authority. Today, this means that the way Beijing limits or gives leeway to specific areas varies according to the performance of local governments and their success in ensuring social stability and economic welfare. China's territorial authority is exerted through zone-specific, differentiated policies that address local characteristics. These policies come in the form of Special Border Zones, which enjoy tax cuts and special infrastructure funds, but also manifest as local exceptions to national legislation, as in the case of border residence cards. These flexible forms of intervention mobilize and build new functional economic spaces that allow for new pathways of development across the nation's territory (cf. Brenner 2004: 213).

In analysing territorial patterns of Chinese history, Skinner (1985: 287–288) hypothesized that the Chinese sphere of influence is best understood in terms of 'patterning in the flows of goods and services, money and credit, and the like'. Rather than imposing a Western perspective on territorial articulation, he let the data reveal interaction patterns that – in his historical case – showed nine 'macroregions' with distinct patterns expressing different market structures and centre-periphery relations (ibid.). I regard my approach to the Chinese border regime as a similarly data-driven attempt to show what *de facto* interactions take place at the border. Rather than imposing a Western concept of external versus internal structures, I look at the existing interaction patterns. This approach reveals that local authorities have in fact built cross-border relations that are unique to the different case sites. Furthermore, the border is also multiplied within and beyond traditional Chinese territory. Border areas are spatial representations of the

centre-periphery relationship and manifest China's attempt to integrate its markets into the wider region. Here, the politics of scale brings together local, national, and regional actors as they manoeuvre within globalizing markets and borders. Ultimately, these different interaction patterns manifest a graduated sovereignty. This graduated sovereignty is characterized by zones composed of place-specific governmentalities and local exceptions that re-scale and reorder the nation state.

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Appendix A: Institutional Architecture of Yunnan Province in the GMS

Appendix B: Institutional Architecture of Jilin Province in the GTI

Regional 区域

Greater Tumen Initiative (GTI) 大图们倡议
- Consultative Commission 协调委员会
- National Coordinators 国家协调员
- GTI Secretariat (UNDP) 大图们倡议秘书处
- Transport Board 交通局
- Tourism Board 旅游局
- National 国家协调员
- Trade Facilitation Committee 贸易便利化委员会
- Energy Board 能源局
- Environment Board 环境局
- NEA Local Cooperation Committee NEA地方合作委员会
- NEA EXIM Banks Association 美国进出口银行协会
- Business Advisory Council 商务咨询委员会

Asian Development Bank (ADB)

World Bank

United Nations Development Program (UNDP)
- United Nations Economic and Social Commission for Asia and the pacific (ESCAP)

Supra-national policy formulation

Central 中央

Central government 中央政府

NDRC 国家发展和改革委员会简称发改委
- Tumen River Area Leading Group 图们江地区 领导小组
- China Tumen River Area Development Project Coordination Group

Ministry of Foreign Affairs 外交部
- Dep. of International Affairs 国际部司

Ministry of Finance 财政部

Ministry of Public Security 公安部
- PLA Leading Group of Armed Forces Emergency Control
- PLA Leading Group on Military Unit Participation and Support for Large-Scale Development of the Western Region
- Bureau of Exit and Entry Administration 出入境管理局
- PLA
- PAP

Ministry of National Defense 国防部

Ministry of Human Resources & Social Security 人力资源和社会保障部
- State Administration of Foreign Expert Affairs 国家外国专家局

Ministry of Transport 交通运输部

Ministry of Commerce 商务部

National Tourism Administration 国家旅游局

Ministry of Civil Affairs 民政部

National policy formulation

Provincial 省级

Provincial government 省政府
- Jilin Provincial International Regional Co-operation Office 吉林省国际区域合作办公室

Jilin Provincial DRC 吉林省发展和改革委员会
- China Tumen River Area Development Project Coordination Group

Provincial Foreign Affairs Office 省外事办
- Neighboring Countries Affairs Division 邻国事务科

Jilin Division of the Bureau of Exit and Entry Administration 吉林出入境管理局
- Passport & Visa Division 外事办公室护照签证中心

Department of Finance 财政厅

Jilin Bridgehead Construction Steering Group 吉林桥梁建设指导小组

Yunnan International Regional Co-operation Office 吉林省国际区域合作办公室

Department of Transport 交通运输厅
- Jilin Transport Facilitation Committee 吉林交通运输厅

Jilin Tourism Bureau 吉林省旅游局

Department of Commerce 商务厅

Local 地级

Prefectural governments 地方政府

Prefectural governments steering groups 地方政府指导小组

Border communities 边境地区

Public Security Bureau 公安部边防管理局

Department of Civil Affairs 民政厅

Local policy implementation

Glossary

aiguo gubian zhanlüe	爱民固边战略	love the people, secure the borders strategy
anquan guanli zhidu	安全管理制度	safety management system
bairi zhuanxiang xingdong	百日专项行动	100-day campaign
bianfang	边防	border defence
bianjiang	边疆	border
bianjiang anquan	边疆安全	border security
bianjiang fazhan	边疆发展	border development
bianjiang zuoye zheng	边境作业证	Border Operation Permit
bianjing chengshi	边境城市	border towns
bianjing guanzhi	边境管制	border control
bianjie	边界	border
bianjing diqu jumin (short: *bianmin*)	边境地区居民 (short: 边民)	border resident
bianminzheng	边民证	border resident pass
biantong guiding	变通规定	modifying regulations
bianyuan	边缘	periphery
bianzheng	边证	border pass
buchong guiding	补充规定	supplemental regulations
buhe guize de yimin	不合规则的移民	irregular migration
Changjitu yu hezuo kaifa	长吉图域合作开发	Changchun-Jilin-Hunchun expressway
Chaoxianzu	朝鲜族	officially recognized Korean nationality in China
churujing tiaoli	出入境条例	exit and entry regulations
churujing tongxingzheng	出入境通行证	Exit and Entry Pass
chuangkou	窗口	window
Daizu	傣族	officially recognized Dai nationality in China
diguo	帝国	empire, imperial
di sushi	低素质	lower population 'quality'
dongbiandao	东边道	Eastern Border Railway
duideng lianxi jizhi	对等联系机制	'reciprocal contact mechanism'
feifa yimin	非法移民	illegal immigrant
feifa rujing, feifa juliu, feifa jiuye	非法入境、非法居留、非法就业	illegal entry, illegal residence and illegal employment
gongan bianfang budui	公安边防部队	Border Control Groups (BCG)

gongyue nanmin	公约难民	'convention refugee'
guanli guiding	管理规定	provision, regulation
guanli tiaoli	管理条例	regulations
guanli banfa	管理办法	measure to specify implementation guidelines
guiguo Huaqiao	归国华侨	Overseas Chinese returnees
guoji yimin	国际移民	international immigrant
hexin	核心	core
hexin bianyuan moshi	核心边缘模式	centre-periphery relations
Huaqiao	华侨	Overseas Chinese
hukoubu	户口簿	household registration card
huzhao	护照	passport
guojia anquan	国家安全	national security
guojing guo	过境国	transit country [of migration]
jiehunzheng	结婚证	marriage certificates
jiji fangyu	积极防御	'active defence'
jingji hezuo qu	经济合作区	[Border] Economic Cooperation Zones
jingnei guanwai	境内关外	within borders while outside customs territory
Jingpozu	景颇族	officially recognized Jingpo nationality in China
kaifa kaifang shiyanqu	开发开放试验区	Pilot Zone for Development and Opening-up
kuajing guanxi	跨境关系	cross-border relations
kuajing liudong	跨境流动	border mobility
lanka	蓝卡	Blue Card
laodong daka	劳动大卡	work permit
liang Ya kuajing wuliu zhongxin	两亚跨境物流中心	Two Asias Cross-border Logistics Centre
lingdao xiaozu	领导小组	Small Leading Group
lingshi tongdao	临时通道	temporary border gate
lingtu wanzheng	领土完整	territorial integrity
lianxi zhidu	联系制度	'liaison system'
lüshu	绿书	green book
lüyou qianzheng	旅游签证	'tourist visa'
lüxingshe yewu jingying xukezheng, daoyou zheng, lingdui zheng	旅行社业务经营许可证、导游证、领队证	business license for travel agency, tour guide certificate, and 'leader license'

Miandian Zhongguo bianjie tongxingzhen	缅甸中国边界通行证	Sino-Myanmar border pass
mingan xing	敏感性	politically sensitive issue
mingan diqu	敏感地区	'sensitive area'
minzu	民族	nationality, ethnic group
nanmin	难民	refugee
nanmin weiji	难民危机	refugee 'crisis'
nanmin laiyuan guo zhuanxiang shuru guo	难民来源国转向输入国	from a migrant-sending to a receiving country
neidi	内地	inner China or 'China proper'
pingzhang	屏障	barrier or buffer zones
qianren jihua	千人计划	Thousand-Talent Program
qiangsong chujing	遣送出境	repatriation
qianzheng	签证	visa
qiaotoubao	桥头堡	bridgehead
quntixingshijian	群体性事件	'mass incidents'
quyu fazhan	区域发展	regional development
quyu hezuo	区域合作	regional cooperation
renkou sushi	人口素质	'population quality'
renshe	人蛇	human serpent
sanfan wufan	三反五反	Three-Anti and Five-Anti Campaigns
sanfang sijian	三访四见	Three visits and four visibilities
sanfei	三非	'three illegals'
sanguo bianjing diqu	三国边境地区	border triangle
san dai	三带	three belts
sanwu	三无	'three withouts'
saoluan baoluan shijian	骚乱暴乱事件	seditious and rebellious events
shaoshu minzu	少数民族	national 'minorities'
shenfenzheng	身份证	ID card
sheng ji	省级	provincial level
shewai bubiao	涉外布标	online platform for labelling foreigners
shiwu buzhun	十五不准	15 bans
shiyanqu	试验区	Open Test Areas
shuangchongguoji	双重国籍	dual citizenship
shuchu guo	输出国	sending country [of migration]
suzhi	素质	'inner' quality
taoli Zhongguo	逃离中国	to escape from China
te she waiguo ren fuwu zhongxin	特设外国人服务中心	ad-hoc Foreigner Service Centre
tequ	特区	Special [Economic Border] Zone

tianxia	天下	all under heaven, the whole of China
tiaoli	条例	regulations
zizhi tiaoli	自治条例	autonomous regulations
danxing tiaoli	单行条例	specific regulations
tiaotiao kuaikuai	条条块块	vertical and horizontal lines
tongzhi	通知	notification
waidi	外地	'outer China'
waiguoren	外国人	foreigner
waiguoren jiuyezheng	外国人就业证	Foreigners Employment Permit
waiguoren juliu xuke	外国人居留许可	Foreigners Residence Permit
waiguoren juliuzheng	外国人居留证	Residence Card for Foreigners
waiguoren zhuanjiazheng	外国人专家证	Foreigners Expert Certificate
waiguoren yongjiu juliuzheng	外国人永久居留证	Foreigner Permanent Residence Card
weihaixing	危害性	harmfulness
weijing xuke de yimin	未经许可的移民	unauthorized migration
wenyi	瘟疫	plague
wuzhengshi wenjian de yimin	无正式文件的移民	undocumented migration
xiandao	先导	forerunner
xiangzhen	乡镇	township or village level
xianji	县级	county-level
xibu dakaifa	西部大开发	'Develop the West'
xierba	谢尔巴	Sherpa
xingbian fumin	兴边福民	'enrich people's lives'
yidai yilu	一代一路	Belt & Road Initiative
yijian	意见	opinion
yimin	移民	immigrant
yipiao foujue	一票否决	'veto target'
yi tao banzi, liang kuai paizi	一套班子、两块牌子)	[guideline of] 'one institution two names'
yiyan wang sanguo	一眼望三国	'looking into three kingdoms'
yizhai liangguo	一寨两国	'one village, two countries'
youbian wufang	有边无防	defenceless border
zanzhuzheng	暂住证	temporary residence permit
zhengzhi yuanyin yaoqiu binan	政治原因要求避难	political asylum
zhenkong didai	真空地带	vacuum zones
Zhongguo	中国	China
Zhongguo taojin	中国淘金	Chinese gold rush
zhongyang	中央	central government authorities
zhoubian zhengce	周边政策	neighbourhood policy

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