Under Control? Regulating Mobility, Security, and Development at China's Border

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Outline

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CHAPTER ONE

Introduction — Borders and Immigration

Chapter 1. Introduction — Borders and Immigration

In the aftermath of several wars tormenting the Middle East, global refugee movements have spurred lively debates about how borders and immigration should be governed all over the world. Immigration evolved into a meta-issue of 21st century politics. The question of who is allowed to become part of a certain host society and national project determines and legitimises different policies including security, foreign affairs, social policy, integration, questions of social distribution, and identity control (Huysmans 2000, p. 770). Moreover, border regimes — including national, regional and sub-national border politics — increasingly became subject of societal and academic interest allowing to understand new forms of transnational cooperation in the field of immigration governance. In China, these debates added to already ongoing academic discussions on how it should steer foreigners' immigration. The question of how and which foreigners are allowed into the country, which state institutions are involved in the decision, what policy areas are affected by immigration and border politics, and who enforces visa regulation and border checks on foreigners, has not been on the priority list for Beijing before. Like in other countries, debates about international terrorism in the aftermath of 9/11 and increasingly mobile global labour sparked debates about how to keep the country safe against unwanted immigration and how to attract high-skilled labour immigration. While the management of foreign students and regular working immigration has been constantly changing and adapting to new realities, the question of irregular immigrants and refugees had been omitted in official policy documents for a long time. Finally, in 2012, the National People's Congress issued a new Exit and Entry Law that for the first time comprehensively attended these issues. Moreover, in April 2018 the government created a new State Immigration Administration further indicating a transformation of its immigration system and a larger discursive shift from perceiving itself as an immigration state. This transformation is emphasised by several Chinese scholars stating that China transformed from a sending (*shuchu guo* 输出国) or transit country (*guojing guo* 过境国) to a receiving country of immigration (*nanmin laiyuan guo zhuanxiang shuru guo* 难民来源国转向输入国) (Guo 2012; Liu 2015b, p. 48).

Against the backdrop of this reform, a detailed analysis of the Chinese approach towards immigration and border security is required. Therefore, this thesis inquires about the changing dynamics of the Chinese border regime, following the question of how authority is exerted within the Chinese border regime and how it impacts local immigration and bordering practices. Ontologically, this border regime analysis includes both discourse and practices that regulate immigration as well as develop and secure borders.

The underlying argument is that the Chinese border regime utilises the border management and immigration system to create 'zones of exception'. On the one hand, these 'zones of exception' are a result of the decentralised Chinese political system that works with policy pilots creating Special Border Zones (SBZ) providing preferential policies. On the other hand, I argue, that the Chinese state is deliberately creating 'graduated' authority over immigration laws and practices that characterise the spatial and discursive articulation of the border regime. I develop this argument in four steps that translate into four analytical chapters.

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 to effectively enforce its rules. 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: graduated citizenship. This ultimately results in a rule of exception favouring economic valuable immigrants over others.

The second step of my argument relates to the actor structure of the Chinese border regime. By analysing what administrative levels within the Chinese government are concerned with specific parts of the border politics, I show how this specific division of responsibility among different security and development actors resemble the ambivalence inherent in the question of border security and control. Here, the dilemma between keeping open but secure borders becomes most obvious. Especially in the border areas, determining priorities among the sometimes contradicting goals of local and national policy makers as well as between security and development targets result in local specific solutions: Special Border Zones that provide exceptions for foreigners in terms of visa regulations and allocate special development funds.

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 organisations is an important part of the analysis. Often, the locally created Special Border Zones are embedded within larger regional frameworks, either in terms of customs regulations, infrastructure development or security cooperation. The regional partners also play a limited role in the Chinese approach securing its borders against illegal smuggling and trafficking. By analysing the different regional agreements and projects including actors of both sides of the border, I show how the Chinese border regime spatially becomes re-articulated also beyond Chinese territory.

Lastly, I argue that the 'zones of exception' also manifest in local practices of differentiated authority over foreigners. I analyse local practices of immigration management, how work and residence permits in border areas are provided. Showing how they are granted selectively and conditionally tying foreigners to this specific locality, it becomes clear that the bureaucracies and administration of the Special Border Zones and border localities, first, try to legalise de facto ongoing informal cross-border mobility, and secondly, utilise the cross-border labour resource as facilitator for the local economy.

Overall, China is an especially interesting country for such an analysis for two reasons: first, as mentioned above, the recent reforms call for an updated analysis of immigration practices, and secondly, the decentralised political system and the authoritarian governmentality invite for a systematic analysis of the border regime that builds on a different set of norms compared to liberal democracies that have gained much academic attention already (see Huysmans 2000; Guild and Bigo 2005; Houtum et al. 2005a; Hess 2010b; Walsh 2011; Darling 2016; Mavelli 2018). To conduct this analysis, I selected two border areas to deal with the question of local bordering practices in detail: Yunnan and Jilin province. These two provinces are carefully selected (see chapter 3.3. Case Selection) and represent regional connectivity hubs to Southeast and Northeast Asia that China strategically aims to integrate into its national development plans.

1.1. Research Questions

As indicated above, during a larger administrative reform of the Chinese state apparatus in April 2018, a new State Immigration Agency was established. This was the result of ongoing debates among Chinese academics and experts that a reform of immigration legislation was long over-due as the current system was insufficient and lacked coordination (Liu 2009; Guo 2012; Luo 2012; Hu et al. 2014; Liu 2015b). This new agency aims at increasing cooperation among different state organisations and standardising practices of immigration control and border security. A previous attempt to reform immigration legal and administrative framework initiated in 2012 resulted in the decree of a new Immigration Law issued by the National People's Congress newly assigning responsibilities for border and immigration management. This law was issued in the context of several Chinese policies that encouraged facilitating 'high-skilled' and 'talent' immigration to match up in the 'global race for talent' (Zweig 2006; Czoske and Ahl 2016).

These recent efforts, however, meet an ongoing regional integration of the Chinese state into Northeast and Southeast Asia where questions of facilitating border trade and secure international borders has been continuously discussed (Freeman 2010; Zhang 2013; Colin 2014). Moreover, China's border areas historically play a crucial role in the question of Chinese territorial in-

tegrity and security as they are largely inhabited by different non-Han ethnic groups that authorities struggled to integrate in the nation (Dean 2005; Sturgeon 2013a). The question of how the border is governed, thus, touches upon different political spheres that have to be integrated into a coherent analytical framework. As depicted in Chapter 2.1., my understanding of the border regime in question combines the role of borders in national as well as regional development and the functioning of the immigration system. Whereas all three spheres represent separate policy fields, the analysis of the border regime manifest in those areas where they overlap. The question of what kind of foreigner is desirable and valuable for the Chinese economy is central to the Chinese immigration system. However, it gains a different layer once foreigners become valuable for national or regional development plans, e.g. when a local community needs work force in order to construct a cross-border road to overall increase regional trade. Moreover, the border plays a different role in national and regional development plans. Although both national and regional development projects are designed by the same government (although by different administrative organs), they sometimes follow different priorities or even contradicting goals. While the border may serve as a protective wall against foreign investors or external influence, the border can also become a resource for regional development plans: a sluice, providing regulated inflow of capital, labour and other resources. For the immigration system this means it needs to be able to integrate work force to fulfil national and regional development goals.
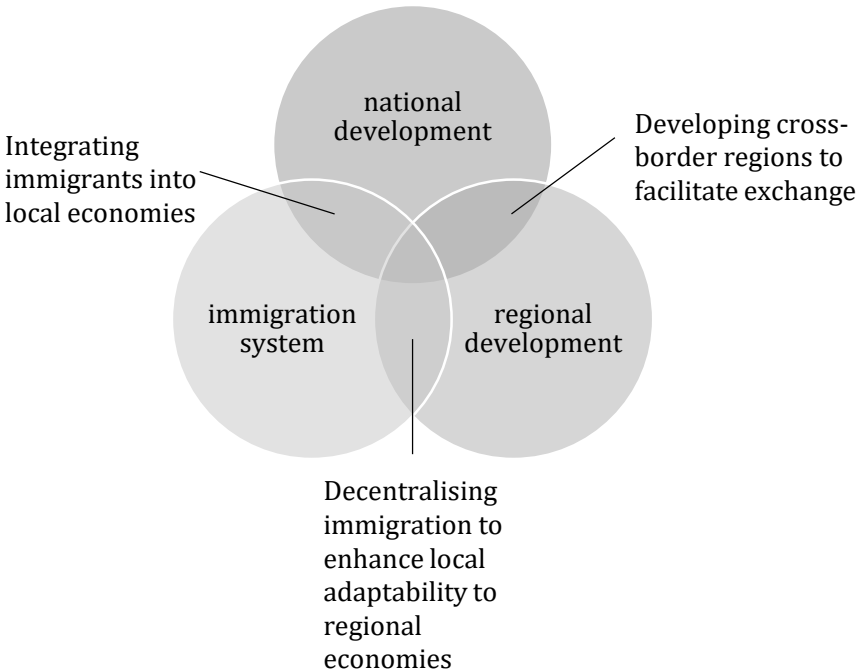
Figure 1: Spheres of the Chinese Border Regime

Against this backdrop, an analysis of the Chinese border regime must carefully investigate the material and symbolic qualities of the Chinese state border in these different spheres. Border politics is not only an issue that draws on a number of different policy fields, but it is a concern for state sovereignty and security (Mountz 2011; Grundy-Warr and Rajaram 2007). The sites where border control is conducted represents key sites of a nation's territorial articulation. Moreover, the practices of border control are often symbolic as they are performing state power over the border-crosser (citizen or foreigner). As McNevin argues, "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" (McNevin 2014, p. 305). Hence, the border is a site of investigation that allows to analytically assess the different spheres its regulation depends on and also to see its effects on the people crossing it and the territory it surrounds.

Hence, the general research question underlying this analysis is:

- How did the Chinese state govern its borders in the context of Asian regional development between 2001 and 2018?

The period of analysis starts in 2001 when two major developments started affecting the Chinese border regime putting comprehensive reforms in motion: China entering the World Trade Organisation (WTO) and the terrorist attacks against the World Trade Centres on 9/11 which globally changed the notion of national security also impacting the Chinese understanding of border security. The analysis ends in 2018, when comprehensive administrative reform again fundamentally changed the organisational structure (Xinhua 2018d).

The above discussed multiplicity of the role of the border in different policy fields translates into the following sub-question:

- How does the Chinese border regime exert authority over the border area and border-crossers?
- How is national, regional and local development of the border area intertwined and integrated?
- How does the Chinese immigration system select and process immigrants and how does it deter unwanted immigrants?
- What role do local exceptions such as Special Economic Border Zones and locally valid Border Passes play in the immigration regime?
- What border control practices manifest demarcating China's territorial authority?

My central argument is that the Chinese border regime produces cascading 'zones of authority'. This zoning activity manifests in several ways: first, it shows in differentiated governance of specific localities such as the establishment of Special Border Zones (graduated sovereignty), secondly, zones of exception implement a locally differentiated immigration system (graduated citizenship), and third, it manifests in the selective integration of cross-border resources in Chinese development projects. These developments are to some degree inherent to the Chinese political system as it is decentralised and builds on policy pilots. However, this case includes the attempt of the government to selectively integrate resources that traditionally lie beyond Chinese territory.

In arguing this, I build on the work of Aihwa Ong (2006) who stated that global flows of capital manifest in key sites of territorial struggle that reveal how the Chinese government deploys 'zoning technologies' through the establishment of Special Economic Zones, Open Coastal Belts, and other domestic interior zones. To her understanding, these zones were "designed to facilitate the operations of global capital" in order to make these sites more 'bankable'. However, these neoliberal strategies result in 'graduated sovereignty' and 'graduated citizenship' (Ong 2006, 78f.; 104-111). I transfer this approach to the Chinese state borders, arguing that at the border key sites of 'local exception' and practices of inclusion and exclusion of immigrants reveal the state of Chinese sovereignty and security. At the border especially, questions of national integrity and governmental reach are constantly (re-)negotiated. In my understanding, the border thus becomes a method that allows the Chinese state to control mobility and regulate development.

1.2. Terminology

The key question of this thesis is how the Chinese state governs its international borders in the context of Asian regional integration between 2001 and 2018. The analysis builds on a border regime perspective that allows to integrate an analysis of the institutions governing the border (legislation and implementation), the discourses on immigration and border security, and local practices of immigration management at the border. In order to develop a foundation for the theoretical discussion in the next chapter, I shortly introduce the key terminology.

1.2.1. Border Regimes

Border regimes are the sum of political actors engaging with, deciding over and practicing the regulation of mobility across borders. They are assemblages: They are the result of historic trajectories of a government's attempt to effectively regulate border mobility. However, they also account for changing constellations of political actors and bureaucracies that increasingly include trans- and international constellations (Sciortino 2004, 32f.; Tsianos and Karakayali 2010, p. 376). Border regimes are characterised by a set of norms and principles that underlie their rationality

on how — e.g. at what cost — cross-border mobility is to be regulated. These norms and the rationality are the outcomes of negotiations and struggles among the different actors involved. In short, I define border regimes as specific configurations of norms and regulations on border mobility that are monopolised within a specific set of institutions and actors.

Border regimes encompass at least three different categories of actors: a legislative body, a bureaucracy that implements this legislation by issuing visa, and enforcement agents that organise repatriation or control mobility. The actor constellation can simultaneously be understood as a bureaucracy and a security fields that can be differentiated by the specific techniques they apply to regulate mobility (Bigo 2000, 326). In my analysis, the border is more than a research object but it is a method of distinction (Newman 2006, p. 176; Houtum and van Naerssen 2002), a method of power over people that differentiates among wanted and unwanted immigrants. By analysing mobility regulation policies, institutions and the actors involved, the applied regulation techniques and practices, and the actual effects border regimes have on local people crossing the border, regular or irregular, we are able to identify the border regime as a display of decentralised power. Ultimately, the border regime perspective allows to link a macro-perspective of institutional frameworks in which border politics are negotiated with a local (micro) analysis of the actual effects that this border regime has on border-crossers.

With regard to China, the literature lacks studies on border regimes. Separate areas of border and immigration politics have been discussed. Among them, the literature addresses the changing legal framework for immigration: Frank Pieke (1999; 2013) offers an overview over different forms of immigration within and in China documenting the changing patterns and the non-normalisation of immigration. A comprehensive legal perspective on international immigration in China is offered by Liu Guofu (Liu 2009, 2011, 2015b) who also extensively worked on overseas Chinese and the right to return (Liu 2007). Also Xiang Biao worked on exit control of Chinese citizens and their role in international migration (Xiang 2007). Elaine Ho worked on the Chinese diaspora in neighboring countries and re-migration of Chinese citizens (Ho and Chua 2015; Ho 2019). Scholars conducted selected analysis of 'talent' immigration (Zweig 2006; Czoske and Ahl 2016), 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 (Thompson 2009; Song 2017), and most commonly, internal Chinese migration (Jakimów 2012; Vortherms 2015). I contribute to the work of legal scholars by providing an analysis of the legal framework and institutions currently managing foreigner's immigration into China. Moreover, I speak to the work by ethnographic border studies in trying to account for the effects these regulations have on immigrants living in the border areas specifically.

I do not address policies regulating Chinese citizens — neither going abroad as emigrants nor as they become internal migrants. Although there are considerable similarities in the Chinese approach to regulating internal migrants, I solely focus on foreigners entering Chinese territory in order to work, marry or pursue their lives. The ways in which border regimes selectively chose and gradually integrate foreigners reflects upon the social hierarchy in a given state. The question of how, how many and why to allow foreigners into the country, governments process the sometimes conflicting interests of markets, state administration, and societal demands, thus, emphasising the function of the border as a tool of population management.

1.2.2. Territory and Sovereignty

An analysis of border mobility touches upon the central question of territory and sovereignty. Although capital, information and mobility are increasingly investigated globally, the nation state still remains the decisive category for the formation of states and their bureaucracies, exertion of authority over transnational issues, memberships in international organisations, and the law. The relationship of state authority over territory, however, has changed significantly. As Saskia Sassen 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, globalisation can be seen as destabilising 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 specialised rearrangements inside this highly formalised and institutionalised national apparatus that enable that shift." (Sassen 2008, p. 6)

I consider her observation as a call for more detailed analysis of how the Chinese territory is sovereignly governed, especially at its periphery. Subsequently, the centre-periphery relation 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 it includes political and cultural interactions constituting socio-spatial relations. This means that sovereignty is no longer understood as sufficient condition for the construction of territorial borders and demarcation of territorial integrity. Rather, practices of inclusion, exclusion or integration are regarded as key to the spatial constitution of a state. Hence, an understanding of the

national identity, of how the dominant narrative of 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 border regime in terms of possible subjects.

With regard to the debate on China's territorial integrity, Taylor Fravel (2005, 2008) analysed China's behavior in territorial disputes arguing it's territorial concessions were compromises in times of internal and external threats such as regime insecurity from within including rebellions and legitimacy crisis. Allen Carlson (2003, 2006) 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". These factors, however, were differently influential in phases of China's political and economic development in the 1980s/90s resulting in a 'new sovereignty debate' in international relations (Carlson 2005, 3f.; 225). Moreover, there is rich research comprising historical approaches to Chinese philosophy and practice of border and peripheral relations (Bell 2003; Ling 2003; Giersch 2006; Lary 2007b; Rajkai and Bellér-Hann 2012; Bello 2016; Freiin Ebner von Eschenbach, Silvia 2016; Hofmann 2016; Jaskov 2016; Samoylov 2016). Also within Chinese academia, the importance of developing a model for centre-periphery relations (*hexin bianyuan moshi* 核心边缘模式) and regional integration of the border has gained momentum (Hu et al. 2009; Zhou 2012, 2013, 2014; Hu et al. 2014). I agree with Carlson and argue that China's regional integration has facilitated an internal re-ordering process that resulted in a shifting understanding of sovereignty. Border provinces were strategically labelled as 'bridgeheads' to link infrastructure and trade with neighbouring countries. This policy shifted the allocation of resources to the Chinese border areas and also increasingly to the neighbouring countries as part of new cooperation agreements. This way, Beijing projects sovereignty beyond its traditional territory by implementing its own development strategy into the wider region.

1.2.3. 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. Whether a country is open to attracting and integrating foreigners and if a path to naturalisation is provided, determines the fundamental norms of a border regime. Providing different visa schemes and low bureaucratic barriers to citizenship indicates an open immigration state; on the contrary, 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. Also,

whether irregular immigration is perceived as a 'threat' manifests in how strict punitive measures regarding repatriation are. By analysing the specific legal standard 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 among regular and irregular immigrants and how are they specifically controlled? What legal pathways to permanent residence exist and how is it enforced? What specific categories exist (refugees, border residents, border tourism)? What rationality underlies this integration, what logic underlies the selection of wanted and unwanted immigrants? Although the Chinese immigration system does not provide a universal path to naturalisation for foreigners, permanent residence and work permits include limited access to social security benefits which, however, are selectively provided for high-skilled workers and not available to all immigrants.

This inquiry, however, does not include Chinese internal migrants that are also often treated as foreigners (Vortherms 2015). Rather, this analysis focuses on foreigners entering the country. Similar to the internal migration patterns, however, I analyse the spatial articulation of the social hierarchy of the immigrants. As Aihwa Ong (2000, 2004, 2006) shows, citizenship in China became differentiated through internal boundary construction. Migrant workers in Special Economic Zones experience a governmentality of 'graduated citizenship' only allowing them limited access to citizenship rights. My approach to analysing limited citizenship rights for foreigners, similarly takes local variations into account. I specifically look at Special Border Zones that create local exceptions for cross-border mobility that allow a limited access to social security and thus citizenship rights. Specifically, I analyse practices of immigration management in three border prefectures (the Autonomous Prefectures of Dehong, Xishuangbanna, and Yanbian) in two border provinces (Yunnan and Jilin). My analysis accounts for the attempts by local governments to legalise and regulate foreigners. Additionally, I include enforcement practices of the local Public Security Bureau that repatriate immigrants or issue permits as well as Border Control Groups that try to prevent certain types of cross-border mobility. These different technologies of control manifest China's graduated approach to managing foreigners.

1.2.4. 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 all fields related to the regulation of border mobility, security, and development. Policy-making in China is characterised by fragmented, de-

centralised and transnationalised processes that are guided by the central government and ideologically designed by the CCP. This governmental structure, however, deliberately provides leeway for local actors (local governments and local Public Security Bureaus) to find solutions outside the standard immigration procedures and to implement border politics according to local characteristics. In accordance with most literature on the Chinese local state (Edin 2003; Heilmann et al. 2013; Heberer and Senz 2011; Ahlers and Schubert 2014), I argue that this relative autonomy results in local governments adopting strategies to legalise immigrants that would not have been accepted under standard procedures. Although adaptive, the system remains hierarchic in the sense that local governments are responsible for implementing central policies according to local characteristics which aims at establishing development and enhancing legitimation, hence, strengthening the 'authoritarian resilience' (Heberer 2016). Further, 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.).

1.2.5. Analytical Framework

To show how the border becomes a method that allows the Chinese state to control mobility and regulate development, I apply a border regime analysis. This framework includes institutions, legal and practiced authority over border-crossers, and accounts for historical trajectories. Epistemologically, the analysis draws on systemic and a symbolic interpretation of laws, norms as discursive practices, and their implementation and enforcement with regard to border regulation. Methodologically, I apply the 'Ethnographic Border Regime Analysis' approach from the transit migration research group (Tsianos and Hess 2010, p. 252). This approach combines symptomatic discourse analysis that accounts for local 'realities' of discourses (situated knowledge, Turner 2013a, p. 9) and builds on field work that enables the researcher to focus on the discursive practices at the border directly.

Overall, the border regime analysis both draws on an institutional analysis scrutinising which institutions and bureaucracies regulate border politics and the immigration system. The field work approach, however, builds on ethnographic methods. Conducting field research in China is difficult in terms of accessing the field, language barriers, and accountability of information (Xi 2010; Read 2010; Turner 2013a). I turned to the rich literature on bordering practices to situate my field data. Analysing how (informal) networks and markets affect the political economy at the Sino-Myanmar border, Kevin Woods offers an interesting historical perspective on the agricultural sector (Woods 2011, 2017). Danielle Tan is similarly focusing on informal networks and a new model of 'casino-development' at the Laotian border (Tan 2017). Offering a perspective through patterns

of 'local liberalism', Li Mingjiang (2014), highlights the role of local governments in the regionalisation process of Yunnan. Working on a discursive level, Victor Konrad and Hu Zhiding (2017) did extensive research on local narratives of border conflict in the Kokang border area. Working on 'foreign wives' in Yunnan, Elena Barabantseva (Barabantseva 2015a, 2015b) argues that marriage immigration plays a crucial role in the economy of border communities. Janet C. Sturgeon did extensive ethnographic research in border villages analysing border practices and patronage networks that are manifesting illegal but everyday cross-border mobility of farmers in China, Thailand, and Burma (2004, 2013a). Lastly, Karin 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. Eunyoung Choi shows how fortifying the border against North Korea further manifested social differences between Korean-Chinese from North Koreans that live or work across the border (Choi 2011). Outi Luova analysed the effects of pan-Korean networks at the Chinese-Korean border (Luova 2009). My analysis uses bordering practices as an analytical category as it includes the interactions between state and society at the border, it includes practices of population control that are enforced through border and immigration control. The border regime analysis specifically looks at how authority is exerted through the border affecting the mobility of border communities and border-crossers.

1.3. Relevance

Conducting a detailed and comprehensive analysis of the Chinese border regime is relevant in five ways. First, it contributes to the literature on border regimes and sets an interesting counter-example to the debates that largely focus on how liberal democracies adapt to global migration flows (Bigo and Guild 2005a; Houtum 2010; Hess 2010b; Koslowski 2011; Hess et al. 2017). This study, in contrast to democratic contexts, provides detailed accounts for an adaptive authoritarian system that follows different rationales. Secondly, this work is timely. As mentioned above, the recent reforms of the Chinese immigration system and yet increasing awareness of securing its borders against unwanted external influence shows how dynamic this issue is. China currently shows how border security effects internal security by implementing drastic security measures with the Uighur population in Xinjiang and possibly other regions. The work in hand also contributes to a better understanding of the connection of internal and external threat perception in China. Thirdly, this work provides new and detailed information on local practices of border and mobility control. During two field trips to the border areas, valuable information was selected in conducting interviews with border communities and officials. Fourthly, this thesis provides a systematic discourse analysis on different groups of foreigners and how they are integrated into the Chinese legal discourse and border practices. This is the first time such a comprehensive analysis is conducted.

Lastly, the theoretical argument that this thesis makes by connecting the different strands of literature on social control, re-scaling of the state, and bordering practices, I apply a new, rich and comprehensive analytical approach.

1.4. Outline

To answer the question how the Chinese border regime is governed, I structured this thesis into the following chapters. In Chapter two, I introduce the theoretical underpinnings of border regime analysis. I show three different ways of applying the term 'border as a method'. I apply this phrase to link my different analytical angles which, however, are different theoretical approaches. 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

Figure 2: Border as a Method

thus, their analysis is an epistemological access point. Secondly, the border becomes a tool to filter and control mobility at check points as well as 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 various forms of how the Chinese state exerts authority through the border regime that produces different zones of influence. Lastly, I discuss how the analysis accounts for the authoritarian context by linking my analysis to the official ideology of the Chinese Communist Party (CCP) that aims to produce a harmonious, yet qualitative, society.

In the third chapter, I describe my analytical framework and how I study the Chinese border regime. I introduce the approach of 'Ethnographic Border Regime Analysis' both drawing on institution analysis, discourse analysis and field work. This chapter also explains the case study selection.

Chapter four introduces the national immigration system. It starts by presenting the development of the reforms, the norms and principles that describes its mechanisms. I analyse the legal and discursive practices that produce immigration labels provided by the Chinese state: regular, irregular, refugee, border residency and border tourism. The introduction of border residency and its legal positioning within the immigration system is most important here. I conclude by drawing

on the underlying rationale of the immigration system that builds on selective and limited provision of visa and residence permits and strict control.

Chapter five further addresses the Chinese government actors in the border regime. Here, I introduce the different security actors, their share of responsibility and the specific patterns of internal and external border control. Further, I show how the development rationale is woven into border politics that especially aim at developing the Western periphery in order to integrate the ethnically diverse border areas into the nation project.

In the sixth chapter, I concentrate on the regional context of the Chinese border regime. I show how the border areas are institutionally and infrastructurally integrated within regional frameworks. Towards Southwest Asia, the Greater Mekong Subregion (GMS) provides cooperation in economic, infrastructural, and security fields. Towards Northeast Asia, China's engagement in the Greater Tumen Initiative (GTI) aims at establishing cross-border cooperation in terms of border tourism and border control. Here, I argue, although to different degrees, both of these projects relocate decisions on Chinese border politics and thus re-scale the Chinese state.

Chapter seven subsequently inquires into sub-national border politics and local practices of bordering in the two selected provinces. I emphasise the role of local governments that provide new legal pathways to citizenship that constitute exceptions to national legislation. In the context of the Special Border Zones, local governments and the local Public Security Bureaus can issue identification documents that match the realities of peoples' cross-border mobilities. Rather than turning a blind eye on irregular immigration, local governments support new ways of integration.

In the final chapter eight, I summarise my findings answering the research question on how the Chinese border is governed. I sum up how the Chinese immigration system and state architecture is decentralised and allows for local policy experimentation. This results in Special Border Zones that also introduce exceptions in terms of immigration practices. I conclude by stating that the ways local border prefectures practice immigration and border control allows the Chinese state to draw on (labour) resources that lie beyond its traditional territory, making a full circle to my theoretical understanding of the border as a method of investigation, social control, and resource allocation.

CHAPTER TWO

Border Regimes, Mobility Regulation, Control & Authority

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The Chinese political system is characterised by a high degree of decentralisation that results in considerable local autonomy in some policy fields (Landry 2008; Lieberthal 1997). Border regulation, however, is not a coherent policy field, but a meta-issue that links domestic and foreign policy and many different actors and policies. Central and local governments, regional organisations, enterprises, and border communities, all impose different demands on the border regarding its function, permeability, and the regulation of mobility of people, goods, and information. In order to understand this complex web of actors, their interactions, and responsibilities, this thesis applies a regime perspective that allows me to link a macro-perspective of institutional frameworks in which border politics are negotiated to a local (micro) analysis of the actual effects that this border regime has on border-crossers.

In the following, I introduce the theoretical framework for the analysis of the Chinese border regime. I adopt the phrase 'border as a method' — which is inspired by Sandro Mezzadra/Brett Neilson (2013) — to depict three different approaches to the analysis of borders which I integrate in my thesis. As shown in Table 1, the three perspectives merge into one methodological approach: ethnographic border regime analysis. The first attempt to 'border as a method' refers to the basic realisation 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. This way, the border becomes a *site of investigation*. Secondly, the border produces sites of population and mobility control that are indicative of a state's understanding of national security and population management. Hence, I understand the border as a *method of social control*. Finally, the question of how border areas are integrated into a territorial and development strategies is substantial to understand centre-periphery relations. Accordingly, I also understand the border as a *method of spatial development*. I derive these three notions of different academic debates on the location of the border, border security, and border development. By linking these three ways of understanding the border allows me to integrate research from different disciplines (IR, political geography, and political economy). At the intersection of these debates lies the question how border regimes emanate power and authority. Authority over territory, over the production of border politics, and authority over immigrants is the key concept that I develop through the following chapter.

Previous literature on border regimes analysed how border regimes are organised and what guiding principles are applied. However, this perspective does not suffice to understand China's decentralised 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. I argue that the Chinese border regimes produces different 'zones of authority', both in terms of territory and immigration practices that can only be understood by analytically including discourses and practices of the border regime.

Table 1: Overview 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 border is used as a tool to control border mobility (border security discourse)	Understand how border politics is used as a tool for spatial re-articulation of Chinese territory (territorial authority)
Analytical level	Discourse on and practice of territorial authority	Discourse on and practice of border security	Discourse on and practice of territorial authority
Analytical object	Strategies of differentiated inclusion of people and spaces (citizenship and illegality); border crosser, border communities and areas as subject of policies	Technologies of surveillance, immigration system selection criteria for foreigners (illegality, passport and other identification documents)	Spatial politics and zoning activities of state agencies with regard to border mobility
Method	Symptomatic discourse analysis + field research = ethnographic border regime analysis		
Reference	Mezzadra/Neilson 2013	Bigo 2000 & 2014, Tsoukala 2005,	Anderson 2012, Ong 2006, Chalfin 2012

The goal of this chapter is to introduce a theoretical understanding of how to identify and differentiate the discourses and practices that produce border zones and how they affect border mobility. I shortly define actors, agency and different techniques of power that produce 'zones of exception' along the border and characterise the border regime. The analysis builds on three analytical objects: first, differentiated strategies of citizenship by selecting and limiting access for foreigners; secondly, technologies of surveillance to monitor and control foreigners; and thirdly, spatial politics that determine the role of the border periphery within the national project. Here, the figure of the border-crosser becomes important because s/he embodies immigration discourses and experiences bordering practices, hence, makes the bordering process visible (Schulze Wessel 2017).

While this thesis does not take the immigrant's perspective, the figure of the border-crosser be-
comes analytically relevant as their mobility and status within the society renders the (legal) au-
thority that is exerted over them visible. Similarly, the territorial strategy becomes visible through
the administrative status of the border zones. Following this eclectic approach and building on
Aihwa Ong's work on 'sites of exception' (2000, 2006), I complete the theoretical framework by
discussing different variations of (legal) authority over immigrants and how they produce key
sites at the border that represent territorial struggles of the nation state that are characterised by
specific notions of citizenship and sovereignty. Eventually, the different zones of authority allow
me to understand the inherent power asymmetries produced by the specific bordering govern-
mentalities (authority, internalisation/externalization & peripheralization). In order to under-
stand how the Chinese border regime functions, I conclude the chapter with reflections on the
value that this analytical perspective offers with regard to China's authoritarian system.

2.1. Integrating the Debates: Border as a Method

In order to integrate the different debates and disciplines that are concerned with analyzing the
construction and regulation of borders, I make use of the term 'border as a method' which is not
genuinely inherent in all of these debates, but endows them with a semantic relation. Border as a
method of investigation is not part of my theoretical framework, but it is a justification for taking
the border as a representation of the sovereign state. A starting point and name-giver of the term
is the work of Sandro Mezzadra and Brett Neilson (2013). To the two authors, the border is a
method of investigation for the researcher and it is a site of struggle between two different sys-
tems (states, markets or immigration systems). Re-thinking this term, I further apply it to how the
border becomes a tool to filter and control mobility. Building on Didier Bigo (2005, 2001, 2014),
I subsequently introduce a concept of border as a *method of social control*. Underlying premise is
that the normative order of a state prescribes which kind of border mobility is (un)wanted or
(il)legal. This is captured in the concept of 'b/orders' that emphasises the mutual construction of
social and territorial orders. Here, I single out the centrality of a government's power over defin-
ing, issuing, and controlling passports to citizens and immigrants through which they control mo-
bility and ultimately produce identities. Lastly, I aim attention to the literature on the re-scaling
of the state and how the construction of border areas as periphery allows governments to apply
border politics as a method to (re-)establish territorial authority, moreover, a *method of spatial
development*. Here, I mainly follow Anderson (2012) and Chalfin (2012) and argue that especially
within regional organisations, border politics can enhance resource mobility, trade flows and the
allocation of 'human resources' or labour where it is needed. Thus, the border enables a 'spatial
fix' for 'underdeveloped' regions which results in a re-scaling of the nation state. Crucial are the
particular development rationales and the interaction between different scales within a border

regime, the role of local actors as 'scalar managers' and the different ways of how the fix is enforced through border controls.

2.1.1. Border as a Method of Investigation

This section, I introduce how borders have become multiplied in their function and meaning. The border is no longer a distinct line of demarcation between two countries but has undergone a complex transformation that has resulted in multiple legal, cultural, social and economic institutions that form the border. To my understanding, the sum of all these institutions produce a border regime.

In their book "Border as Method, or the Multiplication of Labor", Sandro Mezzadra and Brett Neilson (2013) follow the question of what role borders play in the process of organising global capital. They scrutinise 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, p. 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 result in a proliferation of borders that re-shape labour regimes all around the world. They discuss the relation and the 'unpredictable mutations' between labour forces, borders, and political processes in various contexts (ibid, p. 21). To them,

> "the border is not so much a research object as an epistemological viewpoint 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." (Mezzadra and Neilson 2013, p. 18)

Although they analyse global labour, not border regimes, they take 'borderzones' as an investigative starting point which they define as spaces, different to 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" (ibid., p. 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 and cartographers adopting the dominant views on territorial belonging (ibid., p. 35). The authors challenge the Marxist perspective on an international division of labour, extending it into a 'multiplication of labour' which they identify through the intensification, diversification, and heterogenisation of labour

(ibid., p. 88). They give different examples of how governments become able to filter and govern labour mobilities through strategies of 'differential inclusion'. Through strategies of delaying and excluding migrant workers, states establish special zones of graduating sovereignty that shape labour practices such as special economic zones in India or migration detention centres on the external borders of the EU. Their empirical examples discuss 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; migrant detention centres in Europe and Australia; and special economic zones in India and China. 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" (ibid., p. 24).

Their book made a major contribution to the analysis of shifting global geographies of capitalism given their investigation of the global re-articulation of territory, power, and labour. However, they do not go into detail about how this re-articulation affects the border politics. While they include a wide range of comprehensive concepts (multiplication, proliferation and heterogenization of border and labour regimes), they subsume too much under these phrases and over-generalise these concepts[1]. Further, their concept of borderzones and bordering practices lacks analytical detail in the empirical examples. It remains unclear why they choose the empirical examples. Citing the work of Wang Hui (Wang 2009, 2011), Mezzadra and Neilson apply their framework to the inner Chinese migration (floating migration). They exhaust the already existing secondary literature without contributing original findings leaving a research gap. My approach to border regime investigates the different relations within the regime between centre and periphery and different levels of governments, and the relation between government and subject (border crossers and foreigners). It concentrates on the question of what forms of authority are exerted over border crossers and territory and whether the design meets the practice. Hence, I provide a much more detailed analysis of the Chinese border regime.

2.1.2. Border as a Method of Social Control

This section introduces my understanding of how the border is a method of social control. The border functions as a membrane, security forces keep unwanted immigrants outside, while others are conditionally and often temporarily allowed to enter a country's territory. The question what selection rationale underlies these decisions is important in analysing border regimes. I argue that the selection rationale reflects upon the national identity of a host society: what kind of 'valuable' immigrant can contribute to the societal project or the population 'quality'. Further, this section

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[1] I further discuss these terms in chapter 2.1.3.

discusses the question of the location of border control. The decision whether a foreigner is wanted is not made at the border check point, but by legislators and enforced in immigration bureaus or embassies and through bureaucracies. Hence, the web of actors involved in this process is important part of the analysis. Lastly, I introduce how the specific identification documents (passports, visa, work and residence permits) function as boundary objects. These documents represent the legal space that is assigned to foreigners entering a country, thus, lie at the heart of the analysis.

The Border as Representations of National Order

The academic understanding of borders has considerably changed since Max Weber defined political organisation as power over territory (Weber 2005, pp. 39–41) meaning that the border ascribed the end of a government's reach of power, a clear line of demarcation between the authority of two nation states[2]. Through the 20th century, this understanding shifted considerably along with fundamental ontological paradigm shifts[3] in different disciplines such as Political Geography and International Relations. The transformation of regions and global blocs after the Cold War resulted in a new academic interest in shifting political boundaries and how they shape and are shaped by political orders and social identities. Border studies increasingly started to analyse borders as dynamic political institutions (Vaughan-Williams 2009; Gavrilis 2008), symbols of nationalism and differentiation (Paasi 2012, p. 2305; Brambilla 2015, p. 15; Wilson and Hastings 2001; Bhan 2008; Cheater 2001; Sahlins 2001; Agnew 2004; Schack 2001; Rabinowitz 2012), and discourses of identification, othering, and (dis)integration (Newman and Paasi 1998; Houtum and van Naerssen 2002; Ibrahim 2005; Paasi 2005; Pécoud 2015; Kaiser and Nikiforova 2006). Boundary-producing practices became a new focus of analysis (Paasi 2005, p. 18).

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[2] Territoriality broadly means a "spatial strategy to affect, influence, or control resources and people" by controlling access to a specified area (Anderson and O'Dowd 1999, p. 598), more specifically it refers to the "legal construct that marks the state's exclusive authority over its territory" (Sassen 2013, p. 24). Territoriality per definition confines politics and power to a bounded territory, a spatially defined sphere of influence. The term 'territorial trap' refers to the fact that this has been taken for granted under the Westphalian order which presumes that sovereignty and national security require clear territorial frontiers, that there is a clear distinction 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, p. 21).

[3] Two significant shifts characterise the debate on the transformation of border studies: the 'spatial turn' and the 'practice turn'. Of course, I could not do justice to the rich research conducted under the umbrella of border studies, if I reduce the debate to these shifts. However, they are important for the ontological genealogy of the discipline. The term 'spatial turn' refers to the (then) new paradigm that space is socially constructed (Houtum et al. 2005b, p. 4). The 'practice turn', on the other hand, shifts the analytical focus away from spatial conditions for social practice toward activities and practices that constitute socio-spatial relations (Werlen 2005, p. 47).

Boundary-producing practices can be any form of political or cultural interactions that constitute socio-spatial relations. This means that sovereignty is no longer understood as a sufficient condition for the construction of territorial borders and demarcation of the 'other'. Rather, practices of inclusion, exclusion or integration are regarded as key to the spatial constitution of a state. How a society regards itself, treats others who seek to become part of it, and communicates their identity to others, is essential to the understanding of their identity. The dominant narrative of nation, however, is often confronted by alternative ideas and subject to change along with changing historical readings of national identity (Schubert 2002, p. 77). Narratives of 'us' and 'them' are produced and reproduced in various social practices (media, education) and mediated through social and political institutions (Newman 2006, p. 176). The construction of a specific 'threat' can be part of a nation-building process when taught and mediated to the public as forms of ideological reproduction. The 'pedagogy of space' describes how borders translate order into spatial practice (Newman and Paasi 1998, p. 196). Thus, boundaries become part of discursive landscapes of social power, control and governance. Narratives of homeland assigning a state's people to a distinct notion of 'us' as being part of that discursive landscape may take different metaphorical meanings. These narratives may effectively translate in symbolically charged narratives such as in the Israeli context: Promised Land; or the European Union: Fortress Europe.

These boundary-producing practices are always part of a broader social action of nation building or 'spatial socialisation' that in some way allows to differentiate between 'us' and 'them', inside/outside, centre and periphery (cf. Paasi 2005, p. 18). Often the construction of borders is closely linked with the historical and discursive reproduction of cultural or ethnic difference — or othering — framed as nation-building, as is in the Israel-Palestinian (Falah and Newman 1995) or in the Indian-Pakistani conflict (Chaturvedi 2002). Hence, the border becomes less and less visible and tangible as a territorial frontier, but manifests in discourses and practices of border-making and -crossing, in mobility practices and their regulation.

The aim of this thesis is not to focus on detailed processes of 'othering' constructing the Chinese border, but to understand how the bordering practices represent and are produced by the normative order. I understand border and order as mutually constitutive which ultimately allows to analyse one side of the coin to better understand the other side. This basic premise is at the centre of debates both from IR (Albert et al. 2001) and Political Geography (Houtum et al. 2005a) who assume a mutual constitution of borders, orders and identity: b/orders. Among them, Yosef Lapid (2001) scrutinises the nexus between identities, borders and orders (I-B-O): processes of collective identity formation involve bordering processes and demarcation from a distinct 'other' and vice versa (I-to-B and B-to-I, p. 10-12); border transformation likewise impacts political ordering (national orders) such as the end of the Cold War (B-O intersection, p. 13-15); and orders are

directly related to the identities they differentiate, changing political systems necessitate but also produce new societies (I-to-O and O-to-I nexus, p. 15f.). Subsequently, the notion of the nation state or the configuration of the social order plays a crucial role. To the I-B-O authors, this power is regulated by and constituted of the two central signifiers of the international system: anarchy and sovereignty that "preserve the friction of international (dis)order and domestic order" (Lipschutz 2001, p. 79).

On the enforcement strategies that produce these separate spheres, Didier Bigo states that the sphere of influence of border agents has been traditionally separated, e.g. the military operates outside, while the police operates on a state's territory. These traditionally separated spheres of internal and external security, however, appear to have merged, especially through immigration (Bigo 2001, p. 91). To illustrate this convergence, Bigo builds on Giorgio Agamben by making use of the image of a möbius strip that in which inside and outside are not clearly separable, thus, create a 'zone of indistinction' (Vaughan-Williams 2009, p. 101). Bigo sees security as a 'boundary function' that is increasingly challenged through international organised crime, intrastate conflicts and migration chains[4]. Especially (illegal) immigration poses a much cited 'threat' to the normative orders of many states as it changes the form and meaning of the border and sometimes directly challenges the existing order. Bigo 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." (Bigo 2001, p. 93)

Hence, his analysis focuses not on the geographic location of the border, but on the 'physical state frontier' which is both the "symbolic frontier and an administrative demarcation", it determines where the power of the state is applied and where it stops, it locks up identities in specific forms by marking citizens as distinct from foreigners. It guides "the social practices of surveillance and the control of people and resources" (ibid., p. 101). By looking at these different practices of control in the EU (Bigo 2014), Bigo finds that the formerly clear distinction between inside (police) and outside (military) security is no longer valid, but the two spheres merged through democra-

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[4] The notion of national security, however, changes in terms of the different sectors of economic, political, ecological and societal securities that has to be secured and defended by different actors. Thus, the border itself does no longer perform a securing function, but by analysing the different security actors in different spheres, both internal and external, their different repertoires of action and technologies, we better understand the underlying political rationality, since the security practices are a response to them.

tisation and Europeanisation, security has become dependent on networks and agreements be-tween countries, private companies, and different security agencies (Bigo 2001, p. 105); in the case of migration, security has become transnationalised (Bigo 2008, 11ff.) and the fact that police (instead of formerly military handling of external affairs) is handling migration has become nor-malised (Bigo 2005, p. 83). Similarly, security techniques underwent a transformation when the deployed security agents did no longer perform in their traditional spheres: a new normality of international police peacekeeping operations and internal military operations emerged. At the same time, the visibility of 'the enemy' became more complicated they are no longer per definition on the disordered outside of the state, the enemy could be within (Bigo 2001, p. 107). This way, the border became multiplied through 'internal fragmentation'.

I argue that in the Chinese case, rather than internal fragmentation, the intentional design of grad-uated zones of sovereignty is an integral part of the Chinese border regime. In Chapter 5.2., I show that de-centralised state apparatus translates into how border security actors are employed and that the differentiation of the (formerly) separated spheres does not equally apply. Rather, the complex web of responsibilities of different security actors who vertically share responsibility produces internal boundaries.

The interpenetration of internal and external security, their capacities and strategies are im-portant in understanding the different zones of mobility regulation. By analysing how the tradi-tional distinction of internal and external securities blur, we better understand how the border functions. I agree with Bigo's notion of the multiplication of the border that becomes manifested in security discourses and practices. To my understanding, the border is more than a securing function, it is also a *method of social control* as regulation and control of mobility reflects and re-produces power relations. My understanding of the border regime builds on Bigo's work, yet, I further develop the notion as I not only focus on the interpenetration of the two formerly distinct spheres, but define a spectrum of graduated zones in which security as well as political practices differentiate. Border security agents are central in the analysis as they function as 'policy transla-tors' (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-mak-ing process and how the regime implements the border security on the border crosser.

I introduce the border regime later in detail, here, I will discuss how 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, p. 54) by drawing on a Foucauldian approach of popula-tion management through surveillance and other security practices of control. The key questions that I will elaborate on the next pages are how power relations are constituted between govern-ment and subject, how the power over the subjects is enforced through selection criteria, what

other forms of power and control are embedded in the bordering process, and what concrete techniques of surveillance and control, their location and their form, represent?

The first argument is that in modern border regimes, the individual identity of a person has become a key element for how the security apparatus aims at regulating this individual's mobility. Depending on the individual's country of origin, their passport, but also skin colour, different strategies of control will be applied. The basic distinction applies between citizens and non-citizens: While the freedom of movement for a state's own citizens is being 'normalised', extraordinary control of people that are considered threats is enforced[5]. Further distinctions depend on the different discourses on 'others' translating into a differentiated treatment of wanted and unwanted people. Specific regulations and policing targets different social groups trying to exclude people defined as poor and unwanted, they institutionalise the underlying political order but also manifest social differences, building social frontiers reproducing systems of domination and inequality. Foucault's principle on the 'equality of all under surveillance' does no longer apply in these modern border regimes that implement neoliberal strategies by prioritising global mobility to improve national markets but increases regulation on 'unqualified' and hence unwanted immigrants. Zygmunt Bauman's notion that the freedom of movement applies only for some privileged people, the right to move for economic gain is limited to those already advantaged (Guild 2005, p. 14). Baumann argues that globalisation produced an inequality "between those people who can live globally and those who are anchored in their localities" (Bigo and Guild 2005a, p. 3).

I apply this understanding in my analysis by scrutinising the selected technologies of control over different groups of immigrants and citizens. In analysing the differentiated approach to mobility control, I can show how the border regime exerts authority manifesting a social hierarchy. This hierarchy both builds on the underlying notion of population and nation but is also reinforced by the economic 'value' the individual immigrant has within the nation project. To Bigo, the discourses on the 'Sieve Europe' and the 'Fortress Europe' are historically constructed and yet politically impossible, because they are associated with politically obsolete practices (closing the border against invasion) (Bigo 2005, p. 78). However, these security discourses are not purely symbolic but need to be seen in context of the security practices of control that can be regarded as the result of the norm conflict (in the case of the EU liberal norms of free movement versus mastering the move of unwanted/illegal migrants). Within this process of exclusion, the act of labelling and

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[5] In a similar fashion, other literature calls this a 'liberal paradox' that describes the dilemma of democratic governments when it denies immigrants the same liberal rights (e.g. of freedom of movement) that it grants its citizens, see for instance (Bigo 2005, p. 56; Buckel et al. 2014, p. 30). These democratic states rely on liberal ethics promoting norms like free movement of people and global mobility getting 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, p. 22). Here, the legitimation of the state conflicts with objectives of national security and human rights (ibid., 24).

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 seeks to enter (ibid., p. 15). For instance, the European legal framework introduces four major categories for migration: visitor/tourist, labour migrant, family member and asylum seeker that are subdivided into separate measures for community nationals and third country nationals (ibid., p. 16). Depending on their financial means, however, the migrants have different opportunities to decide over whether they are able to effort a solicitor or get a job that will eventually allow their right to a family reunion; the poor asylum seeker, on the other hand, is excluded from all benefits of the welfare state (ibid., p. 41). These fixed categories also have a discursive implication as they construct identities, affect perceptions of otherness, belonging and discrimination. The political discourse, in contrast, offers different categories for that already encompass the migrant's value for the host society, whether it's a *sans papier* who is made illegal per se by the immigration system, whether it is about an illegal immigrant that is strongly associated with criminal activity by entering a country illegally, or an expatriates or guest worker who will contribute to the society.

A second argument on border regimes is that the discourse on regular and irregular immigration is central to their analysis. The framing of different types of immigration is crucial within the discourse. Especially, how the discourse negotiates economic and cultural arguments. Often these discourses are incoherent and ambivalent, however, in many cases securitarian discourses overlook the demographic and economic benefits of immigration and charges it up against the 'threat of illegal immigration' to social stability and economic justice (Tsoukala 2005, p. 162). The formulation of a 'social enemy' is a process that of transformation of immigration into a 'problem' that targets specific groups of immigrants while other forms might still be wanted. The problematisation follows different steps: politicisation, marginalisation, securitisation of immigration, which is not understood as a linear process but different manifestations of the discourse, different degrees of the social construction of threat. Often the discourse links immigration with crime, hence, securitises immigration. Moreover, they focus on the (low) social quality of the incoming migrants that subvert the (high) social quality of the population which would lead to demographic imbalances (fear of foreign domination because migrants have more children, super-alienation) (Tsoukala 2005, p. 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, often are constructed as 'people from the margins' not being part of the heart of the nation project. Or in some cases, they are regarded as being 'primitive' in contrast to 'civilised' people from the nation's centre. Among others, this was well researched, with regard to the public discourse on the upland-

people of Malaysia (Toyota 2007), with regard to 'population security' concerns against foreign wives in the Sino-Vietnamese borderland (Barabantseva 2015b), or with regard to the criminalisation of Pattani people as second-class citizens in the Thailand border area who are being identified with sex work, drug and weapons trade resulting in communal violence as a permanent state of exception in the border area (Horstmann 2007).

By discursively criminalising migrants, the immigrant's rights get revoked which often results in structural discriminatory practices that further facilitate their economic exploitation. In the European Union, some authors argue that migration issues have been integrated into border security discourses to "the extent that migration policies are effectively being securitised, and that similarly discursive, illegal migrants are being criminalised" (Pijpers 2011, 420f., see also Huysmans 2000). Within the global labour circulation, migrants are the victims of economic development in core areas that always are in need of labour migrants from outside or from the periphery (Gidwani and Sivaramakrishnan 2003). On the role of border enforcement in the criminalisation and, hence, exploitation, Saskia Sassen emphasises the selective enforcement of policies:

> "National boundaries are one way of facilitating international specialisation 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 organised 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." (Sassen 1988, 36f.)

The Power to Choose

One central question in analysing the border regime technologies of power is how are they exerted: Over the individual traveller or over groups of immigrants and what specific technologies of control are applied? The specific regulation and border practices associated with a certain group of foreigners are implemented through different security techniques that help the security agents selecting the wanted from the unwanted: "deterrence and the use of force, interrogation and detention, surveillance of populations on the move and the profiling of (un)trusted travellers" (Bigo

2014, p. 209). This analysis both takes into account the specific governmentalities, means of control and the border security discourses, practices, and "the society that produces it" (Bigo 2007, p. 4). This way, the mode of control does not rely on coercion of the individual, but how the population is collectively regulated. Border security also includes a momentum of biopower[6]: "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" (Vaughan-Williams 2010, p. 1078). The government applies bio-power, in knowledge about the physical and psychological conditions of their subjects, to decide and control their lives and behaviour in order select 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 militarising other travel routes for possible refugees (such as happening in the EU), the government becomes able to select specific incoming groups. This way, the availability of a travel route such as by plane or by foot determines whether a specific group enters the border because income, age and health predetermine whether an immigrant can afford a visa or has to take a certain travel route (Cuttitta 2010, p. 33). In times of an increasing digitalisation of the bordering technologies and 'smart borders' (Leese 2016), a government's knowledge about the subjects increases and becomes easily applied through the 'normal' procedure of border control. Just by applying for a visa and entering a country through a border check point, information about a person's status, income, purpose etc. becomes available for the government. This availability of this information then empowers the government to further distinguish between wanted (normal, productive) and unwanted (disruptive, weak) migration, it allows the government profiling the population (Dillon and Lobo-Guerrero 2008, 267ff.), policing the population and controlling individuals at distance (Bigo 2005, p. 55), and hence, managing mobility. As Martin and Simon put it, "the spatial practices of domestic security work do not necessarily or always produce 'spaces of security,' but continually spatialise relations of power" (Martin and Simon 2008, p. 282). The data allows a selection procedure that empowers economic principles (skilled and productive labour force), 'freedom' and openness, while targeting those people that are rendered as disruptive or unproductive through specific discourses.

In short, surveillance becomes a productive technique of social control. In my analysis, I look at how specific groups of foreigners are managed and what specific technologies of control are directed at them. The border regime apples 'appropriate' means of control to manage possible

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[6] Foucault describes the institutionalisation of medicine as a means of power, i.e. the vaccination campaigns against smallpox in France, where the government uses specific policies to conduct a risk assessment of certain groups of the population, labelling them as no/low/high risk and treating them accordingly (Foucault 2009, p. 62).

threats that could harm social stability. Hence, to gather information on a person's identity is a good risk prediction.

Location of Control

Besides the security technologies, the location of control is another crucial factor in my analysis. As the outside/inside differentiation of security diffuses, the specific configurations of agents that exert the power changes. To Bigo, "controls are de-localised, dispersed, fragmented, transnational and done by networks of security professionals beyond the national frontiers" (Bigo 2005, p. 90). In liberal regimes, this de-location poses a kind of justification to these extraordinary measures that would have aggravated critique when conducted on national territory, thus making a quasi-state of emergency permanent. The Australian detention of illegal migrants on islands pose a good example for these intentional 'graduation 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). Also in non-liberal regimes, a re-location or fragmentation of control indicates the degree of politicisation and securitisation of border politics. No matter the regime type, when immigration procedures are public, transparent, and equal, the issue is less politicized. In contrast, if the site of control is banned beyond territory or even within the periphery of a country, this indicated extraordinary measures that are outside the realm of normal politics. Lastly, the more centralised the security agents dealing with the issue (military, police) the more securitized the issue. On the other end of the spectrum between normalised and securitized immigration policies are private sponsorship programs such as in Canada or, also newly adapted, in Australia (Jones et al. 2017, p. 9). They also represent a dislocation of responsibility of immigration policy, however, in this case in the centre of the nation, in private households. In authoritarian regimes, such as China, privatisation of immigration procedures, however, the state unlikely cedes power to non-state actors.

Control through Identity Documentation

For this thesis, passports play a central role in the analysis of the practices of the border regime. The legal documentation, ID cards, passports or other documents of proof of identity lie at the very centre of techniques of control and surveillance. It displays the above discussed power relations. These documents show where an individual is placed within the societal project whether they stay temporarily or long-term, whether they have a status that is equipped with civil rights.

Passports are central in the process of crossing borders, they are a 'boundary object' as they identify their carrier as part of a group or nation that is already tagged as wanted/ unwanted within the global mobility regime (Häkli 2015)[7]. As Mark B. Salter 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." (Salter 2004, p. 72).

Often, these documents are issued by different entities, whether it is a private security agency, the military or an administrative branch, a supranational or subnational entity. This shows how a government exercises its sovereignty over migration and population mobility and how it monopolises this power and the means of control (Torpey 2000, 6ff.). The passport both contains a political dimension that can legitimise processes of inclusion/exclusion of a nation project, and a symbol of the nation-building process (O'Brien 2001, p. 399), a password to the entry door (Walters 2006, p. 192). The power that lies in issuing, codifying and controlling the identity of people and intervene if the person is unwanted (deportation, repatriation, etc.) constitutes a core element within a biopower government as it allows to select and filter out the undesired population and to segregate legitimate (business, leisure) from illegitimate mobility (illegal migration) (Amoore 2006, p. 339). Moreover, it allows governments to delocalise their surveillance and control as the passport holder is required to carry it with him/her at all times (Salter 2004, 80f.). With regard to passport related instruments, Salter (2013, p. 10) points out that "practices of visas,

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[7] The passport as a central device in travel history became only naturalised in the 20th century, while the earlies documents go back to the 13th century (more on the history of the passport: Häkli 2015, pp. 88–94; Salter 2003).

preclearance, and electronic travel authorities/no fly lists [create] a globalised system for the surveillance of the mobile public".

Hence, the analysis includes a careful analysis of what identity documents are relevant to the immigration system, who designs them and sets the conditions for visa, work and residence permits, and to what conditions. These identification documents represents the legal space that is assigned to foreigners entering China.

2.1.3. Border as a Method of Spatial Development

In this section, I scrutinise the notion of border as a method of spatial development that 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 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 become a tool for 'zoning' different spatial activities that actively revises the role of the 'periphery' and constructs zones of exception to selectively integrate strategically important border areas into the nation.

Multiplication of the Border

Describing borders as multiplied refers to uncoupling of borders from traditional territory. Borders become multiplied in terms of their geographic location – as describes in the last section on the shifting locations of border control – but it also refers to an overall disaggregation of territorial authority (Kesby 2005; Dürrschmidt 2006; Andersen et al. 2012; Sandberg 2015). The origin of the term refers to Etienne Balibar's notion of 'borders are everywhere' (BAE thesis, Paasi and Prokkola 2008, p. 17):

> "[...] multiplied and reduced in their localisation 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 'terri-
> tory' is being inverted. This means that borders are becoming the object of pro-
> test 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 pre-
> cisely, things within the space of the political itself." (Balibar 1998, p. 218)

Balibar emphasises 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: 'technical landscapes of control' (Paasi and Prokkola 2008, 16f.). In other words, border practices 'unbundled' the border from its traditional location and re-bundles it with the practice of border security and control. Moreover, a multiplication of borders changes its meaning, increases the number of actors involved and the nature of bordering practices. This last point becomes relevant now. As the border disaggregates, new actors and new scales of government actors become relevant to the border regime. The question arises how and by whom borders are managed, 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 rather it is the result of the decision-making process and reproduces the hierarchy within the nation state (Kesby 2005, p. 113). Jessop (2003) argues that the emergence of new scales or regions is by far not a natural economic process, but that these regions become "discursively 'naturalised' as well as being economically and politically constructed" (Jessop 2003, p. 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 spatial strategy of the nation-state which produces different 'zones of graduating sovereignty': the politics of scale[8]. Scaling generally is understood as a form of "structuring space and of constructing boundaries which define trajectories for social action" (Liubimau 2017, p. 38). In other words, this perspective allows taking an actor-centred perspective and focuses on the quality of interactions of cross-scale relationships, e.g. how a local actor interacts with other national and global actors in a cross-border relationship and how this effects the construction of space, territory, and identity. The term has gained significant attention in the analysis of globalisation in human geography and political economy (Delaney and Leitner 1997; Herod and Wright 2002a; Jessop 2003; Peck 2002).

Central is the discourse on 'territorial authority' which legitimises specific scales of social control of one actor over another and manifests a hierarchy of political representation. Illustrating the discursive construction of the meaning of certain regions are the following examples: (1) how a specific terrorist attack becomes either constructed as global (9/11) or local (Belfast), accordingly being associated with a certain scale of responsibility (Herod and Wright 2002b, p. 2); (2) how a national union is constructed by the interests of the 'majority population' while indigenous groups

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[8] In their prominent special issues in the journal Political Geography, Delaney and Leitner (1997) break with the notion that political and geographic scales are pre-given and fixed category, but emphasise the constant transformation and social construction of scales (Delaney and Leitner 1997, p. 93). As a consequence, scales are „historically changeable through socio-political contestation (Brenner 2001, p. 599).

become marginalised in reservation areas (Howitt 2003, p. 148); or (3) how the Kashmir area became marginalised within the Pakistani territory through different phases of their nation-building process (Bouzas 2013). As Cox (1998) puts it, a scalar analysis is central concept in political discourse as it helps us understand the 'spaces of engagement' between different levels of politics (Cox 1998, p. 43). Ultimately, this multi-scalar perspective extends my border regime analysis as it becomes actor- and interaction-centered taking the various power relations between the different actors into account that form cross-scale relationships.

Another assumption deriving from the re-scaling literature is that territorial strategies links local, national and regional development projects. Hence, border politics are intertwined with regional integration. In other words, border politics is a field through which a government becomes able to link domestic and regional development plans in a coherent 'territorial strategy'. A strategic re-ordering of administrative responsibilities allows the nation-state to re-establish its territorial authority over its periphery. This way, border politics allow the government to exert power beyond its traditional territory and to create different zones of sovereignty within the state. The nation-state becomes an open and transformative concept that depicts historically established relations between centre and periphery. Thus, the nation state does no longer perform as '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", "state 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).

Subsequently, a central question for my analysis is the governing capacity of (local) cross-border arrangements and how they are embedded within the larger regional spatial development perspective (cf. Brunet-Jailly 2013, p. 36; Lagendijk 2005, p. 79). How do governments prioritise developing specific regions along the border while neglecting others? How do they try to attract and bundle labour and resource allocation? Which role do local governments play in this process? How can governments integrate regional development centres, production and distribution routes and (labour) resources according to their own manufacturing structure (Su 2012b, p. 1327)? In doing so, the territorial reach of the nation state transforms, the state undergoes a 'rescaling'. This process, of course, is not solely undertaken by a nation state, but it is 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) relation with the centre. Often, this relation is asymmetrical dominated by a regional hegemon that tries to actively impose its normative orientation on others (Destradi 2010; Cox 1983). However, these structures also produce hegemonic struggles such as

oppositional movements that try to challenge the existing scalar structuring by 'jumping scales' to circumvent hegemonic institutional practices" (Brenner 2001, p. 594).

Development Rationalities: Spatial Fixes

The underlying rationale or governmentality of the re-scaling process promotes certain norms and techniques on how that development is to be achieved. Neoliberal rescaling, for example, promotes free market, deregulation, and competition as organising principles of state, society and market while facilitating marketization and privatization (Mansfield 2005, p. 462). Aihwa Ong (2006) 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" (Ong 2006, p. 77).

It is through the flexible allocation of capital and the flexible regulation of mobility through which governments enforce specific policies that create special zones, such as border zones, regional hubs or free trade zones. By implication, this also means that these zones can be differentiated by specific policies and the characteristic mix of technologies. Bob Jessop develops categories for specific forms of re-scaling, such as 'relocalisation' or 're-regionalisation', 'multicentric metropolitanisation', 'inter-localisation', 'translocalisation', 'global city networks', or 'proper globalisation', among others (Jessop 2003, 185f.). 'Inter-localisation', here, especially refers 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 them. Cross-border regions, to Jessop's understanding, have become a widespread policy instrument to produce new types of innovation of production and consuming. By creating new, location-specific regulations, these are experimentation zones that aim at attracting capital while competing with each other. These cross-border regions may be long existing and resurging economic activities or being newly created economic spaces, they may be the result of a spill-over effect of metropolitan hinterlands or a strategy to (re-)stabilise the national scale but can also undermine it, they can be the result of uneven economic development or part of a multinational project (Jessop 2003, pp. 187–192).

Other scholars understand this process of re-scaling through capitalist forces in a critical (or radical, Belina 2011, p. 88) notion that builds on Marx, where it becomes a strategy of 'spatial fixes' of a relatively 'underdeveloped' periphery (Harvey 2001; see Anderson 2012; Fischer-Tahir and Naumann 2013; Brenner and Schmid 2015, p. 154). Harvey understands the notion of a 'spatio-temporal fix' as a "metaphor for a particular kind of solution to capitalist crises through temporal deferral and geographical expansion" (Harvey 2003, p. 115). Building on Harvey, Su (2012a) argues that, similarly 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 between provincial, central government and transnational actors which he understands as 'interscalar rule regime' in which the nation state plays a crucial role as 'scalar manager' (Su 2012a, p. 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, p. 523). He concludes that the Chinese engagement within the Greater Mekong Subregion (GMS) resulted in a rescaling process that ultimately allowed China to shift resources to its periphery in Yunnan while at the same time shaping the transnational economic structure, which constitutes a spatial fix for its uneven development.

I am building on this argument and develop it one step further. I argue that the Chinese government not only shifted financial resources to the border area in order to implement its spatial developmental strategy, but that this 'spatial fix' fix is supported by a local — and exceptional — immigration system that also allows to relocate labour resources. The temporary need of labour in specific locations such as economic development zones often comes at the expense of labour migrants that are being marginalised and exploited (Gidwani and Sivaramakrishnan 2003). Chalfin (2012) links the political economy of the border to border security discourses and practices and argues that the post-9/11 notion of border security overall represents a 'spatio-temporal fix' that helps reordering the crisis of the US hegemony (Chalfin 2012, p. 284). 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 investigates the economic means of border securitisation in three cases: how labour migration is constituted as a security threat (immigration-security fix), how the logic of mass consumption is linked to border surveillance as the surveillance techniques resemble consumer research such as compiling, modelling, and tracking data to predict behaviour (security-industrial fix), and how a new industry developed around biometric surveillance technologies (biometric fix) (Chalfin 2012, pp. 285–295). These fixes are also directly applied on border areas, when a crisis of over-accumulation or over-production is solved by "exporting surplus capital to peripheral areas of cheap labor, and [...] importing the cheap labor into the core" (Anderson 2012, p. 150).

Under the catchword of 'new regionalism' the impact of global capital flows and the importance of the sub-national level and their impact on regional architectures has been emphasised (Hettne 2005; Söderbaum 2003) and criticised in recent years (Jonas and Pincetl 2006)[9]. The new regionalist perspective looks at regional architectures 'beyond decentralisation' (Rithmire 2014, p. 168) which implies that that the sub-national or local entities are not homogenous but differ in their relation to the centre, patterns of associationalism, and configurations of local socio-political and economic networks (Locke 1995, p. 21). Hence, the rules of decision-making vary by region and the (scalar) strategy of the local actors (local entrepreneurialism) (Bayirbağ 2009). This directly contradicts Brenner's notion of national scaling (Brenner 2009, 2004). Johnson (2009) argues for the integration of different (global, national, transboundary) scales into the analysis of regionalism[10]. To him, especially subnational units such as local and regional authorities are central agents of scalar restructurings of transboundary spaces as they are the first that learn how to obtain regional funds, were forced to internalise the rationale of the available funding, and to enter necessary cooperation (Johnson 2009, 185f.). He states, in the EU, "regionalism […] is not only mediated, but also actively co-opted by local and regional actors for their own purposes — ones not always in line with the stated goals of regional policy" (Johnson 2009, p. 187).[11] The border then plays a "key localisation of scalar production and the reconfiguration of [regional projects]" (Liubimau 2017, p. 35). As Buerkner puts it, "re-scaling is then seen as an instrument to introduce new border regimes, or to adapt to them, utilised by those agents" (Buerkner 2015).

Lastly, I want to point out that my analytical framework also relates to the work of feminist geopolitics (Hyndman 2004; Massaro and Williams 2013; Silvey 2004) that especially focus on the different ways power operates over different scales and sites. This means that the focus of analysis does not only rely on the security of the state, but also takes into account the "politics of security at the scale of the (civilian) body" (Hyndman 2004, p. 309). The different (gender, race, class, etc.) divisions of mobility, migration and global labour call for analytical attention. With regard to scalar analysis of migration this becomes apparent, for instance, in the feminised low-skilled labour migration within Asia, which however does not translate into policy-making (Goh et al. 2017). This is most important when it comes to the gender-distribution among different forms of immigration in China: while the majority of the working immigrants that I interviewed are male, the

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[9] Among others, Jonas/Pincetl argue that the new regionalist literature disregards the important role of local capacity and leadership (Jonas and Pincetl 2006, p. 501).

[10] This also speaks to the notion of „relativisation of scale" meaning that no scale (global, regional, national, urban, local, triadic or supra-regional) „has yet won a similar primacy" (Jessop 2003, p. 181).

[11] See also Leitner/Miller (2007) on the important role of agency in constructing scalar relations.

marriage immigrants are almost exclusively female. At least in Southwest China, the working immigrants are relatively privileged compared to the female marriage immigrants reproducing gender discrimination.

2.2. Border Regimes and Mobility Management

The following section defines border regimes that — to my understanding — lie at the intersection of a state's immigration system and border development. I follow the methodological approach of the ethnographic border regime analysis that integrates an actor and institution analysis with discourse analysis to understand how mobility across the border is regulated. This section ends with the list of questions that my analysis of the Chinese border regime will answer.

Without yet addressing migration as a policy, the definition on regimes within social sciences varies widely. Different concepts of regimes coexist that build on each other and speak to each other, which I introduce very briefly in order to locate my theoretical approach. In international relations, definitions of regimes vary between different schools of thought. The consensus definition of 'international regimes' (Hasenclever et al. 1997, p. 8), however, is that they are "institutionalised forms of behaviour in the handling of conflict that are guided by norms and rules" (Tsianos and Karakayali 2010, p. 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, p. 186). Ontologically this research focuses on ideas, interests, actors and institutions, and how certain policies and norms change over time (Ackleson 2011, p. 254). A big part of the research addresses international organisations such as the International Organisation of Migration (IOM) that disseminate technical norms and regulations on border management on state level (Geiger and Pécoud 2013). However, most of the research locates the decision-making of border regimes outside the state in regional or international organisations, viewing the state merely as a site of implementation of the transnational norms (Mau et al. 2009, p. 21). These researchers focus on the importance of informal bargaining within global regimes that 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, p. 376).

The second major research corpus within social science has been picked up among regulation theory since the early 1980s. Those 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 valorised" (Tsianos and Karakayali 2010, p. 376). The concept of accumulation regimes tries 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,

p. 178). I locate the work of Mezzadra/Neilson 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 financialisation, 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, p. 376). Here, migration regimes are presented as a "supplement for or substitute to the concept of migration systems" (Mezzadra and Neilson 2013, p. 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, p. 32). Regimes of mobility regulate the social order and the "balance between settlement and movement" by differentiating between people who belong and do not belong on a certain territory and by governing mobility (Kotef 2015, p. 9). These regimes develop new logics of control to keep borders open while simultaneously controlling them. The metaphor of a 'liquid border' describes how border controls try not to contain people rather select, channel and filter mobility through the border (Bigo 2014, p. 213).

Although, these three perspectives are not comprehensive, unified theories, they allow me to position my research within the manifold concept of regimes. I build on this last approach which builds on the perspective of international relations as it acknowledges the high degree of institutionalisation of the border regime through international and regional organisations that develop norms and regulations on border mobility. It also refers to the regulation perspective by analysing modes of regulation of mobility through state agencies and border management practices and takes historical trajectories into account. However, institutionalisation does not mean that a regime is static exertion of rule, but the outcome of negotiations and struggles among the different actors involved. Here, I follow Guiseppe Sciortino 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 re-
gime‹ helps to stress the interdependence of observation and action." (Sciortino
2004, 32f.)

He emphasises the dynamic relation between state bureaucracies and political constellations of
actors and border regulation, stating that both juridical rules and historical trajectories are con-
stitutive. I agree with Sciortino that this constant re-negotiation within the regime represents the
larger political constellation[12]. As Tsianos & Karakayali encapsulate it: "the concept of 'regime'
implies a space of negotiating practices" in which actors' practices relate to each other (Tsianos
and Karakayali 2010, p. 375).

In sum, I define border regimes as specific configurations of norms and regulations on border
mobility that are monopolised within a specific set of institutions and actors. Border regimes are
dynamic and aim at standardising, harmonising and eventually externalising border control. Bor-
der regimes exert their power through specific techniques of regulating mobility flows and border
control like asylum and visa politics and the professional security agents enforcing the 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 help understanding how it is institution-
alised and how it works. In my analysis, the border is more than a research object but a method
of distinction (Newman 2006, p. 176; Houtum and van Naerssen 2002), a method of power over
people in different ways. By analysing mobility regulation policies, institutions and actors in-
volved, regulation techniques and practices, and the actual effects border regimes have on local
people crossing the border, regular or irregular, I become able to identify the border regime as a
display of decentralised power that implements the politics of scale. Hence, I can identify specific
practices of zoning that manifest the territorial strategy of the regime. Ultimately, the border re-
gime perspective allows to link macro-perspective of institutional frameworks in which border
politics are negotiated and local (micro) analysis of the actual effects that this border regime has
on border-crossers.

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[12] An alternative approach, e.g. is offered by Ackleson who approaches the analysis of border man-
agement from a narrow policy perspective that I find insufficient due to its lack of a subaltern perspective.
He suggests to include 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" while including the question
of change (Ackleson 2011, p. 254).

Methodologically, I closely refer to the excellent work of the Göttingen research network kritnet (Labor für kritische Migrations- und Grenzregimeforschung) (Hess 2010a; Heimeshoff et al. 2014; Hess et al. 2017), looks at the ways border are controlled and managed and investigates "heterogeneous social practices and structures, of discourse, actors and rationalities that intervene in processes of governmentalisation of the border" (Mezzadra and Neilson 2013, p. 179). In order to operationalise this approach, the analysis will follow the attempts of Tsianos and Hess (2010) in establishing a critical ethnographic border regime analysis that combines methods of discourse analysis and regime theory with fieldwork experience (ibid., p. 245). This is a transdisciplinary approach that seeks to overcome the uncritical adaption of certain normalised key terms of migration and border analysis such as 'refugee crisis' or 'trafficking'. They argue for an analytical position of the migration instead of just following a methodological individualism that turns subalterns into victims of regulation and repression (Tsianos and Karakayali 2010, p. 377). This is methodology fits my analytical goal of integrating both an institutional and an actor-centred perspective on the border regime. This way, the border is "not only conceptualised as an object in the discursive space, but a total social relation, but with reference to doing borders, as practice" (Tsianos and Hess 2010, p. 255). I further elaborate on methodology in the Chapter 3.

So far, I have established my understanding of border regimes as a complex set of institutions and actors that aim at regulating mobility across borders. Coincidentally, the question of how the border becomes a method to produce security and implement national development strategies is incremental to my understanding of the regime's rationale. In order to further illustrate how the regime analysis is applied, I developed a set of questions:

1. Regime structure
   - What institutions and actors are involved?
   - What responsibilities do they have?
   - How are the relations between the different scales (central/decentral, local, regional)? Who are the 'scalar managers'?
   - To what degree is power within the regime monopolised or de-centralised? What power asymmetries are inherent?
   - What (legal, financial, and social) resources do the actors have and how do they make use of them?
   - What obstacles do the actors face and how to they negotiate?

2. Regime techniques
   - How is governed? What is the intrinsic logic or strategy of the regime?
   - What policies constitute zoning activity and how are they implemented?
   - How is control over border mobility enforced?
   - How does the passport and visa system differentiate?
3. Border security and development discourse
   - How is the permeability of the border depicted?
   - What discursive elements constitute a secure border according to whom?
   - What development discourse and rationale underlies the different scales of the border regime?
   - How does the discourse translate into border practices?
4. Border practices
   - What techniques are applied to enforce the spatial development perspective?
   - How are legality and illegality constructed and practiced over border-crossers?

Lastly, I want to concentrate on the different forms of actors and agency that are included in this framework. As I mentioned above, I include both macro and micro levels of analysis, both institutional and individual actors. I want to map the governance structure of the border that is "a complex set of institutions and actors that are drawn from but also beyond government" (Stoker 1998, p. 19). It also importantly includes the local border practices and the experience of the migrants and the border crossers: the subjects of power. This perspective is especially challenging since the migrants often are undocumented and illegal which means that their agency and struggles cannot be captured through the governance structure because it is external to it (Schulze Wessel 2016, 2017, 154ff.), or the 'political belonging' of these people remains unclear. However, in my analysis I try to also account for this informal side of the border regulation by including border traders, illegal immigrants and different types of informal border crossing of local border communities, besides the official border regime structure of the state apparatus, its legal framework with both governmental and non-governmental decision-makers. Moreover, although the state continues to play the central role in emerging border and migration regimes (main stakeholder in governance terms), other new actors such as international organisations and private actors gain importance. A multiplicity of actors evolves, that shape the course and legitimacy of these regimes. The state, however, constitutes a decisive factor in this, first, because the question of border control itself touch the basic characteristic of sovereignty: the notion of citizenship; and secondly, because the state controls the security agents that enforce the border control such as military and police.

international	• IOs such as IOM, IOL, UNHCR • transnational corporations • international civil society	
regional	• regional organisations	
national	• governments, state agencies, ministries • civil society organisations	
sub-national	• provincial and local governments	
local	• border communities • immigrant communities	
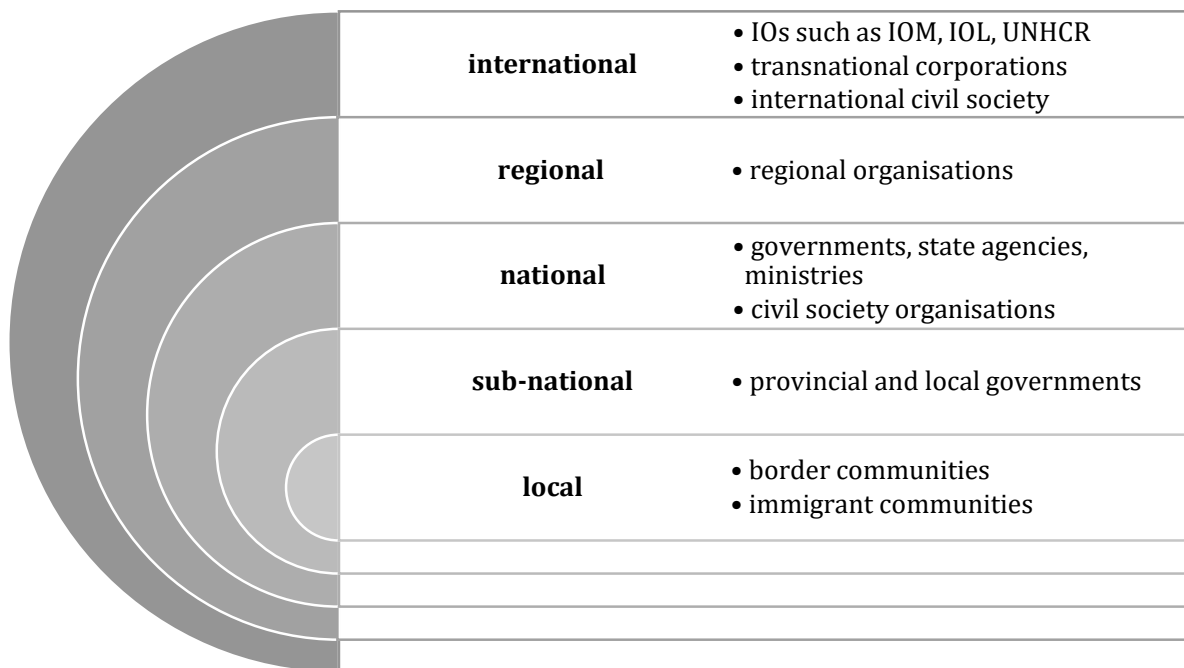
Figure 1: Actors and Scales within Border Regimes

2.3. Zones of Authority

In this section, I further apply my understanding of border regimes to my overall argument. To recall, my argument is that the Chinese border regime produces cascading 'zones of authority'. At the core of the border regime, the Chinese central government issues immigration and border policies that aim at selecting qualified immigrants that can help the Chinese economy and promoting development projects that facilitate cross-border trade and regional integration. The question, however, is how does the central government enforce these policies in its periphery. I find that China's territorial authority produces zones of exception displaying a legally differentiated immigration system (graduated citizenship) and locally differentiated development approach (graduated sovereignty) that draws on resources that lie beyond China's traditional territory. To further explain what 'zoning' means, I draw on the work of Aihwa Ong (2000, 2004, 2006) who understands zoning effects as governments flexibly configuring spatial planning across their territory. She calls this 'graduating sovereignty': a flexible management of sovereignty through zones, different "territorial concentrations of political, economic, and social conditions [that mobilise] foreign investment, technology transfers, and international expertise to specific zones" (Ong 2006, p. 78). She 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 citizen, eventually creating various governmentalities. She argues "while low-skilled workers are disciplined, elite workers and members of dominant ethnic groups enjoy

affirmative action and pastoral care" (ibid., p. 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 gradation of governing that performs according to "racial, religious, and gender hierarchies" (ibid., p. 84). While Ong's approach shows how identities are constructed through labour and site-specific policies, it still remains 'aspatial' in the sense that she does not account for the "distance from administrative loci of power and political status" (Mountz 2011, p. 121). I am building on Ong's understanding and focus the regime analysis on how different techniques of control and legal authority produce different zones of sovereignty over immigrants. However, I also go beyond her approach, as I link these 'zoning activities' of the border regime to the governmentality of the border and show how the border is used as a method of control and spatial development. To my understanding of writing a critical analysis of the Chinese border regime, it seems necessary to not only investigate the institutional processes but to investigate how power is exerted on the immigrant. Thus, below, I elaborate on different technologies and effects that the Chinese border regimes exerts building the key of my empirical analysis. I subsequently refine my theoretical framework by exploring the different graduated zones of authority: first, my analysis scrutinises the legal authority exerted over different groups of foreigners and how this results in their legal status within the immigration system; secondly, the geographic location of border controls within or beyond national territory (internalisation/externalisation); and finally, the border regime's effects such as physically detaining the body of the immigrant and limit their right to move within the nation territory (peripheralization). In my analysis, I identify key sites of territorial struggle by showing different enforcement practices within the different zones of governmental reach of the border regime.

2.3.1. Legal Authority over Immigration: How to Turn an Immigrant into a Citizen

Authority is a key concept in the analysis of the social hierarchy within border regimes. Within border regimes, authority is exercised in different modes and legitimacies of law and expertise (Amoore 2006, p. 344). This results in a social hierarchy: some are privileged by the immigration system while others are marginalised or discriminated against. Most often, citizens are at the top, while foreigners and especially 'illegal' immigrants are at the bottom of the hierarchy. In China, however, the citizenship category is further differentiated through the *hukou* system drawing internal boundaries through the Chinese society (Zhang 2018). In the case of foreigner immigration, the position of a specific immigrant within this social hierarchy mainly depends on the label that is assigned to them within the immigration system. Hence, the state and its citizenship categories play the most important role. Accordingly, my interest here is twofold: first, to identify the relevant actors exerting legal authority over foreigners immigrating into China and how they interact;

and second, to understand how the interaction of authorities produce different categories of political belonging such as citizenship or legal immigrants' statuses. Hence, I both address the origin and the effect of legal authority within the system.

In order to delineate modes of legal authority, the category of citizenship and its differentiations are crucial. Authority over citizenship is manifested through labels. Either you are assigned the respective citizenship at birth or you might be able to apply for it under certain circumstances. The basic notion of nationality can either be regarded as a legal institution or, in a Foucauldian sense, the disciplining instrument that helps the modern nation state to manage its population (Bigo 2001, 112). It decides whether a person inhabits civil rights and has access to 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 the access to its resources and rights is 'limited' and so is state capacity (Buckel et al. 2014). However, other labels such as illegal immigrant, refugee or guest-worker are just as powerful because this (legal) status is attached with specific rights. The legal authority over and implementation of the selection process of who obtains which status normally lies with the government. However, in some instances might also be delegated or outsourced to private and other non-governmental agencies that are extra-legal (Amoore 2006, p. 346). By analysing who is subject of a states' migration control, we learn how open the concept of citizenship is in relation to a states' '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 legalise certain types of migration while upholding other groups illegal allow a conclusion on underlying rationality of what migrants the border regime wants to govern and appeal, while it carefully bargains of how to exert power and exercise legal authority over other groups of migrants. Accordingly, in Chapter 4, I introduce actors, legal frameworks, and mode of operation of the Chinese border regime. I subsequently introduce how regular migration is governed and how the different immigration labels fit into and reproduce the Chinese social hierarchy. I extend the analysis of legal authority into the informal sphere looking at 'illegal' immigrants and refugees that are not part of the official statistics. How many undocumented immigrants are there? How are they politically or socially addressed? How is their political belonging debated in the public discourse? How central or peripheral, both within the public discourse and geographically within the border management procedure, is this unregulated migration handled and how do related policies address the issue (Bigo 2002, 75). Moreover, I pay detailed attention to the notion of citizenship of the local border communities and how they practice their formal

allegiances to their home and neighbouring country and what role the border plays in their everyday mobility. How are their bordering practices different from other citizens?

2.3.2. Locating Border Security Control: Externalisation/ Internalisation

The second part of the border regime analysis addresses the organisational structure of border security enforcement. In Chapter 5, I scrutinise how border security is organised and how responsibilities are shared among different state actors, the military and police. The specific geographic locations of where these actors conduct border controls becomes an object of analysis because they represent the geographic extend of the border regime and epitomise the applied technologies of control. It will become clear that border security enforcement does not only include border check points and the prevention of 'illegal' border crossings, smuggling and trafficking, but a wide range of government strategies such as development aid in neighbouring countries to keep immigrants from migrating in the first place (externalisation of the border security), as well as a set of population management tools that aim at the border population (internalisation of border security). I argue that the internalisation of border control consequently means a form of compensation to a perceived security deficit, hence, compensating that the border cannot be effectively closed against unwanted immigration. By extending border controls within state territory allows a sustainable control of specific groups of migrants, or might create a second or third barrier behind the actual border line. This way, the border zone becomes extended into the territory, at every line filtering out irregular or unwanted mobilities. Ultimately, this 'zoning activity' through externalisation and internalisation of the border control creates different sites of mobility regulation that increase the effectivity of control. These practices allow us to define a spectrum of spatial bordering zones in which security as well as political practices differentiate. New forms of 'policing (at distance)' have evolved which move the locus of controls and delocalise them from the borders of states to create new social frontiers both inside and outside of the territory" (Bigo and Guild 2005a, p. 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. They try to emphasise that the porous border is not the result of 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, p. 162). As a consequence, security agents have begun governing their frontiers abroad, at the point where the migrants start their journey (Bigo and Guild 2005b, p. 233), thereby externalizing border controls beyond their territory. Accordingly, 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.). Different

security agents operate in different scales, transnational networks and private organisations further blur the inside/outside dichotomy, effectively transnationalising security (Bigo 2008, 11ff.). Joint border security operations such as within the Greater Mekong Subregion (Chapter 6), allows policy-makers to apply extraordinary resources and measures to keep 'threats' outside a certain territory and deal with the problem where it emerges. Similarly, states that support development aid projects abroad, such as humanitarian assistance in the countries of origin of migration, aim at preventing migration movements in the country of origin before their departure. 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 examples of externalisation involve a relocation of resources beyond the national territory aiming at regulating mobility before it even gets to the actual border (Buckel et al. 2014, 39f.). The European border agency Frontex poses a different example, also externalised but with the own resources and security agents of the EU, border control is located outside the national jurisdictions of the member states thus allows policy-makers to apply extraordinary resources and measures to keep 'threats' outside a certain territory and deal with the problem where it emerges. Chiara Marchetti (2010) argues that Frontex in fact functions as 'preventive refoulement' that keeps African refugees from reaching European and Italian territory. This externalisation of border security brings new actors in, it becomes internationalised and further blurs the line between internal and external security (Bigo 2001, 103-106). It is not a question of either national or external border control, rather is can be an ongoing process of 'softening' national border control while 'hardening' external border controls. Analysing the Spanish role in the externalisation of the EU border, Casas/Cobarrubias/Pickles (2011) argue that

> "following the border externalisation logic provides a more complex window into how processes of transnationalisation 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 transnationalisation as a contested site." (Casas et al. 2011, p. 87)

Ultimately, this means that governments take the border control and hence the border itself where the migration route, the subject of the mobility regulation is, control can be spatially externalised wherever an ordering of population seems necessary.

These examples of externalisation involve a relocation of resources beyond the national territory aiming at regulating mobility before it even meets the actual border. By looking at the localities of

where the border controls take place and what kind of cooperation framework exists, we can analyse the different nodes of the border regime and the underlying power structure (Buckel et al. 2014, 39f.).

2.3.3. Bound to the Border: Peripheralization of Immigrants

In Chapter 7, I show the local practices of the Chinese border regime and how on sub-national level immigration and border security practices are enforced. I point out that one of the major effects of the Chinese border regime is that immigrants become peripheralized in the border area.

In the Chinese case, the location of refugee camps as well as the implementation of local exceptions for working immigrants in Special Border Zones represent site-specific tactics of control creating a locally differentiated immigration system.

Not only China, but globally, states increasingly tend to create specific borderland 'corridors' such as camps and spaces of confinement (Jones et al. 2017, p. 1), which might become disrupted or disaggregated from state law by (violent) border practices (Jones 2012). Alison Mountz showed how the 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 (Mountz 2011, p. 126). Nick Vaughan-Williams argues that EU zones of detention become zoo-like spaces in which irregular migrants face animalised rather than humanitarian treatment (Vaughan-Williams 2015). Similarly, Henk van Houtum 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 leaving them 'dumped' in a buffer zone of camps at the EU's external border, where their rights are suspended (Houtum 2010, 970f.). In the Chinese case, the treatment of foreigners in the sites of exception does not constitute a case of extra-judicial conduct. However, it shows how the Chinese border regime uses the periphery to experiment with certain policies. A selective, temporal and limited integration and legalisation of certain immigrants in the periphery reveals the spatial ambiguity that the central government applies. While Beijing tries to actively integrate the border areas in terms of infrastructural and economic development, the periphery also represents a site of exception. The Chinese border regime produces these 'zones of exception' on the one hand 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 of foreigners in the border area. In the end, the immigration approach remains ambivalent, local authorities determine how legality is constituted, selectively and only gradually legalising some foreigners while leaving others in a legal limbo.

In order to differentiate the Chinese case from other cases, I further explain how the literature understands other states creating 'sites of exception' such as deportation prisons, transit zones, departure centres (Cuttitta 2010, p. 32), and refugee camps (Mountz 2011). A prominent example for extraterritorial jurisdiction is the US established Guantanamo as an extra-legal space for US 'war prisoners' (Reid-Henry 2007; Kaplan 2005). A different example pose the offshore-island refugee camps such as on Bintan, where asylum-seekers are processed in an unclear legal jurisdiction. In the case of Australia, some of the island camps were closed as the High Court ruled the 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 o citizens may be treated as foreigners (McNevin 2014, p. 305). Anne McNevin 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." (ibid.)

Similarly, Rajaram and Grundy-Warr (2004) conclude on the case of externalised 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." (Rajaram and Grundy-Warr 2004, 57f.)

The relocation of these camps are the result of a discourse of fear that irregular migrants would disrupt the national unity, therefore, they stay excluded from the national project, in a social, political and also territorial sense. Often, the relocation is part of a 'spatial tactics' that allow governments to put people away until they figure out what to do next, put them in detention under strict control and surveillance (Mountz et al. 2012). I call this a strategy of 'peripheralization'. Hence, my analysis includes where refugees and immigrants are located within a nation's territory and

how (forcefully or voluntary) they are put and kept there. Taking the 'freedom to move' as an example for their very basic civil right, I ask how this is applied. Do they have geographical access to the nation or are they geographically peripheralized and ultimately marginalised within the society? What key sites of enforcement can we identify and what 'territorial norms' do they represent?

2.4. Authoritarian Context

The above discussed governmentalities of the border and the question of how governments regulate mobility builds on literature on liberal democracies and (neo-)liberal governmentalities. However, I argue below that the 'duality' of liberal regimes (the bifurcation of the population in those who can govern themselves and those who cannot) (Sigley 2004, p. 557) similarly applies for non-liberal forms of government, authoritarian regimes such as the "socialist art of government or Chinese governmentality" (Jeffreys and Sigley 2011, p. 5). Through "distinct planning and administrative rationality" authoritarian or socialist governments employ similar tactics as liberal governments.

Notably, Mitchell Dean (2002) argues that an authoritarian dimension is inherent in liberal government. Besides a facilitative dimension that refers to liberal idea of free individuals pursuing their own interests, he argues that also liberal governments require to establish "specific norms of individual and collective life" that define and predetermine the design of freedom and autonomy: an authoritarian dimension in itself (Dean 2002, p. 40). Similarly, Barry Hindess (2001) argues that liberal rationalities constitute of authoritarian measures because the premise of the capacity of individuals to self-regulation is limited and limits the reach and the effectiveness of liberal political reason itself (Hindess 2001, p. 93). To him, this lack of self-regulating capacity derives from a general notion of generally 'not (yet) being ready for freedom', missing disciplining and training for freedom, or a lack of autonomous conduct due to external reasons like bad health or education (ibid., p. 101). Looking at international attempts of governments to increase an autonomous capacity of individuals through welfare policies and 'development assistance', he identifies modes of authoritarian rule in different Western and non-Western systems in criminal justice systems, immigrant communities and "as necessary instrument of economic liberalisation in party of Southeast Asia and Central and Eastern Europe" (ibid., p. 94). He notes that a clear cut differentiation between liberal and authoritarian governments is difficult as both regimes put the wellbeing of the community before the freedom of the individual, only in liberal regimes this would be regulated by the rule of law while in authoritarian (or socialist) regimes the collective interest undermines the liberties of the individual (Hindess 1996).

Dean further distinguishes three different forms of illiberal governmentality: "those non-liberal forms of thought and practices that are a component of liberal rationalities; those non-liberal forms of thought that gain a certain legitimacy within liberal democracies; and non-liberal forms of rule proper" (Dean 2006, p. 134). Non-liberal forms decline limitation to their government, i.e. a protection of the rights of the individual through rule of law (ibid., p. 147). This being said, both liberal and non-liberal forms of government "operate through the processes that are constitutive of population, particularly the bio-political imperative of the optimization of the processes of life", however, they will find different ways to "accentuate" and "articulate" their specific "elements of sovereignty" (ibid.).

With regard to Dean's second form of illiberal governmentality (illiberal forms of thought and practices within liberal democracies), I want to come back to the above shortly mentioned 'liberal paradox' that derives from an exclusive 'dividing practice' of the government among citizen and non-citizen in democratic societies, e.g. when liberal rights and provisions do not apply for certain groups of immigrants or selectively enforce control over people (Bigo 2005, p. 56; Buckel et al. 2014, p. 30). Here, conflicts of legitimacy evolve between liberal ethics promoting norms like free movement of people and global mobility and the state's "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, p. 22), and generally between national security and human rights (ibid., 24). The authoritarian state, however, can experience similar norm conflicts such as regarding the question of distributional justice between different societal groups.

With regard to China, Gary Sigley argues that through the socialist planning during the Mao era, the government established a 'techno-scientific reasoning' in the name of the 'scientific truth' as an important part of the Chinese governmentality that turned individuals into relatively passive subjects to develop their 'population quality' (人口素质 renkou suzhi). According to him, this reasoning intensified in the social market economy into a comprehensive bio-political management of life (Sigley 2009, p. 538). A central tool to the disciplining of the population are mass campaigns that build on voluntary 'self-conscious adaption' of central policy targets and administrative measures such as the setting of quotas, e.g. for birth planning. Within the Chinese governmentality, local cadres play a "pivotal and often ambivalent role [...] as agents of the state. Local cadres themselves positioned within a system of rewards and punishment for realising or failing to realise the [...] targets" (Sigley 2004, p. 559). Sigley emphasises 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.). [13]

In sum, I find that although much of the literature revolves around a liberal dilemma (in which the control and barrier of borders generally undermines the perception of free people and illiberal practices of granting the right of free movement only to certain people while denying it to others), the analytical perspective of the governmentalisation of the border is equally pertinent in authoritarian regimes. However, the analysis will be particularly sensitive with regard to the limits of the governmental reach, and the different repertoire of control and selection.

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[13] With regard to China, the dilemma does not lie in an incomprehensively implemented bifurcation between (free) people who can govern themselves and those who need disciplining is not between citizens and non-citizens, but between many different groups of subjects that resist or are intentionally excluded from the nation state project. As the Chinese nation state is built on (Confucian) harmonious state-society relation that aims at establishing a unified, modern nation state while it marginalizes the 'internal Other' (Barabantseva 2011, 4f.; Jakimów 2012, p. 663). This coincidence of different integrated and marginalised groups and a different quality degrees of citizenship is challenged. First, China's participation in international organisations that promote liberal norms such as free movement puts the authoritarian practices under scrutiny. Second, the Chinese government might fear a public discourse about integration and distributional justice that might arise if the previously privileged groups that are at the 'core' of the Chinese citizenship concept — Han-Chinese with nationalist patriotic disposition — or other marginalised groups within the Chinese society such as inner-Chinese working migrants (floating migrants) might challenge the legitimation of a government that redistributes state resources in order to integrate foreign immigrants instead of those 'who deserve it'. Such conflicts between different groups within the society and within state-society-relation are similar in most systems. In the case of China, the CCP needs to adapt a new strategy, a different discursive strategy, to legitimise its behavioural changes. They need to answer why there is a need to assist these refugees, why they do not pose a threat now as they did before, and why the taken measures are 'appropriate'.

CHAPTER THREE

Methodology

Chapter 3. Methodology

3.1. How to Study Border Discourses and Practices

In the following, I turn to my research design and methodology. I apply an ethnographic border regime analysis of the Chinese border regime focusing on two case studies. This approach integrates the analysis of border discourses and practices on the immigration system (Chapter 4), and on bordering practices on a national scale (Chapter 5), within regional frameworks (Chapter 6), and on a local scale (Chapter 7). The aim of this thesis is to bring an analytical-empirical argument into the debate on the role of borders in the spatial re-articulation of China in the context of its regional development. I want to better understand how China's border regime functions and how the different agents interact within the multi-scalar regime, in order to answer my research question:

> "How does the Chinese state governs its borders in the context of regional development between 2001 and 2018?"

The thesis seeks to comprehend how the discourses on border security, border mobility and border development are constructed, how they are linked and legitimised. I argue that these discourses become manifest in specific sites of territorial struggles at the border. Lastly, I want to empirically show what technologies and practices of border (mobility) regulations are applied in two selected cases that represent different border areas and regional development projects: in Yunnan and Jilin province. As the discursive and practice-dimensions of the border regime intertwine, I need a methodology that incorporates these different layers. Since there is not *one* methodology that could include all these different aspects and dimensions, I integrate discourse analysis and fieldwork in order to both have a systematic approach to agents and acts but also stay attuned to the context. There are several researchers that explicitly try to link theory building with site-intensive methods (Read 2010, p. 146; Schatz 2009, p. 14), moreover, Patrick T. Jackson argues in favour of methodological pluralism 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" (Jackson 2011, p. 207). Hence, I draw on the 'Ethnographic Border Regime Analyses' approach from the transit migration research group that I will introduce in the following section (Tsianos and Hess 2010, p. 252). Methodologically, this approach both draws on discourse analysis and field research. This approach suggests a heuristic method mix 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 method

mix emphasises a "process and conflict sensitive understanding of the institutionalisation and relations of the border", it allows to include different actors and discourses and their interrelation in the context of a broader frame of action (not in one closed, systemic rationality) (ibid., p. 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, p. 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, p. 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, p. 37).

To my understanding, Tsianos/Hess's term of a 'Symptomatic Discourse Analysis' refers back to what Balzacq referred to as context, an attempt to expose the voids in the texts and to discover the underlying meaning and structure of the text that is best to experience during field work and while the researcher is exposed to the irritations and frictions of the border regime (Tsianos and Hess 2010, p. 252). Within the literature on anthropological methods, this premise is discussed against the backdrop of a changing reflexivity of the researcher throughout the research process, as 'situated knowledge' that impacts analysis and interpretation according to the changing situations (Turner 2013a, p. 9).

This symptomatic approach goes one step further as a regular discourse analysis by including insights from field work. A traditional discourse analysis (only) looks at the symbolic and linguistic level of discourses, on the "dialogical struggles that are nested in power relations", its point of origin (Balzacq 2011, p. 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, p. 25). Traditional discourse analysis is confined to a systemic level and depends on access to information on state-society interrelations. Hence, the applied methodological approach provides an additional subject- and struggle-centred perspective: insights from the 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 accessibility and reliability of

state-generated data is questionable (Xi 2010, p. 15). Here, the additional 'local meaning' (van Dijk, Teun A. 2001, p. 103) is especially important in order to avoid to reproduce a political 'avoidance' migration phenomenon (Tsianos and Hess 2010, p. 244), it allows to also grasp heterogeneous, fragile, emerging or passing discursive elements (ibid., p. 254).

3.2. Methods: Ethnographic Border Regime Analyses

3.2.1. Symptomatic & Critical Discourse Analysis

To my understanding, the approach of a 'Symptomatic Discourse Analysis' (SDA) in fact assorts the 'Critical Discourse Analysis' (CDA). CDA focuses on the social conflicts and political issues rather than dominant or hegemonic paradigms, it aims at not only describing discursive elements, but at explaining discursive formations against the backdrop of the social structure, 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, p. 353). In the same fashion, SDA aims at bringing together different actors and discourses that interact in the 'space of negotiation' that is the border regime. SDA refers to Louis Althuser's figure of the 'symptomatic reader' who deconstructs a text beyond its literal meaning. However, 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, p. 252).

Within the critical tradition and with regard to the political discourse on border mobility, I seek to (1) understand the institutional complex border politics derive from and their inherent power asymmetries, (2) understand the social structure and knowledge dispositifs that constitute norms and practices, and (3) understand the dynamic that lies within the negotiation process between the different agents and scales. Chiara Brambilla 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*) (Brambilla 2015, p. 20). In a nutshell, my goal is to understand the patterns of legitimation within the official discourse on border mobility that produce the different zones of authority and the struggles it produces. The official discourse 'normalises' what kind of border mobility and development is expected and what kind of immigration is wanted which then contextualises the local practices.

In order to operationalise the 'normative dimension' the analysis consists of:

- Exposition of the institutional and legal framework of border policy-making within the Chinese political system

- A text analysis of different legal texts, policy papers and speech acts that represent the different border-agents
- A detailed critical discourse analysis of the political discourse on 'border security', 'border mobility' and 'border development' that represents the rationalities of the different border agents.

The text corpus that was analysed refers to the legal constitution of the border agents and their specific responsibilities. I read the selected text corpus looking for discursive representations of 'authority' and 'control' over border mobility and border development. I paid attention to how prominent or important the issue was presented among other topics, and analysed the context of the specific document. I analysed legal documents and policy papers (as listed in the relevant sections) that were adopted from the relevant organisations such as from the Chinese national government as well as provincial and local governments both in Yunnan and Jilin (see Table 2 and Appendix A and B). These documents include policy papers and statements, speeches of decision-makers (speech acts), and press releases. I identified them by conducting a keyword search on the websites that entail one or more of the following keywords: border (*bianjiang* 边疆，*bianjie* 边界), border mobility (*kuajing liudong* 跨境流动), border security (*bianjiang anquan* 边疆安全), border development (*bianjiang fazhan* 边疆发展), border control (*bianjing guanzhi* 边境管制), border defence (*bianfang* 边防, *you bian nan fang* 有边难防) neighbourhood policy (*zhoubian zhengce* 周边政策), regional development (*quyu fazhan* 区域发展),regional cooperation (*quyu hezuo* 区域合作), immigration (yimin 移民), national security (*guojia anquan* 国家安全), cross-border relations (*kuajing guanxi* 跨境关系), border pass (*bianzheng* 边证), local border [... office or politics] (*di bianfang* 地边防 [...]), exit and entry [regulations] (*churujing tiaoli* 出入境条例). I included Xinhua news articles which I also regard as state-produced as the newspaper is an official voice of the official party ideology and functions as a guideline for other media who often reproduced Xinhua content (Carlson and Duan 2010, p. 91; Stockmann 2010, p. 117). For example, an article on infrastructural development in Yunnan reproduces the official party understanding of the implementation of the 'bridgehead' strategy and regional development policies (Xinhua 2016c).

While there are serious constraints to the accessibility and reliability of state-generated data, as mentioned above, it has also advantages as it brings "the state into focus within our understanding of the state-society relations" (Xi 2010, p. 16), it provides context and often helps to better frame questions for further research and select and identify interviewees (ibid., p. 17).

Table 2: Relevant Organisations

International
International Organisation of Migration (IOM)
International Labour Organisation (ILO)
United Nations High Commissioner for Refugees (UNHCR)
United Nations Development Program (UNDP)
Regional
Asian Development Bank (ADB)
Greater Mekong Sub-Region (GMS)
Greater Tumen Initiative (GTI)
National
Central Government and State Council 国务院
National Development and Reform Commission (NDRC) 国家发展和改革委员会简称发改委
Ministry of Foreign Affairs (MoFA) 外交部
Ministry of Finance (MoF) 财政部
Ministry of Transport (MoT) 交通运输部
Ministry of Commerce (MoC) 商务部
Ministry of National Defence (MND) 国防部
Ministry of Public Security (MoPS) 公安部
Bureau of Exit and Entry Administration of the Ministry of Public Security 公安部出入境管理局
National Tourism Administration 国家旅游局
General Administration of Quality Supervision, Inspection and Quarantine Bureau 国家质量监督检验检疫总局
General Administrations of Customs 海关总署
Provincial level (exemplary for Yunnan province)
Provincial government 省政府
Yunnan Provincial Development and Reform Commission 云南省发展和改革委员会
Provincial Foreign Affairs Office 省外事办
Department of Finance 财政厅
Department of Transport 交通运输厅
Department of Commerce 商务厅
Yunnan Bridgehead Construction Steering Group 云南桥梁建设指导小组
Yunnan Tourism Bureau 云南省旅游局

Yunnan Provincial International Regional Co-operation Office 云南省国际区域合作办公室
Passport & Visa Division of the Foreign Affairs Office of the People's Government of Yunnan Province 云南省签证信息办公室
Neighbouring Countries Affairs Division of the Foreign Affairs Office of the People's Government of Yunnan Province 云南省邻国动态办公室
Yunnan Division of the Bureau of Exit and Entry Administration of the Ministry of Public Security 云南公安部出入境管理局
Yunnan Province Statistical Bureau 云南省统计局
Department of Commerce of Yunnan Province 云南省商务厅表示
Local
Prefectural governments 地方政府
Prefectural governments Steering Groups 地方政府指导小组
Public Security Bureau 公安部边防管理局

3.2.2. Fieldwork: Experiencing the Border

As mentioned above, object of analysis of both discourse and practice of border regulation. Practice does not only refer to the 'discursive practice' of how the state generates responses to legitimation problems or rally support (Hansen 2006, p. 1), but the term refers to the actual techniques of control that impact, limit or confine the bodies of the immigrants and border residents while crossing or living with the border. The 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 on the authority over border control, however, it extends the analytical perspective from a macro-level to a micro-level, taking the actual effect of the governmentalities into consideration. Of course, my researcher access to the 'full' effects of this control apparatus is very partial as my subjective experience of the bordering process is very limited to me being a foreigner with a German passport. Nevertheless, by directly engaging with the field, I was able to make meaningful experiences that contribute to the analysis of the practices of the border regime.

The research group around the 'ethnographic border regime analysis' approach sees fieldwork necessarily as a multi-sited engagement with the (sometimes experienced as conflicting or irritating) field (Tsianos and Hess 2010, p. 255). They state fieldwork is more than a 'reality check' but an active immersion of the researcher in different locations of the border regime, such as the "internet, offices, storage rooms, cities or the green border" (ibid., p. 256). Only by travelling to the different sites that the border involves, the researcher becomes able to understand the vast network of actors involved and how they interpret and institutionalise their roles. I find this aspect

central also in the literature on border security noting that fieldwork aims at understanding 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, p. 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, p. 96). Xiang Biao's (2013) approach of multi-scalar ethnography follows a similar rationality, it is not only multi-sited but focuses on the different "spatial reach of action" (Xiang 2013, p. 284) and the taxonomical hierarchies of authority that define them and reveal themselves through the fieldwork (Xiang 2013, p. 288).

Tsianos/Hess, moreover, emphasise that their approach does not try to compete with the in-depth long-term field stays of ethnographers, but gains added value through the different interactions with the field. They argue that by engaging with interviewees in different (also informal) encounters, the researcher's own subjective understanding is constantly challenged which ultimately allows a more open interpretation of the context rather than through pre-structured, staged and planned interviews: informal and random interactions are part of the field experience (Tsianos and Hess 2010, p. 257). In my case, this means that often the spontaneous discussion with a Myanmar waitress was more informative of the ambivalent field of (il)legality in the border area than was 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, p. 6).

The literature addressing challenges for (foreign) researchers in the Chinese authoritarian context has grown over the last years as surveillance and restrictions have become more intense (Heimer and Thøgersen 2006a; Carlson 2010; Turner 2013b). Party ideology directly and indirectly influences the research possibilities and access. Researchers directly experience the political ideology when access to archives or official institutions is not granted for foreigners, especially when the research agenda touches 'sensitive' (*mingan xing* 敏感性) issues (Heimer and Thøgersen 2006b, p. 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 predetermine much of the (sayable) vocabulary. A special sensitivity should always be given to not reproduce the official discourse.

I started my search for interviewees and informants with dozens of 'cold calls' (Turner 2013a, p. 3) to local researcher institutions and state universities that I could identify online when I started my research in 2014. To the most part, they remained unanswered. However, some 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 set up the contact. This way, I was able to

conduct several expert interviews in both provinces. Through the support of my PhD supervisor, Prof. Gunter Schubert, I received assistance from researchers at Jilin University that helped me organise interviews with local cadres at the Yanbian border. Eventually, through the ongoing snow ball system of contact throughout the fieldwork, I was also able to conduct further interviews with officials also 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 little resources the cooperation with local academics remained limited. The party campaign that aims at restricting research access for foreigners in China that i.e. became apparent during the National Security Day in April 2016 further impaired the possibilities to establish good relations with Chinese universities and generally complicated collaboration. In the end, I conducted interviews with academics and experts, local cadres, and the local population. The duration of the stays in different border towns that I visited during the stay varied depending on logistical feasibility and success of access. Altogether, I spent 10 weeks in China for this research. During August/September 2015 and August/September 2016, I visited the Yunnan border area twice, once the Jilin border area, while travelling to different border towns and visiting various border sites. Also, I stayed one week in Beijing interviewing officials from the GTI secretariat and attending a GTI workshop on trade facilitation in Changchun. The access to this organisation was possible through the generous help of Magnus Brod, the program 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 and name my Chinese (interview) partners here.

During most of the interviews, I was clear about the aim of my research, however, in many cases I described my research question as being merely interested in economic cross-border cooperation because it seemed less sensitive and still allowed to ask relevant questions. Especially, when I had to write a research abstract or send interview questions beforehand, as I wanted to circumvent the party state gatekeepers (Turner 2013a, p. 10).

My interview questions were aimed at gaining an understanding the specific role and scope of the interviewees place and responsibility within the border regime. Experts, I asked about their expectations and evaluations of the border development and cross-border interactions. Official cadres, I asked about their inter-governmental relations and goals for their own sphere of influence. The border residents, however, I asked about their individual experiences and bordering practices. Appendix C shows my guiding questions to the different types of interviewees.

At the border itself, I supplemented the 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, p. 1). Participant observation at border gates and in town centres, market places, and border activity allowed a glimpse of the everyday life and daily routines in the border area. Here, I often travelled as a tourist, which I emphasised especially when I was approached by border security and 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 white young women who was often the only foreigner and travelling alone, I drew a lot of attention, disrupted the scene in many situations which made an observation of a 'natural' scene or border mobility practice difficult as my presence changed the situation genuinely. In this regard, my ethnicity constitutes a 'difficulty' during field research since it (1) irritates original scenes in the field when I approach them and draws the attention towards me instead of the everyday proceedings that I seek to observe, and (2) leads interviewees to different answers when being asked about possibly sensitive issues (political desirability). In the end, I drew both on semi-structured interviews, informal chats and in-depth interviews (see the complete list in Appendix D). The interviews were conducted both in English and Chinese (Mandarin). Sometimes I had to rely on translators, especially when there were other languages (i.e. Korean or Myanmar) or local dialects involved. Often the translators came out of the interviewed group itself using Mandarin as a reference language or *lingua franca* (Sturgeon 2013b, p. 191). As my Chinese language skills still have potential to improve, I often had to ask again and certainly sometimes misunderstood or missed something. I adapted my manner, language and terminology depending on the situation: more serious in interviews with local officials, more colloquial in conversations with border residents. The questions asked and the vocabulary varied respectively; in interviews with local officials I followed my prepared guiding questions that implied knowledge on governance, while I asked more open questions in interviews with border residents. For example, one question I asked the local officials reads: "What kind of cross-border cooperation do you conduct with the other side?" aiming at explanations on local cross-border labour agreements, joint ethnic holidays or infrastructure agreements. In interviews with local residents, I would rather ask how often do they cross the border and to what activities and then follow up on whether they have relatives on the other side, with what kind of documentation they travel and what do they feel are their restrictions. In part of the interviews, I used a map of the local area as an orientation for the interviewee on which they could draw and write for clarification. I kept a tidy fieldwork journal in which I translated and noted quotes and information either during or after interviews. I only recorded very few interviews, often interviewees did not seem comfortable with recording or the background noise was too loud, especially during outdoor talks.

3.3. Case Selection

Within Chinese Studies, a comparative analysis of two or more subnational units is quite common (Edin 2003; Mertha 2009; Kostka and Hobbs 2012; Ahlers and Schubert 2014; Eaton and Kostka 2014; Habich 2015). Although it is difficult to speak of generalisability of a certain research outcome within the diverse Chinese system (in terms of political culture, leadership, resources, welfare, etc.), a comparison allows to understand intergovernmental relations, policy implementation and the function of local governments within the state-society relations (Hurst 2010, p. 164). However, the cases must be chosen carefully. For this thesis, I decided to take the border areas of Yunnan and Jilin province under investigation, which I further narrowed down to the following border prefectures and their periphery: Yanbian Korean Autonomous Prefecture in Jilin (*Yanbian chaoxian zu zizhizhou* 延边朝鲜族自治州), and Dehong Dai and Jingpo Autonomous Prefecture (*Dehong daizu jingpo zu zizhizhou* 德宏傣族景颇族自治州) and Xishuangbanna Dai Autonomous Prefecture (*Xishuangbanna daizu zizhizhou* 西双版纳傣族自治州) in Yunnan. This case selection is based on the following reasons:

- Regional integration frameworks: Both border areas are part of a larger regional development program that emphasise Beijing's economic and social interest in developing the area. Yunnan was labelled 'bridgehead' within the Greater Mekong Subregion (GMS), while Jilin is part of the Greater Tumen Initiative (GTI). This status provides additional financial support for trade and border infrastructure to the provincial governments.

- Accessibility: Both border areas are comparatively accessible in terms of travelling for the researcher (other than for instance Tibet or Xinjiang).

- Administrative status: All three prefectures have a similar administrative status. As 'autonomous prefectures' the central government acknowledges that 'ethnic minorities' constitute a significant part of the population in these prefectures.

- Geographical position: Both provinces are landlocked which poses challenges for the infrastructural development in the area.

- Population structure: Both border areas are multi-ethnic sites with a diverse population of different ethnic groups that interact with their ethnic kinship across the border.

- Welfare: Both provinces are comparable in terms of welfare with an official GDP of 1,488.62 CNY in Jilin and 1,487 CNY in Yunnan in 2016 (Statista 2017).

- Special policies: In both border areas 'Special (Economic) Border Zones' (*tequ* 特区) are located that aim at facilitating trade with the neighbouring countries in the context of the regional development initiative.

- Finally, which only was revealed through the interviews, localities in both border areas maintain cross-border labour agreements.

CHAPTER FOUR

China's Immigration System: Graduated Citizenship

Chapter 4. China's Immigration System: Graduated Citizenship

When the Chinese National Congress adopted the Entry and Exit Administration Law (*Zhonghua renmin gongheguo chijing rujing guanlifa* 中华人民共和国出境入境管理法, short EEL) in 2012, the Chinese immigration system was fundamentally reformed. The law delegated new responsibilities for issuing regulations and visa within the Chinese political system, strengthened the role of local Public Security Bureaus, and outlined regulations for permanent residence. The law, however, omitted several important issues that had increasingly become subject of immigration management and the public discourse, such as how to regulate 'illegal' immigrants and refugees. Against this backdrop, the following 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. The following chapter accordingly presents the characteristics of the Chinese immigration system, its norms, rules and historical trajectories (Chapter 4.1.) Further, I introduce the different immigration labels, legal provisions and discourses that construct regular and irregular immigration, refugees, border residents and border tourists (Chapter 4.2.). The different identification documents that are necessary and available for each group constitute an important analytical category as they function as 'boundary objects' that represent the legal status and depict the immigrants' place within the social hierarchy of the nation state (as introduced in Chapter 2.1.2.). The different permits and allowances issued for immigrants represent different means of legal authority that are exerted over this specific group of immigrants. In Chapter 4.3., I scrutinise the underlying rationality that informs the decisions of the Chinese border regime over who to select and how to enforce regulation and control over specific groups of immigrants. I show 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, individual and *ad hoc* decisions to maintain control over the group. Here, I argue that the underlying rationality of creating these labels and differentiating the means of control follows a neoliberal governmentality that prioritises 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.

4.1. Characteristics of the Chinese Immigration System

Before introducing the detailed Chinese immigration schemes and discourses, this chapter provides an introduction into the fundamental norms and rules on which the Chinese immigration system runs. These principles surpass specific immigration regulation, they equally apply for all foreigners entering and travelling the country. Notably, 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 in the immigration system, the Chinese system ascribes to a dominant notion of control. This state control is exerted through different levels and branches of the authoritarian government and in many ways resemble social control over citizens. However, the regulatory and procedurals norms and rules show how immigration authorities aim to maintain agency over the status of the immigrant as long as they stay on Chinese territory.

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

The Chinese immigration system builds on a set of rules: it is *permission based* (1) which means that visa or asylum applications are a necessary condition to enter Chinese territory; the control of entry, exit and travel of foreigners is operated in a *division of responsibility* (2) between the Ministry of Foreign Affairs (MoFA) outside Chinese territory and for the Ministry of Public Security (MoPS) within Chinese territory; and all foreigners are obliged to *register* their temporary and permanent residence (3) (Liu 2011, p. 7). These procedural rules are detailed in the legal texts and reflect the overall decentralised authoritarian system that builds on tight control of their own citizens through a household registration system (*hukou* 户口)[14]. However, permission-based immigration is common operation tool for countries around the world, this is not unique to China. This rule was introduced in order to establish legal latitude to demarcate 'illegal' from legal immigration. Permission-based immigration involves disciplinary techniques that allow authorities to execute (negative or positive) decisions on immigration applications. Hence, Chinese identification documents, work and residence permits become instruments of migration regulation as they symbolise legality. Through the documents, the administrative power over the body of the immigrants becomes evident. With regard to the second rule, the division of responsibility between different actors, I further elaborate in Chapter 5. The Chinese state as well as the immigration system is characterised by decentralisation and transnationalisation. Within the immigration system, the responsibility for security enforcement is divided and decentralised reflecting the overall vertical and horizontal division of power and the different administrative hierarchies of state agencies within the Chinese state. Nevertheless, important to notice is that in the Chinese case, the delineation between different responsibilities does not occur along inside and outside threats

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[14] The Chinese *hukou* system is a bureaucratic regulation that issues a secondary passport system for Chinese citizens, the *hukoubu* (户口簿), based on the individual household registration. This registration takes place in the place of birth and is hereditary (Vortherms 2015). With regard to China, Sara B. Shneiderman (2013) argues that the official *minzu* policy already constitutes a differentiated citizenship regime in offering preferential policies for *xierba* border residents in the China-Nepal border area (Shneiderman 2013, p. 32). Chenchen Zhang (2018) argues that the current *hukou* reforms multiplied the legal status of internal migrants producing a neoliberal-authoritarian rationality of government.

(police — inside, military — outside). Rather, the shared responsibilities build on a complex system of decentralised coordination among the different state agencies. The internal fragmentation is supplemented by transnational actors both in the realm of immigration subjects as well as in the realm of enforcement actors (see Chapter 5).

The third rule of the Chinese immigration system is enforced through China's authoritarian state apparatus: *necessary registration*. This rule illegalises the 'freedom to move' for foreigners, residents, and citizens alike. Everybody has to register their place of residence with the local Public Security Office. Foreigners have to register their permanent place of residence as well as their place of temporary residence such as hotel stays during travels (Art. 39 EEL). This rule does not differentiate the control over immigrants or Chinese citizens as the *hukou* system also requires citizens to register and control the place of residence that is directly linked to social services and work permits. Foreigner-specific, however, is that also short-term stays are monitored. The control of foreigners moving within Chinese territory further is place-specific, 'unsafe' areas such as Tibet are temporarily imposed with travel bans only applying to foreigners (such as during the ten year anniversary of the 2008 protests in Lhasa, Radio Free Asia 2017).

In liberal democracies, these kinds of 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. China not being a liberal democracy, however, the challenge lies in how to attract high-skilled foreigners to come to China and how to promote tourism, while maintaining a rigid control over them. Moreover, I find that the technologies of control are specifically created for different types of foreigners creating a social stratification for different types of visa. Tourists who are able to provide financial means to travel China are allowed to move freely (with the exception of specific travel bans) as long as they register their stays with the local Public Security Bureaus. In contrast, the travel range of less well financially equipped immigrants entering the country on a legal basis (e.g. to work in the Chinese border area) remain limited within the prefecture (see Chapter 7). For them, travelling to a different Chinese administrative entity is illegalised and so are they when residing elsewhere. Accordingly, the location of the foreigner is inscribed into their right to reside or work making the local Public Security Bureaus an important enforcement agent of border security.

4.1.2. Norms: Sovereignty, Temporariness, and Merit

The immigration system builds on three norms: sovereignty, temporariness, and merit. *Sovereignty* depicts a constitutive norm that clearly appoints Chinese state authorities to provide the monopoly of control and regulation over the immigration process referring to the underlying

premise that all foreigners who move within Chinese territory are subject to Chinese law and regulations as immigration affairs are under Chinese territorial sovereignty. In a territorial sense, Chinese authorities are capable of safeguarding national borders against threats, and unwanted immigration and emigration. Likewise, it refers to the ability to effectively govern border mobility whereas the power over that process is monopolised but decentralised within the state apparatus. Different practices of control, though, differentiate the notion of sovereignty into different 'graduating zones' as it becomes apparent in the section on the location of border control (Chapter 5) and the analysis of sub-national border regulation practices (Chapter 7).

To my understanding, the Chinese discourse does not reproduce the 'myth of the fortified border', the belief that the credibility of the Chinese government would rely upon whether it can effectively close the border. The Chinese authorities are well aware of the relative and inevitable permeability of their border. Strategies to secure the border do not aim at preventing all sorts of irregular border mobility but to regulate and legalise the *de facto* border mobility. Within these efforts, local Public Security Bureaus take an important role in locally managing immigration, securing the border and regulating legal immigration by creating extraordinary measures such as locally valid border passes. Often, these extraordinary measures stretch the authority of the Chinese government onto cross-border citizens that do not reside on Chinese territory but live close to the border or partake in the border economy. I discuss these local exceptions at length at a later point (Chapter 6 and 7), 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 specific bordering documents that contain the right to reside, work or travel within a limited territory such as a county or prefecture but are not implemented nationally. With regard to the registration norm, this means that at all times, the Chinese authorities have control over immigrants as their range of travel is limited and accountable at all times.

Temporality constitutes a central procedural norm of the Chinese border regime. All documents permitting residence or work in China are issued with a termination date. To my understanding, this indicates that Chinese authorities deliberately leave the door open for change of directions. Each time immigrants have to come back to prolong their visa or residence permits with the local Public Security Bureau, the immigration system get access to more information on them and thus extends their reach of control. Provisional permits keep the immigrants in vulnerable and insecure living situations. Permanent immigration and application for citizenship is *de facto* not provided by the Chinese state, although a 'permanent' residence scheme was introduced that however is only valid for up to two years before it needs to be renewed (see Chapter 4.2.1). This builds on the basic notion that citizenship is *jus sanguinis* and not *jus soli* limiting citizenship to a right of blood relation, not including birth place or place of living (Chen 1984), or other forms of political

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belonging. This citizenship concept includes Overseas Chinese who never lived in China but excludes children who were born to non-Chinese parents but on Chinese territory from the national union.

The third norm — also procedural — delineates how the Chinese immigration system is *merit-based*. Policies such as the Thousand-Talent Program (*qianren jihua* 千人计划), the new point-based system for permanent residence, and the strong link between work and residence permits indicate that the Chinese immigration system builds on a neoliberal rationality. Underlying premise is that each immigrant is an 'entrepreneurial development agent' creating their own value through optimising their 'human capital' (Geiger and Pécoud 2013, p. 880). This neoliberal premise is also important part of the international immigration system as promoted by the IOM (Walsh 2011). On a local level, this also shows as local authorities create exceptions for illegal immigrants if the proof 'valuable' for their local community in terms of economic or reproductive abilities.

4.1.3. Historical Territorial Narratives from Tributary System to Centre-Periphery Relations

The above described rules and norms characterise the current Chinese immigration system. In order to understand, how China's approach to foreigners and its borders is inherent to its history, the following section introduces Chinas historical territorial narrative. Traditionally, imperial China was not defined by spatial borders or determined by territorial thinking but by a complex set of ethnic, cultural and social belonging translating into a tributary system with the emperor at the centre (Anderson and Withmore 2014, p. 5; Hyer 2015, p. 264). During the Ming Dynasty (1368-1644), Emperor Hongwu was the first to establish a border defence system for the Chinese empire that aimed at protecting Chinese citizen from attacks by nomadic tribes and tried to prohibit illegal immigration meaning any kind of immigration but diplomats for official embassies (Oláh 2012). Throughout Chinese history, the question of the nature of borders concerned, first, balancing between demarcating territoriality through frontier construction (such as the Great Wall and the southern bronze pillar of the Han Dynasty indicate) without creating discontent in the border areas and disintegrating regions, and secondly, maintaining 'unity' of the (nation) state against the constant threat of 'devolution' through local autonomy or secession and the many ways of control of the capital over border areas (Lary 2007a, p. 2). The state was mainly understood as an 'empire state' with an 'inner China' (*neidi* 内地) or 'China proper' phasing out into 'outer China' (*waidi* 外地) that were inhabited by non-Han people that coincidentally functioned as 'buffer zones' (*pingzhang* 屏障) against external interventions (Fravel 2007, 710f.). The strict hierarchical territorial approach of China being the centre of the world (*tianxia* 天下) first was publicly problematised in the outset of the People's Republic of China when Pan Guangdan called

it 'historic ethnic chauvinism' and 'fictive geography' (Woodside 2007, p. 14). Throughout the 20th century, China tried to complement the traditional territorialisation 'from within' with a diplomatic recognition 'from without' through a sovereign engagement with the international community (Joniak-Lüthi 2016, p. 153) while it was settling most of the ongoing frontier disputes with neighbouring countries (mostly in times of regime insecurities: Fravel 2008). After all, the quest which administrative status the border areas occupy or how they are integrated into the Chinese territorial discourse continues until today. Moreover, the continuous border mobility of 'nomads' and border communities that until today characterises Chinese border areas plays a crucial role in today's spatial articulation of the Chinese nation state.

Building on the above described notion that Chinese borders manifest racial differentiation rather than geographic distinction, Diana Lary (2007a, pp. 6–10) identified several dominant narratives that characterise and determine Chinese border and immigration discourses until today. The first dominant narrative is that Han China is the centre of civilization, this conversely means that border areas that are 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' became manifested in national development campaigns such as 'Develop the West' (*xibu dakaifa* 西部大开发). 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 border areas help 'civilian control' over the area. And lastly, that the "centre-border relations are never static" as the value of natural resources and land and the geostrategic importance of the border areas change.

These narratives in one way or another reappear in today's border discourses negotiating the ambiguous relation between the (political) centre of the Chinese nation state and its periphery (*bianyuan* 边缘). On the one hand, there is an ongoing political debate on how to keep the country safe and secure its territory from neighbouring countries and their potential threats, on the other hand, the cultural proximity of the inhabitants of the Chinese borderlands holds a value to construct better (economic) links to the neighbouring countries. Against this background, this thesis adresses the paradox of the Chinese border regime of how to keep the borders open while secure, of how to integrate the periphery into the national development project and utilising the border resources while carefully directing the change. As indicated above, although some cultural continuities prevail, the border regime is subject to change as the continuities have historically developed and are the result of the interaction of domestic and international processes, therefore, this analysis presents an extraction, a temporary state focusing on the years between 2001 and 2018.

In order to understand how the Chinese state governs border mobility, security, and development, we must both understand how the state processes legal authority over border politics and what different techniques and control authorities apply with regard to the different categories of immigrants. Subsequently, the following section scrutinise the Chinese immigration labels starting with an analysis of the different policies regarding five different types of border mobility: regular immigration, irregular and 'illegal' immigration, (potential) refugees, border residents and lastly border tourists. Each category is subject to different regulations and techniques. I analyse the legal documents regulating immigration and the resulting organisational responsibilities.

4.2. Labelling Immigrants: Differentiating Legal Authority and Control over Immigrants

To understand how the Chinese border regime exerts authority over border crossers, a differentiated analysis of the immigrations system, its legal framework and institutions is necessary. In the course of the following chapter, I introduce the different legal regulations applied on border crossers and how they create specific groups of immigrants. These labels are manifestations of graduated legal authority exercised by different actors within the Chinese border regime. The different rights attached to each label display their position in the spectrum between citizen and alien other. Moreover, the different state resources allocated to the different immigration schemes reflect the political will to integrate these people into the national project. These groups are discursively differentiated by the immigrants' 'desirability' which is linked to their position within the social hierarchy of the Chinese state (see Figure 3)[15]. At the top of the hierarchy, the highly skilled worker experiences 'affirmative action' being offered relatively easy immigration procedures with public support such as social security provision and the possibility of family reunification (Chapter 4.2.1.). Border residents take an intermediary position within the social hierarchy as they (ethnically) have close ties to the Chinese society but often have foreign nationality (Chapter 4.2.4.). Low-skilled immigrant workers do not enjoy preferential treatment but are disciplined and strictly controlled through short-term residence permits that require frequent contact with authorities. On the bottom of the social hierarchy, 'illegal' immigrants ('foreign wives' and *sanfei* 三非) are met with a racial discourse that links them to criminal behaviour, they meet disciplinary power of the border regime that tries to repatriate them or punish them for illegal work, entry, or residence (Chapter 4.2.2.). The position of refugees remains somewhat unclear as the cases are extraordinarily handled, *ad hoc* managed, in most cases by deportation (Chapter 4.2.3.). Before I further address the legal framework and discursive practices yielding these different labels, I

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[15] 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.

shortly give attention to the Chinese discourse preceding the general legal reform of the Chinese immigration system.
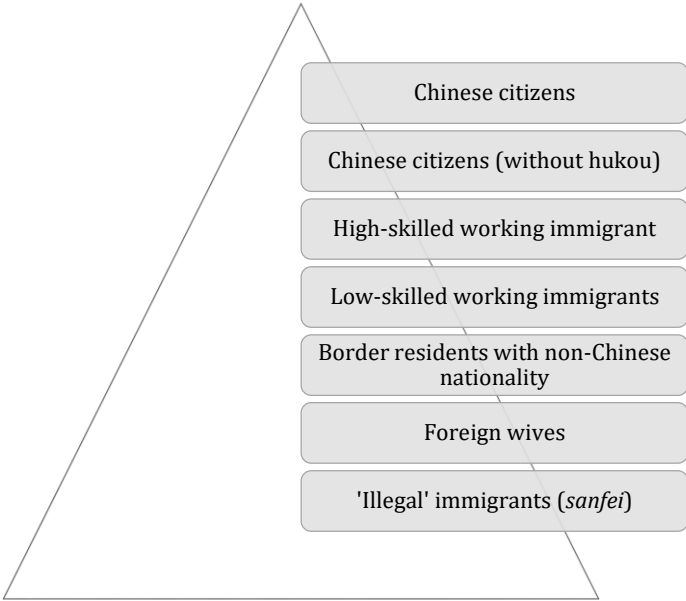
Figure 3: Social Hierarchy

After ceasing power in 1949, Mao Zedong and the CCP established a restrictive exit and entry administration system that equally addressed foreigners that were trying to visit China and Chinese citizen that applied to leave the country. A general notion of 'suspicion' dominated the immigration system as an application to leave the country was interpreted as dissatisfaction with, therefore, collusion against the socialist system (Liu 2009, p. 314). The immigration regulation was enforced by strict control through specifically appointed entry and exit points (ports, airports) and quota systems (Liu 2011, p. 9, 2009, p. 315). The immigration politics of the early People's Republic mainly addressed Overseas Chinese and their right to return. The citizenship approach instituted a 'one-nationality' policy that legally prohibited dual nationality. During the Reform and Opening Period, the immigration system was relaxed. Chinese citizen gained a 'right to leave' the country and travel abroad (Liu 2009, p. 315, 2007). 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, this was further detailed with *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 citizen and foreigners were largely separated through strict monitoring of travelling, limited residence in rural areas and separated shops and hotels which were implemented through a different paying system through the Foreign Exchange Certificate for foreigners that was valid between

1980 and 1994 (Bork-Hüffer and Yuan 2014, p. 575). Liu Guofu argues that this period was characterised 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 e.g. travel agencies to be informed on immigration procedures, creating a "bureaucratic barrier to immigration" (Liu 2009, p. 317). In the following years up to 2001, the immigration system was continuously reformed (1992, 1996, 2000) mainly facilitating the returnee process for Overseas Chinese. During this period, over 1.3 billion Chinese left the country which made further regulation necessary.

In 2001, two major developments impacted the Chinese immigration system putting comprehensive reforms in motion. First, immediate reform was stipulated when China entered the World Trade Organisation (WTO), and second, the terrorist attacks against the World Trade Centres on 9/11 globally changed the notion of national security and ultimately impacted the Chinese understanding of border security. Entering the WTO came along with external demands to implement rule of law, facilitate immigration and emigration procedures, such as a 'passport-on-demand-system' for Chinese citizen, that however is still not implemented on a general basis leaving millions, mainly rural Chinese without access to passports. Further, authorities worked on reliable and transparent visa regulations for foreigners introducing a new 'invitation letter system' for foreign visa applicants (Liu 2009, p. 318).

The legal institutionalisation 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* 外国人在中国永久居留审批管理办法) which opened the legal possibility for foreigners to permanently reside on Chinese territory for the first time. After ten years running, Chinese authorities 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* 中华人民共和国护照法) was enacted that formulates a shared responsibility with a leading role of the MoPS, stating (Art. 4) that ordinary passports shall be issued by the Exit and Entry Administration agencies of the MoPS or the Exit and Entry Administration agencies of the public security organs of local people's governments at or above the county level as well as the embassies and consulates of the PRC and other overseas agencies entrusted by the MoFA. The law further provides the right to a passport for Chinese citizens granting the right to appeal for administrative review if the application is rejected, however, it also contains rather vague terms such as 'under special circumstances' that leave room for arbitrary decisions (Liu 2009, p. 324). This right to review does not apply to foreigners, though. Foreigners' visa, work and

residence permits are regulated in Art. 4 EEL stating that local Public Security Bureaus are responsible for issuing identity documents such as border passes, register cross-border marriages and grant residence permits.

Today, the regulation of border mobility mainly relies on the Exit and Entry Administration Law of the People's Republic of China (*Zhonghua renmin gongheguo chijing rujing guanlifa* 中华人民共和国出境入境管理法, short EEL) that was adopted in 2012 by the National People's Congress (NPC). This law was the result of long-term negotiations on a new immigration system which before relied on the 1985 Law on the Control of Exit and Entry of Aliens (*Zhonghua renmin gongheguo gongmin chujing rujing guanlifa* 中华人民共和国公民出境入境管理法). Liu Guofu (2014, p. 383) calls the 2012 enactment "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 gives 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* 管理规定, *guanli tiaoli* 管理条例), measures (*guanli banfa* 管理办法) to specify implementation guidelines for subordinate state agencies, and opinions (*ruogan yijian* 若干意见) by the State Council that I introduce in the relevant subsections.

This new immigration law still does not constitute a comprehensive immigration regulation, though. The Chinese expert and academic community still expressed criticism demanding integrating the different existing departments and creating a new Department of Immigration and Refugee Management (*yimin yu nanmin guanlibu* 移民与难民管理部) under the State Council (Guo 2012, p. 140; Luo 2012; Hu et al. 2014, p. 460). For instance, Song Quancheng criticised the existing system in which too many different ministries and departments are involved, a lack of coordination and information sharing hampering effective punishment measures for illegal immigrants and repatriation methods: "The severe lack of immigration law has objectively caused frequent occurrence of illegal residence and illegal employment of foreigners in our country" (Song 2015, p. 57). He argues that there are considerable 'vacuum zones' (*zhenkong didai* 真空地带), blind spots that emerge in the interstices of institutional responsibilities of state agencies especially with regard to the division of labour between "bodies of management and bodies of punishment" (Song 2015, p. 59). On a different note, Liu Guofu (2015b, p. 51) noted that the issued policy documents lack transparency, the institutional framework fail to deliver timely corrections, show poor adaptability, the laws entail vague writing, and the implementation is only conveniently done. Luo Gang criticised that the border is de facto unwatched and defenceless (*youbian wufang* 有边无防, Luo 2012, p. 140).

These critiques represent different frames within the official discourse on the Chinese border regime. One frame builds on institutional inefficiency and interdepartmental miscommunication that hampers effective border control. A second line of argumentation builds on the premise that the enforcement as such is insufficient to keep unwanted immigration outside the country. The most common frame, however, is that there is a general lack of legislation, procedure and accountability to provide a transparent and credible information on immigration schemes. This organisational problem was tackled during a larger administrative reform in April 2018 following a decision of the 13th National People's Congress. Then, the Ministry of Public Security (MoPS) newly established the State Immigration Administration (SIA, *guojia yimin guanliju* 国家移民管理局, State Immigration Administration 2018). The SIA is now responsible for developing further immigration policies and legislation, organise their implementation, manage visa, permanent residence and refugee issues and repatriation accordingly, and coordinate the *sanfei* policy (Xinhua 2018b). The last point came as a surprise to experts as it institutionalises the *sanfei* narrative[16] from a discursive frame into concrete policy. The establishment of the SIA ends the period of investigation for this analysis. The implementation of these reforms is a question for future research. However, for this analysis is important that the critique of border politics and policy evaluations of the early 2000s resulted in institutional reform.

The following sub-sections lay out the legal framework for the different groups of immigrants: (1) regular and 'wanted' immigration such as international travellers for business and tourist purposes, (2) irregular and 'illegal' immigrants, (3) refugees, (4) border citizens, and (5) border tourists. In each section, I introduce the legal documents that determine their exit-entry regulations; if existent, central policies that facilitate their immigration; or on the contrary, systematic countermeasures to prevent this group from entering the country; and lastly, I specifically list the identification documents that represent whether the Chinese authorities exert legal authority and how comprehensive this is.

4.2.1. Regular Immigration

The rules and means of legal immigration procedures give evidence about 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 the political intent to citizenship and the question of social order, it is an instrument of population management. The 'regular' immigrant represents a cultural and social trope for 'wanted' immigration and 'model residents'. This

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[16] I elaborate on the sanfei discourse in Chapter 4.2.2. In short, the EEL mentions 'illegals' working in China which constitutes one of the 'three illegals' (illegally entering, illegally residing, and illegally working) that build the core of the official Chinese discourse on 'illegality'.

can apply to desired foreigners able to contribute to the nation-building project or to the economy. Their contribution and value for the host society must be clear, either they already 'belong' to the host society because they have joint ancestors (such as Overseas Chinese) or they can contribute economically such as able-working or highly-talented foreigners. In any way, the immigrant's perceived value is reproduced in the different immigration schemes and has to be proven during the immigration process. This — for instance — demonstrated in the guidelines[17] issued by the State Administration for Foreign Experts (SEFEA) issued in 2016 and 2017 that created a point-based system. This guideline categorises 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, p. 218).

Foreigners who want to enter or transit through Chinese territory have to apply for a visa through the different issuing agencies. Depending on their passport, different regulations apply. Administrative details and procedures vary for the different visa categories. Chinese authorities defined 16 categories (EEL, Art. 16, see Table 3) for visa that are grouped into four types: diplomatic visa, courtesy visa, service visa and ordinary visa. For all visas, a letter of invitation or a proof of journey is necessary. If granted, the visas are valid 90-180 days and might 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 until maximum five years. Most visa-holders (category D, J1, Q1, S1, X1 or Z) must apply for a residence permit at 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, e.g. for transiting within 72 hours in a larger Chinese airport, short term visits with tourist agencies in the Pearl River Delta and Hainan, citizens from Singapore, Brunei, and Japan who can enter the country for 15 days visa-free, and holder of the APEC Business Travel Card[18]. Further, China signed bilateral agreements on facilitated exit and entry procedures of diplomatic and service passports with a large number of countries. (Embassy of the People's Republic of China in the United States of America 2017).

The legal texts continue speaking of foreigners (waiguoren 外国人) instead of international immigrants (guoji yimin 国际移民) after granting a 'permanent' residence permit. Although

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[17] SEFEA (2017): Guiding Catalogue for Foreigners Working in China (Trial). Available online at en.safea.gov.cn/pdf/PolicybriefingofForeignersWorkPermitSystem.pdf, checked on 7/25/2019.

[18] Special regulations in Jilin: Jilin Foreign Affairs Bureau (2012): 关于试行为中外合资、外商独资和台港澳资企业中方（大陆）人员颁发 APEC 商务旅行卡的通知 [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.

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 'immigrants' lies in a legal grey area and does not clearly differentiate between immigrant, emigrant or migrant, the term 'foreigner' is clearly regulated under international passport practice and the individual agreements that China signed with other states.

Generally, four categories of immigration constitute 'normal', legal immigration which are study, business, family or 'skilled' / 'talent' migration. Students must provide proof of legitimation of their study plan and have an acceptance of a Chinese university in order to apply for X1/X2 visa. Under the business category, the regulations capture people who obtained a higher education diploma (such as a Bachelor's degree) and have a minimum of two years of working experience. These immigrants have to simultaneously hold a Z visa, a Foreigners Employment Permit (waiguoren jiuyezheng 外国人就业证) and a Foreigners Residence Permit (waiguoren juliu xuke 外国人居留许可). A signed working contract that usually should not exceed five years must be provided beforehand. High-skilled workers can similarly apply for R visa and a Foreigners Expert Certificate (waiguoren zhuanjiazheng 外国人专家证). If a foreigner successfully applied for permanent residence and obtains a Foreigner's Permanent Residence Card (waiguoren yongjiu juliuzheng 外国人永久居留证) or a Residence Permit for Foreigners (waiguoren juliuzheng 外国人居留证) issued by the MoPS, they can exit and enter the country visa-free.

Generally, visas are issued by the consular services of the Chinese embassies abroad as well as by the local Public Security Bureaus within China. Further applications on visa extension or modifications are also handled by the local Public Security Bureaus.

Table 3: Chinese Visa Categories[19]

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 the 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 organisations stationed in China. The intended duration of stay in China exceeds 180 days.

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[19] Embassy of the People's Republic of China in the United States of America 2017.

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 a tourist.
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 who are 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.

Family migration refers to spouses and children under 18 of foreigners who legally immigrated through one of the other categories. All of these immigrants might apply for permanent residence if they stayed in China for more than four continuous years, can provide sound taxation records, invested in Chinese enterprises and/or hold an employment in a

- 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 projects or important scientific projects of the State
- 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, all legally employed foreigners are 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) which regulated by the Temporary

Measures to Participate in Social Insurance for Foreigners Employed in China (*zai Zhongguo jingnei jiuye de waiguo ren shen jia shehui baoxian zhanxing banfa* 在中国境内就业的外国人参加社会保险暂行办法) which was promulgated by the Ministry of Human Resources and Social Security (MoHRSS)[20] and the MoPS.

For skilled immigration, there are more policies and campaigns targeting possible immigrants with 'high human capital' that might help promote Chinese innovation technology and science. These campaigns are centrally designed by the State Administration of Foreign Expert Affairs (SEFEA, *guoji waiguo zhuanjiaju* 国家外国专家局) that works directly under the State Council. One of these campaigns is the Thousand Talents Plan (*qianren jihua* 千人计划) that aims at attracting 'foreign talent' (Liu and Chen 2015; Liu 2011, pp. 103–105) by enacting several provisions such as the 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* 关于为外国籍高层次人才和投资者提供入境及居留便利规定) and introducing a point-system to facilitate permanent residence for high-skilled foreigners (Chinese Green Card *lvka* 绿卡; Zhu and Xu 2005) which is integrated in the Chinese Belt & 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 until then. The card is valid for ten years which is long-term compared to one to two year limits on 'normal' foreigners' residence permits (Global Times 2017). Foreigners investing large sums (min. 500,000 USD) qualify to receive green cards as are spouses being married for more than five years to a Chinese citizen, and people who 'contribute to society' (South China Morning Post 2017). With focus on the Asia-Pacific region, the APEC Business Card Travel scheme entails a personalised card for frequently travelling business people that profit from "pre-clearance and fast-track entry into participating countries" (Asia-Pacific Economic Cooperation 2013). As an illustration of the importance of this policy, the number of opinions, regulations, and provisions for the attraction and proceeding of high-skilled labour is larger than the legal regulations of all other groups together. Czoske/Ahl argue that China tries to adapt to international standards of immigration procedures by introducing a point-based system applying hybrid forms of selection of economic migrants, in order to reassure the public that it can handle immigration matters (Czoske and Ahl 2016).

Giving leeway to cities and prefectures in terms of managing their migrants according to immigration law resulted in a relative competition among different cities to attract talent immigration both from foreign and domestic workers (cf. Meyer-Clement, Wang 2018). Especially with regard

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[20] The former Ministry of Labour and and Social Security was re-named and re-organised in 2008.

to the attraction of high-skilled labour, this resulted in an effort by different (pilot) cities to attract foreign professionals such as Beijing (Wu and Webber 2004) and Shanghai. 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* 引进人寸实行上海市居住证制度暂行规定) in Shanghai in 2002 granting foreigners the same welfare benefits as citizens (Wang et al. 2008), and most recently, in Chengdu (China Daily 2017c). In April 2017, China introduced a new Foreigner Work License Notices (*waiguo ren gongzuo xuke tongzhi* 外国人工作许可通知) that further categorises the 'quality' of the employment into score system with A/B/C levels for high level talent, professional, and non-technical or service worker respectively. The pilot provisions were tested in several cities before implemented nation-wide (State Council 2017).

The special treatment of high-skilled foreigners in contrast to other foreigners highlights the merit-based normative foundation. The underlying neoliberal rationality[21] relies on self-disciplining individuals that optimise themselves to match the immigration scheme which supposedly is quantifiable as it is operationalised through a point-based system. By applying this logic, the Chinese government links its immigration system to a "market rationality that promotes individualism and entrepreneurialism" (Ong 2006, p. 9). By implication, this stretches the concept of citizenship as high merit is translated into a "movable social entitlement" that allows these people to obtain different citizenships "like benefits in multiple locations" (Ong 2006, p. 9). However, this should not imply that these people only voluntarily subject themselves to the Chinese immigration system, rather it gives a 'false' promise of economic suitability of citizenship, treating citizenship as a market tool that brings together nation state and immigrant like demand and supply. Nevertheless, this citizenship always remains limited: culturally limited in terms of social integration, legally limited in the absence of a legal pathway to obtain citizenship, politically limited as immigrants cannot participate in local elections or join the Party, and limited in a provisional sense as their status is temporarily granted and can be revoked.

Overall, this shows how China's visa schemes and immigration system have become increasingly regulated and locally differentiated. Yet, the numbers of issued visa, work and residence permits grows steadily, peaking during mass tourism events such as the Olympic Games in Beijing in 2008 (The New Yorker and Barboza 2008), and despite debates about limiting foreigners into China more generally. The 2010 population census stated that 593,832 foreigners were residing in China

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[21] An often-made argument by the international community is that these preferential treatment of high-skilled labour eventually produces spill-over effects for other groups such as low-skilled workers who also profit from the inclusion in the social insurance system. This premise, though, has not been substantiated by research.

mostly from South Korea, Japan, and the US (People's Daily 2011a). Published numbers on the numbers of issued visa show that already in 2007 52.7 million foreigners were entering the country, 54.12 million in 2011, 54.35 million in 2012, and 52.51 million in 2013 accounting for 3.83% of the Chinese population (Gonganbu churujingguan liju [Bureau of Exit and Entry Administration of the Ministry of Public Security of the PRC] 2010). In 2014, official statistics stated 64 million people were entering the country (State Immigration Administration 2014), further increasing to 81.2 million in 2016. The numbers of issues work permits also raised: in 2006 180,000 and in 2016 the number almost doubled to 235,000 (Liu and Ahl 2018, p. 219). These numbers shows a steady yearly increase around 10% (State Immigration Administration 2016).

Border documents:

- Passports from home country

- Chinese visa

- Foreigners Employment Permit (*waiguoren jiuyezheng* 外国人就业证) or

  Foreigners Expert Certificate (*waiguoren zhuanjiazheng* 外国人专家证)

- Foreigners Residence Permit (*waiguoren juliu xuke* 外国人居留许可), Foreigner's Permanent

  Residence Card (*waiguoren yongjiu juliuzheng* 外国人永久居留证)

- General Administration of Customs (1992): *Zhonghua renmin gongheguo haiguan dui jin chujing lvke lvxing ziyong qupin de guanli guiding* 中华人民共和国海关对进出境旅客旅行自用物品的管理规定 [Customs Regulations of the People's Republic of China on the Administration of Inbound and Outbound Passenger for Travel Articles] (35). Available online at http://www.customs.gov.cn/publish/portal0/tab517/info4414.htm, checked on 2/13/2018.
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High-skilled labour and talent programs:
- Ministry of Human Resources and Social Security of the People's Republic of China (2013): *Zhonggong zhongyang zuzhi bu, renli ziyuan, shehui baozhang bu deng wu bumen bangong ting (shi) guanyu wei waiji gao cengci rencai banli qianzheng ji juliu shouxu youguan shixiang de tongzhi* 中共中央组织部、人力资源社会保障部等五部门办公厅（室）关于为外籍高层次人才办理签证及居留手续有关事项的通知 [Notice Relating to Measures on Relevant Matters of Handling Foreign Highly Skilled Talents' Visas and Residence Permits issued by the Organisational Department of the CCP Central Committee, the Ministry of Human Resources and Social Security and Five Other Departments]. Promulgated on and effective since 5 July 2013. Available online at http://www.mohrss.gov.cn/gkml/xxgk/201-307/t20130730_108911.htm, checked on 3/15/2018.
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Special Provisions for Jilin:
- Jilin Foreign Affairs Bureau (2012): *Jilin sheng yinjin rencai fuwu yu guanli zhanxing banfa* 吉林省引进人才服务与管理暂行办法 [Interim Measures for the Introduction of Talent Services and Management in Jilin Province]. Available online at http://wb.jl.gov.cn/zcfg/jlsswh/201409/t20140925_1753828.html, checked on 3/13/2018.

4.2.2. Irregular and 'Illegal' Immigration

'Illegal' or undocumented immigration is not an internationally recognised term but context-specific or symbolic language referring to groups of people that are unwanted under a specific immigration system. Illegality can either refer to immigrants that are not registered or reported by the administrative system, it may refer to a person obtaining a formality that is unwanted by the host society and therefore prohibits the right of immigration. Such features can include but are not limited to the 'wrong' citizenship (such as from an 'enemy' country), an existing criminal record, or insufficient financial or educational means. 'Illegal' immigrants often remain invisible to state authorities as they try to avoid repatriation or punishment, at the same time, as a group they attract political attention. By dodging the due immigration process and living in 'illegality', their existence is a monument to the failing reach of state authority. By implication, the successful prevention of 'illegal' immigrants entering a state's territory serves as a "condition for the border's effective functioning" (Barabantseva 2015a, p. 58), hence, legitimises its regime. 'Illegality' both can function as a social and as a legal category that differentiates (un)wanted immigration and is subject to change (Barabantseva 2015a). It is important to understand how this category evolves and develops in a certain border regime to see how the differentiation of citizenship plays out against unwanted citizen, how the *other* is defined. The following section introduces the official Chinese discourse and discursive practices on 'illegality' looking at what language is applied, what kind of behaviour constitutes 'illegal' immigration, and what preventive and counter-measures are taken. In order to define 'illegal' immigration, first, as I have done in the previous section, legal immigration must be defined to delineate 'illegal' immigration as 'anything else, but ...' Hence, 'illegality' is constructed in a mutual process in which the border regime establishes norms on legal immigration that clearly stipulate what the 'appropriate' and 'normal' immigration procedure is and deviations therefrom.

For security actors it is particularly challenging to enforce political decisions on 'illegal' immigrants as they are not registered and therefore not captured through 'normal' ways of governance. Hence, extraordinary measures and specific enforcement strategies are employed in order to prevent or combat 'illegal' immigration, they implement specific enforcement tools such as tight control of cross-border marriages and increased surveillance to strengthen the sovereign control of the nation state over the population. In the Chinese case — as in other countries — 'illegality'

ultimately became securitised as a 'threat' to population security, the discursive link between illegal and criminal behaviour helped legitimise the applied extraordinary measures taken such as incarceration or repatriation.

The most evident and most common method against unwanted immigration is the denial of visa application of people who are considered a 'threat' for the social order and political stability. EEL, Art. 21 states that visa applications can be denied if the applicant was subject to deportation before, if they are psychological ill or have infectious diseases, if they threaten public order or state interests, or if their necessary documents are either false or insufficient. The law states 'other reasons' as ground for visa denial and that the processing authorities don not need to explain their decision which gives leeway for individual decisions.

The political 'problem' with 'illegal' immigration, however, starts when those people already entered the country, work, and have families without necessary documentation and even without the awareness of security authorities. Within the official Chinese discourse there are different terms describing and differentiating forms of irregular immigration: illegal immigrant (*feifa yimin* 非法移民), irregular migration (*buhe guize de yimin* 不合规则的移民), undocumented migration (*wuzhengshi wenjian de yimin* 无正式文件的移民), and unauthorized migration (*weijing xuke de yimin* 未经许可的移民). With a negative connotation on the potential criminal behaviour of legally entering immigrants that either overstay their visa or engage in smuggling or trafficking: *renshe* 人蛇 which means human serpent, and a plague (*wenyi* 瘟疫) (Guo 2012).

The Chinese official discourse on 'illegal' immigration links 'illegality' to criminal behaviour. The discourse stigmatised different forms of disruptive behaviour, individual or collective disobedience against Chinese authorities. The discourse clearly differentiates 'illegal' migration from wanted migration labelling 'illegal' immigrants as a threat to the 'harmonious society', population security and the Chinese economy, and "serious violations of China's national sovereignty and damage to the dignity of our country's laws" (He 2008, p. 39). 'Illegal' immigration, hence, has become securitised.

Within this discourse 'illegality' refers to the all "people who violated China's Entry and Exit Law in relation to the conditions of entry, stay, and work" (Barabantseva 2015b, p. 356). The term, however, does not equal the juridico-political status of the immigrants as they often entered the country legally awaiting their working permits. In this sense, the 'illegality' discourse rather refers to a 'perceived illegality' that is closely entwined with arguments on rising crime numbers committed by illegal immigrants, how 'hard' it is to 'manage and control them (*nanyi dui qi zhuizong guanli* 难以对其追踪管理) and their imported infectious diseases' (*yimin chuanranbing kongzhi*

kunnan 移民传染病控制困难) and how they pose a 'hidden threat' to the public security (*qianzai de weixie shehui zhian de zhongda yinhuan* 潜在的威胁社会治安的重大隐患) (Guo 2012, 137f.).

The securitisation builds on the frame that identifies illegal immigrants as a 'danger' to society (*weihangxing* 危害性). They commit crimes and threat the social order by participating in 'mass incidents', ultimately they are perceived as a kind of 'social organisation' (Guo 2012, p. 137). This way, they qualify as subject of China's regulation of mass organisations making them a 'class enemy' that needs to be met with all available counter-measures (cf. Vuori 2008, p. 90). The 'three illegals' (illegal entry, illegal residence and illegal employment, *feifa rujing, feifa juliu, feifa jiuye* 非 法入境、非法居留、非法就业) present a narrative that builds on the CCP campaign language such as the Three-Anti and the Five-Anti Campaigns under Mao Zedong (*sanfan wufan* 三反五反). This way, the slogan politically gains legitimacy as it nominally links to central policies and ideas of the socialist state. Overall, it justifies extraordinary political means and warns that the social stability is under threat (cf. Vuori 2008). The *sanfei* narrative allowed public officials to raise the issue of illegal immigration to the official agenda by claiming that this group is to be considered as 'dangerous'.

The narrative also serves as a basis for legitimising future acts of action such as police operations against the homes of illegal immigrants and other forms of extraordinary (violent) actions against them (State Council 2012). The generalised criminalisation of illegal foreigners through this label translated into concrete policy such as in 2012 in Beijing, where a 100-day campaign (*bairi zhuangxiang xingdong* 百日专项行动) specifically targeted this group, local authorities and the police encouraged citizens to tell on illegal foreigners to repatriate them as they have become a salient 'problem' for local neighbourhoods (Central Government News Portal 2012). This way, the 'truth' about 'illegal' immigrants became disseminated, the perception of illegal immigrants as a 'threat' to Chinese citizens' physical well-being and the social harmony became public knowledge. The narratives help 'warning' Chinese citizens in order to get them to report on known illegal individuals in their neighbourhoods and help them support the official policy out of fear about the possible violence coming from the illegal immigrants.

With regard to the fear that underlies these allegations of criminal behaviour of irregular immigration, Robert Skeldon argued that China's preparedness and fortification against unwanted and irregular immigration builds on a 'deep-seated fear' of being overwhelmed and eventually suffer super-alienation because of the popular belief that immigration is a cumulative process that always gives rise to more immigration (Skeldon 2000, p. 18). This fear i.e. shows in the rhetoric of Guo Shou who warns that too many people immigrate in order to profit from the 'Chinese gold rush' (*Zhongguo taojin* 中国淘金), people who are illegitimately looking for higher wages in

China's increasingly rich economy (Guo 2012, p. 141). The underlying premise is that as China's social and economic development has been very successful over the past decades, 'greedy' foreigners want to come into China and try be free ride on and illegitimately profit off the Chinese success (Song 2015). This discourse targets low-skilled workers who supposedly cannot contribute to the Chinese economy but are a burden to it. The Chinese government justyfies its restrictive approach including quotas on their entry and residence with the right of Chinese citizens to employment first (Liu and Ahl 2018, p. 228). Low-skilled workers are subject of strict regulations on working permits for foreigners whereas talent immigration is increasingly facilitated as discussed above. While the 'talent' immigration schemes exclusively address high-skilled workers, the issue of low-skilled workers is largely omitted or discussed in the context of 'illegal' immigration.

Subsequently, offenses against the official labour immigration scheme are fined. EEL, Art. 80 states punishment for illegal work appoints a fine between 5,000 and 20,000 CNY and imprisonment in hard cases. The employer and mediating persons, however, are being held responsible and can be sentenced to up to 100,000 CNY which constitutes the highest mentioned penalty in the EEL. The focus on the employer as wrong-doer was already in the 1993 Interim Measures for the Administration of Foreign Labour Services Cooperation (*dui wai laowu hezuo guanli zhanxing banfa* 对外劳务合作管理暂行办法) and the 1994 Circular on the Prohibition of Foreigners' Illegal Employment in China (*guanyu zhizhi waiguoren feiefa jiuye de tongzhi* 关于制止外国人非法就业的通知) which was promulgated by the MoPS, the MoFA and the MoHRSS the already were aiming at attracting high-skilled workers rather than unskilled workers.

'Illegally' working in China also constitutes one of the 'three illegals' (*sanfei* 三非) that build the core of the official Chinese discourse on 'illegality'[22]. This discourse emerged during the 1990s with regard to illegal Vietnamese wives in Yunnan (Deng and Jiang 1994), then became adapted by the academic discourse (Guo 2012; Li 2012; Lu 2013; Song 2015; Luo 2012) and then was further adopted by the media and official language. The discourse increasingly served as legitimation for police action against 'illegal' immigrants (Central Government News Portal 2012) and since the establishment of the State Immigration Administration in April 2018 gained the status of an official policy. The numbers on 'illegal' migrants living in China or being detained vary widely. Song Quancheng estimates the number of illegal immigrants in China at 36,000 in 2006 referring to the 'three illegals' (Song 2015). According to Liu Guofu, in 2013, there were approximately 80,000 illegally employed foreigners in China, including 40,000 illegally employed foreigners and 40,000 seasonally illegal foreigners who regularly return to their home countries (*jijiexing feifa*

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[22] A different term is *sanwu* 三无 that refers to immigrants not having work, not obtaining identification documents or working permits (He 2008, p. 37).

jiuye waiguoren 季节性非法就业外国人) (Liu 2015b, p. 48). In 2016, The number of detained 'illegal' immigrants totals 5,533 according to the MoPS (Ministry of Public Security 2017).

This particular discourse builds on a joint racial perception of illegal immigrants as a 'danger' to society (*weihangxing* 危害性) by committing crimes, threatening the social order by participating in 'mass incidents' (*quntixingshijia* 群体性事件, such as in Guangzhou in July 2009 when police met public outrage after deaths during immigration raids, The Guardian and Branigan 2009), tax evasion (Guo 2012, p. 137), or are held accountable for drug smuggling, weapon trade, and prostitution in the border area (He 2008, p. 40). Qiu Liben, for instance, argues that although China does not host many illegal immigrants, the 'economic cost' for China is tremendous which legitimizes a crackdown on illegal immigration (Qiu 2005, p. 13). This discourse constitutes a central part of the securitization of illegal immigration as it directly links 'illegality' to criminal and harmful behaviour disrupting the social and political order of the Chinese state. However prominent these academic contributions are, there are also manifold academic contributions emphasising the need for more humanitarian immigration into China (Hao 2017; Li 2015).

As mentioned above, the *sanfei* discourse originates from the debate on foreign wives China's southwestern border area. Elena Barabantseva (2015a) shows that these marriages have a longstanding tradition of Yao women (among others) travelling across borders to their husbands (Barabantseva 2015a, p. 65). However, the central government increasingly became concerned that the borderland becomes ungovernable due to frequent cross-border migration, unregistered marriages with children that transgress the official one-child policy, and flexible, 'illegal' use of the *hukou* system by local officials in the border areas (Barabantseva 2015a, pp. 66–68). Against this backdrop, the marriages and the wives became 'illegalised' during the 2000s meaning that the government surveyed and reported these marriages more widely which often resulted in repatriation of the wives. She argues that before the 2000s, "ethnic common marriages were not widely reported outside of their immediate border area" while the undocumented women were welcome labour forces filling a demographic gap in the border areas (Barabantseva 2015b, p. 357). Accordingly, local perceptions of 'illegality' vary as officials argue that the foreign wives lead 'normal lives' and are indispensable for the local economy as they are reliable and cheap workers in the local agriculture (Barabantseva 2015a, p. 74). Additionally, the foreign wives are regularly invited to perform their traditional songs in public concerts "fulfil[ing] the desire of the Chinese state to celebrate itself as a multi-ethnic, diverse society" (Barabantseva 2015a, p. 75). Since the foreign wives occupy an important role both in the borderland communities as mothers and wives and in the local economy as workers, the realities of effectively restricting them from Chinese territory are rather limited.

Although the undocumented marriages and spouses are not prosecuted to a large part and the general discourse on 'population quality' (*renkou sushi* 人口素质)[23] renders these women of being of 'low quality' (Barabantseva 2015b, p. 362), many of the children were provided with household registrations (*hukou* 户口). Barabantseva argues that local governments face a challenge because having undocumented residents in their county will result in pressure from higher administrative offices as the 'illegals' expose deficiencies in the territorial governance, but at the same time there is no effective way for local governments to prevent the marriage migration (Barabantseva 2015a, 70ff.). In the end, local governments issue marriage registration on individual basis. However, since this discursive shift of labelling foreign wives 'illegal' in mid-2000s, the government introduced several new surveillance methods, a computer database that helps local authorities monitoring reproductive data such as unexpected pregnancies of foreigners (涉外布标 *shewai bubiao*) (Barabantseva 2015a, p. 73). In the past five years, however, the surveillance has steadily increased employing the All-China Women's Federation (ACWF) which acts as a nation-side organisation with local branches (Jin 2001). The ACWF conducted several rounds of population census and interviews in border towns, identifying the status and living situations of these women (interview August 3, 2016, Shen 2016b). As the ACWF is a quasi-state organisation, it is not part of the ministerial structure but works under the 'supervision' of the CPC Central Committee holding the position of a non-governmental organisation (Jin 2001, 126f.). In this regard, the control and surveillance of this specific group has been outsourced of the realm of the 'traditional' border security agents delegated to a semi-governmental organisation that specifically addresses women's interests. As the increasing surveillance might appear as a step towards securitisation of this group, delegating the issue to the ACWF locates the issue within women's policy rather than traditional security policy indicating a de-politicisation and de-securitisation of the issues.

To sum up, illegality in China is mainly a politically constructed category that legally is addressed as offense against existing legal regulations. The discourse on 'illegality' is largely symbolic building on the *sanfei* narrative — illegally entering, residing, and working — which permeates official and academic discourse and translates into practices of police and border security enforcement aiming at preventing them to enter, detain or repatriate them in case of offense. Although the *sanfei* narrative is not cast in a legal mold yet or constitutes a policy itself, it serves as a legitimation for securitizing 'illegal' immigration by linking it to criminal behaviour that harms Chinese society and economy. Measures taken against unwanted immigration involve denial of visa and

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[23] Similar to the stigmatisation of migrant workers (floating migration) in Chinese cities during the 1990s as 'second-class citizens' and a source of crime, this label appears throughout the different channels of the official channels. The 'threat' of inner Chinese migration was targeted by a strategic discursive shift from 'low quality migrant' to 'productive citizen' came along with neoliberal policies of labour rights and responsibilities (Jeffreys and Sigley 2011, p. 15).

residence permit and criminal prosecution of illegally entering, working or residing foreigners which can result in paying fines, imprisonment or repatriation. Although they are denied legal ways for immigration, 'illegal' immigrants, however, may practice citizenship in multiple concurrent notions of political belonging as they are work, marry, raise families, live and die on Chinese territory.

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

- Ministry of Commerce (1993): *Duiwai laowu hezuo guanli zhanxing banfa* 对外劳务合作管理暂行办法 [Interim Measures for the Administration of Foreign Labour Services Cooperation]. Available online at http://www.mofcom.gov.cn/article/swfg/swfgbi/201101/20110107352516.shtml, checked on 7/14/2019.
- Ministry of Public Security (1994): *Guanyu zhizhi waiguo ren feifa jiuye de tongzhi* 关于制止外国人非法就业的通知 [Circular on the Prohibition of Foreigners' Illegal Employment in China], promulgated by the MoPS, the MoFA and the MoHRSS. Available online at http://www.law-lib.com/law/law_view.asp?id=59209, checked on 7/14/2019.
- Ministry of Public Security of the People's Republic of China; Ministry of Foreign Affairs of the People's Republic of China; Ministry of Commerce of the People's Republic of China (1996): *Waiguo ren zai Zhongguo jiuye guanli guiding* 外国人在中国就业管理规定 [Regulations on Employment Management of Foreigners in China]. Available online at http://www.people.com.cn/zixun/flfgk/item/dwjjf/falv/2/2-1-51.html, checked on 2/14/2018.
- State Council of the People's Republic of China (2012): *Duiwai laowu hezuo guanli tiaoli* 对外劳务合作管理条例 [Regulations on the Administration of Foreign Labour Services] (State Council Order, 620). Available online at http://www.gov.cn/zhengce/2012-06/11/content_2602603.htm, checked on 1/11/2018.

4.2.3. Refugees: A Volatile Concept

The concept of refugees in China is incomprehensive and ambiguous. Throughout the 20th century, Chinese authorities did acknowledge the refugee status of few people, often redefining the term. Beijing's inconsistent approach towards refugees points to a fundamental disagreement with the concept of 'political refugees', either because it is so closely associated with the UN system in which China sways between Great Power ambitions and victim of discriminatory practices (Fey et al. 2013), or because authorities fear a public debate about welfare distribution which to some extent can be seen in the discourse on 'illegal' immigration. The official terminology for refugees differentiates between terms that indicate different statutes which however do not represent legal categories. The legal term for refugee is *nanmin* 难民 which however is not clearly defined but

applies to all foreigners that apply for asylum.[24] Certain groups of refugees, which I will elaborate in the following section, were redefined as returnees (*huiguixia* 回归者) emphasising the ethnic closeness, in these cases, authorities called them overseas Chinese (*Huaqiao* 华侨) although they maybe even voluntarily chose a different nationality. In case of refugees turning up on Chinese territory after conflicts in border areas, Chinese authorities termed them as border citizens (*bianmin* 边民*)*, which again legitimised not to accept their possible asylum requests but justified sending them back to their country. To begin with, however, I will introduce 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 1982), it did not implement their norms and regulatory suggestions to national law and practice. Article 32, Paragraph 2 of the Chinese Constitution states that the asylum might be granted it applied for 'political reasons'. 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 at the ports […] which are approved to issue port visas by the State Council".

Article 46 of the EEL states the possibility to apply for a refugee status and stay 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. Important to notice is that even a successful asylum process does not necessarily imply permanent residence, it still might be revoked later or not become renewed. Also to mention is that the MoFA is responsible for international collaboration on refugee issues, and the Ministry of Civil Affairs (MCA) is responsible to execute repatriation upon detention of illegal immigrants or upon negative decision in an official asylum process. Legal regulation on subsidiary, humanitarian or temporary protection of refugees in China has not yet been enacted, operational procedures thus remain unclear (Liu 2011, 90f.). According to me-

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[24] In academic texts (Zhang 2007), I also found the term 'convention refugee'(*gongyue nanmin* 公约难民) which relates to the difference the Chinese approach and a universal pre-definition of refugees by the UN Refugee Convention that other countries also do not apply. This term represents a discourse that uses indirect blaming of other countries that also do not accept refugees according to UN orders to help legitimise the Chinese way of redefining its own refugee approach.

dia reports, the asylum process takes up to 16 months and requires three officials to vet the applicant's statements. During the time of application, the applicant's family receives up to 1,000 CNY financial support, they are not allowed to work and subject to resettlement which prevents them from building an existence (China Daily and Cui 2015).

According to Chinese scholars, China transformed from a sending (*shuchu guo* 输出国) or transit country (*guojing guo* 过境国) to an receiving country of refugee immigration (*nanmin laiyuanguo zhuanxiang shuru guo* 难民来源国转向输入国) (Guo 2012; Liu 2015b, p. 48). This however did not yet translate into laws and regulations or any form of accountable practice of accepting refugees. Nevertheless, by the end of 2015, China had officially accepted nine Syrian refugees and donated 3 million US$ (as much as Hungary) to the United Nations High Commissioner for Refugees (UNHCR) (Lesh and The Diplomat 2017). The relationship to the UNHCR and the international community, however, is strongly characterised by blaming strategies. Chinese diplomats accuse those countries (mostly the US) who start wars such as in Syria of causing forced migration that other countries (such as China) who have to bear the consequences. According to China, the solution to the international 'refugee crisis' is that the migration producing countries also should take the refugees in (Zhang 2007). The Chinese academic discourse on refugees largely disapproves 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, p. 88), the consensus states that the international community should further strengthen legal requirements instead of blaming individual countries (Fang 2016).

At the end of 2016, the UNHCR estimated the overall number of refugees in China at 317,255 of whom 668 officially have a pending asylum process (UNHCR 2016, p. 60). The UNHCR conducts Refugee Status Determination which Chinese authorities are not acknowledging since they did not yet implement an asylum law.

Short history of China's ambiguous approach to refugees

Through the 20th century, China's experienced a few encounters with refugees. After 1945 approximately 29,000 European refugees that fled the Nazis or the Soviet Union were in China out of which 19,000 were repatriated into third countries through the US-supported International Refugee Organisation (IRO) (Peterson 2012, p. 328). How many of these refugees actually stayed in China was unclear due to the chaotic political situation of the early 1950s. During 1952-1955, the UNHCR first gained access into China with a mandate to represent the European refugees (estimated 10-15,000), especially with a focus on and to improve the situation of the large number of Soviet refugees that were employed in Chinese railway companies and paid 'starvation wages' (Peterson 2012, p. 329).

After Mao's Great Leap Forward, many Chinese citizen exited the country seeking refuge in Hong Kong and other places in order to avoid the famine. In this 'World Refugee Year' of 1958, however, the anti-Chinese politics in Indonesia resulted in a refugee influx into China from ethnic Chinese, over 100,000 in 1958 and over 10,000 in the following year (Peterson 2012, p. 336). These were mostly third-generation descendants of earlier immigrants that were born in Indonesia (*peranakan*). Many of them applied for asylum through the Chinese embassy in Jakarta and subsequently were brought into China on special ships. In 1955, China and Indonesia signed a treaty that ended the practice of dual citizenship (*shuangchongguoji* 双重国籍) requiring ethnic Chinese to choose one citizenship (Godley 1989, p. 335). Although those people who opted for Indonesian citizenship would have accounted as refugees under the UNHCR convention, China welcomed them 'back' as 'returning overseas Chinese' (*huiguixia* 回归者) that would help the battered economic situation during the Great Leap Forward (ibid., p. 336). Arriving in the wake of the great Chinese famine, the Indonesian refugees were additionally disadvantaged by not speaking or writing Chinese. Approx. 60% were assigned to Overseas Chinese State Farms (*huaqiao guoying nongchang* 华侨国营农场) mostly located in Hainan in which they worked on agricultural plantations under tough conditions (Peterson 2012, p. 339). Over time, however, the descendants of these refugees become well integrated being able to draw on public services such as education, health, and social security, yet not qualifying as Chinese citizens.

During the Sino-Vietnamese War in 1978/79[25], up to 300,000 Vietnamese refugees arrived in China. The UNHCR temporarily provided humanitarian assistance to this group and established a permanent office in Beijing in 1980. Chinese authorities did not guarantee a permanent status as refugee, but maintained the status while not granting them full citizenship. Similarly to the 'returnees' from Indonesia, Chinese government provided them with employment, housing, health care, and education (Liu 2011, p. 95).

Afterwards, the Chinese way of constantly re-defining the status of refugees continued. Following violent conflicts in 2009 in Kokang at the Sino-Myanmar border area, over 37,000 thousand war refugees entered Chinese territory. These people were not addressed as refugees but as 'border residents' by Chinese authorities who adopted a narrative of Myanmar's 'internal conflict' that were soon to be resolved and the temporary refugees were eventually to go back (Thompson 2009, p. 14; Song 2017, p. 470). The relatively new Chinese emergency response system (*guojia tufa gonggong shijian zongti yingji yu'an* 国家突发公共事件总体应急预案) "effectively contained [...] the unrest" (Thompson 2009, p. 15). These contingency plans both introduced tools for security and humanitarian responses to border conflicts with possible refugee influx or military conflict.

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[25] Also called Third Indochina War.

Yunnan, Liaoning and Jilin province command such detailed contingency plans with detailed chains of responsibly for cases of emergency learning from past experiences of 'sudden events' such as SARS or civil unrest such as in Tibet and Xinjiang (ibid.). In Yunnan, the camps that hosted the Myanmar people closed shortly after they arrived in 2009. When violence broke out again in 2011, more than 10,000 discplaced Kachin entered China again. Chinese authorities, again, claimed that they are 'border residents' came to China "to live with their friends and relatives temporarily" providing little to non humanitarian assistance (Song 2017, p. 470). The camps hosting many of these people were mostly self-established and only privately supported by local villagers (ibid., p. 471). According to the border resident regulations, which I introduce in the following section, the Kachin people were not allowed to move further within China but were locally bound.

A similar situation is found at the North Korean border, where already — numbers vary considerably — 30,000-300,000 North Korean people live (Margesson et al. 2007, 8). In January 2018 following the heightened political tensions about the nuclear question, authorities again started preparing for a possible increase of refugees (Perlez 2017). Although refugees from the DPRK are internationally acknowledged as 'political refugees', Chinese authorities refused the recognition and denied access to international human rights organisations and NGOs. Similarly, in the Myanmar case only some selected media but no human rights groups were allowed.

From North Korea, refugees constantly arrived since the 1990s fleeing from human rights violations and famine, often becoming victims of human trafficking, forced labour or forced marriage after their arrival (Margesson et al. 2007, p. 9). Although the UNHCR regulations are part of international law, China argues that the bilateral agreement with the DPRK on mutual repatriation from 1986 are legally superior in the decision whether to grant these refugees asylum. Among others, Roberta Cohen argues that this bilateral agreement undermines the refugee convention (Cohen 2012). Chinese authorities only rarely grant a temporary humanitarian stay on a case-by-case basis, but do not recognise their status as 'political refugees'. Moreover, Chinese authorities argue that fleeing from poverty, these people are 'economic migrants' as Hong Lei, spokesmen of the MoFA put it in 2012: "We always oppose making [North Korean defectors] an international and political issue or an issue of refugees" (Reuters 2013). This fact, however, is inconsistent as North Koreans become delinquent by fleeing their country, hence, become subject to persecution if they return (*refugee by place*). By forcing North Koreans to repatriate, China is subject of regular criticism by the international community for the violation of the 'principle of *non-refoulement*' (*butuihui yuanze* 不推回原则) under the Refugee Convention and Protocol.

Chinese state media such as Xinhua do widely report on Chinese refugee issues. Searching for refugee *nanmin* 难民 and China resulted in 77 matches, searching for refugee crisis *nanmin weiji* 难民危机 resulted in 85 posts all relating to Europe or the international 'refugee crisis'. The reporting depicts China as 'saviour' of the international 'refugee crisis' and propagates a self-claimed image as Great Power being engaged in the international community, sending financial assistance, and providing technical guidance such as in Lebanon (Xinhua 2017, 2018c). The media coverage on the European 'refugee crisis' (*Ouzhou nanmin weiji* 欧洲难民危机) associates the failure to handle the refugees with the inherent weakness of democratic states. The authors directly link criminal behaviour by refugees with political failure arguing that the 'refugee crisis' will be the "last straw that overwhelms the West" (Di and Qiushi 2017; Song and Qiushi 2017). No articles associate refugees in China with 'crisis', the media rather transfers the problem to other countries. This assignment of the 'refugee crisis' on other states mirrors the blaming strategy within the UNHCR. This non-mentioning of refugees on Chinese territory by the media indicates that the term does not have the same meaning in China as it does internationally. Instead talking about refugees, the media covers immigrant stories that are associated both with 'illegally' and 'legally' immigrated people: the term again becomes redefined, entangled with immigrants. At the same time, the discursive exclusion of refugees in China could also be a deliberate act of avoiding the term since it is linked with the international Refugee Convention demanding a humanitarian responsibility towards those people.

How Chinese authorities blend the denotation for immigrant and refugee becomes evident in Yiwu, one of China's experimental 'immigrant cities' (Pieke 2013). Here, the local government welcomed immigrant families from conflict areas — mostly from the Middle East: Syria, Yemen, and Iraq — granting short-term visas and introducing foreigners ID cards. In 2016, 1.25 million foreigners lived along 771,000 Chinese citizen in Yiwu (The Guardian and Roxburgh 2017). The reasons these people left their home countries in many cases are war and violent conflicts which constitutes an asylum reason. However, in the 'immigrant cities', they are processed as economic immigrants bringing businesses to China. Accordingly, they can apply for permanent residence similar to the high-skilled workers scheme. In fact, the immigrant community is constructed as a 'business community' (Ke 2004; Xia 2015; Wang and Chen, Jie, Yang, Xin 2015). Social services such as language training is not provided, but they are able to send their children to local schools (Reuters 2017). At the same time, they receive support from UNHCR agency where they are listed as 'refugees' (China Daily and Cui 2015).

In sum, the term refugee does not constitute a legal category in China as no asylum law has been issued and how to apply for a 'temporary protection status' is 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 the international Refugee Convention principles. Although several refugees living in China await an ongoing asylum process, the most part gets denied issuing an asylum application (Korean and Myanmar refugees) or are being diverted in other legal categories. In the case of the discplaced Kachin people in Yunnan, they were categorised as border residents rather than refugees, and in the case of Yiwu the e.g. Syrian refugees are regarded as economic migrants. Hence, Chinese legal and political discourse on refugees suspends reliable process and official recognition, the term remains ambiguous.

Border documents:

- Passport of home country
- Visa (*qianzheng* 签证)

Legislation and Policy:

- Democratic People's Republic of Korea Ministry of State Security; Ministry of Public Security of the People's Republic of China (1986): Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas.
- National People's Congress of the People's Republic of China (2012): *Zhonghua renmin gongheguo chujing rujing guanli fa* 中华人民共和国出境入境管理法 [Exit and Entry Administration Law of the People's Republic of China]. Order of the President of the People's Republic of China (57). Available online at http://cs.mfa.gov.cn/zlbg /flfg/crjxg/t1054650.shtml, checked on 1/25/2018.
- State Council of the People's Republic of China (1982): Constitution of the People's Republic of China. Available online at http://english.gov.cn/archive/laws_regulations/2014/08/23/content_281474982987458.htm, checked on 2/14/2018.

4.2.4. Border Residents: Multiple Citizenships

Border residents (*bianjing diqu jumin* 边境地区居民, short *bianmin* 边民) constitute a special legal category within the legal framework of the Chinese border regime. Article 90 of the EEL stipulates that provinces and autonomous regions can enact legal norms and rules on territorial governing if they are in accordance with the State Council. In 1999, the MoPS already issued the Order 42 (*Zhonghua renmin gongheguo bianjing guanli qu tongxingzheng guanli banfa* 中华人民共和国边境管理区通行证管理办法) introducing 'PRC Border Management Area Passes' (*Zhonghua renmin gongheguo bianjing guanli qu tongxingzheng* 中华人民共和国边境管理区通行证, short border passes). The border pass is available to Chinese citizens as well as foreigners who live in the border area. For the foreigners, these passes replaces other documents such as employment license, work permits, and residence permits. These border passes are only valid within the administrative area of the county (*xian* 县) providing them (Art. 7), local Public Security Bureaus are the

issuing institution (Art. 15). The document is only valid when the carrier also provides a national ID card (*shenfenzheng* 身份证) and is only valid for three month (Art. 19).

Within this allowance, the Yunnan Border Management Regulations (*Yunnansheng bianjing guanli tiaoli* 云南省边境管理条例) states that border residents (from both sides of the border) who obtain identification documents might cross the border in accordance with the bilateral agreements. The incoming border residents are specifically prohibited to leave the county in which they entered (Art. 16). Residents who do not obtain identification documents or border passes are not allowed to cross but can apply for entry permits if the border crossing is 'necessary' (Art. 17). Border residents who enter to take up an employment or to marry have to register at the local Public Security Bureaus.

Art. 22 of the Regulations states that county governments are responsible to overview this kind of mobility and enhance the public education on regulations on the legal framework. During my fieldwork, I encountered several examples for this kind of education campaigns for border residents (see pictures below[26], and Dehong Prefecture Government 2017). Pictures that show either wanted or unwanted behaviour aim at teaching 'appropriate' behaviour.

Figure 4: Pictures from a 2016 Calendar Issued by the Yunnan Provincial Government

In the multi-ethnic and accordingly multi-language border areas, local authorities decide on using pictures as basis for the communication as providing word-less massages. These pictures can be

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[26] Photos taken by author. 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* 自觉遵守出入管理相关规定。出入边境英特有政府件，从指定口岸，通道出入境。严禁非法出境砍伐木材，开采矿产.) The picture in the middle reminds that cross-border marriages are to be officially registered by the Civil Affairs Bureau (*yifa yu jingwai bianmin tonghun. Bixu zunshou Zhongguo yu pilin guijia youguan falv, fagui, zhudong dao minzheng deng bumen banlin hunyin dengji shouxu* 依法与境外边民通婚。必须遵守中国与毗邻国家有关法律，法规，主动到民政等部门办理婚姻登记手续.) The picture on the right side states that smuggling is strictly prohibited (*yanjin zai bianjie song kai tongdao he zuosi huowu* 严禁在边界松开通道和走私货物.).

found in almost every household in the border area, being part of a disciplinary campaign in teaching 'appropriate' behaviour. In many of the pictures, calling the police or notifying the local Public Security Bureau is constructed as the 'appropriate' thing to do, for instance if one sees others 'illegally' crossing the border. This encourages citizen to report onothers facilitates a subtle mutual control of the border population bringing the border communities in a dual role as security subject and agent. This way, the local population becomes disciplined as a collective.

Border resident also became an official category in bilateral agreements on the management of the 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* 中华人民共和国政府和老挝人民民主共和国政府关于边境口岸及其管理制度的协定) or with Myanmar in 1997 (*Zhonghua renmin gongheguo zhengfu he Miandian liangbang zhengfu guanyu Zhongmian bianjing guanli yu hezuo de xieding* 中华人民共和国政府和缅甸联邦政府关于中缅边境管理与合作的协定). The 1986 agreement with the DPRK in Art 4.1 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. This way, the border residents gain a special status including mobility rights within the border area on both sides of the country that exceed traditional citizenship concepts.

Importantly, the border passes are only valid in a confined area around the border. Foreigners who enter Chinese territory on a border pass cannot pass further controls in the interior. While the border pass allows to cross the international border, the border resident is still bound to the periphery as they are not allowed to cross further internal administrative boundaries. The border pass does not provide the right to freely travel, reside or work in other parts of China, but is only locally valid. For the border residents, the border shifts. Although they are able to live their everyday life across the international border, they are not free of it. They then meet new, relocated internal borders that for them function as definite borders of their scope of mobility: the border became multiplied.

Sara B. Shneiderman (2013) researched differentiated conceptions of citizenship in the Himalayan borderland arguing that the legally recognised category of border citizenship is a response to practices from below. This practice consists of frequent undocumented border crossings, business activities, and in many cases taxation on both sides of the border. She finds that border citizens can draw on and contribute to resources of both sides of the border but in many cases did not possess a primary citizenship from either side (Shneiderman 2013, p. 31). In the Tibetan case, a border citizen card was implemented after 2002 which, however, is only accessible for people in

possession of a citizenship and ID card. Shneiderman concludes that by acknowledging the everyday bordering practices of the multi-ethnic border residents, the authorities actively constructed the periphery as a place of state-making. Here, new categories such as 'Nepali', 'Sherpa', and 'Xierba' were introduced as official categories in their documentation that eventually became part of the local (ethnic) identity construction.

In a nutshell, the legal category of border residents follows a twofold logic that, first, aims at incorporating formerly 'under'-regulated communities into the official border regulation. By categorising and surveying the identities and mobility of border residents, the state gains power over them. This power is symbolic in terms of categorising them and recognising their status within the nation project, and it is regulatory as it provides differentiated control over their mobility and personal life. In the end, local authorities get to decide whether a visit to the other side of the border is 'necessary' and legitimate although the people applying for border resident cards may have practiced cross-border lives for decades. Secondly, the state adjusts its sovereignty norm on 'one-citizenship' to a differentiated mode that fits the realities of border residents. Instead of illegalising 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 that might belong to China or a neighbouring country, and secondly, they practice citizenship by engaging with the other side of the border, paying taxes, supporting families, and living in both worlds, which manifests in them obtaining a second, alternative identification document.

Within the management of border citizens, 'foreign wives' play a special. In the previous section, I discussed the cross-border marriages in terms of their perceived 'illegality'. The '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* 结婚证) that are a *de facto* acknowledgement of their residence. Moreover, following the special provisions for border residents, some counties 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 passport (Art. 6). In Dehong Prefecture in Yunnan, the local government introduced a Blue Card (*lanka* 蓝卡) 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 (Shen 2011). The Blue Card, accordingly, further differentiates 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* 户口簿), national ID card (*shenfenzheng* 身份证) or passport (*huzhao* 护照) or passport of neighbouring country

- Border pass (*bianminzheng* 边民证)

- Work permit for bordering county or prefecture (*zanzhuzheng* 暂住证)

- Marriage registration (*jiehunzheng* 结婚证), Blue Cards (*lanka* 蓝卡)

On border residency:
- Democratic People's Republic of Korea Ministry of State Security; Ministry of Public Security of the People's Republic of China (1986): Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas. Available online at http://www.nkfreedom.org/UploadedDocuments/NK-China-bilateral_treaty.pdf, checked on 5/31/2018.
- Jilin Provincial Government (1997): *Jilin sheng bianjing guanli tiaoli (1997 xiuzheng)* 吉林省边境管理条例 (1997 修正) [Regulations of Jilin Province on Frontier Administration (1997 Amendment)]. Available online at http://www.pku-law.cn/fulltext_form.aspx?Db=lar&Gid=16819806, checked on 3/13/2018.
- Ministry of Foreign Affairs of the People's Republic of China (1997): *Zhonghua renmin gongheguo zhengfu he Miandian lianbang zhengfu guanyu Zhong Mian bianjing guanli yu hezuo de xieding* 中华人民共和国政府和缅甸联邦政府关于中缅边境管理与合作的协定 [Agreement between the Government of the PRC and the Government of the Union of Myanmar on China-Myanmar Border Areas Management and Cooperation]. Available online at http://www.law-infochina.com/display.aspx?id=317&lib=tax&SearchKeyword=&SearchCKeyword#, checked on 6/4/2018.
- Ministry of Public Security of the People's Republic of China (1999): *Zhonghua renmin gongheguo bianjing guanli qu tongxingzheng guanli banfa* 中华人民共和国边境管理区通行证管理办法 [Measures for the Administration of Passes of Border Crossers in the Border Zone of the People's Republic of China] (42). Available online at http://www.mps.gov.cn/n2254314/n2254409/n2254443/n2254454/c3839538/content.html, checked on 1/25/2018.
- Ministry of Public Security of the People's Republic of China; Exit and Entry Administration (2006): *Fuze ren jiu guanche luoshi "huzhao fa" da jizhe wen* 负责人就贯彻落实《护照法》答记者问 [Responsibility System for the Implementation of "Passport Law"]. Available online at http://www.mps.gov.cn/ n2254314/n2254409/n2254456-/c3932694/content.html, checked on 1/25/2018.
- Ministry of Foreign Affairs of the People's Republic of China (2011): *Zhonghua renmin gongheguo zhengdu he Laowo renmin minzhu gongheguo zhengfu guanyu bianjing kouan ji qi guanli zhidu de xieding* 中华人民共和国政府和老挝人民民主共和国政府关于边境口岸及其管理制度的协定 [Agreement between the Government of the People's Republic of China and the Government of Lao People's Democratic Republic on Border Crossing and Its Management System]. Available online at http://www.mfa.gov.cn/chn//pds/ziliao/tytj/tyfg/t947973.htm, checked on 1/11/2018.
- Yunnan Provincial People's Congress Standing Committee (2016): *Yunnan sheng bianjing guanli tiaoli* 云南省边境管理条例 [Yunnan Border Management Regulations]. Implemented 01.01.2017 (52). Available online at http://politics.yunnan.cn/html/2016-12/18/content_4658361.htm, checked on 3/13/2018.

On cross-border marriages:
- Ministry of Civil Affairs of the People's Republic of China (2012): *Zhongguo bianmin yu pilin guo bianmin hunyin dengji banfa* 中国边民与毗邻国边民婚姻登记办法 [Measures for Registration

of Marriage between Chinese Border People and Border Countries] (45). Available online at http://www.mca.gov.cn/article/gk/fg/shsw/201507/201507 00849202 .shtml, checked on 2/13/2018.

- Ministry of Civil Affairs of the People's Republic of China (2012): *Zhongguo bianmin yu pilin guo bianmin hunyin dengji banfa* 中国边民与毗邻国边民婚姻登记办法 [Measures for Registration of Marriage between Chinese Border People and Border Countries]. Available online at http://www.mca. gov.cn/article/gk/fg/shsw/201507/ 20150700849202.shtml, checked on 3/7/2018.
- National People's Congress of the People's Republic of China (1995): *Zhongguo yu pilin guo bianmin hunyin dengji guanli shixing banfa* 中国与毗邻国边民婚姻登记管理试行办法 [Trial Measures for Marriage Registration between China and its Border Countries]. Available online at http://www.gov.cn/banshi/2005-08/21/content_25054.htm, checked on 3/7/2018.

4.2.5. Border Tourists: Controlled Trespassing

International borders often are considered a tourist attraction gaining appeal by providing special tax reductions in border shopping centres, access to gambling, and creating enclaves/exclaves that appear 'exotic' (Dallen 1995, 529f.). Both of the provinces under investigation in my thesis are sites of touristic interest. In Yunnan, the multi-ethnic population has been constructed as a folkloristic exhibition performing 'traditional' dances and rituals for tourists (Laruelle and Peyrouse 2009, 109). In Jilin, watching the other side of the border to Korea has become a zoo-like event with field glasses at the fences and large shopping areas with imported North-Korean and Russian products (further discussed in Chapter 6.3.3. and 7.2.2.). However, both provinces issued different legal provisions for border tourism.

In Yunnan, besides the special regulations for border residents, there are no regulations on border tourism. The available documents on tourism mainly concern increasingly environmental impact of and social problems following growing numbers of tourists. The Yunnan Provincial Tourism Administration further issued Measures for Administrative Punishment of Tourism in 2013 (*lvyou xingzheng chufa banfa* 旅游行政处罚办法) and in 2015 Interpretation of the People's Republic of China Tourism Law (*Zhonggua renmin gongheguo lvyou fa jiedu* 中华人民共和国旅游法解读). These laws increasingly regulated the different licences necessary to conduct guided tours (business license for travel agency, tour guide certificate, and 'leader license' (*lvxingshe yewu jingying zheng, dayou zheng, lingdui zheng* 旅行社业务经营许可证、导游证、领队证). The Yunnan Development and Reform Commission issued a newly revised "Yunnan Province Tourism Regulations" that were implemented 2014 (*xin xiuding de "Yunnan sheng lvyou tiaoli" shixing* 新修订的《云南省旅游条例》施行). As response to public rumours on misconduct on behalf of travel agencies and tourist guides, in 2014, rules on proper tourism were issued (*Yunnan chutain 15tiao shishang zui yan zhengzhi lvyou jinling: bu zhun ma youke* 云南出台 15 条史上最严整治旅游禁令：不准骂游客). The '15 bans' (*shiwu buzhun* 十五不准) aim at ensuring tourism safety, i.e. by guaranteeing

product quality and ensuring complaint mechanisms. Overall, these increasing regulations aim at attracting more tourism to the province — both Chinese and foreign — but also regulate 'appropriate' ways of conducting tourism.

In Jilin, border tourism is part of a coordinated campaign within the regional framework of the Greater Tumen Initiative that aims at facilitating cross-country tourism. On this particular issue, I elaborate in Chapter 6.3.3. Yet, it is important to note that Jilin province allows licensed travel agencies in cooperation with local Public Security Bureaus to issue special 'border visa' (*lvyou qianzheng* 旅游签证) that allow short-term (2-3 days) border crossings as part of organised group tours both to North-Korea and to Russia. These 'border visa' minimise bureaucratic effort for the traveller aiming at facilitating regional tourism for Chinese and Russian citizen. The legal framework for border tourism in Jilin constructs the border as a tourist site aiming at facilitating infrastructure and market availability for incoming tourists. The county level is responsible for implementation of a 'safety management system' (*anquan guanli zhidu* 安全管理制度, see Art. 5 *gonganbu guanyu jinyibu qianghua gongzuo cuoshi qieshi jia da jin du gonguo lidu de tongzhi* 公安部关于进一步强化工作措施切实加大禁赌工作力度的通知). In 2005, Jilin Provincial Tourism Administration issued a Notice on outbound tourism which is however not restricted to local border-crossing tourism but also addresses international travel (*Jilin sheng lvyou ju guanyu zhuanfa guojia lvyou ju "guanyu chujing you zutuan she jishi baogao youke zai jingwai fasheng zhilu bu gui wenti de tongzhi" de tongzhi* 吉林省旅游局关于转发国家旅游局《关于出境游组团社及时报告游客在境外发生滞留不归问题的通知》的通知). In 2007, the Administration defined that tourist either have to plan their trip either with an organised travel agency or if travelling independently have to stay at least one night and visit two sights (Art. 3.1, *Jilin sheng lvyou ju Jilin sheng caizheng ting guanyu yinfa "Jilin sheng rujing lvyou fuchi zijin guanli zhan hang guiding" de tongzhi* 吉林省旅游局 吉林省财政厅关于印发《吉林省入境旅游扶持资金管理暂行规定》的通知). Art. 19 of the 2010 Jilin Province Tourism Regulations (*Jilin sheng lvyou tiaoli* 吉林省旅游条例) specifically mentions 'border tourism' as a development goal. The regulations directly link 'ethnic-minority' tourism to the development of the border area as the tourist industry 'helps revitalise' these areas (*Jilin xing renmin zhengfu bangong ting guanyu zhuanfa sheng lvyou ju sheng min wei zhiding de Jilin sheng fuchi shaoshu minzu diqu lvyou ye fazhan yijian de tongzhi* 吉林省人民政府办公厅关于转发省旅游局省民委制定的吉林省扶持少数民族地区旅游业发展意见的通知).

Another issue that concerns authorities at both border areas in Jilin and Yunnan is exit gambling. Exit gambling means that Chinese citizen cross the border to the neighbouring country — often illegally — to visit a casino (Cheng and Yunling 2011, p. 65). Gambling is categorically illegal in

China. In the border areas, however, large industries grew profiting from Chinese citizens' willingness to travel across 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, p. 626). The casinos in Myanmar are mostly run by Chinese citizen, in North Korea, however, they are state-run, according to local sources (interview September 2, 2015). In 2006, Beijing reinforced a national gambling ban (*Gonganbu guanyu jinyibu qianghua gongzuo cuoshi qieshi jia da jin du gongzuo lidu de tongzhi* 公安部关于进一步强化工作措施切实加大禁赌工作力度的通知) urging local authorities to pursue hard against illegal gambling issued which was met with a number of locally enforced countermeasures such as cutting of electricity or prosecuting the owner (Reuters 2007), and provincial regulations that specifically prohibit border crossings for gambling purposes (*Jilin sheng lvyou ju guanyu zhuanfa guojia lvyou ju "guanyu jinzhi chujing lvyou tuandui canyu dubo huodong de guiding" de tongzhi* 吉林省旅游局关于转发国家旅游局《关于禁止出境旅游团队参与赌博活动的规定》的通知). Since then, in Yunnan it became more difficult to obtain short term travel visa while security actors increasingly proceeded their crackdown against the owner of the cross-border casinos, cutting off their electricity that they oftentimes receive from Chinese territory, or arresting the owner for tax evasion (Reuters 2007). Yet, although their existence hangs in limbo, these cross-border casino towns play a vital role in the touristic attractiveness of the border areas.

In conclusion, border tourism constitutes a field that is regulated on provincial level according to local tourism characteristics. The national tourism and visa regulations allow the provinces to create local exceptions to incentivise cross-border tourism. However, security concerns as in the case of exit gambling are systematically tackled by the central government. The border tourist, however, is only a visitor to the border, they are not subject to differentiated notions of citizenship, and they are Chinese citizens who only temporarily get an allowance to cross the border. Moreover, the border visa are a manifestation of trust by Chinese authorities in the individual citizen that they applies with Chinese law even beyond Chinese territory, hence, get rewarded.

> Border documents:
> - Chinese national ID card (*shenfenzheng* 身份证) or passport (*huzhao* 护照) or passport of neighbouring country
> - Border visa for traveller (*lvyou qianzheng* 旅游签证)
> - Business license for travel agency, tour guide certificate, and 'leader license' (*lvxingshe yewu jingying zheng, dayou zheng, lingdui zheng* 旅行社业务经营许可证、导游证、领队证)

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- Yunnan Development and Reform Commission (2014): *Yunnan chutai 15 tiao shishang zui yan zhengzhi lvyou jinling: Bu zhun ma youke* 云南出台 15 条史上最严整治旅游禁令：不准骂游客 [Yunnan promulgates the 15th most severely restricted travel ban in history: no visitors are allowed]. Available online at http://www.yndpc.yn.gov.cn/content.aspx?id=994812504521, checked on 3/13/2018.
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- Yunnan Provincial Tourism Administration (2015): *Zhonghua renmin gongheguo lvyou fa jiedu* 中华人民共和国旅游法解读 [Interpretation of the People's Republic of China Tourism Law]. Available online at http://www.ynta.gov.cn/Item/21962.aspx, checked on 3/13/2018.

Jilin provisions on tourism:
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- Jilin Provincial Tourism Administration (2005): *Jilin sheng lvyou ju guanyu zhuanfa guojia lvyou ju "guanyu chujing you zutuan she jishi baogao youke zai jingwai fasheng zhiliu bu gui wenti de tongzhi" de tongzhi* 吉林省旅游局关于转发国家旅游局《关于出境游组团社及时报告游客在境外发生滞留不归问题的通知》的通知 [Notice of the Jilin Provincial Tourism Administration on Forwarding the Notice of the National Tourism Administration on the Timely Report of Outbound Overseas Tours by Tourists] (50). Available online at http://www.jlta.gov.cn/gfxwj/6889.jhtml, checked on 3/13/2018.

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- Jilin Provincial Government (2010): *Jilin sheng lvyou tiaoli* 吉林省旅游条例 [Jilin Province Tourism Regulations]. Available online at http://www.jlta.gov.cn/dffg/6794.jhtml, checked on 3/13/2018.
- Jilin Provincial Tourism Administration; Jilin Provincial People's Party Committee (2008): *Jilin xing renmin zhengdu bangong ting guanyu zhuanfa sheng lvyou ju sheng min wei zhiding de Jilin sheng fuchi shaoshu minzu diqu lvyou ye fazhan yijian de tongzhi* 吉林省人民政府办公厅关于转发省旅游局省民委制定的吉林省扶持少数民族地区旅游业发展意见的通知 [Notice of the General Office of the People's Government of Jilin Province on Forwarding the Opinions of Jilin Province on Supporting the Development of Tourism in Ethnic-Minority Areas formulated by Provincial Provincial Tourism Commission] (6). Available online at http://www.jlta.gov.cn/gfxwj/6909.jhtml, checked on 3/13/2018.
- Jilin Provincial Government (2015): *Jilin xing renmin zhengfu bangong ting guanyu cujin lvyou ye gaige fazhan de shishi yijian* 吉林省人民政府办公厅关于促进旅游业改革发展的实施意见 [Opinions of Jilin Provincial People's Government General Office on Promoting the Reform and Development of Tourism] (35). Available online at http://www.jl.gov.cn/xxgk/zc/zffw/szfwj/jzbf/201507/t20150703_2023950.html, checked on 3/7/2018.

4.3. Rationalities of the Chinese Immigration System

The above presented legal categories reflect the logic of the border regime. The border regime creates legal procedures for immigrants that are wanted while other categories are left out of immigration legislation. It creates a social hierarchy of immigrants that locates immigrants on a continuum ranging between being desirable/low risk and unwanted/high risk. This way, immigration management becomes risk management of who to allow a part within the nation project. The border regime exerts legal authority through issuing and denying identity documents but gives leeway to exceptions. These exceptions can be local, e.g. within provincial or county-level decisions regarding specific groups of immigrants, or they can be target-specific as in the case of the selective recognition of refugees. Consequently, the specific selection criteria and local variations of immigration procedures evolve as distinctive characteristics of the Chinese border regime. Although the specific outcome of local practices may vary, the political decisions that inform these variations follow a specific logic, a rationality that underlies the regulations. The mentality builds

on historically developed principles that inform legal citizenship and the access to it. These principles inform the above-mentioned risk management of foreigners. Hence, the following section details how the Chinese border regime "involve[s] practices for the production of truth and knowledge" (Dean 2006, p. 28) by creating and steering specific discourses on 'appropriate' and 'useful' immigration on the one hand, and risk and threat, on the other. These discourses legitimise and rationalise immigration practices, but also have the ability to shift social borders for specific groups that are to be included in the nation-building project. The discourse ultimately informs the separation between inside/outside and creates a governmentality that produces population quality.

In the following sections, first, I show how the Chinese border regime prioritises and orders immigration labels, thereby creating graduated citizenship. Then, I show how the 'desirability' and the 'value' of immigrants is informed by neoliberal rationality of the 'individual quality' of people. I find that the Chinese immigration discourse mainly focuses on 'illegal' immigration and high-skilled labour immigration creating social difference among immigration groups. The discourses are promoted within specific campaigns that construct 'public knowledge' on the matter. Further, the official discourse on 'illegality' as a 'threat' manifests a comprehensive control through a complex set of surveillance techniques and a normalisation of a mandatory registration for both foreign immigrants and Chinese migrants. Moreover, the decentralised control of identity through the issuing of identity cards, passports, border passes and their exceptions combine elements of 'policing at distance' through hierarchical administration while at the same time maintaining local autonomy and exceptions for specific border mobilities. These local exceptions are designed to incorporate immigrants that are 'valuable' for the local communities into the Chinese labour market and enhance the reach of authorities to border communities on both sides of the border. These 'zones' and 'practices of exception' ultimately create a link between a development rationale and border politics that builds on the quality of the individual as part of the national strength (Jeffreys and Sigley 2011, p. 14) made employable in specific border zones.

4.3.1. Graduated Citizenship: Social Differentiation through Labels

As introduced above, in the absence of a comprehensive immigration law, the Chinese border regime developed a set of laws and regulations on different categories of immigrants such as high-skilled immigrants, refugees and border residents. These laws and regulations are executed in different detail. The official regulations of high-skilled labour increased over the past decade along with a discourse on the Chinese 'search for talent'. Against the backdrop of the overall strengthening of transparent processes under the umbrella of 'rule of law' since China joined the WTO, this indicates that the increase in process transparency on this specific immigration scheme aims at globally attracting high-skilled working immigrants. Low-skilled working immigration or asylum

processes, on the other hand, did not capture the attention of the legislative body or is deliberately omitted. Even though it became generally more difficult to apply for working visa other than through the 'talent search', refugees and asylum seekers were not at all addressed by recent legislation. By politically disregarding and omitting these other groups, the government indicates that this types of immigration are unwanted. Consequently, the immigration system is based on unequal access for foreigners. Their rights and opportunities within the Chinese state and nation project depend on whether they match certain criteria. This way, some groups became marginalised in the official discourse while being dependent on a non-transparent immigration system. This is especially true for asylum seekers. Although they are not illegalised per se, the legal and political relationship between the state and the individual refugee remains unclear. While the state maintains his monopoly over the immigration process not allowing other (private) actors into the governance process, it creates grey areas that allow for individual-met decisions rather than systematic procedures. This way, the different groups become differentiated not only among their desirability within the Chinese society, but also among their legal and social status and their opportunity to claim their right to asylum or work against the state apparatus.

This social differentiation qualifies as a system of 'graduated citizenship'. The access to citizenship is limited *per se* since foreigners cannot become citizens via the immigration system. The access is always temporal as visa and residence permits need to be renewed allowing continuing control over the foreigners. However, the different rights and processes regulating the different foreigners grade their status within the immigration regime. The immigration system develops selection criteria in order to legitimise and facilitate different immigration procedures. Consequently, the different labels offered by the Chinese immigration system are divisive as they offer permanent residence 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 the foreigner and ongoing control for the Chinese official granting temporal access to China. Border residence permits are available to non-Chinese citizen allowing limited access to citizenship (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 subject to increased education campaigns and community-based surveillance as local authorities monitor them closely. As I further elaborate in Chapter 7, local authorities apply strategies of legalisation to those border residents with other citizenships by issuing marriage registration, work permits or border passes. However, the non-Chinese border residents do not have systematic access to the Chinese society and state resources.

Ultimately, the category of 'border residents' is both practical as it represents a legal category in Chinese laws and regulations, and it is symbolic in terms of perceived responsibility by local authorities. Establishing the legal category of border residents follows a twofold logic that, first, aims at incorporating formerly under-regulated communities into the official border regulation. By categorising and surveying the identities and mobility of border residents, the state gains power over them. This power is symbolic giving them a legal representation within the nation project, and it is regulatory as it provides differentiated control over their mobility and personal life. In the end, local authorities get to decide whether a visit to the other side of the border is 'necessary' and legitimate although the people applying for border resident cards may practice a cross-border life for decades. Secondly, the state adjusts its sovereignty norm on one-citizenship to a differentiated mode that fits the realities of border residents. Instead of illegalising 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. Hence, the border passes constitute a 'boundary object' as they identify the carrier as part of a specific group – the border community — that is attached with locally specific rights (Häkli 2015). This way, the border passes are a symbol of the inclusion in the nation-building process, while it disciplines the carrier in the borderland periphery of the country. Moreover, issuing these border passes constitutes a site-specific policy that ultimately creates a 'site of exception' from the traditional citizenship concept.

4.3.2. 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 immigration and includes low-skilled immigrants. It is important to realise that there is no in-between, no grey zone in immigration discourses: there is a discourse on wanted 'talent' and unwanted 'illegal' immigration. This strict black-and-white approach follows a neoliberal logic. According to this logic, the individual is responsible to discipline itself to become economically more wanted as immigrant and eventually can choose in which country to go in order to best meet their citizenship-needs (cf. Mavelli 2018). Accordingly, the Chinese discourse on the 'talent program' follows a narrative of a 'need of human capital' resulting in policies that facilitate their hiring and residing in China. Here, China, as other countries with high-skilled labour immigration schemes, develops a logic according to which the capitalist value of a person equals their value as a resident. As applying for citizenship is categorically impossible anyways, this does not undermine the citizenship concept per se, but it rewrites societal principles of belonging by 'economic principles of wanted'.

As I introduced in Chapter 2.4., the Chinese discourse on citizenship and becoming Sinicized builds on the notion of individual 'quality' (*suzhi* 素质). People of 'high' quality are 'autonomous' citizen that have the capacity to self-improve that 'low' quality people are 'lacking'. This self-disciplinary

approach inherently is neoliberal. The notion of 'population quality' was applied to Chinese citizen resulting in debates on regulating reproductive rights, hence, restraining reproduction for 'low quality' citizen. The 'quality metaphor' ultimately links the quality of the individual to the national development: only with disciplined, socialised, and rich citizen, a nation can flourish (Sigley 2009, p. 558). The 'quality metaphor' differentiates among Chinese citizen which shows in the discourse on 'foreign wives' in the border areas that are valued as mothers of future Chinese citizens but excoriated "as a social problem, social problem and associated [...] with 'fake marriage, real prostitution', and 'the deteriorating quality of the next generation'" (Barabantseva 2015b, p. 359).

As such, the 'quality' discourse is not discriminatory as it does not differentiate among foreigners and Chinese citizen per se. However, it roots in a hierarchic society that judges people by their attributing them with an allegedly objective value for the national project. Hence, the citizen as well as immigrant becomes a 'resource' within the national development project.

The perceived 'quality' of a possible immigrant and how they are wanted manifests in the legal frameworks as well as in the law enforcement practices that facilitate or prevent them from entering. Accordingly, border control and surveillance techniques target different groups of foreigners. While there is increased effort by security actors to prevent 'illegal' immigrants from entering or travelling within Chinese territory, there is also increased evidence to keep them from exercising their right. Huang Guangzhi's research for example shows how the non-transparent and regularly changing immigration practices targeting African immigrants in Guangzhou are discriminatory effectively preventing legal immigration (Huang 2018). Hence, specific regulations and policing targets different social groups trying to exclude people defined as poor and unwanted, they institutionalise the underlying political order but also manifest social differences, building social frontiers, and reproducing systems of domination and inequality.

A second neoliberal regulation mechanism occurs that is based on the economic performance: the differentiation between tourists and immigrants on financial grounds. This rationality builds on the premise that the Chinese 'harmonious society' and political stability relies upon an equal development across the state (as shown in Chapter 5.3.). To produce equal development relies on the government's ability to allocate resources and predict population development. In the view of Beijing, this is challenged by 'free movement' of immigrants as well as citizens, this is met with a strict mobility control enforced through (*hukou* and residence) registration and monitoring. Both for foreigners and Chinese citizens, the possibility of freely travelling and choose their residence depends upon their economic performance and whether they are 'valuable' for the local communities.

With regard to the global travel movement, Elspeth Guild (2005) argues that the individual's ability to travel globally reflects larger patterns of exclusion and discrimination of poor people who are economically unfit to leave their country of origin. She argues this development is led by state strategies that aim at avoiding social welfare burdens trying to keep poor immigrants outside. The attempt to exclude poor immigrants runs contradictory to the decreasing costs of travel that could also lead to increase travel (Guild 2005, p. 15). The state then reacts by adding compulsory costs on specific immigration or travel routes to regulate the unwanted migration from the wanted migration. By building fences, the border security authorities keep poor refugees from coming in, by issuing preferential visa to certain countries for tourists, a state differentiates among international immigration. In other words, the difference between tourist and migrants inherently is discriminatory as the migrants' ability to travel reproduces their position within the global economic system.

Looking at the Chinese immigration schemes, this neoliberal rationality equally applies. The 'talent' immigration scheme targets well-educated foreigners who are likely not going to be a burden to Chinese social system. These immigrants are treated preferentially, they get Green Cards that allow longer residence, they can freely move within Chinese territory (as long as they locally register their stays), and can apply for 'trusted travellers' options when leaving or entering the country. At the same time, the regime excludes low-skilled workers and specifically aims at keeping '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 7, arguing that the local exceptions to the national immigration system aim at locally binding 'unwanted' immigrants to the border communities. In case these immigrants gain a quasi-legal status for working or residing on the Chinese side of the border, they are bound to the county where they registered. They are not allowed to travel or choose their location of residence. Thus, they create 'zones of exception' at the Chinese border where they are legal. These zones follow a neoliberal rationality as the immigrants are integrated to the point where they are 'valuable' for the local community, but lose their status when moving to another location where their individual 'value' is not recognised. The immigrant's capital is not embodied in them, it rather is assigned by the immigration regime.

CHAPTER FIVE

Making Border Politics: State Actors in the Chinese Border Regime

Chapter 5. Making Border Politics: State Actors in the Chinese Border Regime

In the previous chapter, I have established the differentiated legal approach to immigration in China. In order to illustrate how the graduated citizenship approach evolved and is operated within the border regime, the following chapter subsequently introduces the state organisation that produces the regulations and practices of border mobility control and security enforcement. While the authority over the regulation of immigrants remains relatively centralised, immigration control is decentralised enforced. Amidst the above mentioned EEL restructuring, section 5.1. elaborates how responsibility over immigration and border management is shared among government levels. 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 (local governments and local Public Security Bureaus) to find solutions that are legal, yet, different from standard immigration procedures. I argue that this relative autonomy results in local governments adopting different strategies to legalise immigrants that would not have been accepted under standard procedures.

Subsequently, section 5.2. focuses on how responsibilities are allocated within border control and how actual border control checks are enforced. Here I ask, how the organisational structure of border security actors is designed and how does it address informal border mobility, what means of control are applied and how are they legitimised? I argue that by establishing a dense system of control sites along the border but also along roads within Chinese territory, the control landscape has become militarised but also multiplied in terms of location. By relocating the sites of control (externalisation and internalisation), Chinese security actors perform a kind of 'zoning activity' that extends the 'line' of control internally and externally. I conclude that the theoretical understanding of increasingly merging notions of external and internal securities has to be fundamentally reassessed for the Chinese case. Here, traditional differentiation between internal and external security actors does not apply meaning that the multiplication of the border inherent to Chinese border control.

The fact that the Chinese border does not build on a binary inside/outside dichotomy also plays an important role in the allocation of resources by the Chinese government to the border area. Accordingly, the last part of this chapter (5.3.) introduces China's border development from within. Starting during the Reform and Opening, internal development aid changed the role of the borderlands, being transformed from periphery to bridge, from underdeveloped hinterland to a connecting hub towards neighbouring countries and regional markets. To complete the analysis of Chinese national border politics, I show how internal border development policies evolved as part of a spatial strategy that aimed at better integrating domestic and regional development. The

border provinces subsequently became labelled as 'bridgeheads', border towns became new places of territorial articulation for the nation state. Concluding, I argue that these preferential policies and resource allocation into China's periphery constitute a case of 'policing at distance': the central government delocalises the point of control emphasising the role of local governments as 'scalar managers'.

5.1. State Configurations in Border Politics

The following section scrutinises the institutional configurations of the Chinese state apparatus relevant to border politics. Overall, the state structure is decentralised and transnationalised. The political structure is administratively and fiscally de-centralised. While policy design and legislation is conducted by the central government, the local state plays an important role in implementing (immigration, labour and development) policies (Landry 2008). The local state is also responsible to establish cross-border *liaison* mechanisms with the other side, making local governments into foreign policy actor which subsequently transnationalises the local state space. Border politics is a meta-issue that touches different politics fields (see Table 4) and involves a variety of actors. Besides, the different levels of governments (central, provincial, local), security actors are central to the border regime. The organisation of border control agencies in shared among the Ministry of Public Security (MoPS), the Ministry of Foreign Affairs (MoFA) and their respective sub-organisations (Exit and Entry Administration, local Public Security Bureaus, and Border Control Group). This is explained in detail in the following section (5.2.). The following section further illustrates the structure of the state, first asking how coherent the legislative body of the Chinese border regime is, then further discussing the role of the local state and other actors within the border regime.

Table 4: Different Policy Fields within Immigration System

Exit and Entry Administration Law of PRC (2012) / The Regulations of PRC on Administration of the Entry and Exit of Foreigner nationals (2013)	Entry and Residency	Opinions on Strengthening the Administration of Permanent Residence Services for Foreign Nationals (General Office of the CPC Central Committee & the 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, the MoPS and other 22 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, the MoHRSS, the MoFA, and the 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 in 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, the MoHRSS, MoFA, MoPS and 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)[27]

In Chapter 4.1., I already described how institutional reforms led to the National People's Congress issuing the new Exit and Entry Administration Law (EEL). This parliamentary approval, however, comes rather late in the decision-making process. Policies are rather designed and delibared within the Central Committee of the Chinese Communist Party (CCP) and the State Council. The members of these committees also serve in many cases as ministers, leaders of Central Small Leading Groups or State Administrations on the national level. Different central state agencies are relevant to the regulation of border mobility (see a list in Table 2 in Chapter 3.2. and the institutional architecture across government levels in Appendix A and B):

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[27] I built the categories on Liu 2015a, p. 5, the listed policy papers are not complete bur exemplary for the different fields.

- the National Development and Reform Commission (NDRC) designs development agendas that set goals for national development specifically addressing the Western peripheries, it designed the institutional and legal architecture that underlies the preferential policies and 'bridgehead' strategies in the border area;

- the Ministry of Foreign Affairs (MoFA) is responsible for establishing border related agreements and treaties with the neighbouring countries. It is further responsible to organise embassies and consulates that issue visas abroad;

- the Ministry of Commerce (MoC) is responsible for issuing tax regulations and collect customs in border trade;

- the Ministry of Human Resources and Social Security (MHRSS) decides over social benefits for foreigners in China, its local bureaus issue work permits for (regularly working) foreigners;

- the State Administration of Foreign Experts Affairs design 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 Ministsry of National Defense (MND) and the Ministry of Public Security (MoPS) share responsibilities for organising border control and secure the border against threats either internally or externally; the MoPS also importantly organises immigration control by maintaining the Public Security Bureaus and the Bureaus for Exit and Entry, and the 2018 established State Immigration Administration works under the MoPS.

The inter-ministerial communication and cooperation is frequent as can be seen in joint issuing of statements and opinions; other ministries such as labour, transport or finance are consulted when necessary. The ministries and administrations have sub-national bureaus that translate policies into the provinces such as the Provincial Development and Reform Commissions, the Provincial Foreign Affairs Offices, the Provincial Divisions of the Bueau of Exit and Entry Administration, and the Provindial Departments of Commerce. On the local level, prefectural governments are institutionally supported by the Public Security Bureaus. Policy implementation, however, is done by local bureaucracies: Within the Chinese political system, sub-national authorities obtain a considerable power being responsible for locally implementing policies as well as, in autonomous minority areas, drafting "local autonomous legislation in the form of autonomous regulations *(zizhi tiaoli* 自治条例), specific regulations (*danxing tiaoli* 单行条例), modifying regulations *(biantong guiding* 变通规定) and supplemental regulations *(buchong guiding* 补充规定)" (Kaup 2018, p. 9). The literature on Chinese policy-making has increasingly acknowledged the importance of

local actors resulting in a 'subnational turn' emphasising that the analysis of local policy implementation is more informative than nation-level variables (Rithmire 2014, p. 166). Provincial and subordinated governments are responsible for coordinating and implementing central policies according to local characteristics which often results in fragmentation manifesting divergent interests and priorities between central and local governments. Overall, policy implementation in China is characterised by central policy priorities and national programs that meet local priorities and interests on provincial and local levels[28]. The decentralisation is generally considered a 'good thing' as it is

> "associated with a deepening of democracy and increased political stability. The devolution of political power away from a centralised state creates the opportunity for opposition parties to be incorporated into the political process. Even in cases that do not involve democratisation, however, decentralisation is believed to increase the quality and flexibility of government policy." (Thun 2006, p. 16)

China's governance structure is fragmented by function as well as by rank. This fragmentation along vertical and horizontal lines (*tiaotiao kuaikuai* 条条块块) regularly leads to conflicts as binding orders cannot be issued along units of the same rank, e.g. a central ministry cannot order provincial governments but only sub-ranked central bureaus (Lieberthal 1997). Local governments, however, follow different logics and strategies when implementing central directives. These logics strongly depend on incentives and flexibility given by the higher levels that are institutionalised in a cadre management system that allows to monitor and control lower level agents (Edin 2003). Nevertheless, these strategies are not simple responses to the central incentives but are the result of political agency of sub-national authorities that have "long political and economic histories and distinct institutional structures" (Thun 2006, p. 17). In some cases, this rating practice leads to competitive behaviour between units of the same level. In order to compete and successfully implement policies, local states cooperate with other actors producing different forms of 'local corporatism' (Oi 1992), 'local corporationism' (Lieberthal 1997, p. 5) or establish regional innovation systems (Rithmire 2014, p. 174). Local governments, thus, possess relative autonomy over policy implementation in certain fields that encourages experimentation and effectiveness, yet operating under strict fiscal regulation and pressure to deliver 'good' output that suffices cadre

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[28] China's multi-level administration system basically consists of the central government (*zhongyang* 中央), provincial (*shengji* 省级), prefectural or county (*xianji* 县级), and township or village level (*xiangzhen* 乡镇) (Heberer 2008, p. 67).

evaluation (Ahlers and Schubert 2014, p. 392). Being formulated rather vaguely, most policy agendas leave room for interpretation and reflect the constant negotiation processes between central and local agendas and priorities (Holbig 2004, 335-6).

The success of a certain policy is directly tied to the allocation of fiscal and other resources to localities which in many cases is subject to negotiation between local and central governments. Within resource allocation in border politics, the localities that are close to the border and host large cross-border ethnic groups have considerable higher bargaining chip. These localities are very important both to domestic development strategies that aim at developing the border areas and to the 'good neighbourhood' policy in which they function as bridges to the neighbouring countries. Provincial leaders play a crucial role in border politics as they interpret central objectives for national development for their province and set policy agendas; likewise they directly promote provincial interests abroad and in multilateral organisations such as the Greater Mekong Subregion and the Greater Tumen Initiative. The performance of provincial authorities is evaluated against the province's economic outcome, political and social stability and other soft factors by the central government, accordingly, provincial leaders are eager to develop economic exchange with cross-border countries using their relative geostrategic advantage as border provinces. This is similarly true for local governments (township and county governments) that can use their geographic location as an advantage for developing cross-border relations in energy, trade, and labour relations, but have to carefully manage superior directives because social stability and economic performance are key policies or 'veto targets' (*yipiao foujue* 一票否决) according to which they are personally evaluated within the cadre management system (Edin 2003). If they fail to maintain social stability, it means their overall evaluation failed and they will not get promoted (Ong 2012, p. 78). In case of success, local cadres and provincial personnel can keep their positions or are promoted. After the successful management of the Kokang 'incident' in 2009, Yunnan's Party secretary Bai Enpei stayed in position, while Xinjiang's Party secretary Wang Lequan was demoted after not 'adequately' handling violent incidents in Xinjiang in 2010 (The Guardian and Branigan 2010). This sort of incentive and demotion disciplining of provincial and local leaders encourages them to implement central directives prioritising 'veto targets' while creatively finding local solution for other policies.

Local authorities are pivotal in the bilateral agreements signed with the neighbouring countries as being responsible for creating a 'liaison system' (*lianxi zhidu* 联系制度 or 'reciprocal contact mechanism' *duideng lianxi jizhi* 对等联系机制). Responsible administrative levels on the Chinese side are governments of provinces or autonomous regions and county or township governments. These actors are bound to directly communicate with their cross-border counter parts, 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). This way, the implementation and enforcement are shared between public security actors and local governments.

The direct communication links between local border authorities are particularly important in the context of disaster relief actions following floods or fires. One incident occurred shortly before I conducted my field research at the DPRK border in August 2015. According to local sources, Chinese security forces crossed the border to 'rescue' Chinese citizen after heavy rain resulted in a flood of the Tumen River making the roads impassable. This kind of cross-border security action could be interpreted as a breach of territorial sovereignty of the 'invaded' side. However, due to the reciprocal communication mechanisms, these 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 in a situation of 'crises'. China's National Emergency Response Law of 2007 (*Zhonghua renmin gongheguo tu fa shijian yingdui fa* 中华人民共和国突发事件应对法) states that the county level is responsible for preparing for emergencies according to their actual local conditions and accordingly communicate with other non-governmental actors such as companies to prevent disasters and ensure emergency response (Art. 17). This law does not mention cross-border cooperation which, nevertheless, is institutionalised in the Yunnan Border Management Regulations. It states in terms of disaster relief, the county governments are responsible to set up agreements with the respective neighbouring government entity to allow Chinese security agents to cross the border with immediate return to eventually evacuate Chinese citizen who are across border in case of flood, fire or earthquake (Art. 18). Similarly, the 1986 agreement with the DPRK "Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in Border Areas" states in Art. 1.1. that both sides should cooperate in case of disaster relief.

As shown above, procedures regarding border politics are monopolised within the state apparatus but decentralised in their implementation. Other forms of immigration procedures through non-state actors are almost non-existent, such as private agencies for student exchange, private sponsors for immigrants, labour market test schemes or private security forces in surveillance or enforcement. This does not mean that there is no other agency but the state agency; however, the legal process on immigration is firmly kept in the hands of state actors. The only exception are intermediary agencies that support individual visa applications (Bork-Hüffer and Yuan 2014, p. 577).

In the case of border politics, local cadres in border prefectures and townships need to carefully navigate different policies and relations. They are responsible for implementing national development policies that are processed through provincial governments who assign priorities within the larger policy while maintaining social stability in the area. The local officials are also responsible to monitor the local population on demographics, health and marriage, and communicating the results with the local Public Security Bureaus (interview August 4, 2016). As mentioned above, they directly communicate with the cross-border counterparts and are responsible to establish *liaison* systems. Further, they are required to establish relations with local entrepreneurs. As part of the national border development agenda, private and state-owned companies increasingly moved to the border area. In order to supply these new employers with workforce, local officials are supposed to manage labour availability. This directly induces the necessity of integrating cross-border labour, which is available and cheap, in many cases. Local authorities are responsible for maintaining order and secure the border while facing manifold challenges of conciliating their own priorities with national policy directives and regional initiatives: secure the borders and keep them open and permeable at the same time; follow central directives while creating strategic opportunities within a dynamically changing regional order. Local governments at China's borders find different creative solutions that are adjusted to local characteristics. They were encouraged to establish pilot zones along the border, experimental zones such as Open Test Areas (*shiyanqu* 试验区), border towns (*bianjing chengshi* 边境城市), and Border Economic Cooperation Zones (*jingji hezuo qu* 经济合作区), and they were stimulated to open the border ports (*yanbian guojia ji kouan* 沿边国家级口岸)[29]. In Chapter 7, I shall show that local governments develop strategies in order to develop their localities and 'manage' their subjects. In different ways, local governments developed local immigration systems that allows them to legalise immigrants from the close border area into work, residence, and marriage. These local solutions are in line with the overall Chinese immigration system and Chinese laws, yet, they constitute local exceptions. This way, the local governments differentiate 'sovereignty' and 'territoriality' as their integration practice multiplies Chinese border politics within and beyond Chinese territory. These local exceptions, however, show how the Chinese state 'governs at distance'. The Chinese immigration system does not build on a norm or 'normality' of free movement; rather required registration and surveillance constitute the 'normality' of foreigners travelling or residing in China. The system builds on strict control and disciplinary power. This approach is not suspended in the border communities, but it

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[29] 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* 有关部门负责人就《国务院关于支持沿边重点地区开发开放若干政策措施的意见》接受中央主流媒体采访 [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].

translates into a differentiated treatment of the border communities that are seen as a potential threat and an opportunity to connect to the neighbouring countries at the same time. The border communities experience extraordinary control, but also exceptions to the resentment of low-skilled immigrant workers of the central immigration policy. Given these points, the position of local officials is central to border politics, they are a reference point for the local economy, security, and border population, and their leeway in organising cross-border relations is great. Hence, local cadres are the pivot for understanding in how laws are applied in the border region and how the exception to the rule comes about.

- Democratic People's Republic of Korea Ministry of State Security; Ministry of Public Security of the People's Republic of China (1986): Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas. Available online at http://www.nkfreedom.org/UploadedDocuments/NK-China-bilateral_treaty.pdf, checked on 5/31/2018.
- Ministry of Public Security of the People's Republic of China (2006): *Gongan bu zhaokai xinwen fabu hui tongbao gongan bianfang budui shishi "aimin gu bian" zhanlve youguan qingkuang* 公安部召开新闻发布会通报公安边防部队实施"爱民固边"战略有关情况 [The MoPS Press Conference Briefing the Public Security Border Defense Forces on the Implementation of the "Love the People and Strong Borders" Strategy]. Available online at http://www.mps.gov.cn/n2253534n/n2253875/ n2253877/c3742609/content.html, checked on 6/4/2018.
- Ministry of Foreign Affairs of the People's Republic of China (1997): *Zhonghua renmin gongheguo zhengfu he Miandian lianbang zhengfu guanyu Zhong Mian bianjing guanli yu hezuo de xieding* 中华人民共和国政府和缅甸联邦政府关于中缅边境管理与合作的协定 [Agreement between the Government of the PRC and the Government of the Union of Myanmar on China-Myanmar Border Areas Management and Cooperation]. Available online at http://www.law-infochina.com/display.aspx?id= 317&lib=tax&SearchKeyword=&SearchCKeyword#, checked on 6/4/2018.
- Ministry of Foreign Affairs of the People's Republic of China (2011): *Zhonghua renmin gongheguo zhengfu he Laowo renmin minzhu gongheguo zhengfu guanyu bianjing kouan ji qi guanli zhidi de xieding* 中华人民共和国政府和老挝人民民主共和国政府关于边境口岸及其管理制度的协定 [Agreement between the Government of the People's Republic of China and the Government of Lao People's Democratic Republic on Border Crossing and Its Management System]. Available online at http://www.mfa.gov.cn/chn//pds/ziliao/tytj/tyfg/t947973.htm checked on 1/11/2018.
- State Council of the People's Republic of China (2007): *Zhonghua renmin gongheguo tu fa shi-jian yingdui fa* 中华人民共和国突发事件应对法 [Emergency Response Law of the People's Republic of China]. Available online at http://english.gov.cn/archive/laws_regulations/2014/08/23/content_281474983042515.htm, checked on 6/4/2018.

5.2. 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

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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 relation between sovereignty, development and territorial integrity builds the foundation for the Chinese notion of national security in the context of which the actual border defence policies have to be analysed.[30]

Taylor Fravel (2007) argues that Chinese military border security doctrine reflects a 'defensive' stance and "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" (Fravel 2007, p. 708). He further argues that external and internal security are historically linked: "In Chinese military thought, the concept of frontier defence, or *bianfang* 边防, includes more than just border defence. It also encompasses the internal political stability of China's frontier regions (*bianjiang* 边疆), especially the absence of ethnic unrest, in addition to the protection of borders (*bianjing* 边境) from external aggression" (Fravel 2007, 719f.). This indicates that the differentiation between internal and external threats and the border being the delineating line between different security actors dealing with the specific threats, does not apply for China. Rather, I argue that the specific ways in which China deploys its security forces and shares responsibility among them results in a multiplication of the border. While in other states, multiplication is a result of changing threat perceptions (the enemy no longer being on the outside but on the inside aswell), in China, this multiplication is inherent to its understanding of border security. This subchapter first shows how the organisational structure of Chinese border security actors represents internal fragmentation through hierarchical implementation and shared responsibility among the different armed forces that do not follow a strict internal/external differentiation. Subsequently, I show how the 'myth' of the fortified border holds against my first hand experiences during field research, reflecting on *de facto* local border control practices and the porousness of the border.

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

The question how the border regime practices its security against unwanted immigration and possible threats against a certain territory is crucial in understanding the spatial articulation of the nation state. Border security enforcement represents how the state 'manages' the porous

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[30] 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, p. 140). I was not able to find the original essay. This quote, however, shows well how entwined the political and economic development to border security is.

membrane that surrounds its interior. Border security actors, their geographical scope of action, their organisational and legal background offers much insight about the government understands the inside/outside interplay. Hence, the following section tends to the organisational superstructure of the Chinese border regime especially focusing on the placing of the different actors among the different internal, external and transnational tasks of the border regime, the 'social space' of the security field that is "constructed from the differentiated positions of the agents of security" (Bigo 2000, p. 196).

Historically, the control and regulation of exit, entry, and travel of foreigners lie within division of labour between the Ministry of Foreign Affairs (MoFA) outside Chinese territory and for the Ministry of Public Security (MoPS) within Chinese territory (Fravel 2007, p. 728). The ministries have subordinate entities on provincial and local level which are responsible for the local implementation and enforcement of the central policies. Responsibilities for the 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 repatriation of illegal immigrants. With regard to security enforcement, the security agents the People's Liberation Army (PLA), the People's Armed Police (PAP), and Special Border Control Groups (BCG, *gongan bianfang budui* 公安边防部队) under PAP umbrella administratively share the different border areas: depending on the administrative level of the border gate, port, airport or check point, different security actors operate (Liu 2011, p. 18). All border defence actors are assigned to safeguard national territory against terrorist violence, (cross-border) riots or rebellions (*saoluan baoluan shijian* 骚乱暴乱事件), and illegal flows of immigration (Fravel 2007, p. 715). In 2003, the Central Military Commission transferred the border control at 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, p. 728). This restructuring followed discussions about corruption in the PAP and a rising awareness of political tensions across the border (Freeman and Thompson 2011, p. 42), in this sense, the shift indicates an increasing militarisation of the border. The reform aims at simplifying the chain of command into an exclusively military structure. This change was finalised during the larger administrative reforms in March 2018. At the Yunnan border area, the PLA is responsible for the border check points and airports, while BCGs control the roads leading to and from the border, creating second and third lines of control. In Jilin, the PLA controls the border completely, no additional BCGs are stationed.

In order to understand the specific spatial configuration of the border regime, I illustrate how the different lines of defence are drawn. Although the border does no longer just depict one line of fortification against another country, the multiplication draws more lines of control (see Figure

6). To my understanding, the different lines represent spheres in which security actors apply different technologies of control and also where different security actors are deployed. The geographic area that is most strictly controlled by security actors is the 'first line' of the border (*yixian* 一线) still referring to the international border. Border control, however, extends into the interior to a second, and third line of control by additional internal control sites and also to the exterior. In order to defend the first line of the border, mostly lightly armed infantry is stationed several kilometres behind the actual international frontier. The different military troops are responsible for border inspection work including immigration control and port security, maintaining stability in the border area by conducting counter-intelligence, preventing separatist and terrorist incidents, law enforcement on the interior, inspection work of the border infrastructure, and — in war time — defend the first line of the border (Fravel 2007, p. 727). The second line of control consists of selective permanent control sites along major roads leading from the border into the country as well as mobile BCG units that enforce controls such as searching cars or buses for illegal smuggling or entering, checking IDs from people travelling in the border area. The third line of control, moreover, comprises more subtle strategies of control that are not associated with actual physical controls. The third line of border control entails attempt to comprehensively control the border area in terms of population management. Control techniques that fall within this third line involve disciplinary practices. These include the above mentioned practices such as producing information material on 'appropriate' behaviour in the border area, and practices of control aiming at the health, the reproduction and the organisation of the population (biopower) such as surveillance of marriages and reproductive activities with 'foreign wives', control of HIV infections among the border population, and the ubiquitous *hukou* household registration. These techniques, however, are not enforced by security actors but are the result of different policies targeting development and stability of the border area. Depicting border security along these three lines instead of one, to my mind, shows how border security is radiating from the international border into the interior multiplying into more holistic strategies to control the border area. The following section, however, focuses on the first and second line of control and the responsible security actors.
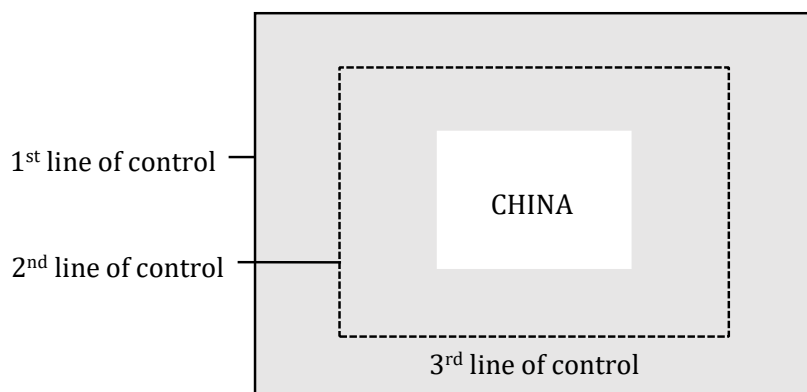
Figure 5: Model of Chinese Border Defence Lines (drawn by author)

The above-mentioned administratively shared responsibility among security actors is characteristic for Chinese security forces. The 2010 White Paper on China's National Security emphasised the dual leadership of civil and military actors with regard to border defence stating that the

> "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 bor-
> der and coastal provinces, cities and counties, have commissions to coordinate
> border and coastal defences within their respective jurisdictions." (Information
> Office of the State Council of the People's Republic of China 2011).

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.
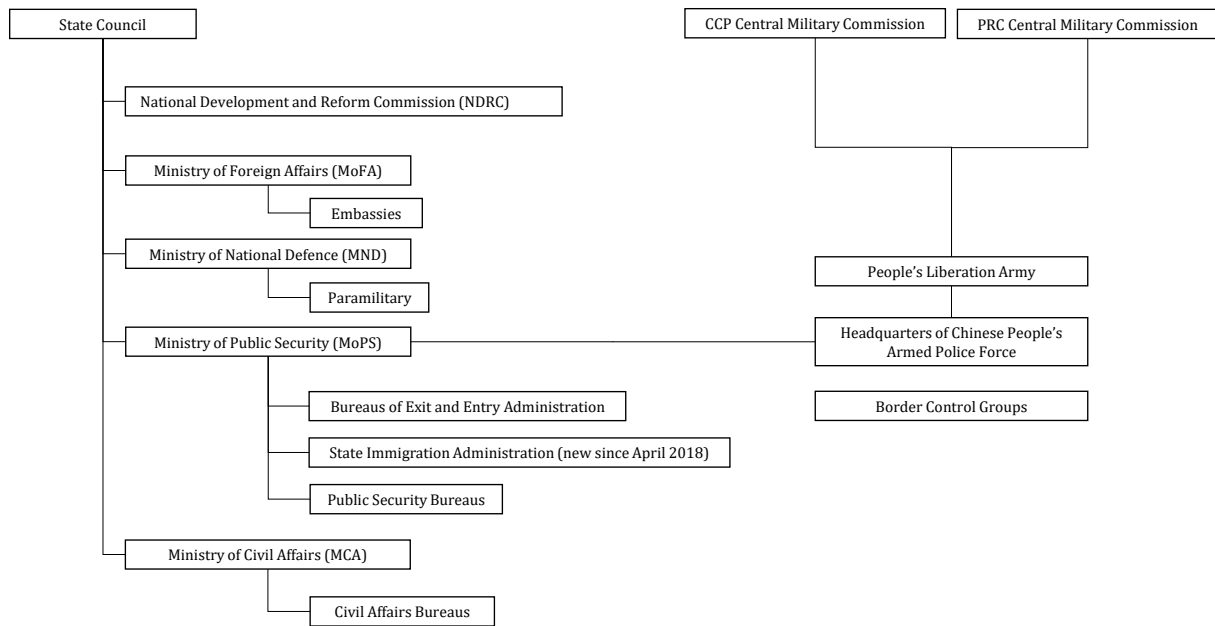
Figure 6: Organisation of Chinese Border Security Actors (drawn by author)

Overall, the role of the Chinese military organisation politically decreased giving way for party politics in security issues. Since its central role in the party during the Mao era, the military 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, p. 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 the party rule over military affairs (Cheng 2010, p. 174). Since January 2018, the PAP became integrated into the CPC Central Military Commission further strengthening the party control (China Daily 2017a). Inter-party-military relations are further institutionalises in two Small Leading Groups (*lingdao xiaozu* 领导小组) that work directly under the State Council to coordinate the work of the armed forces in the Western region: the PLA Leading Group on Military Unit Participation and Support for Large-Scale Development of the Western Region and the PLA Leading Group of Armed Forces Emergency Control (Miller 2008, p. 3).

In 2013, the State Council issued a White Paper on The Diversified Employment of China's Armed Forces introducing a modernisation and professionalisation 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 focuses 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. A doctrine of 'active defence' (*jiji fangyu* 积极防御) as implementation strategy of the

armed forces was reinforced[31]. In the name of "openness, pragmatism, and cooperation", it further emphasises Confidence Building Measures (CBM) in border areas. It states that the armed forces consist of the PLA, PAP and the militia[32], each having operational (PLA: Navy, Second Artillery, Air Force) and regional divisions (Military Regions). Besides their responsibility to safeguard borders and maintain national stability, the armed forces also contribute to "national economic and social development" by supporting infrastructural projects, they participate in disaster relief operations such as after earthquakes and floods, contribute to international peacekeeping operations and guarantee the wellbeing of overseas Chinese citizens such as in Libya in 2011.

These responsibilities are shared between the different armed forces, however, not in a traditional inside — police, outside — military division but in a case by case decision on the vertical authority of the different ministries under the guideline of the State Council. As Bigo had observed in Europe, the traditional sphere of action (police — inside, military — outside) has become challenged through increasing immigration and the dissolution of the border. In the Chinese case, the inside-outside dichotomy has traditionally been more fragmented, as is the Chinese state is decetralised and the share of responsibility did never follow this separation logic. This important conclusion indicates that the Chinese 'physical state frontier' which is both the 'symbolic frontier' and an 'administrative demarcation' is subject to different, sometimes conflicting actors and interests. The following section shows what actors are involved operating in different spheres and becoming transnationalised in the process. I will show that the border security practices are locally diverse which reflect the internal fragmentation and multiplication of the border.

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[31] Active defence (*jiji fangyu* 积极防御) is key term within Chinese military approach referring to military action. Within the '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 stabilising the situation, only if this is not successful, the second phase begins including counterattack and decisive actions, a possibly following third phase, the 'people's war' includes guerrilla forces to attack the enemy behind enemy lines (Fravel 2007, 719f., 2019).

[32] The militia is a paramilitary organisation that consists of trained and armed civilians that are not released from their regular work. They are recruited and organised by the National Defense Mobilization Department within the MND.

Table 5: 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 • disaster relief operations such as after earthquakes and floods	• joint border controls under regional frameworks such as SCO, GMS • Confidence Building Measures with neighbouring countries • contribute to international peacekeeping operations • disaster relief operations to retrieve Chinese citizen 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 • disaster relief operations such as after earthquakes and floods	• joint border controls under regional frameworks such as SCO, GMS • contribute to international peacekeeping and counter-terrorism operations
BCG	• control the roads leading to and from the border, creating second and third lines of control • border and coastal public security administration • ports and border inspection and surveillance • prevention of and crack-down on illegal and criminal acts in border and coastal areas, such as illegal border crossing, smuggling and drug trafficking	• patrols and surveillance in areas adjacent to Hong Kong and Macao • patrols and surveillance along the demarcation line of the Beibu Gulf

With regard to the sphere of influence, the PAP only in part is responsible for domestic affairs but it also explicitly reaches out, supporting international counter-terrorism operations sending personnel to other countries such as part of the anti-piracy network in Somalia (Lanteigne 2013, p. 297). Abroad operations such as under the umbrella of the United Nations Peacekeeping Operations, however, are mainly deployed by the PLA. The PLA also participates in multilateral CBM that China organises with neighbouring countries to increase trust and exchange information among security agents (Kondapalli 2006, p. 222). There joint trainings are conducted in different regional frameworks, e.g. at China's Western border, the PLA closely cooperates with neighbouring countries militaries in regular joint exercises such as with Kazakhstan under the framework of the Shanghai Cooperation Organisation (SCO) (The Diplomat and Ramani 2015). Moreover, China signed several agreements on border control cooperation and has ongoing negotiations on

joint border control within regional frameworks. China, like the WTO, supports the belief that joint border control operations increase capacity building of the security agents (Andrijasevic and Walters 2010, p. 988). Both within the Greater Mekong Subregion (GMS) and the Greater Tumen Initiative (GTI), they proceed such cooperation (in further detail in Chapter 6). Further, the PLA maintains 46 frontier inspection stations on major border routes; and 113 mobile groups deployed in important sectors in border areas (Ministry of National Defense 2016). Media attention especially lies on their operations against illegal drug smuggling and narcotics (China News 2017b). 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" (Ministry of National Defense 2016).

Moreover, provincial governments and local cadres play a crucial role in the implementation of border security. The border provinces are vital to the economic relationship to the neighbouring countries, provinces are expected to establish direct relations with their cross-border counterparts such as described above with reference to the agreements on border residents. In 2006, the MoPS issued the 'love the people, secure the borders' strategy (*aiguo hubian zhanlve* 爱民固边战略)[33] that emphasises the role of the border provinces such as Yunnan and Jilin in the enforcement of border security against external threats such as smuggling and other forms of illegal activities (exit gambling or logging). The strategy states that local officials are essential in the defence organisation as they know local realities. In order to gain local knowledge on border communities and illegal activities, they are required to regularly visit the border communities (*sanfang sijian* 三访四见).

In order to implement the central directive, Yunnan province implemented new Regulations on Border Management (*Yunnan sheng bianjing guanli tiaoli* 云南省边境管理条例) in January 2017 as a result of the ongoing debate about lack of a comprehensive border regulation. This provincial initiative states that the local Public Security Bureaus and the Public Security Frontier Defence Department (*gongan jiguan ji gongan bianfang bumen* 公安机关及公安边防部门) are responsible for exit and entry of foreigners and maintain social stability in the border area (Art. 4). The Regulation introduces a joint meeting with the Foreign Affairs Department to exchange information and strengthen cooperation (Art. 5). It explicitly mentions international law as framework in

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[33] Ministry of Public Security of the People's Republic of China: *Gonganbu zhaokai xinwen hui tongbao gongan bianfang budui shishi "aimin gu bian" zhanlve youguan qingkuang* 公安部召开新闻发布会通报公安边防部队实施"爱民固边"战略有关情况 [The MoPS Press Conference Briefing the Public Security Border Defence Forces on the Implementation of the "Love the People and Strong Borders" Strategy] 2006.

which the enforcement agencies are supposed to carry out their duties (Art. 6). It prohibits destruction of border infrastructure or illegal fishing or waste disposing in the border area as well as privately opening or expanding border crossings (Art. 8, Sect. 5). It, importantly, encourages a cooperation of both sides of the border guards in terms of opening hours for the gate and custom regulations (Art. 14). With regard to the location of control, Art. 19 explicitly states that the security agencies may establish temporary border check points 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* 吉林省边境管理条例) was issued in 1997 and amended in 2004. The 1997 regulations mention the local Public Security Bureau responsible for licenses and permits, while the provincial governments responsible for demarcating the border and the overall management of the border area (surveillance and 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 organise education events for the cadres and the masses to improve patriotism and the state of the border security regulations. In 2004, Art. 19 that introduced a Border Operation Permit (*bianjiang zuoye zheng* 边境作业证) was abolished as it proved to be bureaucracy-expensive. The permit was necessary to handle any sort of 'production activity' within the border area issued by the local Public Security Bureau. The Regulation, however, does not specify border control (other than that there is a one-kilometre zone along the border in which blasting and shooting is prohibited, Art. 20) and does not further detail intergovernmental or local cooperation.

Overall, the provincial regulations assign responsibilities to local authorities, both local Public Security Bureaus and local governments, giving leeway for how to manage border mobility and how to secure the border and social stability in the border area. The control landscape at Chinese borders appears as a militarised and fortified zone. The media representation of the Yunnan and Jilin border builds on stories of 'coercive crackdowns' against trafficking, drug smuggling and illegal immigration especially with regard to the Golden Triangle (Xinhua 2016a, 2015). The associated pictures manifest the militarization showing pictures of armed personnel and gear (China News 2017a) sometimes even romanticizing the troops (Chuansong News 2017). Human interest stories about PAP officers 'serving the public' present narratives that help humanize and legitimize the military and police presence to the local population (Sina 2015; Sohu 2015). The media representation indicates that the state can maintain a fortified and closed border that it safe against external threats. The reporting associates the military presence with safety and stability for the border area. Insofar, the media does support the 'myth' of the fortified border, although the border security agents themselves do not to consequently prevent illegal mobility and 'fortify' the border against illegal trafficking and smuggling.

In sum, in order to make border control more comprehensive and increase its effectiveness, the actual sites of control have been decentralised, diversified and relocated away from the border, both within and beyond Chinese territory: Chinese border control became internalised and externalised. The *internalisation* refers to the fact that the border authorities acknowledge the *de facto* porousness of the border, relocating the controls to a second line of control with mobile control units and street controls. This way, the mobility of immigrants is locally tied to the border area where it is 'manageable'. An *externalisation* of the border control, 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 that seek to prohibit 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 contributes personnel to the operations beyond the Chinese border. Su Xiaobo (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
> nese 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."

The 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, the latter, aims at stabilising bordering countries and preventing local causes of emigration, to keep bordering conflicts from reaching Chinese territory, e.g. China finances an opium substitution program that helps ex-poppy farmers to grow economic crops in northern Laos and Burma (Su 2015, 79). More on these joint measures within the regional frameworks in Chapter 6.

Yunnan:
- Yunnan Provincial People's Congress Standing Committee (2016): *Yunnan sheng bianjing guanli tiaoli* 云南省边境管理条例 [Yunnan Border Management Regulations]. implemented 01.01.2017 (52). Available online at http://politics.yunnan.cn/html/2016-12/18/content_4658361.htm, checked on 3/13/2018.
- Yunnan Entry-Exit Inspection and Quarantine Bureau (2012): *Sheng gongan ting chu rujing guanli ju qianhua guanli tisheng fuwu nengli* 省公安厅出入境管理局强化管理提升服务能力

[Provincial Public Security Bureau of the Exit-entry Administration Bureau Strengthens Management and Improves Service Capability]. Available online at http://www.yn.gov.cn/yn_ynyw/201207/t20120716_5721.html, checked on 3/13/2018.

- Yunnan Entry-Exit Inspection and Quarantine Bureau (2015): *Yunnan chu rujing jianyan jianyi ju zhuanbian zhineng tisheng fuwu zhu tui qiye chukou* 云南出入境检验检疫局转变职能提升服务助推企业出口 [Yunnan Entry-Exit Inspection and Quarantine Bureau Transforms its Functions and Upgrades Services to Boost Export]. Available online at http://www.yn.gov.cn/yn_zwlanmu/yn_tjdt/201502/t20150217_16322.html, checked on 3/13/2018.

Jilin:
- Jilin Provincial People's Congress (1997): *Jilin xing renmin daibiao dahui changwu weiyuanhui guanyu xiugai "Jilin sheng bianjing guanli tiaoli" de jueding* 吉林省人民代表大会常务委员会关于修改《吉林省边境管理条例》的决定(1997) [Decision of the Standing Committee of the Jilin Provincial People's Congress on Amending the Regulations on Border Management of Jilin Province (1997)]. Available online at http://www.pkulaw.cn.lawinfochina-chi.erf.sbb.spk-berlin.de/PrintPage.htm, checked on 3/13/2018.
- Jilin Provincial People's Congress (2004): *Jilin xing renda changwei hui guanyu feizhi he xiugai bufen defang xing fagui de jueding* 吉林省人大常委会关于废止和修改部分地方性法规的决定(2004) [Decision of the Jilin Provincial People's Congress Standing Committee on Abolishing and Amending Some Local Regulations (2004)]. Available online at http://www.pkulaw.cn.lawinfochina-chi.erf.sbb.spk-berlin.de/PrintPage.htm, checked on 3/13/2018.
- Jilin Province Public Security Department (2016): *Jilin sheng gongan ting tuichu wu xiang chu rujing bianmin li min xin* 吉林省公安厅推出五项出入境便民利民新 [Public Security Department of Jilin Province Launched Five Items for Immigration for the Convenience and Benefit of the People]. Available online at http://bjysjjgov.com/a/gonggongjiao-tongguanli/20160610/153.html, checked on 3/7/2018.
- Jilin Foreign Affairs Bureau (2012): *Guanyu jin chujing lvke xuanze "honglv tongdao" de guiding* 关于进出境旅客选择"红绿通道"通关的规定 [Regulations on the Selection of "Red and Green Passages" for Entry and Exit Passengers]. Available online at http://wb.jl.gov.cn/zcfg/crjfg/201409/t20140925_1753824.html, checked on 3/13/2018.

National provisions:
- Ministry of National Defense of the People's Republic of China (1997): *Zhonghua renmin gongheguo guofangfa* 中华人民共和国国防法 [People's Republic of China Defense Law]. Available online at http://www.mod.gov.cn/bcd/2010-02/25/content_4286078.htm, checked on 1/24/2018.
- Ministry of National Defense of the People's Republic of China (2015): *Zhonghuo remin gongheguo guojia anquan fa* 中华人民共和国国家安全法 [People's Republic of China National Security Act]. Available online at http://www.mod.gov.cn/policy/2015-07/02/content_4592814.htm, checked on 1/24/2018.
- State Council of the People's Republic of China (1995): *Zhonghua renmin gongheguo chujing bianfang jiancha tiaoli* 中华人民共和国出境入境边防检查条例 [People's Republic of China Exit and Entry Frontier Inspection Regulations] (182). Available online at http://www.gov.cn/banshi/2005-08/31/content_27714.htm, checked on 1/29/2018.
- State Council of the People's Republic of China (2013): *Zhonghua renmin gongheguo waiguo ren rujing chujing guanli tiaoli* 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on the Control of the Entry and Exit of Aliens] (State Council Order, 637). Available online at http://www.gov.cn/zhengce/2013-07/22/content_2602620.htm, checked on 1/11/2018.
- Information Office of the State Council of the People's Republic of China (2013): The Diversified Employment of China's Armed Forces. Beijing (White Paper).
- Information Office of the State Council of the People's Republic of China (2011): China's National Defence in 2010. Beijing (White Paper).
- Information Office of the State Council of the People's Republic of China (2002): White Paper on China's National Defense in 2002. Beijing (White Paper). Available online at http://english.gov.cn/official/2005-07/28/content_17780.htm, checked on 7/1/2012.

- Information Office of the State Council of the People's Republic of China (2006): White Paper on China's National Defense in 2006. Beijing (White Paper). Available online at http://www.china.org.cn/english/features/book/194421.htm, checked on 7/1/2012.

5.2.2. Turning a Blind Eye: De facto Border Control Practices

While the official organisation of border control is important to understand the intended regulatory framework, the actual practice of border security enforcement deviates from the intended design. In the following pages, I show how practices of border control vary through different locations indicating deliberate loopholes for informal border mobility, sometimes security actors are turning a blind eye on informal border mobility, and sometimes border control is in fact lacking or dysfunctional.

In Yunnan, the mountainous countryside and the thick rainforest only give way for a few large transportation routes that also pool much of the cross-border mobility. Only the Mohan 磨憨 - Boten border gate is a first ranked border gate which means that Chinese, Laotian, and international travellers can pass. All other border gates towards Burma and Laos are second ranked only allowing Chinese nationals and respectively Laotians or Myanmar citizens to cross. In Mohan, the border check point maintains a different infrastructure, it has a 'representative' border gate both on the Laotian and the Chinese side (Figure 11 and 12), a quarantine bureau, and contains a custom clearance station. The custom station has automated scanners for trucks and cars. The border check point is a fenced area with hotels, gas station and shop infrastructure which yet seem abandoned. This stands in sharp contrast to the infrastructural plans for the border area that are depicted in the construction plans on site (Figure 8). Nonetheless, the border gate is a busy crossing point, letting hundreds of people pass every day and producing long lines of traffic incoming and outgoing. The border gate itself also serves as a symbol of 'national unity' picturing the different bordering communities in their ethnic dresses as propaganda (Figure 9).

The ethnic diversity of the area is important because it determines everyday border mobility of the border communities. My case sites in Yunnan, both Dehong Dai Jingpo Autonomous Prefecture and Xishuangbanna Dai Autonomous Prefecture, are characterised by an ethnically diverse demographic such as Dai, Bai, Zhuang, Miao, Hui and many more. The ethnic groups often live cross-border, which means that the same village at some point in history became divided by state frontiers which afterwards impacted the daily life of the village people to different degrees. Often, people cross the border on a daily basis, e.g. farming together with their cross-border kin (Sturgeon 2013a; Wang et al. 2016), or marrying across the border (Barabantseva 2015b). Trade is frequently organised cross-border, as markets travel from side to side and people flexibly visiting

markets on the other side of the border (Dean 2005, p. 823)[34]. A rare but good example to illustrate how close these minority groups live is a town now only called 'one village, two countries' (*yizhai liangguo* 一寨两国). The territorial border between China and Burma runs straight through the middle of the town, which became a tourist attraction.

Although this is an international border gate, the personnel are not used to international travellers which indicates that a large percentage is local border mobility. Most of the people that I interacted with were locals conducting business, short term visits, or tourists from southwest China who went to Laos for holidays.

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[34] More on the identity construction of cross-border ethnic lives, see Siriphon 2015; Egreteaux 2017.

Figure 7: Boten Border Gate (Laotian Side) (photo by author)

Figure 11: Mohan Border Gate (Chinese Side) (photo by author)

Figure 9: Propaganda Poster of Border Gate (photo by author)

Figure 10: Abandoned Hotels in Mohan Border Park (photo by author)
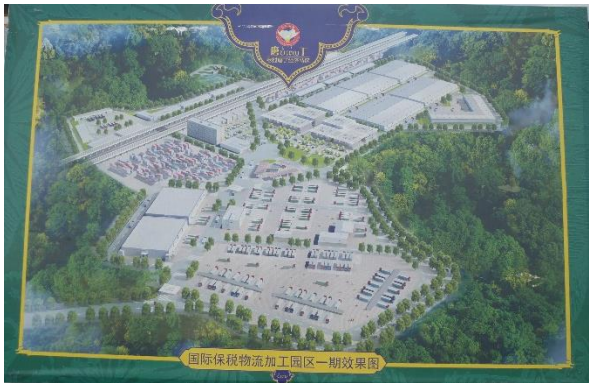
Figure 8: Construction Plan of Mohan Border Park (photo by author)

Other Yunnanese border gates that I visited were in Ruili 瑞丽, Mangxi 芒信, Zhenkang 镇康, and Daluo 打洛. These gates were less technically equipped. Only Ruili also maintained a vehicle scanner and only Ruili was much-frequented. None of the others maintained a quarantine station. I observed that in many cases, border guards let some people cross without checking any identification documents. These people often carried baskets or crossed on motor scooters carrying goods back that they purchase on the Myanmar side. Many of those crossing without showing IDs look 'local', speaking Burmese or the local Yunnan or Dai dialect is sufficient indicator for their belonging and right to pass, often, border guards recognize them because they frequently pass.

These other border gates were not much frequented, instead I observed regular border crossings by locals only a few metre nearby the check points. Although these crossings were quite visible, they tried to hide from security forces. Nevertheless, these illegal border crossings were tolerated either because security personnel were scarce or because they intentionally chose not to completely close the border for 'local traffic'. I witnessed baskets being pulled over fences with long ropes carrying all sorts of goods. Moreover, the local infrastructure to further transport people from where they illegally cross the border to the nearest town is well institutionalised. Local residents cut quasi-permanent doors in the border fences which they open at 'business hours'. While they are open, groups of men on motorcycles wait behind the border on Myanmar or Laotian side to provide taxi services. In places without border fences, locals offer transportation across the border on forest roads bypassing border control completely. Oftentimes, the people seizing this transportation mode posess legal documents and the possibility to cross with a visa, but decided to take the less bureaucratic, the cheaper way or take this way to bypass customs as they smuggle e.g. smartphones. The people maintaining this private parallel border infrastructure function as 'border entrepreneurs' profiting from the tolerated informal border mobility culture and price differences. In a way, the border is equally operated by state agency and these private 'border entrepreneurs' that make a living of the illegal border mobility. Although it might be true that these 'entrepreneurs' help illegal crossings, the border-crosser themselves are not necessarily illegally entering. The service, though, is considered a criminal offense, which means that they will be criminally charged if caught in the act. These examples constitute a range of illegal, yet visible and somehow tolerated, bordering practices that ultimately show that the border is porous.

In Jilin, I visited two border ports in Hunchun City: Quanhe Port (*Quanhe kouan* 圈河口岸) and Hunchun Port (*Hunchun kouan* 珲春口岸 also known as *Changlingzi kouan* 长岭子口岸), and one in Tumen City (*Tumen kouan* 图们口岸). Hunchun Port is a first rank 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, the occupancy rate however was way lower than in Yunnan. None of the gates maintain quarantine stations. The busiest port was Hunchun

Port; people and cars were crossing, while the other ports appeared quite inactive. The larger border area is highly militarized: wired fences, cameras and watchtowers flank both sides of the border. Fended-off military zones including visible military infrastructure such as bunkers and satellite dishes are positioned directly at the border. Besides the military presence, other visible 'state symbols' are positioned close to the border such as a stone-built touristic viewing tower on the Chinese side that surmounts the surrounding area, hence dominates the view of the scenery. However, despite the dense fencing, the border also appears as porous. Local sources said that despite the increasing border control people can mind their business across the border: mushroom and ginseng picker from North Korea either come to the Chinese side to sell their goods or hand them to their relatives to sell, other goods such as food and medicine are sold across the border by middle men transporting them through the river, and it is still possible to depart the country. The river plays a crucial role in the border mobility: During the summer when the river runs shallow it is easier to cross it, however, it also becomes easier to be detected by security forces. Still, people take the risk of being caught, often on a regular basis. The people crossing the border in all cases were North Koreans, also for trading back and forth across the river, indicating that the business is not 'worth' the risk for Chinese citizen. In this sense, taking the relatively high risk of crossing the border becomes a commodity for the traders.

Overall, the technical question of border control has rapidly developed during the last decade. Most border crossings are surveyed by cameras, even roads that are possible border crossing points. Nevertheless, recent media reports suggest that border control troops are implementing a new early-warning monitoring system, including the use of drones to guard the sparsely populated regions in Yunnan, Tibet and Xinjiang. Increasingly, troops and their new boats and vehicles are directly connected to China's BeiDou 北斗 satellite navigation system implementing a 'new border monitoring system' (The Economic Times 2018). This increasing automatization and digitalisation of control equipment and practices indicate an increasingly comprehensive surveillance approach. As the newly issued ID cards include chips that monitor and register the holder's border crossing, new large data sets on the legal mobility of border-crossers become available to the government.

In conclusion, irregular cross-border mobility and trade to a certain degree are tolerated by the local governments and the other security actors responsible for the border control. In part, this is a result of overlapping responsibilities of border security authorities. Their priorities often intersect manifesting a fragmented local state. As explained above, border control lies within shared responsibility among PLA, PAP, and BCG, local Public Security Bureaus issue the necessary identity documentation, visa and permits, while local governments are responsible to set up agree-

ments with their cross-border counterparts on border mobility issues and communicate. The different actors are all bound by state law and central governments regulatory frameworks and report back to their respective central state agencies (MoFA, MoPS, and central government). These actors follow different priorities and strategies: While the border patrol focuses on preventing smuggling of narcotics, custom authorities prioritise facilitating border controls for traders and businesses. To a larger degree, however, the acceptance of informal mobility and trade enable local border economies to thrive, exchanging goods and labour across the border. Local authorities, rather than trying to prohibit the border mobility, aim to legalise —not the mobility itself — but its byproducts such as cross-border marriages. By trying to establish good neighbourly relations, e.g. by attending ethnic festivals that are visited by people from both sides of the border, they ensure close relations both with their own and with the cross-border community in order to control the situation.

Hence, the actual border controls are to a large part symbolic. This does not mean that they are ineffective, but the controls constitute an important 'performative role' of the border. The first line of border control is extended to a second line consisting of mobile border control units and more subtle extended into a comprehensive population control of the larger border area. The security techniques include both traditional military presence and control and population governance creating a holistic set of controls.

Surveillance and Control: Mandatory Registration and IDs

As shown in Chapter 4.1., the legal provisions for foreigners entering are different depending on the immigration scheme through which they enter, so are the security techniques applied to them through the Chinese border regime. Generally, instruments of control for all immigrants are issuing identification documents (visa, work and residence permits), and border controls at check points to identify their carrier. In China, visa and work permit authorities are state run. The MoFA is responsible for organising visa issuing, while the MoPS is responsible for the registration management of foreigners while they reside on Chinese territory. The local Public Security Bureaus play an important role in enforcing the immigration laws, as they issue work and residence permits on a local level. The local Civil Affairs Bureaus issue marriage licenses or *hukou-* related issues. The local Public Security Bureaus are also responsible for repatriation in case of offence against immigration laws. They closely work together with local governments to interpret central policy directives and decide how to implement and enforce the immigration laws. In the case of border residents and 'foreign wives', they often practice some leeway in interpreting the directives as the enforcement practices vary widely. While some localities work at integrating and legalising immigrants, others are quick to repatriate them. Ultimately, this is a political decision based upon how the local cadres perceive the immigrants, either as a 'threat' to the local community and public

health or as 'valuable' for local economies. In all localities where I conducted my field work, the cadres emphasised that their responsibility is to help those 'valuable' immigrants to stay. Moreover, they declared that an important part of their job is to publicly acknowledge the cross-border realities of local border communities. This means that they attend local ethnic holiday festivities and public events organised by villages that are attended by border people of both sides of the border. They acknowledge that they cannot effectively prevent all foreigners from crossing the border, so they focus on the local communities to signal that they are aware of the situation (interview August 3, 2016). However, these public events are also a way to monitor local communities. Although the local authorities strive to accept and even legalise de facto immigrants to their communities, a close monitoring of their mobility and actions is essential to them. This monitoring is enforced by mobile Border Control Groups that check IDs across the border and try to prevent illegal smuggling. The government introduced digital surveillance such as a computer database monitoring reproductive data such as unexpected pregnancies of foreigners (*shewai bubiao* 涉外布标) (Barabantseva 2015a, p. 73). The local governments maintain statistics on health, social status, employment status and family status of the border residents, no matter if they are legally registered or informally tolerated. Local authorities, further, compile information packages to educate local communities on 'appropriate' behaviour such as the above-mentioned calendar that depicts behavioural rules on how to behave at the border. All these different attempts of control mount up to a comprehensive network of control of the border communities. Traditional forms of control such as the border control check points do not have the same effect on local communities as they have on other foreigners. Local border residents know where they are and work their everyday life around them. This is not necessarily an indicator that they pursue illegal activity, rather by preventing the controls, they can follow their daily routines more effectively without being interrupted by controls. Accordingly, local authorities tried to find new ways of control drawing on educational and long-term monitoring techniques.

5.3. Internal Border Security: Developing Border Areas from Within

As described in Chapter 5.1., besides the safeguarding against external threats, the responsibilities of the local state entail maintaining internal (social) stability as a 'veto target' (*yipiao foujue* 一票否决). The fear of internal instability and disintegration of the Chinese territory stems from adversarial history of Beijing governing different ethnic groups with decreasing reach of power from the centre into the periphery. In this sense, the safeguarding the border area itself — also internally — became a security issue. Consequently, the differentiation of securing border against external threats and assigning specific security actors to internal/external threats becomes even more difficult because the multiplication of the border continues inwards. Correspondingly, Carla Freeman argues that in Beijing's view, in the border regions "international and domestic security

are closely intertwined". The border areas are "hot zones for potentially contagious minority unrest" and "particularly vulnerable for external forces (Freeman and Thompson 2011, 2f.). This ambiguity of internal and external security also manifests in Chinese military strategy as Peng Guangqian and Yao Youzhi 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 'stabilisation' and the 'balance' of China's "geostrategic relationship with neighbouring states" (Peng and Yao 2005, p. 66). Taylor Fravel (2007) encapsulates the special role of the 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" (Fravel 2007, p. 714).

Hence, the Chinese periphery is defined by a weak authority and legitimacy of the central government which to a large part acquired an 'autonomous' status within the Chinese administrative system. Yanbian Korean Autonomous Prefecture, Dehong Dai Autonomous Prefecture, and Xishuangbanna Dai Autonomous Prefectures — where I conducted my field research — all are Autonomous Prefectures whose residents are to a large part 'ethnic minorities' (*shaoshu minzu* 少数民菅). In China, the ethnic diverse population is categorised into 56 officially recognised groups that are organised into specific administrative entities that can entail one or more 'ethnic minorities'. According to the 2010 census, 1.8 million Korean lived in Jilin, while Yunnan is ethnically more diverse inhabited by people identified as Zhuang, Hui, Tibetan, Bai, Dai and other 'ethnic minorities' (Jacka et al. 2013, p. 147). The constitution acknowledges China to be a "unified multi-ethnic country and a nation with diverse cultures". The 'minority policy' translated into affirmative action nominating members of the 'ethnic minorities' into National People's Congress. Within the autonomous regions, the *minzus* appoint their own local cadres.

As Janet Sturgeon (2004) shows, the border areas often contain local patronage networks that reach across border eluding from the power of the centre of the nation-state in the case of Dai rubber farmers. These networks can be seen as an advantage and resource to the Chinese state as

it facilitates cross-border economic cooperation. Supporting the cross-border links of the Autonomous Regions that 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, p. 140), possibly resulting in extremism, terrorism or separatism, hence, undermine territorial integrity. Additionally, the Chinese government fears that the overall marginalization of these communities, the lacking access to Chinese infrastructure, unequal political participation (compared to Han Chinese but also among different degrees of affirmative action), and uneven access to the labour market and other state resources often produces grievances that might erupt into conflict and possibly riots. To revitalise the border area and 'enrich people's lives' (*xingbian fumin* 兴边福民)[35], different political campaigns were designed addressing uneven development from the 1990s onwards. Later, the Chinese government issued several development programs (Develop the West *xibu da kaifa* 西部大开发, Belt & Road *yidai yilu* 一代一路) that specifically aim at developing the periphery and integrate traditional trade routes between central Asian countries and China's north-eastern provinces (cf. Arase 2015).

Since 2000, the National Development and Reform Commission (NDRC) issued different policy directives and infrastructural projects under the slogan of 'Develop the West', 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 operated on Chinese territory, the Belt & Road Initiative developed a territorial strategy for China's integration into the region (if not global). Both of the campaigns constitute 'soft policies' that are paradigmatic for the decentralised decision-making process that transfers the realisation of the campaign goals on a provincial and local level (Holbig 2004, p. 356).

The idea of Develop the West originated in a joint working group by representatives from Yunnan, Sichuan and Guizhou during the 1980s who asked for compensation for the comparative disadvantage resulting of Beijing's focus on the industrial development of the coastal provinces (Holbig 2004, p. 336). After the preferential policies were granted 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 the support of the central government (Li 2014, p. 283). The program was piloted by the State Ethnic Affairs Commission, the NDRC, and the Ministry of Finance. While the north-eastern provinces were not addressed in the first round of investment as Heilongjiang, Jilin and Liaoning could "claim to be compensated for the economic and social impact expected after WTO accession, they did not qualify to belong to the 'poor interior' accord-

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[35] Literally translated into 'Prosperous Borders, Wealthy Minorities'.

ing to the prevailing ideological geography" (Holbig 2004, p. 343). After a 'dynamic labour movement' formed in 2002 and Beijing began fearing social unrest, the preferential policies were extended to the provinces. In 2002, the CCP's 16th National Congress made a landmark decision to revitalise and rejuvenate the north-east (ibid.). Yanbian Prefecture, however, was able to gain preferential policies before, already in 2001, as it represented a gateway to the neighbouring countries within the GTI framework (see Chapter 6.3.).

In 2009, Hu Jintao introduced the phrase 'bridgehead' (*qiaotoubao* 桥头堡) to the official discourse to describe the important role of the border provinces in linking the 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 both an attempt by the central government to coordinate and regulate the local governments according to central policies and priorities as well as to use local governments' resources in their capacity as foreign policy actors and their good relations towards their cross-border counterparts (Jakobson and Knox 2010, 31-33). This 'spatial selection' of Yunnan is central in the territorial discourse on regional development, emphasising its 'geostrategic' importance, and utilising its geographic and cultural proximity to the Southeast Asian region. The nomination process allowed Yunnan considerable leeway to directly establish relations with its cross-border neighbours which resulted in several bilateral cooperation agreements with Burma, 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, and 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 a bilateral 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, 508-9).

The numbers on investment of Beijing in the 'underdeveloped' regions varies through the literature because the framework under which investments are part of the Develop the West campaign is not clearly defined by the central government. Notwithstanding, it is sure to say that Beijing allocated several billion CNY in addition to the 'normal' funds. By 2009, every border county had received funding (Freeman and Thompson 2011, p. 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, p. 34). Yunnan invested 250 billion CNY in its infrastructure alone between 2000 and 2010 originating from special funds by the central government (Central Government News Portal 2010), since 2005 at least 4 billion CNY were invested by all level governments

into projects enhancing the living conditions and accessibility of the Yunnan border area (Freeman and Thompson 2011, p. 69). Besides building infrastructure that integrate these regions into larger transportation networks, promoted projects included building local administration buildings, environmental projects as to enhance the quality of drinking water, energy infrastructure, and poverty reduction projects. A main focus was set on improving cross-border trade including trade infrastructure in Special Economic Border Zones that would attract investment by Chinese companies 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, p. 16). The preferential policies effective in these border zones apply for both Chinese and cross-border counterparty: e.g. duties are waived for locals living within 20-30 kilometres of the border on goods up to 3,000 CNY (ibid.).

In sum, the combination of increased funding and preferential policies led to infrastructure development and poverty reduction in the 'underdeveloped' border areas. This served the twofold goal by the central government of securing the border area from within against possible secession movements caused by grievances and infrastructural connecting the border provinces to the neighbouring countries to increase trade. The development program also served a 'civilization' purpose as it tried to integrate areas traditionally inhabited by 'ethnic minorities' into the nation-building process by establishing more equal development. A stable and 'harmonious' border area is a key component within the Chinese approach to border security. In this sense, Beijing extends the 'third line' of border control by using development policy to secure the border area against internal threats of succession and instability supplementary to the before described military control of the wider border area.

5.4. Policing at Distance and Local Exceptions

As I described in Chapter 2.3.2., 'policing at distance' is a theoretical concept describing how governments delocalise the site of border controls away from the state borders "to create new social frontiers both inside and outside of the territory" (Bigo and Guild 2005a, p. 1). In Europe this follows a 'governmentality by fear' according to which the government fears its own incapacity to effectively fortify the border against unwanted immigration. Hence, they relocate the control in order to decentralise responsibilities and multiply border control into other policy fields such as social and labour policy. In the EU, however, the '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 decentralised and integrated into different policy fields. Chapter 5.1. showed how border regulation bureaucracy is organised

within the larger political architecture; Chapter 5.2. illustrated how border security enforcement is organisationally shared among MoPS and MoFA and their local bureaucracies; and Chapter 5.3. demonstrated how border security spills into other policy fields such as social, labour and economic policy under the umbrella of national development, a bundled policy campaign aiming at integrating the periphery. Further, the local exceptions of Special Administration Border Zones and locally specific forms of legal immigration (which I further analyse in Chapter 7) constitute specific zoning activities of the Chinese border regime. Here, the government allows local exceptions to the national norm in order to spur local development. This mode, however, is deeply entrenched into the Chinese political system that builds on local 'experimental zones' in which policies are tested before they are widely implemented. Hence, China embodies a 'permanence of the quasi state of emergency', the 'permanence of the exceptional' (Bigo 2005, p. 90).

As shown above, Chinese local authorities do not practice the illusion of the 'myth of mastering the frontier' and do not aim at effectively closing the border, rather their countermeasures include a comprehensive monitoring and surveillance of the border communities both including traditional techniques such as border check points and repatriation, as well as education campaigns. They invented a number of techniques to both implement and combine the security and the development directives from the centre. These include local exceptions like border passes and locally valid working and residence permits. They ultimately enhance the official border security notion of fortified borders to serve the primary goal of developing the border regions to maintain social stability.

Lastly, the 'spatial selection' of the border provinces as bridgeheads emphasises their political importance for the nation state while their resource access is tapped into. The nation-state, in fact, becomes spatially re-articulated while the periphery becomes gentrified relative to the centre. How the re-scaling further gained momentum within the regional development projects of the Chinese state is discussed in Chapter 6.

CHAPTER SIX

Re-Scaling Territorial Authority within Regional Organisations

Chapter 6. Re-Scaling Territorial Authority within Regional Organisations

This chapter inquires into the spatial articulation of the Chinese state 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 the neighbouring countries and the wider region. Specifically, I analyse how Beijing attempts to economically integrate the borderlands in regional organisations such as the Greater Mekong Subregion and the Greater Tumen Initiative. Within these organisational structures, 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. The role of local authorities and the quality of their direct cross-border interactions becomes up-scaled in the process.

6.1. Re-scaling the Chinese State

Spatial planning, especially urban transformation and decentralisation in rural areas, have become a common policy tool in China (Wang and Shen 2016). This means that the central government selects places that become subject of customised, sometimes experimental policies, promoting development projects such as infrastructure construction or industry hubs. These place-specific policies are designed according to local characteristics and often aims at a later up-scaling to a national level. This process of re-scaling, however, changed giving rise to regional initiatives as spatial strategies

> "transformed away from decentralisation and localisation to recentralisation in
> administrative arrangements and regionalisation 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" (Li and Wu 2012, p. 91).

With regard to border politics, spatial planning became especially relevant as border provinces were found strategically important in specific regional initiatives such as Yunnan and Jilin were labelled 'bridgeheads' (*qiaotoubao* 桥头堡) in 2009. This focus on the border region was one integral part of China's 'going out' strategy that aimed at facilitating the "geographical expansion of capital, labour and knowledge". The border area posed a strategic starting point for this expansion as they were rarely shaped by global capitalist forces before but within the reach of the Chinese central government (Su 2013, p. 1221).

Besides fiscal policies granting Special Border Zones preferential tax policies, Chinese provincial governments saw them as a chance to promote cross-border trade while at the same time implementing the central development strategy. These policies directed by the central government were implemented by the provincial governments. In both provinces actors such as the Provincial Development and Reform Commission, Department of Customs, Department of Industry and Commerce, and specifically installed actors such as the Yunnan Bridgehead Construction Steering Group comprising high-ranking provincial officials engaged in discussions on how to steer the implementation and what to prioritise.

This 'spatial selection' of Yunnan and Jilin acknowledges their geostrategic importance within the region, especially within the regional integration projects of the Association of Southeast Asian Nation (ASEAN), the Greater Mekong Subregion (GMS), and — for Jilin — the Greater Tumen Initiative (GTI). This label constituted a configuration of the central-local alliance including resources and administrative support (especially by the General Administration of Customs) to implement the goals of the central government. The specific policies 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 recentering of the regional economy in China" (Su 2013, p. 1213). Since these preferential policies were introduced, Yunnan profited from subsidies such as tax-free import practices for the local manufacturing industry, and a 24% tax reduction for exporting; in 2011 by the State Administration of Industry and Commerce that allowed foreign investors to invest in CNY (instead of US$) in the border area to attract more foreign direct investment (People's Daily 2011b). Besides other border provinces, Yunnan's role was also instigated in the 12th Five-Year Plan (FYP) as part of the 'Opening Up' strategy of the border areas (chapter 50, section 3; Zhonghua Renmin Gongheguo Zhongyang Renmin Zhengfu [Central People's Government] 2011) to increase trust in the regulatory measure and give incentives for state-owned enterprises and private investors to further invest in the area. The 11th FYP already stipulated the need for more qualitative integration in the region and the establishment of 'development axes' under the slogan of 'active development' which was further refined in a plan to 'enrich people's lives' (*xingbian fumin* 兴边富民). This plan gave way for increased financial support of the 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 with focus on China's northeast and especially Jilin province was similarly written into the 12th FYP. Jilin is part of the eastern coastal development structure that has established several regional clusters in which the development of the Changchun-Jilin-Hunchun expressway (*changjitu hezuo kaifa* 长吉图域合作开) and the Eastern Border Railway (*dongbiandao* 东边道) were integral parts to connect the regional infrastructure. These plans were announced at the same time as the Yunnan 'bridgehead' strategy, in 2009, which overall reflects the orientation towards China's peripheries and border areas within the national spatial development process. Moreover, the border area is regionally integrated in the GTI that aims at expanding these infrastructural routes across the border and facilitate trade and transport. Within this complementary framework on 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* 中国图们江区域合作开发开放刚要-以长吉图为开发开放先导区; Gao 2015).

6.2. Greater Mekong Subregion (GMS)

The following section shortly describes the history and organisational structure of the Greater Mekong Subregion (GMS) focussing on China's and specifically Yunnan's role in the process. Subsequently, I deal with the regulation and practices of the GMS in detail focusing on (1) how joint border security activities within the GMS constitute security cooperation, (2) security and development and how these two norms are being negotiated in the regional framework, and (3) border trade and investment facilitation creating Special Economic Border Zones.

Between 1992 and 1994, the Asian Development Bank (ADB) began promoting regional integration through the GMS framework. The organisation implements regional integration initiatives on a transnational basis. This process started 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 (Lao PDR), Myanmar, Thailand, and Viet Nam) mainly focusing on the expansion of trade towards transnational integration (Taillard 2014, p. 24)[36]. This constitutes a re-scaling process as it conveyed a rethinking of the centre-periphery relations among the member states as they had to integrate the border areas into their national development programs, and the establishment of regional economic corridors that aimed at reshaping the regional economy and linking local economic centres. Projects aiming to increase the interconnectivity involved building roads and railroads, integrated hydropower dams on the Mekong River and joint river management, electrical and telecommunications networks, gas and oil pipelines, and the establishment of cross-border free development zones. With

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[36] More on the economic integration of Yunnan in the GMS see Poncet 2006; on the energy network and water security Lei et al. 2009; Hensengerth 2017, 2010.

regard to the re-scaling of the Chinese state, Su (2012a) argues that Beijing deliberately de-emphasises centralised power structure to build an 'interscalar institutional framework' that facilitated Yunnan's integration into the transnational organisation (Su 2012a, p. 519). Additionally, Su claims that Yunnan province reformed 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 (Su 2014, p. 99). With regard to the local-global interaction, Glassmann 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" (Glassman 2016, p. 62). Similarly, Tubilewicz and Jayasuriya find that the "distinctive character of China's state capitalism shapes the institutional form regional engagement takes in the GMS" meaning that the internationalisation of state capital is directly linked to the internationalisation of the local state (Tubilewicz and Jayasuriya 2014, p. 187). The authors conclude that the Chinese regional integration, thus is shaped by capitalist rather than political considerations (Tubilewicz and Jayasuriya 2014, p. 193). I follow this argumentation, however, find that the Chinese logic of development combines the two integrating capitalist goals into regional development under the umbrella of 'good neighbourhood' policy.

An ongoing debate within the GMS concerns the Chinese dominance in many projects such as the high dependency on Chinese investments. This dependence became palpable when e.g. the Kunming-Bangkok railway was put on moratorium after the Chinese company withdrew from the joint venture due to high debts on part of the Ministry of Railway in 2011 (Taillard 2014, p. 42) or the local grievances following the 'Chinese presence' in infrastructure projects (Lin and Grundy-Warr 2012). The other major source of conflict lies in the negative environmental and economic effects of China's ambitious hydropower dam construction on the Mekong producing floods and draughts in the riparian countries (Tan 2014, p. 428; Magee 2006; Myint 2014; Will 2010).

For China, the regional integration also indicated a re-ordering of subnational policy actors. The direct participation of the border provinces Yunnan and Guangxi in the organisation reflected their important role in the overall 'going out' strategy for national development towards Southeast Asia (cf. Colin 2014, p. 110). This way, the formerly remote border areas that were poorly developed in terms of infrastructure, became a new centre for development, the territorial edge became the connecting hub. The provincial government used its geographic position to its advantage allocating special funds for transnational projects from the Chinese central government as well as ADB finances. In 2016, Yunnan provincial government affirmed further developing the integrated trade networks by further investing in the 'Two Asias Cross-border Logistics Centre' (*liangya kuajing wuliu zhongxin* "两亚"跨境物流中心) (Xinhua 2016c).

The GMS framework integrates different administrative levels within the Chinese state: the National Development and Reform Commission (NDRC) that directly works under the State Council and other state ministries are directly involved as are the provincial governments of Yunnan and Guangxi and their provincial departments. The GMS Cross-border Transport Agreement (CBTA) signed in 2003 includes exclusively non-military cooperation to build economic corridors facilitating commodity and trade (Asian Development Bank 2011; Ishida 2013). The National Coordination Group for the GMS coordinates projects between national and provincial governments and directly addresses the Chinese Ministry of Commerce, Ministry of Foreign Affairs and the Ministry of Finance. This institutional arrangement better integrates the provincial governments into the process and highlights the importance of the GMS for Beijing (Su 2012a, 515). 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." (Asian Development Bank 2011, p. 2)

The CBTA aims at harmonizing and standardising cross-border procedures, taxation and transportation regulation to a 'critical level', however without offending national legislation of the member countries. Hence, the Agreement does not involve how visa regulations are handled for the member countries but includes a number of Annexes that involve best practice recommendations for the member country's border authorities. Annex 5 on Cross-Border Movement of People includes recommendations on visa application duration, health inspections, and duty-free allowances. Other annex regulate standards for custom clearance, vehicle safety, and licensing for transport operators. Further three Protocols 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. This mainly includes the agreement that the countries inform each other about changing border crossing locations and statuses, a non-discrimination clause for charging transit costs, and introduces a GMS Road Transport Permit that facilitates multiple border-crossings by including standardised English forms for consistent communication. The member countries are responsible to implement these procedures on a local level, however, the ADB hosts trainings for border authorities to establish a standardised level of expertise. Projects initiated by the ADB include the Yunnan Pu'er Regional Integrated Road Network Development Project (Project number 46040-002) during 2012/13 and a project on Capacity Development for Economic Zones in Border Areas in the Greater Mekong Subregion during 2015 (project number 48122-001). These projects involve close monitoring of ongoing projects on road construction and transport facilitation as well as permanent consultancy 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. Further regional mechanisms involve the sub-national participation of Yunnan: the Bangladesh, China, India and Myanmar (BCIM) aims to boost regional cooperation among these countries in which Yunnan is a major active member, further Yunnan actively participates in the Yunnan–Northern Thailand Working Team, Yunnan–Northern Laos Working Team, Economic Consultative Conference between Yunnan Province and northern Vietnam, and Yunnan–Myanmar Cooperation Business Forum (Su 2013, p. 1224).
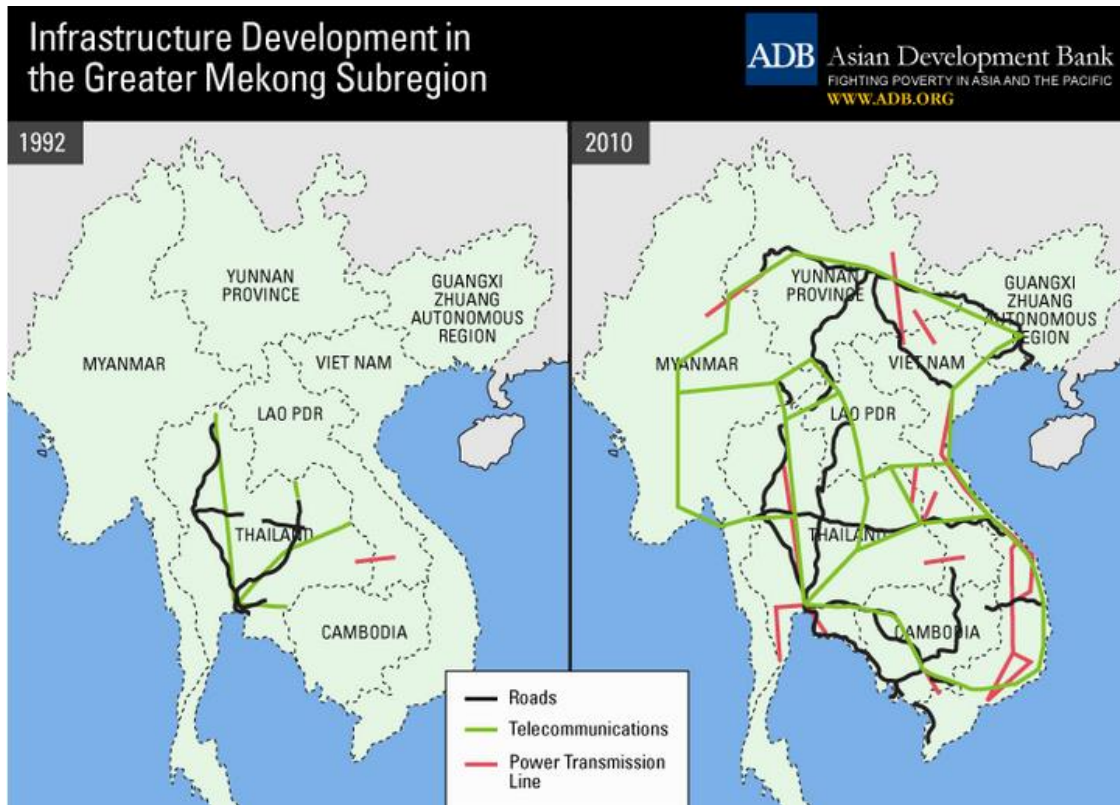
Map 1: Transport Corridors in the GMS 1992 and 2010, Asian Development Bank 2012
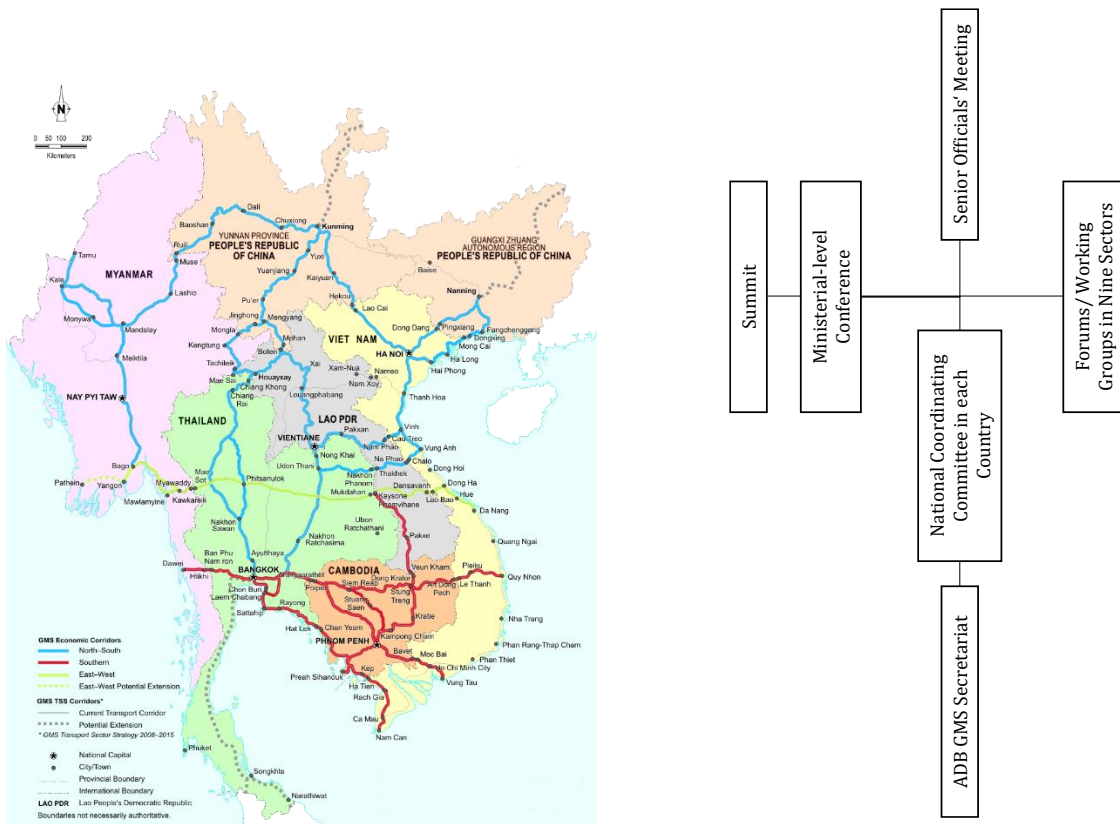
Map 2: GMS Transport Corridors,
Greater Mekong Subregion 2018
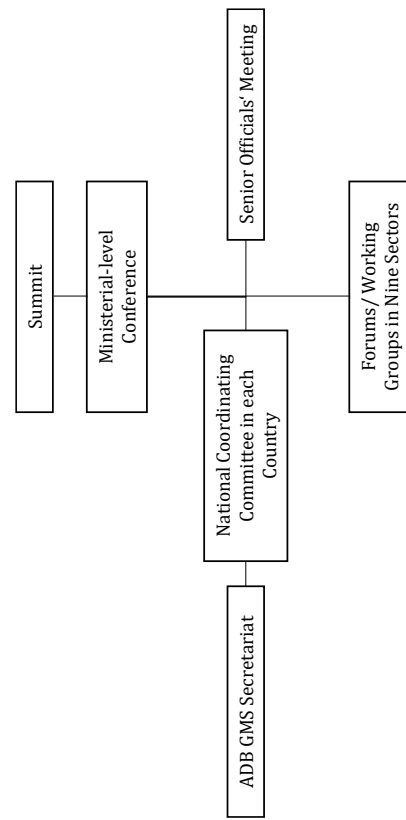
Figure 12: GMS Institutional Framework

6.2.1. Joint Border Control on the Mekong River

Although 'border security' is not one of the official 'issue areas' within the GMS framework, several non-traditional issue areas are tackled by regional agreements. Among those security issues are disease control and public health, food security, and human and drug trafficking (GMS Ha Noi Action Plan 2018-2022). The official strategies to address these issues include education, facilitating safe cross-border labour migration; and addressing cross-border health issues. Several programs have been planned and implemented such as consultancy for Strengthening Regional Health Cooperation in the Greater Mekong Subregion (project number 51151-001, ADB invests 1,000,000 USD) and a Study of Social Welfare and Labour Adjustments for Enterprise Reform in China (project number TA1923). Besides these joint efforts to steer security within individual development projects, the GMS conducts cooperation also within the realm of 'traditional' security measures. The GMS organises joint border control along the Mekong to fight organised crime, illegal trafficking and drug smuggling. The GMS member states created a Border Liaison Office mechanism that aimed to share information on illegal activities along the joint borders in order to facilitate cooperative action. The mechanism was established by a MoU on Drug Control in 1993. The mandate was successively broadened from illicit drugs and drug precursors to include migrant smuggling, human trafficking and the illicit cross-border movements of wildlife, timber, hazardous waste and Ozone Depleting Substances. In cooperation with the UNODC, this translated into the Partnership against Transnational Crime through Regional Organised Law Enforcement (PATROL) project. PATROL organises customised 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, p. 7). Besides a general lack of border security infrastructure, the reports found that the main problem is the increasing illegal trafficking of women across borders by highly professional trafficking organisations (UNODC 2013, 9ff.). China, Vietnam, Laos and Burma hold regular meetings and event-based discussions with border inspection agencies including discussions on the facilitation of inspection procedures, expedited customs clearance, and joint crackdown on illegal and criminal activities.

Besides the trainings and surveys, however, the GMS member further initiated a joint border control unit on the Mekong that is equipped with security personnel from all member countries. For China, both PLA and PAP participates in these patrols, dispatching around 200 soldiers and police. All riparian countries contribute to these border patrols aiming to prohibit illegal trafficking and drug smuggling on the Mekong (Xinhua, 2016). The Yunnan PAP unit presides over the joint mission adopting a function as transnational coordinator. The Yunnan Police Academy cooperates with the UNODC conducting trainings to which they increasingly invited neighbouring countries security forces. Between 2002 and 2008, they launched around 100 joint cross-border raids (Su

2015, p. 78). The public legitimacy of these raids gained momentum after thirteen Chinese sailors were murdered when their boat was hijacked by drug traffickers ('October 5 Massacre' in 2011). These traffickers were hunted down in a cooperative action that was initiated by the MoPS and prominently covered by Chinese media (ibid.). In 2011, the first joint Mekong River patrols took place starting in the Yunnan Guanlei Port going down to Chiang Saen in Thailand. The patrols escort cargo ships along the river and to deter hijackers and search private boats for drugs. The operations involve China, Laos, Myanmar and Thailand, with Cambodia and Vietnam as observing states. Since then 73 operations took place leading to successful evaluation of the project by Chinese authorities (Xinhua 2018a).

The regional security framework entwines Chinese threat perceptions with regional issues. The above described drug control cooperation connects to the Chinese crackdown on drug smugglers. In order to effectively conduct this crackdown, China draws on joint GMS resources. These operations, however, are neither in cooperation nor under the mandate of the UN or UNODC, rather they result from joint security concerns of the Mekong riparian countries. China's PAP contributes personnel to the 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, p. 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."

The security cooperation continues on a local level: In Dehong, Chinese local security authorities meet regularly to exchange information with their Myanmar counterparts on illegal activities and discuss enforcement strategies. The exchange process, however, seems asymmetrical to them, as the level of expertise, equipment, and reach of the Myanmar forces is rather limited (interview August 3, 2017). In Xishuangbanna, the joint border security enforcement is also inscribed into the development plan along with the need to professionalise and standardise procedures (Xishuangbanna Prefecture People's Government 2017). These local cooperation are part of the Border Liaison Mechanism but also entrenched in the Chinese provincial Regulations on Border Management (see also Chapter 4.2.).

In a nutshell, China extends its security issues into the GMS framework. Although the GMS does not constitute as a security community that follows a coherent notion of security or threat perception, the organisation aligns certain security issues under the umbrella of development policies. The joint border operations are not directly part of the GMS organisation, however, derive from the integration process. Hence, China does externalise its security enforcement to these joint operations. Yet, they operate under the laws of the member countries and China does supply the major part of the resources, thus, actively designs functioning and goal of the operations. Moreover, not only does Chinese national law apply for the security enforcement in extra-territorial operations, China integrated the regional Border Liaison Mechanism with Chinese regulations on border management, all governmental levels are included.

6.2.2. Security and Development: Drug and Disease Control

With regard to the projection of its security needs into the region, China applies different strategies of "coercive crackdown and development assistance" (Su 2015, p. 80). Besides the above described security enforcement that is integrated regionally and nationally, development assistance aims at preventing local causes of migration and strengthening the neighbouring countries' economies to reduce poverty and prevent possible immigrants. Against this backdrop, China finances opium substitution programs that help ex-poppy farmers to grow economic crops in northern Laos and Myanmar (Su 2015, p. 79). The ongoing drug smuggling from Myanmar and Laotian poppy farms into the country is a major concern for Chinese officials. In 2004, Chinese authorities announced a 'People's War on Drugs' that was supplemented with additional funds for increasing border controls. They additionally invested in rehab and detoxification facilities as well as methadone clinics for Chinese addicts. In 2000, China already participated and signed the ASEAN-China Cooperative Operations in Response to Dangerous Drugs (ACCORD) that aimed at multilaterally tackling the issue including measures of public education, demand reduction, improving law enforcement and eliminating narcotic crops by financing alternative development programs. The ACCORD programme was substantiated with several MoUs that further detailed responsibilities. It is financially and technically supported by the UNODC.

While China directly finances opium substitution programmes for Laotian and Myanmar farmers, Chinese agricultural companies are pressuring these farmers to buy seeds and fertilizer. Farmers complained that they become dependent on the companies as well as on the Chinese market which is depressing prices (Freeman and Thompson 2011, p. 72). Hence, the substitution programs do not offer a real alternative as producing crops for the Chinese market drove many farmers into bankruptcy. As discontent with the Chinese substitution methods rose among Myanmar farmers, Su Xiaobo interviewed a farmer saying that "it is not opium substitution, but colonialism" (Su 2015, p. 80). Ruili local government took a different approach when they financed local agricultural

companies that directly cooperate with farmers across the border ensuring import licencing and duty-free status which implicated better market conditions for the farmers (Freeman and Thompson 2011, p. 73).

Also in Ruili and other border cities, local authorities directly and regularly interact with their cross-border counterparts in order to discuss HIV/Aids programmes including trainings and technical exchange, monitoring and evaluation of drug users (cf. Freeman and Thompson 2011, p. 74). In my interviews, local officials repeatedly stated that this was the one 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* 瑞丽市国际执法安全合作大队机构) was established that is responsible to coordinate joint law enforcement, exchange information, and improve relations with the different governments and enforcement units (Ruili City Public Security Bureau 2017).

The drug and narcotics issue is both central in the GMS and the Chinese security discourses. The issue is directly linked to the question of public health as drug use spreads HIV infections which pose a major security concern in the region resulting in high costs for the Chinese health and social system. Moreover, the issue is linked to development policy as the support of ex-poppy farmers in neighbouring countries show. The issue demonstrates the nexus of security and development.

6.2.3. Zones of Exception: Border Trade and Investment Facilitation

The transport corridors planned by the GMS create increasing trade routes through the region. Along the corridors, Special Economic Zones (SEZs) were established by the different member countries in order to spur foreign direct investment, facilitate custom regulations, and incentivise local labour markets. The creation of SEZs is inherent in the Chinese political system that builds on local pilot areas and experimental zones. Accordingly, the Yunnan government already in the early 1990s 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* 开发 开放试验区) and the 'Ruili Jiegao Border Trade Zone' (*jiegao bianjing maoyiqu* 姐告边境贸易区).

Yunnan's provincial government under governor Qin Guangrong (2007-2011) 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, p. 1226). In 2010, they launched the Yunnan Bridgehead Construction Steering Group which was lead by the governor and supported by the party chief. This steering group is vertically organised and appointed local administrative chiefs at prefectural levels that chair local steering groups. These local units are responsible for implementing policies attached with the bridgehead

strategy according to the local specifications and report back. Chapter 5 of the 2017 introduced Yunnan Regulations on Border Management (*Yunnan sheng bianjing guanli tiaoli* 云南省边境管理条例) states that provincial and border prefecture governments have the responsibility to further develop cross-border infrastructure to facilitate cross-border mobility, travel, communication and business by issuing preferential policies for the border area.

The provincial government established a number of SEZs along the border integrating national and local development goals. These SEZs are at the same time a deliberate consequence of the 'bridgehead' strategy and yet another tool of spatial strategies to create even more specific 'zones of exception'. During the reform period and until today, local experimental zones were used as trial zones for new innovative policies (Heilmann et al. 2013). One of the vanguard zones in the area was already established in 1992 and until today the most infrastructural developed zone is located in Dehong Dai and Jingpo Autonomous Prefecture at the Ruili-Muse border gate (Bie et al. 2014, 5290). Both of these zones were directly authorized by the State Council 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 在中华人民共和国海关对中缅边境民间贸易的监管和收税优代 and the Notice for Further Liberalizing the Border Towns and Counties of Nanning, Kunming, Pingxiang, Ruili and Hekou by the State Council 国务院于进一步开放南宁、昆明市、凭祥市、瑞丽、河口县等五个边境城镇的通知). Important to notice here is that the border area was strategically integrated into spatial planning strategies by the central government through these preferential policies as well as symbolic appreciation as 'bridgehead'.

Established in 1992, Ruili National Key Experimental Zone for Development and Opening-up (REZ, *guojia zhongdian kaifa kaifang shiyan qu* 国家重点开发开放试验区 or Jiegao Border Trade Zone *Jiegao bianjing maoyiqu* 姐告边境贸易区) was the first of Yunnan's SEZs. It is located in Dehong Dai Jingpo Autonomous Prefecture bordering Myanmar, close to the Mangshi Airport, and well connected to the wider province via roads. The Zone contains the whole town of Ruili and spreads out into the area, having 'two wings' (*liang yi* 两翼) in Mancheng and Longchuan County. Two first-ranked border gates and one second-tier border gates are located in the Zone. The REZ is organised by two Management Committees (CPC Ruili National Key Development Open Experimental Zone Working Committee and the Ruili National Key Development Open Experimental Zone Management Committee), one Party Committee and one non-party following the guideline of 'one institution two names' (*yi tao banzi, liang kuai paizi* 一套班子、两块牌子). Moreover, it is organised into several sections: one Integrated Department, a Policy Planning Bureau, an Economic Development Board, a Project Coordination and Investment Promotion Bureau, and a Foreign Cooperation Bureau that work directly under the Working Committees, overall employing 30 people (see

Figure 14: Ruili Jiegao REZ Organisation Chart). The zone's authorities follow a special customs supervision mode that treats exported goods as internal goods omitting taxation (*jingnei guanwai* 境内关外). Export licenses can be issued within one day facilitating transaction speed. The zone authorities claim that over 60% of the overall China-Myanmar trade are processed through Ruili (Ruili National Key Experimental Zone For Development and Opening-up 2018). In 2015, the zone had reached 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, an increase since 2011 over 385.19% (trade volume), 168% (passenger) and 172.03% (traffic) respectively (National Development and Reform Commission 2016).
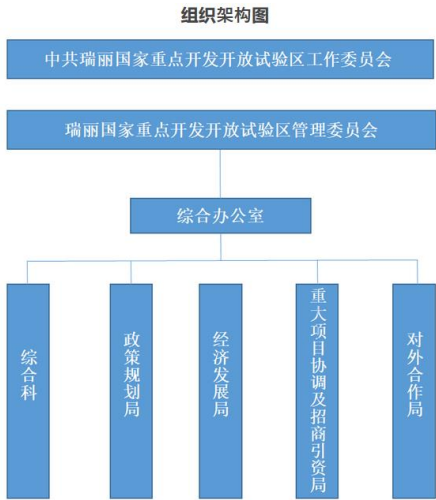
Figure 14: Ruili Jiegao REZ Organisation Chart

The Ruili Jiegao REZ functions as a processing zone that both accommodates manufacturing sites and storing sites for imports/exports for different industry sectors (such as electronic mailboxes, textile, and bio-pharmaceuticals, ibid.). The average paperless customs clearance rate of customs reached over 90%, and the average customs clearance time was reduced to 5 minutes. In 2015, 1289 enterprises had established representations in the zone, among them big car and motorcycle companies Beiqi Ruilie (北汽瑞丽) and Ruili Yinxiang (瑞丽银翔) who also manufacture in the border area, China Minmetals, COFCO, CNBM, CNPC, BAIC Group, and Agile Property. Further, local authorities 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 the 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 the cross-border immigration, the zone established a registration office for cross-border marriages and the first foreigners' service point for Myanmar citizens (more detailed in Chapter 7.1., National Development and Reform Commission 2016). As part of the 'enrich people's lives' policy (*xingbian fumin* 兴边福民), local authorities plan to include 'ethnic minority people' in the 'fruits of local establishment' more generally but also to establish a 'subsidy system' for border residents who help guarding the border (*dui chengdan shou bian renwu bianmin de buzhu zhid* 对承担守边任务边民的补助制度) (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* 勐腊（磨憨）重点开发开放试验区) was only formally established in 2014 (State Council Gazette 2015). The zone is located in Xishuangbanna Dai Autonomous Prefecture bordering Laos. Local authorities lobbied with the national and provincial governments for years to gain this preferential status (interview August 17, 2015). The zone borders Laos but equally strives to attract direct investment from Laos, Vietnam and Myanmar. The Boten-Mohan border area is a first-ranked border gate that consists of two special economic border zones on both sides of the border. The border gate hands up to 70% of the overall Sino-Laotian trade (Tsuneishi 2013, p. 221). The Mohan Border Trade Zone accommodates several hotels, restaurants and space for factories. The development plans of the local government, however, did not yet result in the planned industrial park. Nevertheless, the Zone is highly developed compared to the neighbouring border ports, the streets are newly built and tourism infrastructure is well developed. Similar to the Ruili zone, the Mohan zone is governed by a dual structure with a Party and a non-party working committee, the personnel working in dual function in the zone administration and county government (Yunnan fazhi wang [Yunnan Law Online] 2018). The zone is a cross-border zone meaning that companies from both sides can equally invest. In 2017, 71 foreign firms had registered in the Mohan zone mostly from Laos and Myanmar (China Daily 2017b). The Yunnan Department of Finance allocated 100 million CNY for 2016-2025 to boost investment in port and transport infrastructure, the zones overall goal is to implement an integrated transport network for the region and to build the infrastructure attracting an industrial cluster (Xishuangbanna Prefecture People's Government 2017). The zone allows direct CNY investment by foreigners. Besides economic and fiscal regulations, the zone has yet not developed other functions. The only exception the zone offers with regard to immigration practices is that foreigners working in the zone can directly apply for

working permits there (Yunnan Provincial Government 2016). However, this does not include foreigners working elsewhere in the border area.

The NDRC's evaluation of these zones, however, runs shorts behind other Experimental Zones. In 2015, Ruili acquired a regional GDP of 12.5 billion CNY which falls short behind other zones such as Dongxing Experimental Area in Guangxi which reached 51.27 billion CNY. The statistics for Mengla are not out yet, because it only started running in 2014 (National Development and Reform Commission 2016). Yet, the zone already plays an important role in the Chinese regional development as it pools trade and transportation along clearly designed transportation corridors and attracts foreign direct investment the zone constitutes stipulated investment conditions that are only locally available. This way, the Chinese government enhanced the role of its periphery into important connecting hubs of regional development.

These zones constitute 'zones of exception' as they offer preferential taxes for border trade and labour conditions. Since 2011, foreign investors can use CNY to invest in the border area rather than other freely convertible currencies as before and elsewhere (People's Daily 2011b). Although these zones attract foreign direct investment both within the GMS framework through the ADB and private companies from the neighbouring countries, the biggest part of the financial investment is provided by the Chinese central government and allocated through the provincial government. Last year, the local government in one SBEZ tried to use the allocated funds to build a cross-border golf course, however, this was prevented by the provincial government. This anecdote aside, the financial means assigned to these specific zones often exceed their feasible investment goals and planned expenditures for border infrastructure and border management. The current status of implementation of the development plans in Mohan lags behind ambitious GMS infrastructure plans. Most roads and border infrastructure are yet to be built or simply not in full use, e.g. the quarantine office at the border gate. These border zones are gated and their spatial configuration directly at and sometimes almost across the border reflects their symbolic value for cross-border cooperation. The border zone in Ruili City is situated within Chinese territory but is a small enclave across the Shweli River on the Myanmar side. The zone is a tourist attraction for selling relatively cheap jade from Burma, but it also it is a point of contact between people from both sides of the border and a hub for the local border economy engaged in legal and illegal trade (i.e. currency exchange, jade and wood imports into China, exporting smart-phones, cars and motorbikes).

Map 3: Google Maps Satellite Picture of Mohan Boten Border

Map 4: Mohan Border Development Plan

Map 5: Google Maps View of the Ruili Development Zone

Map 6: Ruili City and Jiegao Border Trade Zone

Bilateral Agreements on Border Trade and Mobility:

- Ministry of Foreign Affairs of the People's Republic of China (1998): 中华人民共和国政府和缅甸联邦政府关于互免持外交和公务（官员）护照者签证协定 [Agreement between the Government of the People's Republic of China and the Federal Government of Myanmar on Mutual Exemption of Diplomatic and Official (Official) Passport Visas].
- Ministry of Foreign Affairs of the People's Republic of China (1994): 中华人民共和国政府和缅甸联邦政府关于边境贸易的谅解备忘录 [Memorandum of Understanding between the Government of the People's Republic of China and the Union of Myanmar on Border Trade]. Available online at http://en.pkulaw.cn/display.aspx?cgid=100664792&lib=tax, checked on 4/3/2018.
- National People's Congress of the People's Republic of China (1999): 中华人民共和国和越南社会主义共和国陆地边界条约 [Land Boundary Treaty between the People's Republic of China and the Socialist Republic of Vietnam]. Available online at http://www.npc.gov.cn/wxzl/gongbao/2000-12/17/content_5008962.htm, checked on 4/3/2018.
- Ministry of Foreign Affairs of the People's Republic of China (2009): 中华人民共和国政府和越南社会主义共和国政府关于中越陆地边界管理制度的协定 [Agreement between the Government of the People's Republic of China and the Government of the Socialist Republic of Vietnam on the Management System of the Land Boundary in China and Vietnam].
- Ministry of Foreign Affairs of the People's Republic of China (2011): 中华人民共和国政府和越南社会主义共和国政府关于中越陆地边境口岸及其管理制度的协定 [Agreement between the Government of the People's Republic of China and the Government of the Socialist Republic of Vietnam on China-Vietnam Land Border Ports Management Systems]. Available online at www.mfa.gov.cn/chn//gxh/zlb/tyfg/t812101.htm, checked on 4/5/2018.
- Ministry of Foreign Affairs of the People's Republic of China (2015): 关于更新"中国公民享有外国入境便利有关情况"的通知 [Update on the "Relevant Situation of Chinese Citizens Enjoying Foreign Entry Facilitation"]. Available online at http://cs.mfa.gov.cn /zggmcg/cgqz/qzxx_660462/t1148637.shtml, checked on 4/4/2018.
- Yunnan Provincial Government (1995): 云南省澜沧江航务管理规定 [Yunnan Lancang River Shipping Management Regulations] (23). Available online at https://baike.baidu.com/item/%E4%BA%91%E5%8D%97%E7%9C%81%E6%BE%9C%E6%B2%A7%E6%B1%9F%E8%88%AA%E5%8A%A1%E7%AE%A1%E7%90%86%E8%A7%84%E5%AE%9A/1109261?fr=aladdin, checked on 4/4/2018.
- National People's Congress of the People's Republic of China (1993): 中华人民共和国政府和老挝人民民主共和国政府边界制度条约 The Treaty of Border System Between the People's Republic of China Government and the Lao People's Democratic Republic Government]. Available online at http://www.npc.gov.cn/wxzl/gongbao/2001-01/02/content_5003197.htm, checked on 4/5/2018.
- Ministry of Foreign Affairs of the People's Republic of China (2011): 中华人民共和国政府和老挝人民民主共和国政府关于边境口岸及其管理制度的协定 [Agreement between the Government of the People's Republic of China and the Government of the Lao People's Democratic Republic on Border Ports and Their Management Systems]. Available online at http://www.fmprc.gov.cn/web/ziliao_674904/tytj_674911/tyfg_674913/t947973.shtml, checked on 4/5/2018.
- Ministry of Foreign Affairs of the People's Republic of China (2011): 中华人民共和国政府和老挝人民民主共和国政府关于边界管理制度的协定 [Agreement between the Government of the People's Republic of China and the Government of the Lao People's Democratic Republic on the Border Management System]. Available online at http://www.fmprc.gov.cn/web/ziliao_674904/tytj_674911/tyfg_674913/t947975.shtml, checked on 4/5/2018.

6.3. Greater Tumen Initiative (GTI)

Since China started its engagement in the Tumen River Development Programme (TRADP) and the Greater Tumen Initiative (GTI, 图们江区域) in the early 1990s, the actual progress of the original goals such as infrastructure development and construction of trade and investment in China's northeast has fallen short of expectations (Cotton 1996, p. 1095). Despite these shortcomings and the 'historic void of multilateralism' in the region (Freeman 2011, p. 34), Beijing continues to support the project due to its commitment to "managing security along its territorial periphery" and "efforts in its relationship with its neighbour North Korea" (Freeman 2010, p. 138). The GTI framework entwines the Chinese need for stabilising and securing the border area, developing its territorial periphery and connecting it to neighbouring countries. The GTI framework further links national campaigns such as 'Develop the West' and the 'Belt & Road' initiative to the regional development projects, hence, scales the development projects up, dovetailing national and regional development goals.

The following section, shortly describes the history of the GTI framework focussing on China's role in the process. In the following subchapters, I analyse the regulation and practices of the GTI in detail focusing on (1) border trade and investment facilitation creating special economic zones, (2) security and development and how these two norms are being negotiated in the regional framework, and (3) border tourism that presents one of the 'priority sectors' of the organisation resulting in exceptional travel visa for China's border areas.

China's goal to develop the Tumen area was aiming at "transcend[ing] its historical territorial loss [...] through cooperation with its neighbour" (Freeman 2010, p. 141) by creating a connecting hub for trade and investment for its 'underdeveloped' north-eastern provinces. Being 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, p. 142). In 1990, the first conference on the idea of developing the Tumen area was held in Jilin under participation of the PRC, 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, p. 1095). Meanwhile, the United Nations Development Programme (UNDP) started supporting the organisation in 1991, offering financial and technical cooperation. The initial idea was to establish an international corporation that directly manages the Tumen River Economic Zones (TREZ) that each member country would provide land for. This model, however, did not follow through mainly due to Russian concerns of loss of territorial sovereignty to a supranational organisation (Pomfret 1997/98, p. 83). This led to the official establishment of the Tumen River

Development Programme (TRADP) in 1995. China, Russia and North Korea established a committee to oversee common security issues such as border transit (Cotton 1996, p. 1096). In the initial stage of UNDP involvement, there were controversy debates on the size of investment, early reports suggested that UNDP were investing 30 million USD which however did not follow leading to disappointment among the member states (Davies 2000, p. 8). In 1998, the UNDP established a permanent office of the GTI Secretariat in Beijing where it remains until today. In 2005, TRADP was renamed GTI with a "vision of enhanced and expanded self-reliant intergovernmental economic cooperation mechanism" (Greater Tumen Initiative 2018).

The organisation defined five intergovernmental boards (Transport Board, Tourism Board, Trade Facilitation Committee, Energy Board and Environmental Board, see Figure 13: GMS Institutional Framework) that were composed of ministerial representatives of the member countries. Besides vice-ministers of the concerned ministries, GTI meetings were attended by representatives of the north-eastern provinces of Jilin, Heilongjiang, Inner Mongolia and Liaoning. In 1995, Jilin provincial government already established a Tumen River Area Leading Group. The group coordinated existing infrastructure development projects at the local level, established local-level leading groups and special offices sub-provincial level, including in Yanbian. For its Consultative Commission, the central government deputed different Vice Ministers from the State Development and Planning Commission (SDPC), Vice Minister of Foreign Trade and Economic Cooperation (MOFTEC), Vice Minister of Science and Technology, Vice Minister of Finance, and Vice Governors of Jilin Province. By sending high-level personnel, the process was facilitated; Beijing signalled that the negotiations were politically important. GTI member governments and the Secretariat are responsible for formulating project proposals and assess requirements. The Consultative Commission meets once every year approving projects plans and allocating budgets.

The GTI budget in 2011 was estimated around 650,000 USD which the member countries contributed to according to their GDP leaving China with 260,000 USD as the largest donor, Russia 212,000 USD, ROK 152,000 USD, and Mongolia 25,000 USD, the DPRK did not financially contribute.

In 2012, the NEA EXIM Bank Association was created to facilitate financial resource allocation for joint development projects. The Association builds on a MoU of the member countries integrating national banks, which for China is the China EXIM Bank, a state bank that subordinated to the State Council responsible for financing the implementation state policies regarding industry and foreign investment. The involvement gives greater scope of action to GTI projects as it allows to speed up investment details, however, also reinforces the Chinese influence over all the projects.

Overall goal of the GTI is to further integrate the different 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 standardisation of processes. Measures to achieve this are surveys of existing trade and investment practices, standardise wording and regulations on cross-border processing in line with the country's legislations, and accordingly capacity building and trainings of local officials. The GTI Secretariat "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. However, these efforts also sometimes failed, e.g. in the case of local governments lobbying for an international airport in Yanji in the late 1990s (Davies 2000, 26f.)

Another important body of the organisation is the GTI NEA Local Cooperation Committee (LCC). Since 2011, the LCC brings 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 emphasises the importance of local initiatives for cross-border cooperation while it follows a pragmatic approach by solely focussing on GTI priority areas. For China, nine local governments sent representatives from Heilongjiang, Inner-Mongolia, Liaoning, and Jilin to these meetings. Additionally, Japan and the DPRK participate as non-GTI members (see Table 6: Local Governments in LCC). The Chinese MOFCOM in cooperation with ADB and UNDP offered hosting trainings on capacity building for local officials to improve their knowledge on best international practices and multilateral economic cooperation. The GTI 2013 and 2014 Progress Report stated that the LCC level of participation and representation was 'unbalanced' indicating that Chinese local governments were actively engaging while Russian, Japanese and South Korean local governments were participating in smaller numbers. However, the GTI Secretariat does not have any mechanisms to level the representation but to encourage the member countries to contribute. An

additional problem was seen in non-matching levels of the ranks of participating local officials (Progress Report 2015).

Yanbian Korean Autonomous Prefecture/Jilin is the centre piece (*hexinqu* 核心区) of China's representation in the GTI (Gu and Yang 2015, p. 180). Representatives actively participate in the LCC, the Vice Mayor of Yanbian, Gu Jinsheng also participated in most of the Consultative Commission meetings as the only participant of local governments. Among the involved organisations in China, the Jilin Department of Commerce and the Jilin Tumen River Area Leading Group are most represented and actively engaged (interview August 21, 2015). The active involvement of Jilin province and Yanbian prefecture represent the importance of this specific locality in the regional framework.

GTI operates in close cooperation with private enterprises, this public-private partnership is further institutionalised in the GTI Business Advisory Council. The German development assistance organisation, Deutsche Gesellschaft fuer Internationale Zusammenarbeit (GIZ), functions as external technical advisor sending representatives to all the meetings. The GIZ consults the GTI on three levels: (1) local companies such as in Chambers of Commerce in the participating countries, (2) national quarantine and custom agencies, and (3) on a ministerial level such as the MoC. The support is confined to providing expertise by hosting workshops and providing trainings, no financial support is given (interview August 20, 2015). In 2016, two other sectors were attached to the GTI portfolio: Agriculture Committee and GTI Research Institutions Network.

From the Chinese side, the process was further facilitated when the 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* 中国图们江区域合作开发规划纲要—以长吉图为开发开放先导区). The plan was issued in 2009, setting out a vision for the region until 2020 and suggesting an international border cooperation zone for Hunchun to further promote international trade and investment. This Outline gave the local government leeway to attract foreign direct investment and facilitate joint ventures in the Pilot Area.

Ambitious plans of the UNDP to entirely reconstruct the regional infrastructure were abandoned, instead the organisation aimed at 'harmonizing and coordinating existing projects and initiatives'. Over time, the organisation developed a transport corridor approach that geographically connects the member countries existing infrastructure and needs. 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 (see Map

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7: Trans-GTR Transport Corridors) were planned that consist of railway, roads and water route infrastructure (such as ferry ports) that were to be built. The Tumen River Transportation Corridor (nr. 1 on map 7) connects Mongolia and Jilin Province to the sea and was partially built in 2015 with a high-speed railroad from Changchun to Tumen and further railroad 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) shows exemplary how the different government levels are coordinated. The corridor-approach allows to clearly define involved governments and parties. This project aimed at connecting the Chinese and Russian coast to Japan by sea route. The ferry company was already maintaining Sokcho – Zarubino – Hunchun and now should be extended to Niigata/Japan. The acknowledged problem was long waiting hours for custom clearance and multiple inspections by the different border control points when travelling with the ferry which made it quite unattractive mode of travel. The goal was to facilitate custom procedures in Zarubino, modernize the immigration desk, and agree on new visa requirements for Chinese and Korean travellers by creating a 'transit zone' around the port in order to support small vendors taking this route (Doc. 11, 3rd Meeting of GTI NEA Local Cooperation Committee and Local Development Forum, Choibalsan, 2015). In this project involved were the Chinese government (central, Jilin province, Yanbian prefecture, Hunchun city), Japanese government (central, Niigata prefecture, Niigata city), ROK (central, Gangwon province, Sokcho city), and the NEA Ferry Route Co. Ltd. which is a ROK-Japan-China-Russia Joint Venture. The project was initiated in 2008, costs were estimated on 50,000 USD for consultancy services and task force workshops. China directly supported the project through Jilin Province Changjitu International Logistics Group Co., Ltd. funding a joint venture with Zarubino Port International to enhance the 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 projects like this involving one or several member countries and their subordinate governments were initiated under GTI Secretariat guidance. Formats are either infrastructure development or trainings on capacity building measures on how to create "business friendly environments". This project links the different issue areas that the GTI aims to address which are mainly transport connectivity that however also facilitates multi-destination tourism across borders and attracts foreign investments as the ports are situated close to Special Economic Zones which accordingly are easier to access.

Through these 'port alliances', Beijing channels direct investment into strategic infrastructure projects on Russian territory under the framework of the GTI. Similarly, Chinese companies invested in reconstructions of the North Korean Rajin Port in Rason investing several billion CNY (Freeman and Thompson 2011, p. 35). These investments often are linked to leasing contracts to

pier ports, reassuring long-term cooperation on the Chinese side. Ultimately, these direct investments into the infrastructure are asymmetric as the Chinese outgoing investment outpaces incoming investment, but allows China to expand its own infrastructure development across the border, beyond its national territory into strategic and 'necessary' infrastructure projects.

Around 2010, discussions on the transformation of GTI as an 'autonomous' international organisation arose. Until then, the organisation formally was part of the UNDP dependent on their resources and institutional framework. An autonomous status would bring greater "ownership and control by members, speedier decisions process, and focussed activities" (Draft Strategy of 12th GTI Consultative Commission Meeting, 28. September 2011, Pyeonchang). The cooperation with UNDP should still uphold, while the scope of action as an international organisation would allow to take further steps to becoming a supranational organisation. This shift, however, did not finalise before summer 2019.

To summarise, the GTI established a framework for coordinating domestic development projects to facilitate regional transport connectivity. The organisation is active in different issues areas such as transport, trade and tourism. The organisation does not constitute a supranational agency that would require binding legal priority before national law, instead it is an organisational superstructure that substitutes the different levels of proficiency among the member countries. As foreign investment and border control practices vary among the member countries, GTI aims at integrating these different 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 organisation developed a steady negotiation forum, however, policy outcome is very limited as the standard for border processing are still vastly different, technological integration of the border control systems lacks behind, and the infrastructure development is still ongoing process.
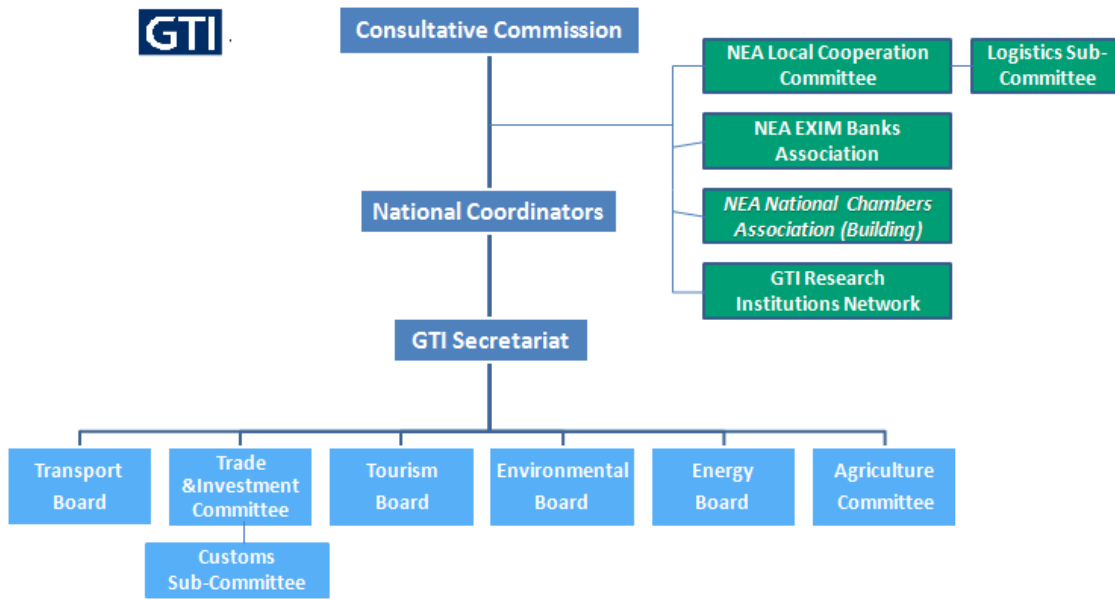
Figure 15: GTI Institutional Framework (Greater Tumen Initiative 2018)

Map 7: Trans-GTR Transport Corridors

Table 6: Local Governments in 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

6.3.1. Zones of Exception: Border Trade and Investment Facilitation

As described above, the GTI designed corridors connecting hubs of regional development. One of these hubs was established in Hunchun, county-level city in Yanbian Korean Autonomous Prefecture, which is located in the tri-border region (*sanguo bianjing diqu* 三国边境地区) of China, Russia, and the Democratic People's Republic of Korea (DPRK). During the 1970s and 1980s, the prefecture was completely closed to foreign trade and investment, the local economy was subsisting of coal mining and forest industry (Lee 1998, p. 249). Until today, the coal mined in China and the DPRK is being transported by train into Russia for further refinement. In 1992, Hunchun was labelled 'national open city' (*guojia ji kaifang jingji* 国家级开放城市). In 2009, the country approved the implementation of the Outline of China's Tumen River Regional Cooperation and Development Program - Developing and Opening Pilot Areas with Changjitu, and determined that Hunchun constitutes an open 'window' city for Changjitu 长吉图. Changjitu is an acronym for Changchun City 长春市, Jilin Province 吉林, and Tumen River area 图们江. The main goal of the policy was threefold: (1) 'integrating two areas' (*liang qu* 两区) to better link the border area and the Chinese hinterland into a regional 'reaction chain' (*liandong* 联动) including the metropolitan areas of Changchun and Jilin City using Hunchun as a window (*chuangkou* 窗口), core (*hexin* 核心) and bridgehead (*qiaotoubao* 桥头堡) to the region in terms of infrastructure, communication, and resources , (2) 'building the three belts' (*san dai* 三带): Changjitu area should become the forerunner (*xiandao* 先导) in three areas namely urban development to create satellite cities (*tese chengzhen dai* 特色城镇带), logistics industry (*wuliu chanye dai* 物流产业带), and tourism (*jingpin lvyou dai* 精品旅

游带). (3) The Changjitu project aims at establishing 'four functional platforms' (*si ge gongneng pingt*ai 四个功能平台) including the Hunchun International Cooperation Demonstration Zone (*Hunchun guoji hezuo shifan qu* 珲春国际合作示范区), the Changchun Free-Trade Zone (*Chang-chun zonghe baoshuiqu* 长春综合保税区), the Jilin Food Zone (*Jilin shipin qu* 吉林食品区), and the New District Changchun (*Changji xin qu* 长吉新区). These zones all aim at developing better infrastructure and facilitate custom 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* 长吉图开发开放先导区示意图, short TRR ICDZ] is the only zone on a national level in Jilin meaning that is has greater leeway in determining custom regulation.
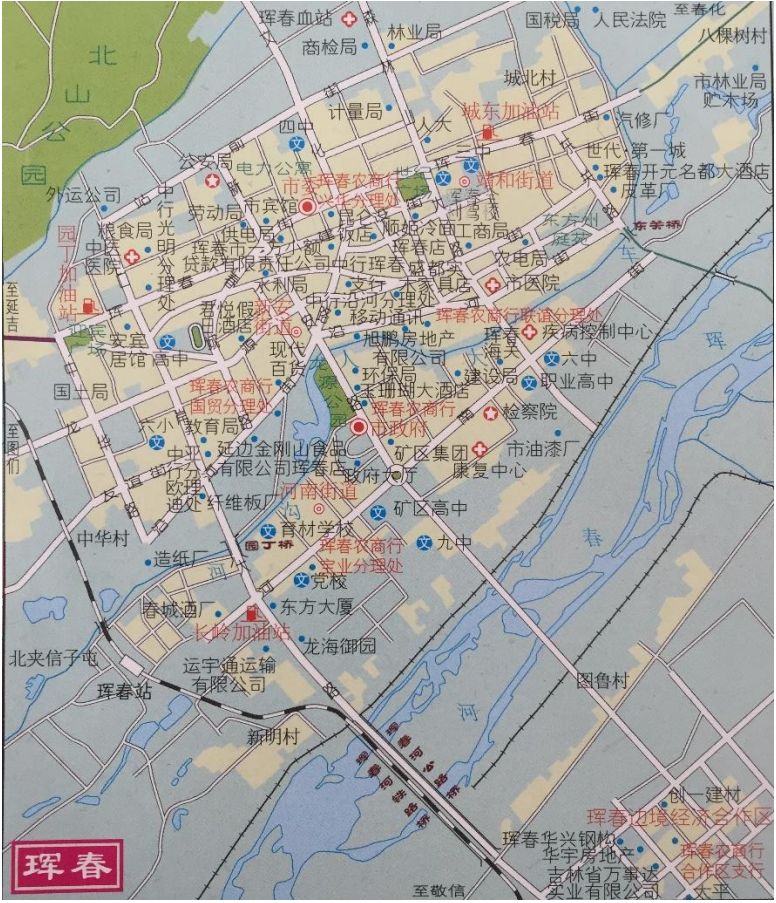
Map 8: Hunchun City and International Cooperation Demonstration Zone

The zone consists of different zones dedicated to the different investor countries, a Sino-Russian Zone, a ROK Zone, an area for Hong Kong trade etc. Largely, the companies are in sea food processing, bio-pharmacy, electronic product manufacturing, and textile manufacturing. The zone handles its own border controls for goods including quarantine zones and customs (interview August 31, 2015). The zone is organised in different departments that match those of the local

government (Construction Bureau *jianshe ju* 建设局, Economic Cooperation Bureau *jinghe ju* 经合局, Joint Market and Trade Bureau *hushi maoyi ju* 互市贸易局, Project Office *xiangmu ban* 项目办, the Development and Reform Bureau *fagai ju* 发改局, Finance Bureau *caizheng ju* 财政局, Export Processing Bureau *chukou jiagong ju* 出口加工局), working in close cooperation.

Although the zone constitutes an important site of reference within the GTI organisation, TRR ICDZ officials, however, did not know about GTI cooperation or UNDP involvement regarding the regulation of their zone, instead they follow the national discussion on border development closely arguing 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 (cf. Zhang 2013, p. 56; Bai 2015, p. 174) and that the regional development program is fully embedded into Chinese national development program fully integrated into the Belt & Road discourse on the interconnectedness of Chinese infrastructure.

Yet, TRR ICDZ officials do not engage in direct contact with cross-border counterparts as the Hunchun city officials may. The 50 cadres that are employed to govern the zone are civil servants, however, their status is somewhat unclear within the administration system. Their salary is less than that of the Hunchun cadres and they did not receive proper training (*meiyou zhengshi de bianzi* 没有正式的编制, interview August 31, 2015). This unclear positioning of the demonstration zone within the Chinese administration hierarchy produces uncertainties among the cadres. In order to facilitate the cooperation between the cross-border counterparts, over 300 supporting policy regulations were issued addressing national and provincial level (Gu and Yang 2015, p. 182).

Local officials complained that the success of the zone is still limited as the central government does not pay enough attention, the surrounding market infrastructure is limited, the coordination between the different agencies is lacking, custom regulations are still too strict, and investment income is too little. Overall, they stated the locally produced goods were too few to establish sustainable trade routes (interview August 31, 2015). Addressing this concern, in August 2015, Jilin Province further boosted the administrative autonomy of the border counties by upgrading their allowance to issue trade permits independently. This further decentralised the 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 preferential policy in the zone are constantly being re-negotiated between provincial and local governments with the companies located in the zone (interview August 31, 2015). A large part of the preferential policies is directly addressed to the largest company in the area: Zijin Mining that is exporting timber to China, refining coal and minerals

from the DPRK. They are only responsible to pay 15% income tax whereas normal income tax for foreign companies is 25%.

South Korean investment constitutes the major share of the foreign direct investment, in 2002 three quarters of the investments came from ROK companies. The site presents certain advantages for South Korean companies as their employees can profit from the Korean language competence of local people and they can strengthen North Korean bonds bypassing the sensitive ROK-DPRK border (Freeman and Thompson 2011, p. 31). Freeman further details how South Korean investment gave rise to tensions as Yanbian authorities tried to contain or even discourage South Korean investment as they feared they "were treating Yanbian as a sort of 'Korean territory'" and profiting of the preferential policies (Freeman and Thompson 2011, p. 31).

Like Ruili REZ, the Joint Market Zone with Russia (*Zhong E hushi* 中俄互市) at the Hunchun port follows the directive of 'internal border control but external customs' (*jing nei guang wai* 境内关外, Zhao 2015, p. 64) meaning that 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 that are mostly signature food and tableware. This zone is not linked with a Russian counterpart, but only on Chinese territory allowing border residents to buy products with a tax exemption of 8,000 CNY per year which is part of the preferential policy for the zone (interview August 31, 2015). Local authorities established an Ad-hoc Foreigner Service Centre (*te she waiguo ren fuwu zhongxin* 特设外国人服务中心) that provides free training for traders who want to sell their products on the cross-border market and providing dispute resolution in Chinese, Korean and Russian zone (interview August 31, 2015). Special entry and exit permits for Chinese traders are issued by the local Public Security Bureaus to enhance market competitiveness. Since 2014, the MoPS officially introduced an Exit and Entry Pass [*churujing tongxingzheng* 出入境通行证] for Jilin Province that is only issued to border trade enterprises in the border areas. 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. In that year, 99 border trade enterprises had been registered, 625 travellers, and 206 border traders have been processed using this pass. The local authorities consider this a successful implementation as business mobility was facilitated, cross-border co-operation of local authorities worked, and they were able to reduce efforts in time and cost for local traders and the bureaucracy (Jilin Provincial Exit and Entry Administration 2014).

- Jilin Provincial Public Security Bureau (2015): *Jilin sheng tuichu wu xiang churujin bianmin li min xin jucuo* 吉林省推出五项出入境便民利民新举措 [The Provincial Public Security Bureau Issues Five Entry Exit, Convenience and Benefit Measures]. Available online at http://jl.peo-ple.com.cn/n/2015/0724/c349771-25707965.html, checked on 4/4/2018
- Jilin Provincial Exit and Entry Administration; Jilin Province Public Security Department (2014): *Quan sheng gongan churujing guanli bumen chuangxin fuwu "sanchong yi xiao" qiye fazhan* 全省公安出入境管理部门创新服务"三重一小"企业发展 [The Jilin Province Public Security Exit-Entry Administration Department Creates Innovative Service to "Small and Medium" Enterprise Development]. Available online at http://gat.jl.gov.cn/zwgk/ghzj/201412/t20141219_1822523.html, checked on 4/5/2018.
- Jilin Provincial Department of Commerce (2010): *Jilin sheng bianjing maoyi waihui guanli banfa shishi xize* 吉林省边境贸易外汇管理办法实施细则 [Regulations on the Implementation of the Foreign Exchange Administration of Border Trade in Jilin Province]. Available online at http://cif.mofcom.gov.cn/site/html/yanbian/html/565527/2010/7/13/1279003687305.htm, checked on 4/5/2018.

6.3.2. Security and Development: Illegal Immigration as Schrödinger's Cat

From a Chinese perspective, border security in this particular area builds on the ability to maintain social stability in the multi-ethnic border area that is inhabited by a large number of Korean immigrants, both irregular and regular. The perceived insecurity by local authorities of the potential for social instability is growing with rising price inflation and low income in the area. The region is perceived as a 'shadow belt' that does not yet access the benefits of the B&R. The main issue for local officials is, however, how to manage 'illegal immigration' as they simultaneously need to address the issue in order to get support from higher authorities and downplay the problem as it would badly reflect on their work if the issue was 'out of hands'. Hence, 'illegal immigration' at the same time is a problem and it is not.

As I described in Chapter 4.2.3., the Chinese government does not formally acknowledge North Korean defectors as refugees. Nevertheless, the government runs camps along the border that host thousands of refugees (Perlez 2017). North Korean people are very visible in the border economy, crossing the river with commodities, 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 integrated at all, direct links between the local and national governments are lacking, the cadres see a need for further cooperation mechanisms. Smuggling and 'illegal' immigration are perceived as posing a great 'threat' to the local economy, one official said "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, being a central source of supply 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 to prevent the 'illegal' immigration from leaving in the first place, within the GTI and among the Northeast Asian neighbours, no such cooperation takes place. There is no regional security cooperation that aims at peoples' livelihood or income support such as the poppy farm subsidies in Laos. Moreover, local officials stated that the regional security cooperation is hampered by the absence of bilateral agreements between the DPRK and Russia and the lack of direct cooperation mechanisms between the local governments. One official stated that the 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 experience the disparity of access to working permits across the different borders a central issue. One specific source of dissatisfaction of Chinese local officials is that in Russia, Chinese workers are treated differently from DPRK immigrant workers who easily can obtain Russian working permits (*laodong daka* 劳动大卡). When Chinese Zijin Mining Company was leasing timber mines in Russia bringing their own workers with them, it caused problems because Russian authorities did not grant working permits to them (interview August 27, 2015). Chinese merchants also need these working permits if they want to sell on the Russian side which are very difficult to get according to local people (interview September 1, 2016).

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 the DPRK counterparts. Although central and provincial directives are lacking and national politics are complicated, the local governments reached informal agreements on neighbourly relations including information on security procedures (interview August 27, 2015). While DPRK local officials wanted to be more openly coordinating security infrastructure with their Chinese counterparts, they were restricted by their military (interview August 31, 2015). This lack of coordination results in a high militarization of the border area, with heavy security infrastructure on both sides of the border, as one expert stated:

> "There is no such thing as China, North Korea and Russia. North Korea is relatively closed enforcing strict controls. There are dark whistle [informal alarm systems] and clear whistle [formal alarm systems] at a certain distance to the border (边境上一定距离都有暗哨和明哨). The river is joint and the shore is a natural boundary. Therefore, the entire border is secured with barbed wire."
> (interview August 26, 2015)

Overall the security infrastructure is not integrated, but relies on unilateral security procedures.

6.3.3. Exceptional Travels: Border Tourism

One of GTI's priority sectors is tourism. According to 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 Regional Level initiated in 2007 at the 9th meeting of the Consultative Commission in Vladivostok: (1) creating a Tourism Board, (2) publishing a GTI tourism guide, and (3) developing a multi-national tourism product. The official goal is to increase international (cross-border) tourism by ten to fifteen percent. To survey the actual visits, the GTI NEA Tourism Database was established registering tourism flows, tourism facilities and products, travel costs, time costs, and cross-border procedures. As a direct result, governments would gather statistical data on ongoing tourism; long-term, the database shall be available for tourists themselves and travel agents containing travel itineraries and information. 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 a guideline for Tourism Visa that would allow multi-destination tourism (MDT) and ultimately facilitate cross-border tourism. In 2014, GTI Tourism Board specified eight MDT routes:

- Sky to sea land and cruise (Eastern dream) tourism route (China, DPRK, Russia, ROK, Japan)
- Yanbian to Changbai/Beakdu Mointain Biosphere Reserve to Changchun
- Ulaanbaatar to Khentii Province Chita and Lake Baikal to Ulaanbaatar
- Bolshoi Ussuriysky/Heixiazi Island Ecotourism
- Manzhouli and Southern Siberia/Lake Baikal (Inner Mongolia and Russia)
- Ulaanbaatar to the Grasslands of Dornod Province to Chita, Lake Baikal and Ulaanbaatar
- The Tea Road
- Shenyang – Dalian – Incheon – Donghae – Vladivostok – Hunchun/Yanji

Having developed these routes completed the initial project phase on Capacity Building on GTI Tourism at Regional Level (Greater Tumen Initiative 2013). To promote the project, Jilin Provincial Tourism Administration sponsored a field trip for the Multi-Destination Tourism Consultants and the GTI Tourism Board with the NEA ferry and further organised a trip to Mongolia and Northeast China in June 2012. Shortly after, Hunchun Municipal Tourism Administration organised a field trip to its own Tourism Demonstration Zone and Rason in September 2012. Afterwards, three local governments signed a MoU that however remained open for signature (GTI Project Report

2014). In 2013, GTI National Coordinators Meeting commissioned a Comprehensive Visa Facilitation Study that should provide policy recommendations on visa facilitation for tourist visa (single and multiple entries, cases of visa free entries for tourists), business visa and transit visa for cross-border transport. The APEC Business Card is mentioned as a reference point for business visa. The main goal for this next step, however, is to identify responsible governments for visa procedures and integrating their visa procedures in order to create a single window of MDT tourist visa and transit visa. As to this point, however, in none of the member states visa on arrival is available for citizen of the GTI member countries. Chinese, Korean or Japanese passengers arriving with the ferry in Russia are allowed a 72 hour stay, but are not granted the three-day travel visa. Chinese citizen especially are obligated to personally apply for visa at a Russian consulate which is especially difficult in the border area such as in Harbin where people have to travel over 500km to access one. Although Russia and China signed agreements on mutually facilitating tourists access (February 16 1998) and visa-free group tourist visits (December 18 1992, February 29 2000) the actual practice of visa issuing 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 was raised at the 4th meeting of the GTI Tourism Board Meeting in Ulaanbaatar in 2011. Besides providing information on MDT tours for tourists, the centre is also conducting surveys and studies on tourism and responsible for sharing and disseminating information on tourism among the GTI members.

Guided tours include destinations in Russia and the DPRK, for cycling, and sightseeing. In order to participate, travellers must obtain a valid Chinese passport, then a traveller visa can be issued within three days by the local Public Security Bureau. Since 2011, Hunchun Municipal Tourism Administration organises motorcade tours into the DPRK to Rajin Port. 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 suggesting nature sightseeing and taking picnics.

Among local officials, the prevalent discourse on health care tourism links Russian citizen visiting for dental treatment in Hunchun with corruption. Other than that, Russian tourism has declined.

Subprojects GTI-TOU:

- develop a multi-destination tourism product
- developing a GTI multi-destination guide (GTI-TOU-I-2)
- introduce GTI Tourism Visum (GTI-TOU-II)
- Training workshops on the provision of tourism facilities and services quality
- Tour guide training for improving of interpretation of tourism resources

- Tourism market analysis
- Familiarisation tour
- Establish North-East Tourism Forum

6.4. Zoning through Development

Within the two regional frameworks, borders play an important role as they become a method of re-scaling politics. The allocation of development funds becomes flexible as we see in the example Chinese investment in the Northeast Asian ports. Resource allocation for both private and state-owned companies becomes more available, as long as they are located in specific zones in the border area tax cuts are available and they profit from cross-border labour forces. Similarly, security issues that are traditionally associated with border fortification — such as human trafficking and narcotics — are to some degree externalised and become rearticulated within regional development programmes. Hence, the border offers exceptions to national politics by re-scaling certain issues in a sphere of regional politics (scaling up) and local exception (scaling down). Ultimately, this does not imply that the Chinese government is losing grip over its peripheries, rather this is a spatial fix, a strategy to (re-)establish territorial authority, moreover, a method of spatial development. To put in other words, the special economic border zones constitute spatial fixes that represent geographic manifestations of the specific interaction between the neighbouring countries. These fixes are dynamic, not permanent, and they ultimately manifest regional asymmetries.

However, I want to emphasise that this process becomes increasingly complex as the regional frameworks are expanding in scope and reach. Security cooperation is increasing resulting in external borders while politics of exception creates growing social inequalities among different China border regions; this way the border becomes multi-scalar in nature. In other words, the construction of a growing number of special development zones resulted in the establishment of multiple internal and external boundaries in the articulation of the Chinese border regime. The multi-scalarity of the Chinese border lies in the fact that no two border sites are identical in terms of immigration procedure and investment conditions, this produces internal differences and ultimately borders between different border sites. This resulted in new assemblages of governmentality and sovereignty that also shaped the relationship between centre and periphery.

The spatial planning policies show how Chinese border regions were actively constructed as 'bridgeheads', as links to increasingly important regions. Within this process, the Chinese state became able to revaluate its periphery and transform its centre-periphery relations. Provincial governments became a directly engaged actor within the regional organisations provided with additional financial resources to initiate comprehensive regional development plans. Also this

shows how territoriality is not a fixed category but the result of different, neither congruent, contiguous, nor coextensive assemblages of regulatory processes that permanently are permeated.

An important precondition for this process is the ability for local governments to directly address their cross-border counterparts. This way, border politics became transnationalised allowing for place-specific solutions for local problems. As China increasingly engaged in the regional organisations, this interaction changed, it became integrated into regional development programmes, ADB and GTI funds became available. This 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 establishing good neighbourly relations. Through the special role of Yunnan, China has managed to extend its 'governance frontier' beyond its territory into the neighbouring countries (Hameiri and Jones 2016, p. 74). Chinese companies are heavily involved in implementing Chinese development projects such as pipeline constructions, poppy substitution programs, and hydropower dams that ultimately prolong Chinese influence in the region. The joint management of non-traditional security issues such as drug trafficking and disease prevention under the umbrella of ASEAN and GMS facilitated the Chinese investments. Through the close interconnection between national and regional development projects, the Chinese as well as Yunnan governments acquired regulatory function of the regional markets (for energy, labour, agricultural products), infrastructure building, and security enforcement. The lack of governance capacity in the neighbouring countries, especially in Burma's border regions Kachin and Shan state, facilitate the development of Chinese regional hegemony.

Within the GTI, local governments' leeway is relatively limited. However, local leaders from both sides of the different borders function as facilitators and policy-translators. They obtain a transboundary governance function that however is dependent on the governance capacity of the cross-border counterpart. In the case of the DPRK and Mongolia especially, weak cross-border counterparts facilitate the reach of Chinese development projects regulating local labour and commodity markets, however, it also bears the risk of spill-over effects as migrants leave weak states easier. The Special Border Zones authorities, however, are able to draw on labour resources and are authorised to issue trade licenses. The GTI tourism program shows 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 takes place informally, both North Koreans conducting trade as Chinese tourists visiting North Korean casinos and markets. The program aims at providing a way to better monitor the *de facto* mobility and formalise the crossings. Here, the GTI provides a convenient framework to integrate this tourism scheme. The border tourism visa constitutes a local extension to the immigration regime that is very limited in scope, yet it is regionally integrated meeting interests from all sides.

In both cases, the border provides the resources to facilitate Chinese development. Chinese authorities exploit these geographic components of connectivity by enabling subnational authorities to establish special economic border zones that provide zones of exceptions in terms of trade permits, labour regulations and border mobility. In this sense, local authorities become scalar managers, as they negotiate cross-border relations, decide over what investments are welcome, and which security issues are negotiated locally or up-scaled. Local authorities ultimately decide how to fix spatial re-articulations of the Chinese state. This is part of a larger territorial strategy that can both be depicted as an opening towards its neighbours and as an internationalisation towards global capital. However, it serves as an underlying development rationale, as a source of legitimacy of the CCP towards the 'left-behind' periphery (Su 2012a, 510). Su Xiaobo argues that this re-scaling the different vertical and horizontal linkages within the process should be understood as a network that works through three mechanisms: "upward coordination, downward implementation, and outward corporatism" (Su 2012b, p. 1333). To him, upward coordination is undertaken by nation states or supranational actors that use discursive persuasion, aid programs, cross-border trade, and coercion to "formulate an extraterritorial regulatory framework for regionalisation". Downward implementation, on the other hand, is undertaken by national state and its subnational agencies. They 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 includes state-owned and private enterprises that use "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 description matches the heterogeneous forces shaping Chinese border development.

CHAPTER SEVEN

Local Bordering Practives and

Immigration Management

Chapter 7. Local Bordering Practices and Immigration Management

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 different forms of exchange. Oftentimes, local and security authorities turn a blind eye on these small-time offences, either because they co-benefit from it or because they see the larger benefit. Other times, they try to fight the crime or work to adapt the 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 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 legalising some foreigners while leaving others in a legal limbo. In Table 7, I list different 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.

Table 7: Local Policy Implementation Measures[37]

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, one-day visa
	Regulate illegal entry, illegal immigration	Issue temporary residence permits, second- and third-lines of border control, decentralisation of border control
	Survey de facto border mobility and immigration	Database on border crossings
Cross-border marriages	Legalise de facto marriages	Issue marriage certificates and Blue Cards
	Prevent trafficking of women	Inbound marriage record registration certificate
	Survey de facto marriage immigration	Database on marriages, pregnancies and children
Border trade	Facilitate cross-border trade	Increase number of border gates and Special Economic Border Zones, preferential policies for import/export taxation
	Prohibit smuggling	Increase custom inspections and use second-line of border control, joint cross-border control
	Integrate regional trade infrastructure	Lobbying to reallocate funds to local infrastructure projects such as road construction and energy networks
Immigrant workers	Facilitate 'necessary' labour immigration	Preferential labour measures in confined spaces such as Special Economic Border Zones
	Legalise de facto labour immigrants	Issue temporary residence permits for employed immigrants

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[37] This table is building on Bie et al. 2014, 5290f.

7.1. Southwest: Dehong and Xishuangbanna/Yunnan

To set the scene, Yunnan's border towards Burma and Laos is an internationally recognised border between sovereign states. Although the Myanmar side is de facto governed by autonomous groups in the Kachin and Shan state (Whyte 2013). The border largely runs through thick rainforest, which is also populated with small towns on both sides. In order to analyse local border practices, the following section presents insights from two specific places that lie at this border: Ruili, a county-level city in Dehong Dai Jingpo Autonomous Prefecture bordering Burma, respectively the Shan state; and Mohan, a town in Mengla county in Xishuangbanna Dai Autonomous Prefecture bordering Laos (see Map 9). Both Ruili and Mengla accommodate a Special Border Zone (SBZ) and thus pool cross-border mobility and trade. However, they differ in their administrative rank. Only Mohan is ranked as an international border gate. Ruili is a second ranked border gate which means that only Chinese and Myanmar citizens are allowed to cross.

Overall, Yunnan has eleven first tier border gates, including the Kunming airport, sea ports at the Mekong River, seven official border gates that are spread along the border, nine second tier border gates and over 89 temporary border crossings (*lingshi tongdao* 临时通道) that are officially recognised and only locally used, 62 of them on the Myanmar border alone (He 2008, p. 35). Suggested numbers of legal border-crossings are 20.000 per day (Freeman and Thompson 2011, p. 77) adding up to 6 million per year (Bie et al. 2014, p. 5289).

Relations with Burma are a complex issue. The border was established in 1949, an Agreement on Border Issues and later a Border Treaty were signed in 1960[38]. In 2004, a MoU was signed specifically on border defence (China Online 2004), however, the Myanmar side is not sovereignly governed by the Myanmar government, but by autonomous groups in two military regions bordering China; the Kachin and Shan state. Following violent conflicts in 2009 and 2015, refugees from these areas came into China (Thompson 2009). The following negotiations about 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" (Ministry of Foreign Affairs PRC 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 continuously invested in Laos during the Asian financial crisis and afterwards, building infrastructure and universities while in turn establishing special conditions for Chinese companies in Laos (Townsend-Gault 2013, p. 150). In

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[38] More on the boundary settlement and bilateral relations with Burma, see Hyer 2015, pp. 67–83, Yue 2015, pp. 254–260.

2009, the two countries established a *liaison* office in Kunming to strengthen their law enforcement cooperation with regard to human trafficking.
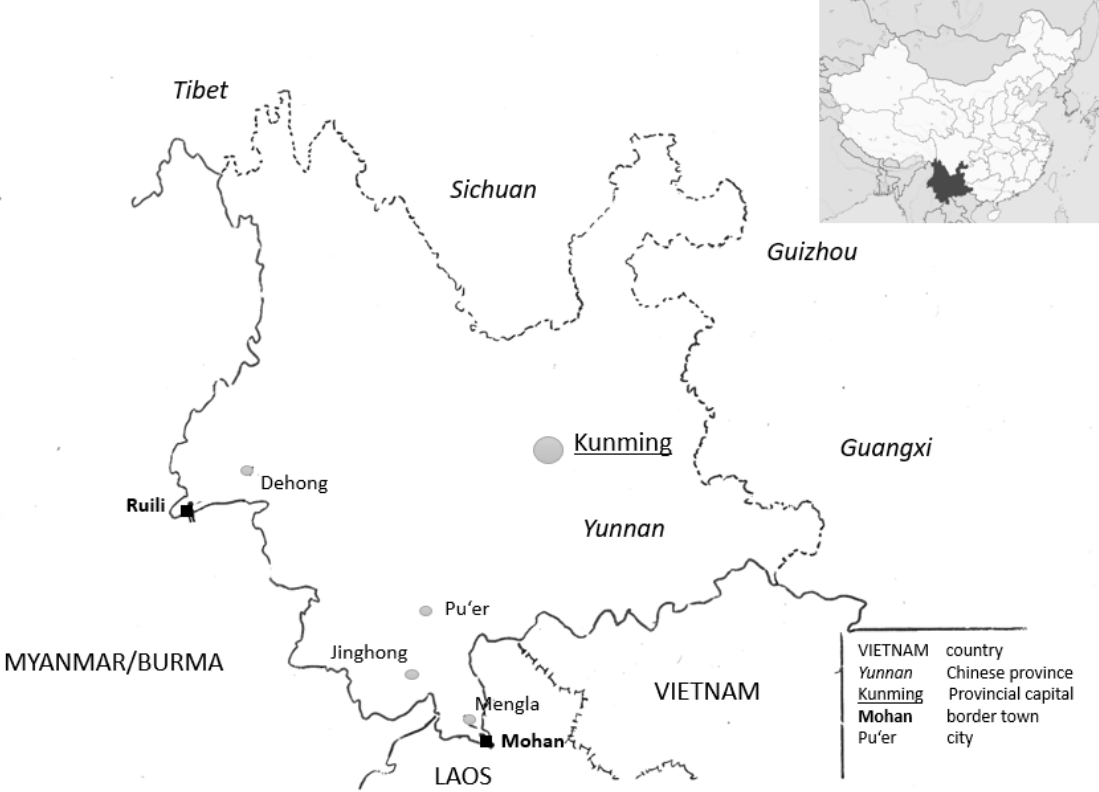
Map 9: Border Towns of Ruili and Mohan in Yunnan[39]

In addition to spatial tactics and the relocation of responsibility to China's border provinces and exceptional funding allocations, as I have shown in Chapter 6, Chinese zoning activity at the border manifests in differentiating practices of immigration control. These practices both target formal and informal immigration, which can sometimes be difficult to differentiate because, as I elaborate below, authorities deliberately try to redefine legality. Implementation strategies of local authorities vary. In the following, I present examples such as the Foreigners Service and Administration Centre of Ruili City and the issuing of border passes (*bianminzheng* 边民证), these strategies however, also include the development of Special Border Zones (SBZ, *kaifa kaifang shiyanqu* 开发开放试验区) that I already described in Chapter 6.2.3. These practices show how local governments

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[39] drawn by author using Wikipedia Commons

aim at legalising informal border mobility by creatively adapting to *de facto* border mobility realities. These efforts enhance the living situation of some immigrants, however, the related policies effectively confine them, geographically and socially, within a very limited area of the border, ultimately peripheralizing them.

These local practices, however, have to be seen in the context of national strategies against 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 EEL prohibits illegally entering Chinese territory and security actors are aiming to prevent that from happening, while local authorities often are willing to accept the reality of permeable borders for the sake of social stability. The following section scrutinises different strategies of local authorities to prevent illegal mobility where deemed necessary, and adapt to immutable realities.

7.1.1. Legalising 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 allowing Myanmar residents to apply for temporary residence permits (Bie et al. 2014, p. 5289). The Foreigners Service and Administration Centre of Ruili City (*Ruili shi waiji renyuan fuwu guanli zhongxin* 瑞丽市外籍人员服务管理中心, in the following Service Centre) is the issuing agency. The Service Centre is a place of waiting. Here, mostly Myanmar men and women wait for their turn to come to the counter to show their passports, then they wait again for their turn to give a blood sample, which is followed by more waiting for an interview that they have to pass to eventually be granted with 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 — in labour intense working sites such as shops, farming or manufacturing — and now try to legalise the employment relationship so they can avoid being deported and the employer can avoid fees for illicit employment in the future. Employers are particularly important in the application process because they have to invest time and money. This increases the dependence of the immigrant on the employers' willingness to do so. The Service Centre constitutes an example in which local governments aim at legalising everyday informal bordering practices. As mentioned above, 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 constitutes a specific border document, which allows them to work legally for a Chinese employer only within the prefecture. The so called 'green book' (*lvshu* 绿书) is valid for two years before it has to be renewed and gives the workers limited mobility within Chinese territory because they are not allowed to leave the prefecture as the document does not replace a passport. It

exclusively provides working permits and job offers for Myanmar people, not for other foreigners. Myanmar citizens who want to use this service have to provide legal and translated immigration documents (passport and immigration stamp), pass an HIV blood test, and pay an administration fee of approximately 180 CNY. Often, the collection of the necessary documents poses a real problem since the Myanmar state and the Shan and Kokang quasi-states sometimes fail to provide them. An associated job agency that operates here in cooperation with the Yunnan Nationalities University in Kunming and is financially supported by ASEAN.

Two young men who waited in the job centre for their appointment 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 is an exclusion criterion for applying[40]. He studied chemistry but because of the unstable political situation in Myanmar, he had no other job options but to make a living by trading smart-phone parts across the border. This also highlights how central health is for possible immigrants and their employability. Moreover, the internalised perspective of returning to Myanmar either daily or permanently at some point in the future, normalises the temporality of the Chinese immigration system. Other than through the Service Centre, employment opportunities for Myanmar immigrants mostly end in informal, low-skilled and thus low-waged jobs (interview August 5, 2016). Most of these people are employed in the agricultural segment, 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 had Muslim background. This observation coincides with Egreteau's research on Myanmar immigrants in Ruili (2017). Based on his field research between 2010 and 2012, he estimated that between 30,000 and 40,000 (Muslim and other) Myanmar are living on the Chinese side. Other estimations assume that about 30% of the Ruili population is from Myanmar, mostly Muslims from Rakhine State (Chen and Stone 2018, p. 494). Reportedly, Muslims feel relatively safe living in China as ethnic violence in Myanmar often is targeted as

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[40] In Ruili city, the first cases of HIV/Aids infections were detected in 1989. By 1999, almost half of all official infections in China were located in Yunnan. Increasing efforts to contain the disease lowered the number after 2002 (Freeman and Thompson 2011, p. 71). Today, the data shows that a quarter of the population was officially registered as contagious (interview August 3, 2016).

them[41] (Egreteaux 2017, p. 190). They either obtain real or fake Myanmar identity papers with which they are granted either business visa or temporary residence permits valid for up to one year which are often extended if they can provide income and do not get in conflict with the locals (Egreteaux 2017, 194 and 196). Besides being employed in Chinese businesses, they often open their own restaurants, guesthouses or cosmetic shops. Depending on their qualification, 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 August 4, 2016), this is relatively high compared to Myanmar civil servants earning 1,400 CNY (Shen 2016a). Most often, they establish gem or jade shops for which they use their cross-border contacts to buy goods, selling the stones to tourists or to Chinese middle-men (Egreteaux 2017, p. 195). In order to buy the supplies in Burma, they often use one-day permits to cross the border which are granted by local authorities. These cost only 2 CNY, are valid for seven days, and can easily be renewed countless times. It is not uncommon, that people commute to work every day on these renewable day passes. During my field research, I often observed border-crossers waiting at border check points, one after another negotiating with the border guards when they clearly had a questionable allowance to cross, but often were allowed to continue. One local source told me that it okay to cross the border, "if you have 'good relations' with the border guards and they know you, they'll let you cross". Corruption of border guards seemed common to establish these 'good relations'.

Establishing a financial security net is another bureaucratic challenge for these immigrants. Not being allowed to open banking accounts with Chinese banks, they rely on informal channels to transfer money to their families in Myanmar. These 'friend to friend' networks are costly as people are paying middle-men and insecure. Ultimately, the inability to rely on Chinese banking system leaves them procedurally limited. While some argue that this is a voluntary decision to avoid fees (Chen and Stone, 2018, p. 494), this keeps them from renting urban living places, applying for credit or investing long-term.

Moreover, a necessary requirement for these immigrants is that the Myanmar, Shan or Kachin authorities issue their identification papers. According to local sources, this capacity is lacking. Yunnan officials complained about the inability to timely send documents and technically provide data and information on border mobility (interview August 3, 2016). The immigrants complained that it is difficult to obtain the necessary documents. Overall, the cooperation with military and

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[41] As Egreteau shows in his research on Muslim Myanmar immigrants in Yunnan, they however experienced the stereotypes and discrimination by their Chinese neighbours and authorities less hostile than in Burma. While they were persecuted for publicly performing their religion in Burma, 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, p. 197). Compared to Burma, they experienced 'security and opportunities' on the Chinese side of the border and the "border acts as a positive barrier that protects them from a brutal Burmese state and a Buddhist-dominated society often prone to religious violence" (ibid., p. 198).

political authorities is difficult, although they regularly meet and discuss cross-border issues such as drug trafficking within the *liaison* system (see Chapter 5).

7.1.2. Legalising Informal Border Mobility: Border Passes

For local cadres, the problem of 'illegal over-stayers' pose a great challenge. In order to tackle this issue, legalising short-term stays across the border is an effective strategy of decriminalising this problem while defining terms and conditions for legal border crossing and the duration of stays. Within their prefectures, Chinese citizens as well as Laotian and Myanmar citizens respectively can obtain special Border Passes (*bianminzheng* 边民证) to enter the bordering prefecture for 10-30 days without issuing an actual visa. Figure 17 shows the border pass for Myanmar citizens (*Miandian Zhongguo bianjie tongxingzhen* 缅甸中国边界通行证) Towards Laos, both sides, Yunnan's Xishuangbanna Autono-

Figure 16: Myanmar-Chinese Border Pass

mous Prefecture/Mengla County and the Laotian Luang Namtha, Bokeo, Oudamxay, and Phongsaly issue these passes that are especially aimed at traders and students. Towards Burma the situation is more complicated as it involves two autonomous military regions — Shan and Kachin State. The Kachin State that borders Dehong prefecture, however, also issues special passes for entering China that are accepted by the border authorities. Similarly to the work permits, this border pass practice is in accordance with the EEL (see Chapter 4.2.4.).

The passes only allow the holder to cross the border, it is no work or residence permit and does not entitle to travel further into Chinese territory. It constitutes a very specific tool of locally facilitating border mobility without allowing immigrants into the state. Arguably, it simplifies the every-day border crossing of people living in border communities. In these areas, people live in close relation with family living across the border or commute to work on the other side. Since it is the same people crossing the border regularly, often, the border security agents do not check their passes and just let them proceed.

I was not able to find comprehensive official figures on how many Myanmar or Laotian men and women cross the border in order to travel, trade, live or work in China, either legally or illegally. The only official data available is the 2010 census that stated that a total of 39,776 Myanmar citizens stayed in China legally for reasons of business, studies or visiting relatives (National Bureau of Statistics of China 2010). For Dehong prefecture, I found that in 2002 62,292,235 foreigners crossed the border (30,984,882 entering and 31,307,353 leaving the country), and that in 2003 44,326 foreigners were officially employed by Chinese companies (He 2008, p. 37). Until 2016,

Dehong authorities had issues 31,784 workers vertificates to border residents and 218 employment certificates (Liu and Ahl 2018, p. 231). Building on my field research experience, I assume that the overall number of migrants increased over the last five years, the motive of most migrants being political and financial constraints in their home countries. The development and standard of infrastructure in the border area differs widely between the Chinese and the Myanmar/Laotian side. I repeatedly heard from both Chinese and Myanmar border citizens 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 of the Chinese side for a few kilometres before going back to Burma. But, more importantly, Myanmar and Laotian people are trying 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 Burma directly producing jobs there, but most Chinese firms invest on the Chinese side of the border area.

Besides this legalisation attempt, 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 on national holidays" (interview August 3, 2016). Local authorities organise public education events to which the border community is invited that inform on legal procedures and repeat political ideology on harmonious borderlands. These events are held in multiple languages trying to reach the different ethnic communities. Local cadres actively aim at recruit local village people to join the Party in order to expand the access to local communities and increase knowledge on official party line. Propaganda material such as the calendar (on page 100) that informs on 'appropriate' behaviour along the border in terms of cross-border marriage, trade and mobility.

Being a necessary work force for the local economy (mostly in agriculture, and manufacturing sites, as well as cross-border trade), Dehong prefecture government 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, however, make it much more attractive to work there while living on the Myanmar side or sending money back to their families. Besides issuing the two documents (border passes and temporary work permits at the Service Centre), however, the Chinese government's efforts to integrate those people are limited. Firstly, while the border passes provide mobility across the border, mobility further within Chinese territory is prohibited. The Myanmar border residents are effectively bound to the prefecture where they crossed the border and are administered. This way, they become peripheralized within the Chinese state, limiting their access geographically. This equally applied to the Myanmar working immigrants and is enforced by Mobile Control Units that perform internal border checks along roads leading away from the border. Secondly, the heightened control over the health of applicants for the Dehong

work permits by applying HIV tests constitutes a secondary barrier. This control is not applied if they travel along the border, but just before they get to access the Chinese social services. Just being a Myanmar border resident does not qualify to enjoy China's social welfare provisions, but they must proof to be a healthy work-able applicant to get access. Additionally, the then granted access is only valid for them, for instance, they are not able to send their children to Chinese schools. Thirdly, the border residents' access to the Chinese system is procedurally limited. Border residents are not able to open Chinese banking accounts, which would be helpful to send their earnings to their families which they instead do through informal networks. Further, they continue to fear repatriation. Although they legally entered the country with their border pass or legally work after applying for the local work permit, they still remain foreigners and possible subjects for repatriation. Their fear of being repatriated remains in the community, rumours about workers detained for not complying with employers requirements are told frequently contributing to the dependence on the employer (interview August 5, 2016). Ultimately, these distinctions manifest inequality among the different groups of immigrants.

7.1.3. Dehong and Xishuangbanna Visa-free Border Tourism

After an eight-year travelling ban, 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 tourism on the Chinese side as the 'Jewel City' is famous for the markets selling imported gem and jade stones. The larger border area is famous for its ethnic scenery including traditional handcrafts and folkloric events of the local 'ethnic minorities', as well as the green countryside including AAAA-rated botanical gardens. Besides Ruili, Jinghong in Xishuangbanna Prefecture is a popular touristic site where many Chinese tourists stay over on their way to Laos. Jinghong was classified a 'tourist site of excellence at national level' already in 1999 (Colin 2014, p. 127). The Jinghong Mekong port is also an important place of transhipment for regional trade. During my field work, I met dozens of Chinese tourists, mostly from Yunnan and Guangxi, who attended organised bus trips or take individual round trips in the border area. Many of them visited Laos and also Burma. People visiting to Laos were often teachers or office workers who have good salaries being able to afford this holiday. They did not all obtain passports but many of them reported that they can obtain border passes (even the Guangxi residents) to travel across the border for 10 days. Those tourists that went to Myanmar, however, mainly young men, appeared more adventurous as they told me that they do not have passports and cross the border beside the actual border gates to circumvent border control. On a bus back from the border, I interviewed two young men that just spend a 'spa holiday' (probably including prostitution) on the Myanmar side that they said they could not have afforded elsewhere (interview August 5, 2016).

Since 2013, Chinese tourists with valid ID cards are allowed to legally cross the border without obtaining visa before. The border tourism pass (Exit and Entry Permit Border Tourism Only, *churujing tongxingzheng* 出入境通行证) can be issued by any Chinese citizen that holds an ID card. The application costs 20 CNY and is completed within 30 minutes (Mangshi Daily 2013). The issuing agency is the county-level Exit-Entry Administration Bureau at the border ports. Before the suspension in 2013, the permits were valid for one year, which was then shortened to three months. An official of the Exit and Entry Administration Bureau of the Jinghong Public Security Bureau stated that

> "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 lvyou zhuanyong zhengjian 本证件为边境旅游专用证件]. 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)

Besides the military activity on the Myanmar side, the temporary closure of the border until 2013 was justified by the MoPS with reference to the increasing border mobility to illegal casinos and gambling sites on the Myanmar side which resulted in a gambling ban (*jindu* 禁赌). Following a suspension of multi-day trips across the border, all visa-free border crossings were suspended. Border guards started to turn back Chinese tourists that did not obtain proper visa in advance (Nyíri 2017, p. 60). According to the Dehong Tourism Bureau, the economic development of the border area, however, also increased the requirement to support tertiary industry (hotels, tourist facilities etc.) and ultimately resulted in the reopening of the visa-free border tourism (Dehong Tourism Bureau 2013). Since the government issued a one-day visa to travel into Burma, the numbers increased up to 290,000 tourists in in 2005 (Bie et al. 2014, p. 5289).

This border tourism, however, is strictly regulated: only three travel agencies are approved by the National Tourism Administration (such as the Xishuangbanna Mekong International Travel Service, *Xishuangbanna Meogonghe guoji lvxingshe* 西双版纳湄公河国际旅行社) and only several routes are open (in Dehong from Ruili to Lashio, Baamo and Mandalay in Myanmar; in Xishuangbanna from Mengla and Daluo to Keng Tung, to the Old Pagoda in Namtha Province, Luang Prabang, and the Golden Triangle on the Mekong River). Hence, the scope of this tourism is tightly regulated and monitored by local authorities.

Laws and Regulations:
- Ministry of Public Security of the People's Republic of China (2006): *Gonganbu guanyu jinyibu qianghua gongzuo cuoshi qieshi jiada jin du gongzuo lidu de tongzhi* 公安部关于进一步强化工作措施切实加大禁赌工作力度的通知 [Note of the Ministry of Public Security on the Strengthening the Measures to Effectively Increase the Gambling Ban] (8). Available online at https://wenku.baidu.com/view/20fb7b25dd36a32d7375814c.html, checked on 4/5/2018.
- Dehong Tourism Bureau (2013): *Dehong zhong mian bianjin you yidi banzheng jiang chongqi* 德宏中缅边境游异地办证将重启 [Dehong Sino-Burmese Border Crossings Reopen]. Available online at http://www.ruili.gov.cn/shrl/yy/content-183-310-1.html, checked on 4/5/2018.

7.1.4. Crime Prevention and the War against Drugs and Aids

The official discourse on foreigners in Chinese border areas focuses on the concept of the 'three illegals' (*sanfei* 三非), which refer to illegal entry, illegal residence and illegal employment (*feifa rujing, feifa juliu, feifa jiuye* 非法入境、非法居留、非法就业). Focusing on the negative effects of foreigners on the 'population security' and the social order (Barabantseva 2015b, p. 360), the immigrants are supposedly responsible for "raping, steeling, and smuggling" (Li 2012, 116). Moreover, the immigrants' motives are considered "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). The border 'incidents' comprising violent conflicts from Myanmar militias at the Sino-Myanmar border that resulted in refugees seeking asylum in China, further added to the discourse on 'begging foreigners' (ibid). The public discourse on marriage migration shows a similar discriminatory pattern. Although these marriages are quite common, the women often do not have legal documentation when being married to ethnic kin across the border (Gu 2011). Because it is almost always women being married to Chinese men, either voluntarily, by professional marriage agencies, or forcefully, by human traffickers. Due to the lack of legal documentation and recognition, they often are perceived as 'prostitutes', "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 life (Barabantseva 2015b, 356-364). These discourses ultimately manifest in local authorities perceived responsibility to control the population quality. The monitor crime statistics, health and drug abuse of their local residents and design their local campaigns accordingly.

Interviews with local cadres showed that they perceive these 'threats' as coming across the border (interview August 3, 2016). Common tools for crime prevention and the fight against drug abuse and HIV infection are political campaigns. Public displays of warnings about the effects of drug abuse on peoples' health and HIV infections are visible everywhere in the border area. Often these are paired with news from the security forces that show pictures of police successfully uncovering

drug smuggling, burning the confiscated products, or punishing agents that helped illegal traffick-ing. The communication strategy both builds on preventive warning by outlining negative effects of misbehaving and deterrence by showing punitive measures against wrong-doers (see Figure 17).

Figure 17: Public Display at Myanmar Border

7.1.5. Repatriation of Illegal Immigrants and Foreign Wives

For Dehong in 2007, official data shows that authorities found 303 immigrants illegally residing in the prefecture, 447 illegally entering the country, 201 illegally employed, 492 illegal marriages, 432 were repatriated, 432 people were labelled as *sanfei*, 653 persons with temporary residence permit, and 108 people with ongoing residence permit procedures, 225 people that were detained in drug addiction treatment centres, 3 women abducted from trafficking, and the police was han-dling 22 foreigner-related criminal cases involving smuggling of drugs and illegal residence (He 2008, p. 39).

As introduced earlier in Chapter 7.1.2., the peripheralization of migrant workers within state ter-ritory refers to the geographic location of migrants and their ability to move within the territory as well as procedurally within the system. By administratively binding migrants to specific locali-ties, it becomes easier for Chinese officials to control them and to not deal with their individual situations.

The second case supporting the peripheralization argument is the repatriation of 'illegal' immi-grants. As mentioned above, repatriation can be ordered by the MoPS, the individual verdict, how-ever, resides with the local Public Security Office. In practice, local government officials are re-sponsible for identifying subjects and organising the repatriation of illegal migrants and visa over-

stayer, which are then enforced by border troops. In many cases this also concerns Myanmar or Laotian women being unofficially married to Chinese men. Some local police regard these cross-border marriages as a form of human trafficking due to the high commissions paid for the inter-mediary (up to 20,000 CNY, Wangyi xinwen 2010). These semi-illegal marriages are quite common at the border area because people marry within their ethnic group, but often across the border. The marriages are not officially documented but de facto acknowledged by the township officials. However, in case the local government wants to set a warning example, they escort married women to the other side, even when they know they will return during the same day (Barabantseva 2015b, 363). In one pilot project in Dehong prefecture, local governments issue so called Blue Cards to register these 'foreign wives' who often do not have legal documents. This aims at encouraging residents to register their marriages, legalising the marriage, and granting the wives access to medical care services (Shen 2011).

Taking Myanmar illegal immigrants as an example to emphasise inefficient repatriation practices, Song states that 90% of the deported immigrants will return to Chinese territory within three days putting the border enforcement agents in a situation of 'repeated repatriation' (*lvqian lvfan* 屡遣屡返). While Myanmar agencies refrain from punishing illegal border crossings, Chinese authorities and local border agents are overwhelmed. Insufficient training, language skills and legal education of local border enforcement agencies result in a 'reluctance' and 'unwillingness' to perform controls and acts of repatriation (Song 2015, p. 60).

7.1.6. Myanmar Refugees and Undue Asylum Processes

Since 2009, several border incidents occurred during which the Myanmar National Democratic Alliance Army and the Myanmar military fought over Kokang border areas. During these times of chaos and violence many Myanmar citizens were forced to cross the Chinese border in order to stay safe, some of them later applied for asylum in China (Xiong et al. 2015; Thompson 2009). The Yunnan provincial government first reacted by building camps and providing food and health supply for up to 70,000 refugees after the second violent incident in 2015 in Kokang (The Diplomat and Wang 2016). According to a survey undertaken by Hu and Konrad, motives of Myanmar people crossing the border were safety (answered 49% of the interviewees), seeking refuge with friends and relatives (27 %), following the crowd (21%), and seeking shelter (3%) (Hu and Konrad 2017, p. 21). According to them, those refugees who managed to stay in China adopted Chinese names and assimilated into the ethnically diverse border community as they do no longer have homes to return to as they were destroyed in the military conflict (Hu and Konrad 2017, p. 22).

Kokang, however is not the only border area where refugees entered Chinese territory. Along the border, at several locations also in Dehong Prefecture, I still found refugee camps. The camps are

located close to the border, but inaccessible for foreign researchers such as myself. While these camps were quickly built, shortly after the immediate threat was averted most of the camps were closed and relocated to the Myanmar side under the command of the Kachin autonomous governments. The motives for that relocation are unclear since there is no public statement about it. Although China is a member of the UNHCR, it has no previous experience with refugee and asylum processes (see Chapter 4.2.3.). Relocating the camps beyond Chinese territory appears as some kind of 'speedy procedure' to manage the refugees without acknowledging their individual situation and possible asylum-seekers. Today, the remaining camps mostly house women and children, while the men have left searching for work elsewhere. This coerced location of refugees directly at the border and also beyond the Chinese border ultimately peripheralizes them.

7.2. Northeast: Yanbian/Jilin

Yanbian Korean Autonomous Prefecture is a landlocked province located in China's northeast bordering the Democratic People's Republic of Korea (DPRK) and Russia in tri-border region (*sanguo bianjing diqu* 三国边境地区, see Figure 18). As described in Chapter 6.3., the prefecture has been a focus point within the regional development of the GTI but also plays a central role in the China-South Korea relations, the Korean population being an asset in the business relations promoting investments (Cotton 1996, p. 1093).
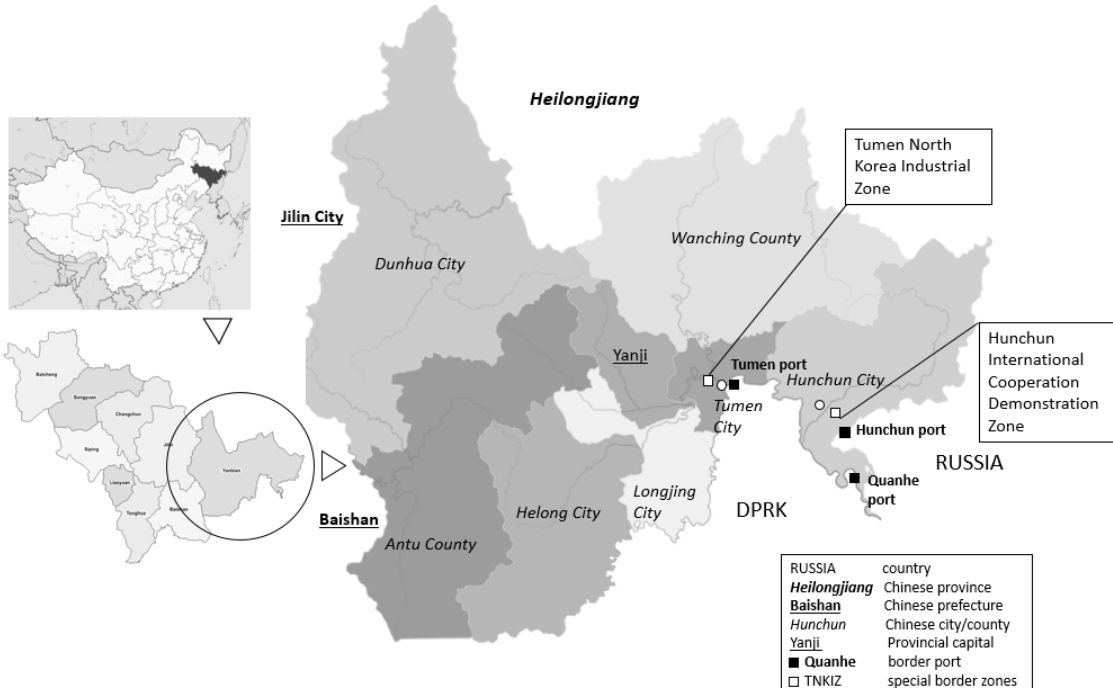
Map 10: Map of Yanbian Korean Autonomous Prefecture and Tumen Border Ports[42]

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[42] drawn by author using Wikipedia Commons

The border to Russia was officially recognised in 1991 after the collapse of the Soviet Union in a climate of overall normalisation of relations between the two countries. Although the boundary treaty with North Korea remains unpublished, the two countries agreed on international borders and a shared use of the Tumen River in 1962 (Fravel 2008, p. 115). The river forms a 'natural' boundary between the two countries that however is differently accessible, in the hot summer the river runs dry allowing people to cross by foot or swimming, in the winter the ice often is thick enough for people being able to walk on it crossing the river. In order to keep people from 'illegally' crossing the border, the DPRK border is heavily guarded on both sides using barbed wire and military personnel.

Bilateral relations with Russia are stable recently focusing on joint energy and transportation infrastructure. Chinese migration into Russia is a contested issue causing angry responses among the Russian border population while the Russian government increasingly facilitated immigration possibilities (Wishnick 2009; Alexeeva 2008; Dyatlov 2012). Other sources of conflicts over the border are 'illegal' fishing activities of Chinese poachers in the Amur River having negative impact on the environment (Ryzhova 2012). The Sino-DPRK relations are complex and prone to international political pressure and conflict. China publicly condemns North Korea's nuclear ambitions while continuing to provide food aid and trading coal, sea food and other products (Zhang 2013). China only reluctantly implements the UN sanctions while prevailing a 'facade of solidarity' (Freeman and Thompson 2011, p. 23). Through this long shared border with North Korea in the context of international sanctions, China almost exclusively trades and invests in the region profiting from this connection. Freeman argues that this shared border area represents an advantage for Yanbian Prefecture enabling local officials to "capitalise on the ethnic Korean identity of the prefecture's ethnic majority and its location to promote local development" (Freeman 2011, p. 36), at the same time, however, the border area is highly vulnerable to spill-over effects of political instability across the border that are beyond their control (Freeman 2011, p. 26).

I conducted my field research in two counties (see Map 10): Hunchun City and Tumen City that both border North Korea, Hunchun also borders Russia. Two border ports channel most of the cross-border transport and mobility in Yanbian: Quanhe Port (*Quanhe kouan* 圈河口岸) and Hunchun Port (*Hunchun kouan* 珲春口岸 also known as *Changlingzi kouan* 长岭子口岸). Hunchun Port is a first rank national border gate allowing international travellers to cross between China and Russia, Quanhe Port, on the other hand is a second tier border gate but 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, Tumen Port (*Tumen kouan* 图们口岸) handles cargo and people as a second-tier border gate.

Jilin province and especially Yanbian Korean Autonomous Prefecture has been actively supporting China's North Korea investment strategy and plays a leading role in the bilateral relations. Jilin is a landlocked province that immensely profits from the overall regional infrastructure development and the direct access to North Korean ports. The Korean population ('Korean ethnic minority', *chaoxianzu* 朝鲜族) plays an important role as they function as mediators in cross-border trade and facilitate business relations also to 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% Mongols as part of China's official *minzu* policy. The Korean group constitutes the largest group in Yanbian and was among the first to being officially recognized and granted its own autonomous region. The group is regarded as a 'model minority' with "impeccable revolutionary credentials and model agricultural collectives" (Freeman 2010, p. 154). Yanbian prefecture, however, is listed as a 'sensitive area' (*mingan diqu* 敏感地区) displaying a fear of ethnonationalism or riots among the Korean group. Luova argues that Yanbian officials were conflicted between the economic potential of increasing ties with the Koreas but also concerned about the possible foreign influence in the region and the number of migrant workers brought in by the companies. The officials described "migrants as channels and nodes for international economic cooperation" while at the same time creating special economic zones to "provide a supportive environment for […] the migrant entrepreneurs" that ultimately contained their sphere of influence (Luova 2009, p. 441).

Despite the 'negative' effects of immigration as a possible 'threat' to what local officials regard as social stability, the transnationalisation efforts aiming to connect the area to the neighbouring countries yielded results. In 1992, Hunchun was labelled 'national open city' (*guojia ji kaifang jingji* 国家级开放城市) which puts a symbolic focus on the area allowing the city government to further implement rules of exception towards foreign direct investment and labour immigration. Hunchun maintains a 'unique' Border Zone Committee that is central in the negotiations between Party line, central directives and local initiatives (Cotton 1996, p. 1097). As mentioned in Chapter 6.3., they established several Special Economic Border Zones, among them the Hunchun International Cooperation Zone (*Hunchun guoji hezuo shifanqu* 珲春国际合作示范区, Gao 2015; Yanbian Prefecture Government 2012, see picture Figure 22). The zone was established in 1993 focusing on attracting industry manufacturing textile and clothing, wood processing, energy and mineral resources, high-tech electronics, food and seafood processing, and new materials (State Council 2009). Private companies from all different countries located in the zone such as from the US, the

UK, but mainly South Korean and Russian investment that create joint ventures with Chinese capital. As I described in Chapter 6.3.1., several Special Economic Zones are located in the border area: Hunchun International Cooperation Demonstration Zone (*Hunchun guoji hezuo shifan qu* 珲春国际合作示范区), Changchun Free-Trade Zone (*Changchun zonghe baoshuiqu* 长春综合保税区), Jilin Food Zone (*Jilin shipinqu* 吉林食品区), and the New District Changchun (*Changji xinqu* 长吉新区). As I outlined before, the administrative responsibilities of local governments in managing these zones and creating incentives for foreign capital investment are sometimes unclear to them; the practice of engaging with their cross-border counterparts, however, is very productive in terms of labour exchange. The following sub-sections addresses the question of how practices of border control and labour mobility are managed in these specific zones.

Figure 23: Hunchun Border Gate

Figure 22: Entrance of the Hunchun Border Economic Cooperation Zone

Figure 20: Tourism site with Spyglasses Viewing the North Korean Side

Figure 21: Construction Site at the Border Next to Border History Museum

Figure 19: NEA Multi-Destination Tourism Cooperation Centre in Hunchun

Figure 18: Border Triangle

7.2.1. Ambivalent Border Control Practices

Researching the state of security cooperation across the Sino-DPRK border is difficult. As mentioned above, the border is strongly secured with barbed wire and observation posts are located close together. Compared to the Myanmar border, the border seems effectively secured against unwanted mobility at first appearance. Nevertheless, the local border economy depends on informal cross-border mobility, people finding ways to cross the border despite the high fences. In Yunnan, security forces turn a blind eye on 'illegal' border-crossers as they very visibly cross the border alongside border check points (see Chapter 5.2.2.). In Jilin, however, security forces are not tolerant towards these informal mobilities. It is quite risky for the traders to cross the border — mostly through the river. On a small-scale, individual traders bring mushrooms and ginseng from North Korea to Chinese markets. When they cross the border, they try to avoid or bribe border guards. On a large scale, smuggling drugs such as methamphetamine is a part of organised crime that in some cases even cooperates with North Korean security forces (Cathcart 2018, p. 422). Chinese media regularly reports in security breaches and how Chinese security forces 'appropriately' meet these threats (Radio Free Asia 2019). The scale of these drug industry indicates that the North Korean state is involved or at least turns away from prosecution, increasing the pressure for Chinese security forces to control the issue unilaterally.

Despite the border being increasingly guarded, fenced and guarded, these 'illegal' crossings continue. Different reasons facilitate these inconsequential border security, as Cathcart states: "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, because regulations around foreign espionage and even simple tourism continue to change" (Cathcart 2018, p. 428). However, besides these technical reasons, turning a blind eye on small-scale transgressions seems a viable assumption here, too. The local farmers markets and tourist shops rely on these products. The traders, in most cases, are North Koreans. Since they risk getting caught by security forces and subsequently risk being jailed, the business remains dangerous. According to local sources, Chinese citizens do not see it necessary to take that risk in order to conduct their businesses, but convey this risk to their North Korean trading partners. Crossing the border, hence, becomes a commodity that adds value to the smuggled good. To make the biggest profit, DPRK farmers cross the border to sell mushrooms themselves in order to avoid losing money to a middle men.

With regard to the border mobility of Chinese citizens, a considerable leeway to travel into North Korea remains. In my interviews with local border residents, the possibility to cross the border without visa in order to spend leisure time in the DPRK, shop on local markets, and visit the casinos, is quite common (interview September 2, 2015). It is an open secret, that Chinese citizens can

easily access North Korean territory without any visa or permits, as long as certain informal criteria are met, such as travelling with officially designated travel agent, in a car, heading to one of the designated casino 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. These news were openly told as I visited the area. Chinese security forces entered DPRK territory and cooperated with Rajin security forces in order to get Chinese tourists out and back to Chinese territory under the umbrella of disaster relief (interview August 28, 2015). The case is particularly interesting, because it reflects the asymmetry between Chinese and North Korean security forces, however, also shows how ad hoc cooperation functions. To the local population, however, it was obvious that these Chinese tourists did not cross legally but still were evacuated and been taken care off.

7.2.2. The Visa Question

Besides the above described normality of informal border crossings, I discuss the question of how Chinese citizens can legally cross the border in the following section. In Jilin, no border passes are issued that are comparable to the Yunnan border area passes. None of the interviewees mentioned initiatives or discussions going in the direction of creating a similar scheme. However, there are several schemes that make visa exception for specific groups. One exception is being made for Chinese citizens of Korean descent (*chaoxianzu* 朝鲜族) that have family across the border. They can apply for day passes to travel across the border 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 visa' (*lvyou qianzheng* 旅游签证) that allow short-term (2-3 days) border crossings as part of organised group tours both to North-Korea and to Russia. These border visa minimise bureaucratic effort for the traveller aiming at facilitating regional tourism for Chinese and Russian citizen. Further, Jilin Exit and Entry Administration plans to introduce specific border visa for travelers in Hunchun International Cooperation Demonstration Zone (*Hunchun guoji hezuo shifanqu* 珲春国际合作示范区) that would be issued within 12 hours in a specifically appointed service centre[43]. The administration also planned to issue border passes for employees of companies that are located in the Hunchun Demonstration

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[43] 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* 《吉林省公安机关激发社会创造创新活力助推吉林新一轮振兴发展三十项措施》解读之一 [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, checked on 4/5/2018.

Zone. These travel permits should be valid for three months to facilitate cross-border trade but must be issued with the local Public Security Bureau.

The target group for these visa schemes is mainly Chinese tourists and local businesses. This indicates that local authorities do not aim at extending border mobility for residents overall, but selectively for those groups that contribute to the border economy. Tourism is an important industry in Yanbian, it generates 10% of the local GDP (Freeman 2011: 31). Local attractions include museums (see Figure 21) and statues of the Korean War as well as ethnic Korean villages, cultural events and markets. The border triangle (*fangchuan* 防川) is known as 'looking into three kingdoms' (*yiyan wang sanguo* 一眼望三国) as you can see Russia, China, and North Korean territory standing on a specifically built tower (see Figure 18). The main attraction, however, is to watch the 'exotic other': the North Korean people that live under harsh state control and in poverty (interview September 1, 2015). Along the border, I found many tourist stations run by local residents providing refreshments, border memorabilia and telescopes for rent to watch the North Korean side (see Figure 20: Tourism site with Spyglasses Viewing the North Korean Side). Also available are rice packages and other kinds of food that you are supposed to throw over the fence in order to 'feed the poor North Korean people'.

While most of these tourists are content with travelling along the border without crossing it to the other side, some tourists also cross into North Korea. For these, special visa schemes were introduced in the framework of GTI tourist initiative, as described in Chapter 6.3.3. In 2014, a GTI tourist office opened in Hunchun offering information on guided tours including destinations in Russia and the DPRK (see Figure 19). Most popular are cycling and road tours into the DPRK. In order to participate, travellers must obtain a valid Chinese passport, then a traveller visa can be issued within three days by the local Public Security Bureau. Local sources, however, could not confirm that these visa schemes would effectively reduce the number of informal border crossings.

7.2.3. Managing North Korean Immigration

In Chapter 4.2.3., I illustrated how the Chinese government does not appropriate North Koreans as refugees. Insisting that North Koreans leaving their country for economic reasons, Chinese officials and state media refer to the defectors as 'those who have escaped from the North' (*tuobeizhe* 脱北者). Besides the defectors, however, several policies aim at addressing the North Korean immigration which I introduce in the following section.

North Korean Women as Wives

One issue that is comparatively well represented in the academic literature is the question of North Korean women marrying Chinese husbands. Other than the Blue Cards in Yunnan, in Jilin there are no specific passport schemes addressing these 'foreign wives' (Lee 2004, p. 54). According to Liu Guofu, there were 'short-lived' efforts to also 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 (Liu 2011, p. 92). During my field research, however, I did not encounter evidence indicating ongoing pilots. This means that these women 'illegally' entered the country, their marriage is not officially registered, and often they do not have a single identification document. This legal limbo leaves them vulnerable to sexual abuse and labour exploitation (Hwang and Parrenas 2018, p. 69). If children are being born out of these 'illegal' marriages, in most cases they will not get a Chinese citizenship or *hukou* leaving them in a legal grey zone, unable to attend school or seek medical care (The Guardian and Yun 2016). According to the Korea Institute for National Unification, this concerns about 30,000 children living in China (ibid.).

Many of these women financially support their families that still live in North Korea. By sending money through middlemen, they can increase their families' living standard. Although officially prohibited, the CNY has become a widespread currency in North Korea (Cathcart 2018, p. 428). The middle men take considerable sums for smuggling the money, accounts vary around 30% of the sum. Choi argues that women who were being repatriated to North Korea are punished for culturally polluting the homogenous Korean society. Especially if they return pregnant, their children seem to have no place in North Korea and its 'pure blood' ideology (Choi 2011, p. 521). Despite the danger of being repatriated and subsequently imprisoned as defector, many women take on the journey and marry Chinese men. Being a potential source of income, many of them are pressured into marriage by their own families or decide to do it lacking any other income alternatives (Choi 2011, p. 523). Fleeing poverty, some women become subject to human trafficking by agencies that broker women for 100 CNY or 'a sack of rice'. Often, these brokers try to renegotiate their fees after they helped someone to leave the country resulting in forced marriages if they do not comply (UNHCR 2019, p. 24).

Workers Exchange Agreements: Exploiting North Korean Workforce

China's immigration authorities provide a guest worker programme for North Korean labour immigrants[44]. The DRPK is dispatching workers all over the world, an estimated 19,000 in China (Gyupchanova 2018, p. 184). This scheme is not limited to the border area, but helps Chinese restaurants to — mostly — hire North Korean women as waitresses. They often get contracts for two or three years, the state taking up to 90% of their income (Cathcart 2018, p. 429). They are legally immigrated workers from North Korea, however, are not free to move or travel anywhere. Nevertheless, especially at the border similar immigration arrangements are in place.

One of these arrangements can be found in the Tumen North Korean Industrial Park (TNKIP, *Tumen jingji kaifaqu Chaoxian gongyeyuan* 图们经济开发区朝鲜工业园). The zone lies at the main road leading from Tumen City to Yanji, the prefecture's capital. Established in 2010, the zone hosts three big Chinese companies — Huiren Electronics, Hualong Technology, and Konkyo Electronics (Gu and Yang 2015, p. 182), furthermore, several North Korean companies (mostly textile industry) that enter joint ventures (Yanbian Prefecture Government 2013). In 2015, according to interviews with experts, the zone hosted almost a thousand workers from North Korea, providing on-site living facilities. According to local officials, the facilities include living, dining, entertainment for the workers and Chinese police stations. In order to "increase the humane treatment of the workers", health and safety measures and health care facilities have been implemented by the zone administration and North Korean holidays and traditions are being respected (Zhongguo touzi zhinan [Invest in China] 2015). On-site inspections are also held by North Korean officials who visit on a monthly basis checking compliance with DPRK standards (interview August 31, 2015). They planned to enlarge the facilities in order to being able to host more workers. The workers have special contracts allowing them to work in China while living in the TNKIP. They have no allowance to reside or travel within China, they have no access to the special rights of border residents, and they 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 (two to three years) is over. The (one-sided) labour exchange is organised by the Jilin Talent Service Centre (*Jilin rencai*

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[44] This specifically addresses North Korean workers, in contrast, South Korean labour immigrants are treated differently. South Korean immigrants come with the companies that establish joint ventures in the zone experiencing the same treatment as other international labour and 'talent' immigrants that come to China for a limited time. However, they gain special attention by local officials that are concerned about their transnational activism. These concerns are caused by incidents such as South Korean teachers trying to assist North Korean defectors to get to South Korea without being detained by Chinese authorities and missionary work (Luova 2009, p. 443). While this sort of organised immigrant's activism was heavily surveyed by Chinese security authorities, individual labour migrants were under less strict surveillance (Luova 2009, p. 444).

fuwu zhongxin 吉林人才服务中心) that issue the special working visa and labour contracts (interview August 27, 2015). According to the Chinese officials, on the DPRK side, a special labour company (*zhuanmen de laodongli gongsi* 专门的劳动力公司) manages the contracts and providing the workers. In other words, the zone constitutes a closed area hosting North Korean workers being employed by Chinese-North Korean joint ventures. These companies strategically profit both from the cheap labour available through this cross-border arrangement and the 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 for the border area is an advantage that is central to the economic success of the region. While China supports this labour agreement, the local officials said that Russia refrains from this kind of cooperation due to DPRK's 'political uncertainty' (*zhengce bu juedingxing* 政策不确定性) (interview August 31, 2015).

North-Korean Refugees: Hidden and Preventive Camps

In Chapter 4.2.3., I outlined the Chinese approach towards refugees as volatile referring to the changing political support that depends on the refufee's country of origin. As for North Korean defectors, if their existence is admitted at all, 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. [北朝鲜是不允许民众移民和移居的，它是完全封闭的状态]" (interview August 26, 2015). Nontheless, local officials admit that they have North Korean immigrants in their localities that need to be politically addressed emphasising that they need political guidance and support from the central government.

Public opinion on North Koreans entering the country differentiates between whether they come to stay permanently or temporarily: Border mobility is not equally dismissed as immigration. The fact that there exists informal border mobility is widely acknowledged. The necessity of North Koreans 'illegally' crossing the border to conduct trade is accepted because people are aware that some products and necessities are missing there. Some people told me that they know this kind of border crossing is 'illegal' and dangerous as border security on both sides tries to prevent it from happening. But in the case of 'illegal' immigration Chinese citizens carry mistrust against the defectors saying that many of them are criminals or poor people coming to China to profit. Chinese media actively criminalises North Korean defectors linking them to human and drug trafficking, and robberies along the border (China Daily 2010). Freeman argues that the "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" (Freeman and Thompson 2011, p. 25). This brings local cadres under pressure being responsible for maintaining public security including implementation of China's central 'drug free communities' policy.

If caught, the defectors face repatriation. Following the bilateral agreement with the DPRK on mutual repatriation from 1986, Chinese authorities put them in camps for uncertain periods of time before they send them back on official channels. The location and conditions in the camps remain unclear. When international sanctions hit North Korea in 2017, the preventive construction of camp sites for possible refugees in the border area was reported (Perlez 2017). The primary goal of the security forces is to avert the problem at the border, not letting 'illegal' immigrants spill into the country. Chinese authorities decisively oppose the South Korean approach of granting citizenship to North Koreans. Security forces actively prosecuted those immigrants with South Korean passports that originally emigrated or fled from North Korea and imprison them, implementing a hard policy on North Korean defectors (Luova 2009, p. 442).

Moreover, the role of North Korean security forces is under investigation. While Chinese security forces try to effectively secure the border against 'illegal' crossings, the fact that North Koreans can leave the territory besides the omnipresent security agents is suspicious to some experts. In theory, the terrain should be relatively easy to survey as the border runs along the river being overlooked easily. The fact that North Korean defectors despite these obstacles cross the border either reflects the sheer desperation of the people crossing and risking their lives, or it indicates the North Korean border guards *de facto* allow 'problem citizens' to leave the country (Freeman 2011, p. 29). As a result, Chinese authorities increased their border surveillance by organising patrol groups in villages and border towns, implemented video surveillance and border sensors that provide a 24/7 monitoring (Freeman 2011, p. 39).

7.3. Practices of Local Border Control and Mobility Regulation

This chapter provided detailed accounts for how immigrants and border residents on both sides of the Chinese border are regulated and controlled. The legal framework and government support for both border areas — in Yunnan and Jilin — is quite similar, however, enforcement strategies by provincial and local governments differ, first, in terms of how immigrants are integrated into the local border economy and society, and secondly, in terms of how mobile border residents are.

The security field including the Border Security Groups and the PAP try to effectively secure the border against unwanted mobility. In both cases, drug trafficking is a major issue that is prioritised by security forces. Yet, the question of how 'illegal' border mobility is prioritised differs. In

Jilin, preventing North Koreans from entering Chinese territory is a priority, whereas in Yunnan, informal mobility is tolerated to a considerable degree. In part, the reason for this seems to lie in the different geography and landscapes of the border areas. Yunnan's thick rainforest is more difficult to effectively survey than the Tumen River. However, during my interviews it became clear that also the political will to effectively deter these immigrants diverges considerably. In Yunnan, local officials clearly stated that the cross-border relations of the local population are a resource that needs to be deployed rather than deterred. Issuing border passes that allow frequent border crossing represents a certain level of trust put into the border communities by local authorities. They try to establish more open and mobile borders that facilitate cross-border trade. Moreover, the direct cooperation with the Myanmar and Laotian authorities are considerably well. In Jilin, however, the political pressure on local authorities is comparatively big as international sanctions and human rights debate add potential risk to the result of their direct engagement with North Korean authorities. Rather than risking negative effects, they keep quiet.

In both cases, ethnic relations and kinship across the border plays an important role. In Yunnan, the geographic distribution of ethnic groups such as the Dai and Jingpo *minzu* across the border results in lively commuting and visits across the border. The boundaries of peoples' family lives do not necessarily coincide with the international boundaries. Local officials try to acknowledge this fact, legalising the border crossings and trying to integrate the workforce of those who live across the Chinese border. In the case of the Korean *minzu*, the networks also transgress the border. Unlike the Yunnan authorities, in Yanbian, authorities aim at containing the cross-border contact rather than promoting it. 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 organised through informal networks rather than through official banks, leaving the transactions vulnerable to exploitation and fraud.

The ways Chinese authorities aim at integrating the available immigration workforce into the local economy differ. In Dehong, work permits were introduced specifically aiming at Myanmar residents that provide much needed work force for the Chinese development strategy for the region. Ambitious goals within the Develop the West programs include the infrastructural and economic development of the Western periphery. An increasing number of companies that relocate factories in the border area as well as the growing agriculture use demand workforce. The Myanmar immigrants are a welcome supplement to the local population. Nevertheless, the work permits effectively bind the migrants to the border prefecture, legally and geographically. In Jilin, the available schemes for North Koreans working in Chinese companies is even more restricted. Permits are only issued for specific zones, workers not being able to leave the compound being controlled by

North Korean and Chinese authorities. In this case, the system is appropriately depicted as 'modern slavery' (Gyupchanova 2018) rather than labour market integration.

Further, the application of border passes is implemented differently. In Yunnan, border passes are officially introduced in the provincial Exit and Entry Regulations, local Public Security Bureaus are allowed to issue them to individuals who live in the border area and who have to cross the border regularly. The practice is common and wide-spread. In Jilin, no such arrangement exists. Here, visa regulations are eased for border tourists and professional border traders, rather than border residents.

The *liaison* mechanism between local authorities directly communicating and cooperating across the border varies among the cases. In Dehong and Xishuangbanna, local governments maintain constant relations to their cross-border counterparts. They discuss issues such as repatriation and border security infrastructure, but also coordinate cultural events. In Jilin, especially towards the DPRK, these issues are largely limited to military cooperation and not met without central government affirmation. This is not to imply that Yunnan is acting contrary to central guidelines, but there the authorities have considerable leeway in implementing and strategically developing the local economy.

Lastly, the overall question is how local authorities produce legality for immigrants. By selectively granting work permits and prioritising among different groups of immigrants, the Chinese border regime implements its neoliberal rationality. It favours working immigrants over possible refugees, it conditionally and temporarily accepts the able-working into the local economy. Applying rules of exception to the immigrants keeps them locally bound, dependent on visa renewal, and hence, at the control of the authorities. This way, providing legality becomes a selective, conditional and locally bound privilege. The border economy exploits the relative coercion of the immigrants to comply with the Chinese rules because living and working conditions on the other side of the border are worse. Instead of contesting their status, they adapt to the limited legal space Chinese authorities are providing. Both legal and 'illegal' immigrants become peripheralized and ultimately remain in a vulnerable state of existence.

CHAPTER EIGHT

Conclusion — Characterising the Chinese Border Regime

Chapter 8. Conclusion — Characterising the Chinese Border Regime

This final chapter summarises the key findings of the thesis, discusses the value and short-comings of the analytical perspective of border regimes, and lastly, gives an outlook for further research on Chinese border politics and border security.

In essence, this thesis shows how the Chinese border regime differentiates its strategies of control: Regulation techniques are adapted according to different location (graduated sovereignty) and different groups of immigrants (graduated citizenship). The authority over state territory is graduated manifesting in Special Border Zones that provide preferential policies, exceptional immigration procedures, and additional resources to integrate the local economy and facilitate trade across the border. Also, authority exerted over people crossing the border is differentiated creating a graduated citizenship regime. The immigration system selects immigrants mostly depending on whether they are economically valuable and perihperalizes those immigrants that are less valuable. Although the central government has reformed its immigration system throughout the period of analysis, there is still no coherent concept of border politics. The immigration system has become significantly institutionalised and procedures have been clarified. Yet, some issues are omitted such as refugee or asylum law. To a large degree, the question of how the border area is to be governed on-site is conveyed to local authorities. Local governments and Public Security Bureaus cooperate to find solutions for specific immigration issues, such as Border Residency and locally valid working permits. The rule by exception became normal.

8.1. Special Border Zones: Normalising Local Exceptions

The Chinese border regime is both internally de-centralised and became re-scaled as China became increasingly integrated in regional organisations. Chapter 5 shows how Chinese national border politics intersects at different (national) policy fields. Most importantly, different actors within the Chinese system are responsible for border security and border development sometimes following different or even contradicting priorities. The implementation of these policies, however, largely reside with local governments. My argument is that in order to reintegrate this decentralised system, the Chinese government designed Special Border Zones. These zones provide preferential policies and allocated resources that help local governments meet the targets of upper level administrations. These zones are special in the sense that they provide exceptions for foreigners' immigration or investment into China. However, they are not special in the sense that they have become widespread and common policy tool at China's borders. The exception has become normal.

In Chapter 6, I show how these zones have become integrated in regional organisations. By labelling the two discussed provinces as 'bridgeheads' (*qiaotoubao* 桥头堡) towards the neighbouring countries, Beijing provided them with a strategic advantage. Since 2009, preferential policies were outlined by the National Development and Reform Commission (NDRC) regarding tax policies, facilitation of cross-border trade and mobility. This 'spatial selection' of Yunnan and Jilin acknowledges their geostrategic importance within the region but also shifted the centre of regional interaction to the Chinese border areas. This way, Beijing also ensured and extended its influence in the neighbouring Asian regions. I show in detail, how within the Greater Mekong Subregion (GMS) and within the Greater Tumen Initiative (GTI) the bridgehead strategy is implemented. In both organisations, the provincial governments play an active and central role in decision-making. While the facilitation of cross-border trade is the focus of both organisations, they also provide a forum for cooperation in other policy fields. Within the GMS, the collaboration even extends to direct security cooperation conducting Joint Mekong River Patrols and police action against smuggling and trafficking. Within the GTI, an alliance on border tourism developed. Both organisations have developed regional infrastructure plans to orderly construct roads and rail roads as well as agreements on river and port management. In sum, the regional frameworks provide an opportunity for China to re-establish territorial authority over its border areas in terms of security and development by flexibly allocating development funds and influence the relevant infrastructure even beyond its territory. China's Special Border Zones are a central tool within this spatial re-articulation as they become an action centre, a hub within the regional projects. Although their establishment is a national administrative act, their impact goes way beyond Chinese territory and hence transnationalise the Chinese border regime.

In Chapter 7, I present detailed accounts for three border zones, two in Yunnan province (Ruil and Mohan) and one in Jilin province (Hunchun). I show how exceptions are implemented in practice. In Ruili, for instance, immigration policies are extended to Myanmar workers in the border area. The local government was able to integrate the formerly 'illegal' working immigrants into the local economy and legalised 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 Residence Cards for Chinese, Myanmar, and Laotian residents who live in the border area the 'PRC Border Management Area Pass' (*Zhonghua renmin gongheguo bianjing guanli qu tongxingzheng* 中华人民共和国边境管理区通行证, short border pass *bianminzheng* 边民证). These cards do not replace the passport but qualify as identification document in the border area in both countries. This way, bureaucratic expenses are reduced because the local Public Security Bureau does not have to issue visa for every border crossing. No such policy exists in Jilin. Although these working permits and border residency cards do not appear in the official list of visa, but constitute specific

border documents, which allow the owner to legally work for a Chinese employer only within the prefecture and cross the border as often as necessary to conduct their business or family lives. This shows how the Special Border Zones are not only an instrument of allocating development funds, but also a way to legalise and match the realities of cross-border lives.

8.2. The Role of Local Governments in China's Border Management

The role of local governments within the Chinese border regime is crucial. As I explained above, they develop creative strategies of legalising immigrants that are necessary for the local economy, they have considerable leeway in doing so and obtain additional resources within China national development plans to implement their projects. The underlying rationale of their behavior, however, remains an open question. It is clear that they aim at promoting development in their localities while competing against other locations. Economic development and social stability are key policies or 'veto targets' (*yipiao foujue* 一票否决) that all local governments have to produce (as I explain in Chapter 5.2.). In how far they are willing to accept exploiting the available work force from across the border is the question. The question whether the immigrant workers in the border area are exploited or themselves exploit the local economy is ambivalent and not easy to answer. However, it is an important aspect. Of course, exploitation is a relative concept. Some scholars argue that the Myanmar workers in Yunnan come from unemployment and lack of perspective as the Myanmar border area is comparatively low industrialised and relies on China to provide cell phone services and border infrastructure (Chen and Stone 2018, p. 493). Salaries for these workers also are comparatively high. Depending on their knowledge of Mandarin and their education, they earn between 1,000 and 3,000 CNY on average. This is relatively high compared to what they would earn on the Myanmar side where a public official earns approx. 1,400 CNY. Also in Ruili, these workers can receive further education and language training provided by the local Service Center. This, however, is a model case and does not apply for Laotian workers and especially not for North Korean workers. For the latter group, no data on their income working in Chinese factories is available. The political situation in North Korea, however, indicates that the DPRK government had some role in the decision of these people to work on the Chinese side in prison-like factories that they cannot leave. The question whether immigrants come voluntarily, hence, is central in answering whether Chinese local governments exploit the desperation of these workers to come to China. The mere lack of alternatives forces these people to accept Chinese working conditions. The Myanmar workers in Ruili often have lower wages as Chinese workers and work under bad conditions with regard to work safety on plantations, construction sites, and plants. If they acquire a work permit it is always limited (mostly up for one year) after which they have to make 'good relations' with the local authorities in order to get it extended. Although it is hard to make a living and support families, they often succeed. On the other hand, the Chinese side of the

border, often provides a 'safe haven' for them as they are prosecuted for their religion on the Myanmar side (Egreteaux 2017, 196f.), flee violent conflicts such as in 2010 or try to escape poverty. These immigrants also profited from the growing Chinese economy in the border area providing jobs and basically a freedom of movement with an open border to Burma which they still can flexibly cross in order to visit or do business. Many of them can save money to send it home to their families and create a better live for them. However, whether they will stay for longer or try contribute to the local community depends on how they feel integrated by the Chinese state and society in the long run.

Besides these reflections on their motives, the legalising efforts of the local governments make them a central actor in the re-locating the economic centre of regional development. By creating pull-factors for immigrants from the neighbouring countries, they establish new economic hubs of cross-border mobility and trade. Moreover, within the '*liaison* system' (*lianxi zhidu* 联系制度) they are central in the direct negotiations with their cross-border counterparts on security cooperation, neighbourly relations, and cross-border cultural activities. This way, the local governments become scalar managers that create new interaction patterns. They shape the transnational economic structure, benefiting of the uneven development across the border.

The legalising efforts, however, also are limited by the de facto informal border mobility that is ongoing. At all border sites that I investigated, it was quite easy to see the frequent border mobility offside the official border gates. As it was visible to me, this indicates that local officials turn a blind eye on informal border mobility. Two reasons can explain this reaction: first, the local economy depends on this kind of interaction, and second, it is impossible to effectively secure the border against all unwanted mobility. At the North Korean border as well as in Yunnan, gambling tourism across the border is an open secret. As I explain in Chapter 4.2.5. on border tourism, the government tries to tackle this issue but only succeeds temporarily. Cross-border trade of agricultural products also is an integral part of local cross-border markets: rice, fruits and forest products from Myanmar and Laos, mushrooms and Ginseng from North Korea are desired by local households and the Chinese consumer markets. By trading on 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, the local security forces focus on large-scale smuggling including drugs and narcotics (see Chapter 6.2.2.). As local governments closely cooperate with the local security forces and Public Security Bureaus, stands to reason that they reach a common decision on the respective risk perception of different threats. Whether they focus on preventing 'illegal' immigration or repatriating 'illegal' foreigners, whether

they focus on drug smuggling or human trafficking is constantly discussed among the local officials. The central governments agenda plays a crucial role in these debates, however, they are responsible for providing social stability in the region and manage cross-border mobility.

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

In Chapter 4, I scrutinised how the Chinese border regime labels immigrants into different categories. By analysing legal frameworks, immigration control practices, official and media discourses on the different groups of foreigners, I showed how the Chinese immigration system differentiates among wanted and unwanted foreigners. The immigration system, thus, provides controlled access for selected groups (such as foreign students or 'talent' immigration, Chapter 4.2.1.) who experience preferential treatment being provided with settlement subsidies, medical treatmend, insurance, housing, taxation advantages, and family reunification. Less qualified and thus less desired immigrants are treated differently and meat less privileged immigration procedures. Other, irregular forms of immigration are included in a comprehensive *sanfei*-discourse (three illegals: 三非) constructs 'illegal' immigrants as criminals (Chapter 4.2.2.). The underlying rationality that transpires into the selection builds on a specific set of values: the immigrant is wanted if they economically contribute to the local community and depending on their 'quality' (*suzhi* 素质). These different labels create a social hierarchy in which the immigrants get graduated access to social security. All foreigners are strictly controlled by limited working or residence permits — even if they are called permanent residents. Public discourses on the desirability of the immigrants reproduce their place within the social hierarchy: 'illegal' immigrants are met with discriminating language (Chapter 4.2.2.) while talent immigration is constructed as contributing to the nation project. This logic builds on the individual responsibility to discipline him- or herself in order to possess social and economic 'quality' to become an 'autonomous' citizen. This self-disciplinary approach inherently is neoliberal. How the Chinese governments tries to quantify the individual quality also shows in the point-based system (A/B/C) that rates a foreigner's desirability for the Chinese economy. Overall, the social differentiation qualifies as a system of 'graduated citizenship'. The legal responsibilities and rights are differentiated according to the label, the immigration system applies different technologies of incentivising or preventing foreigners' immigration. Foreigners are excluded from a path to full citizenship (no universal path to naturalisation) and privileges – such as permanent residence permits or family reunification – are only selectively granted for 'high quality' immigrants.

Within this graduated immigration approach, the category of border residents (*bianjing diqu jumin* 边境地区居民, short *bianmin* 边民) constitute a special legal category. This category, again,

ascribe to the governance through exception that is characteristic for the Chinese border regime. The issuance of a border residence card is highly selective for inhabitants of the border area and only locally valid. The benefit of obtaining this status is ambivalent, although border residents gain a preferential status with additional identification documents and favourable border-crossing procedures, they become subject to increased education campaigns and community-based surveillance as local authorities monitor them closely.

Creating this locally differentiated, legally graduated immigration system produces different forms of power. It produces symbolic power as it categorises foreigners, placing them according to their value within the social hierarchy and appropriating their status within the nation project. The exerted power also is regulatory as it provides varying forms of control over their mobility and personal life. This way, the Chinese state adjusts its sovereignty norm on one-citizenship to a differentiated mode that fits the realities of immigrants. Although naturalisation is not an option, selective access to the society, social securities and the Chinese job market is granted. Instead of illegalising 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 residenty have in fact multiple citizenships, one full citizenship and one that is practices by working, paying taxes, and socializing in the other country. However, foreigners' dependence on the good will of Chinese authorities' remains, the EEL states that the final decision on whether an individual gets granted a residence permit does not need to be justified, also whether a border residency card is issued depends on the local Public Security Bureau regarding the individual's cross-border mobility as 'necessary'. Ultimately, this narrows the scope of the immigration reforms as it ties the individual's rights back to political will. Border passes, work and residence permits become symbols of inclusion, yet, they are selective, locally bound, and temporary constituting an exception to the traditional concept of Chinese citizenship.

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

In Chapter 5.3. I argue that Chinese authorities use national development projects to produce social stability in 'underdeveloped' areas such as the peripheral (mostly Western) border areas. This place-specific resource allocation functions as a spatial fix for uneven development within China. This policy, however, is integrated into border politics specifically as the border areas are ethnically diverse, thus, becoming key sites of national territorial articulation. The government's fear of ethnic nationalism and disintegration of the 'ethnic minorities' represents not only the internal ideological struggle for 'ethnic harmony', but also the question of how to integrate the historically remote peripheries into the nation project. Within the Develop the West policy (*xibu dakaifa* 西部

大开发), campaigns such as 'enrich people's lives' (*xingbian fumin* 兴边福民) specifically addresses the 'ethnic minority' areas and uneven development in the border. While China already had "administrative jurisdiction in frontier territories" in 1689 in Qing Dynasty resolving ownership and trade issues within the *minzu* population in the border region (Wang 2009, pp. 131–132), the general concept of nation did not build on distinct frontiers for the longest time. Rather, the Chinese understanding of territory built on narratives of territorial divides (see Chapter 4.1.3.), such as the 'Great Wall-centric' and the 'Yellow River-centric. The territory was a rather fluid concept, as Wang stresses (Wang 2011, p. 180). After the second World War and territorial struggles during the 20th and 21st century, international borders were drawn and the centre-periphery relation had to be re-designed as the doctrine of territorial integrity (*lingtu wanzheng* 领土完整) became a key phrase of constructing the nation. The question of how Beijing projects sovereign power into the periphery and practice territorial authority has to be analysed in the context of its de-centralised administrative system. The relative autonomy of 'ethnic minority' provinces and local governments resulted in a differentiated system of territorial authority. Today, this means that way Beijing limits or gives leeway over specific areas is varying 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 policies that steer with differentiated policies that address local characteristics. These zone-specific policies come in the form of Special Border Zones including tax cuts and special infrastructure funds, but also in form of local exception to national legislation as in the case of the border residence cards. These flexible forms of intervention mobilise and build new functional economic spaces that allow new pathways of development across the nation's territory (cf. Brenner 2004, p. 213).

In analysing territorial patterns of Chinese history, William G. Skinner hypothesised that the Chinese sphere of influence is best to be understood in terms of "patterning in the flows of goods and services, money and credt, and the like" (Skinner 1985, pp. 287–288). 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 such a data driven attempt to show what *de facto* interactions take place at the border. Rather than imposing a Western concept of external/internal structures, I looked at the existing interaction patterns. This approach revealed that local authorities in fact built cross-border relations that are unique to the different case sites and that the border multiplies in also beyond traditional Chinese territory. The border areas are spatial representations of the centre-periphery relation and China's attempt to integrating its markets into the wider region. Here, the politics of scale bring together local, national and regional actors to maneuver the struggles that

come along with globalising markets and borders. Ultimately, these different interaction patterns manifest a graduated territoriality. This graduated territoriality is characterised by different zones composed of place-specific governmentalities and local exceptions that re-scale and re-order the nation state.

8.5. Border as a Site of Investigation: Assessing the Analytical Perspective

The border regime analysis takes a regulation perspective. It includes institutions, legal and practiced authority over border-crossers, and accounts for historical trajectories. This is a value in integrating these different variables into a comprehensive approach. The analysis of norms, laws, and rationalities of a border regime represents different epistemological parts that become integrated. While laws and institutions represent the visible representations of the border regime that the researcher can easily access, the norms that constitute the regime are the result of historical trajectories. It allows to draw the space of negotiation and practices among different actors involved in migration and border management and analyse how they relate to each other. Going one step further, the rationality that underlies the application of these norms includes the analysis of how migration regulation is practiced. This way, the regime analysis systematically progresses in terms of methodical depth. At the same time, this integrated approach is vulnerable to conceptual fuzziness. This issue continuously accompanied my researching and writing and is the biggest challenge to this thesis. The regime perspective, however, redeems the analytical value by incorporating rich empirical data into a comprehensive picture of border management. Migration regulation appeared as a meta-issue of the 21st century that affects many different policy fields, integrates global, national and sub-national politics, and often decision-makers are issuing policies long after migration events or border conflicts took place. Against this background, an analysis of this complex system is in order. This work provides a systematic attempt to include the different spaces of negotiation within the Chinese border regime, being ambitious about creating cohesiveness of the theoretical approach.

8.6. Further Research and Outlook

This thesis showed how the Chinese border regime governs migration in the context of Asian regionalisation. I specifically focused on the legal differentiations among different groups of immigrants, how authority is exerted through different levels and bodies of the government, and showed how zones of exception are produced characterising a specific technology of exception in the Chinese border regime. I applied a regime perspective that builds on an ethnographic border regime analysis including Symptomatic Discourse Analysis and fieldwork. Although this method is sensitive to the lived realities of border crossers, the subject's perspective is missing in this work. While I included quotes from immigrants, I was not able to fully understand or cover their

voices in this work. In order to understand the effects a policy has on the population — in this case immigrants and border residents — a more empathic analysis of their experiences would be in order.

I laid the groundwork for an embedded understanding of the different levels and layers of politics that build the border regime. I specifically addressed national, regional and sub-national policy processes and their responsibilities and practices. Future research on the Chinese border regime should try to refine the theoretical understanding of these different interactions further. Although the literature on border studies has much to offer in terms of theoretical concepts — such as assemblages (Sassen 2008), integrated borderlands (Brunet-Jailly 2013), multi-scalar migration analysis (Xiang 2013) and global border regimes (Xiang 2007; Koslowski 2011) — an understanding of how the global, the national and the local interact constantly changes and needs more refined analytical understanding. Especially the question how coherent the ideas and rationalities of how to govern the border and immigration are among the different actors remains crucial.

To me, the most intriguing question that I could not systematically address in this analysis is the question of how technologies of control are affected by the digital transformation. Although this thesis did not approach this question systematically, it lays the groundwork for further analysing the impact of digitalisation on the technologies of control. Especially at the border, technologies of surveillance and mobility control are in used by security authorities. Cameras connected to automated face recognition systems, drones that monitor uninhabited border areas, and automated passport controls at official border gates using RFID chips integrated in passports all contribute to making the border 'smart'. In how far this changes the strategies of security authorities and the experience of crossing the border and thus actual mobility patterns is a thrilling question for further analysis.

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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

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

Consultative Commission 协调委员会

GTI Secretariat (UNCP) 大图们倡议秘书处

Business Advisory Council 商务咨询委员会

National Coordinators 国家协调员

Transport Board 交通运输委员会

Trade Facilitation Committee 贸易促进委员会

Tourism Board 旅游局

Energy Board 能源局

Environmental Board 环境局

Supra-national policy formulation

Asian Development Bank (ADB)

World Bank

United Nations Development Program (UNDP)

United Nations Economic and Social Commission for Asia and the Pacific (ESCAP)

Central 中央

Central govermnent 中央政府

NDRC 国家发展和改革委员会简称发改委

Ministry of Public Security 公安部

Ministry of National Defense 国防部

Ministry of Transport 交通运输部

Ministry of Commerce 商务部

Tumen River Area Leading Group 图们江地区领导小组

China Tumen River Area Development Project Coordination Group

China Tumen River Area Development Project Coordination Group

PLA

Ministry of Foreign Affairs 外交部

Ministry of Finance 财政部

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

PAP

Ministry of Human Resources & Social Security 人力资源和社会保障部

National Tourism Administration 国家旅游局

Ministry of Civil Affairs 民政部

Dep. of Border & Maritime Affairs 外务部

Dep. of International Affairs 国际事务部

Bureau of Exit and Entry Administration 出入境管理局

State Administration of Foreign Expert Affairs 国家外国专家局

National policy formulation

Provincial 省级

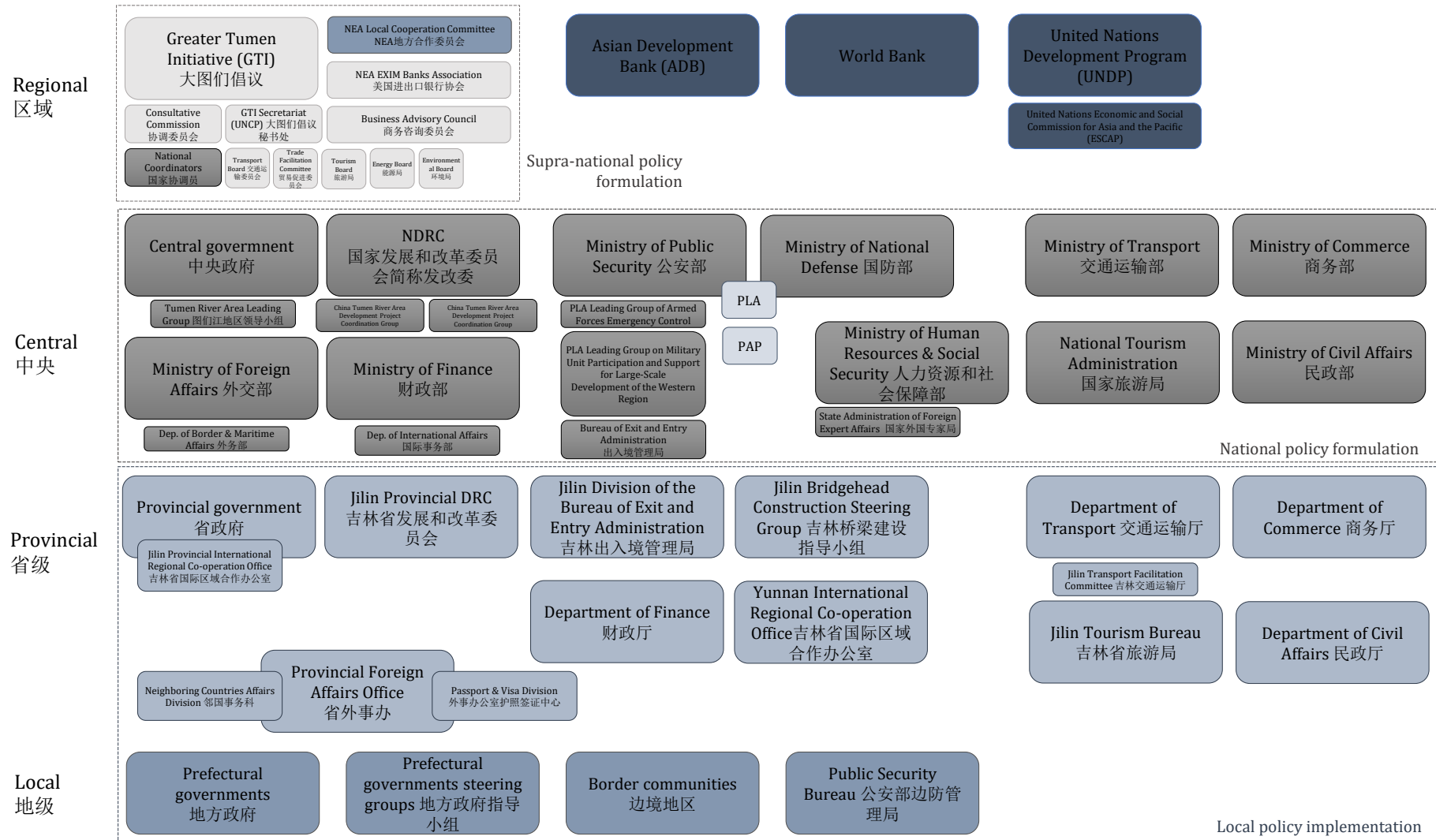Provincial government 省政府

Jilin Provincial DRC 吉林省发展和改革委员会

Jilin Division of the Bureau of Exit and Entry Administration 吉林出入境管理局

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

Department of Transport 交通运输厅

Department of Commerce 商务厅

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

Department of Finance 财政厅

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

Jilin Transport Facilitation Committee 吉林交通运输厅

Jilin Tourism Bureau 吉林省旅游局

Department of Civil Affairs 民政厅

Provincial Foreign Affairs Office 省外事办

Neighboring Countries Affairs Division 邻国事务科

Passport & Visa Division 外事办公室护照签证中心

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

Local policy implementation

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Appendix C: Questionnaire for Fieldwork Preparation

<div align="center">

边疆管理在地区化过程中的作用

访谈提纲 2015

</div>

A. 个人情况 (personal background)

性别：

出生年份，出生地点：

文化程度：

在现有工作岗位工作多久？

此前的工作岗位和职务是什么？

B. 地区化 (Regionalization)

1. Can you explain what regional development means? 您能介绍一下什么是区域发展？
2. What is the state of regional integration in the province/area? When did the process begin and how did it proceed? 在您所在的省/地区，目前区域主义状况如何？您能介绍一下城镇化过程什么时候开始，怎么继续？
3. What is the focus of your regional development work at the moment (pattern)? Have there been changes? 目前您们区域发展工作的重点是什么？最近重点变了吗？
   您能介绍一下什么是" 当地的跨界合作"吗？跟地区化的关系是什么？
4. Are there any explicit upper level directives regarding the regionalization process? 关于您们区域主义工作，上级发布了具体的规定吗？这些政策规定的背景是什么？
5. What are the future plans for infrastructure work in the locality? Do you plan to invest in cross-border infrastructure? 本县基础设施/基础结构将来的计划是什么？你计划投资于跨境基建吗？
6. Are there specific methods for investment and cooperation? Who proposed those projects, which level of government? 有没有具体的土地流转方式？那些项目被哪个单位／哪级政府部门提出的？谁投资？哪级政府核准？
7. Does the province/prefecture have programs for strengthening cross-border cooperation? Which? In which places? Since when? 本省/县有没有跨界合作的项目吗？在什么地方？什么时候开始的？
8. What is the focus of cross-border cooperation in general at the moment? 目前为止跨界合作款一般侧重点是什么？
9. Are there any explicit upper level directives regarding cross-border cooperation? 关于跨界合作发展，上级发布了具体的规定吗？
10. What are your future plans for develop the border area? 本省/县跨界合作发展将来的计划是什么？

B. Role of other institutions GMS and GTI 大图们倡议

11. What is the role of the GMS/GTI organisation?
大湄公河次区域/大图们倡议的作用是什么？他们扮演了什么角色？

12. What is your role in the GMS/GTI organisation? Did you hear from them? Did you attend any of their meetings? Which ones?
您听说过这个吗？您参加过和他们有关的活动吗？ 都有哪些？

13. What is your opinion on the effect of the GMS/GTI process?
您认为他们的作用和影响是什么？

14. What is the role of private investment in the process?
私人投资在这个过程中有什么意义？

15. What is the role of the banks in the process (EXIM Bank, ADB)?
（国有，国际, 私人）银行在这个过程中什么作用？（ 东北亚进出口银行联盟，亚洲发展银行）？

16. What is the role of the national and provincial governments in the process?
国家和省政府发挥了哪些作用？

17. What does the 'bridgehead' role imply?
国家给这个城市命名为'窗口'和'桥头堡'，您觉得这个城市可以从中得到什么发展优势？

18. What is your vision for the project, what will happen in the best-case scenario?
您觉得他们的前景怎么样? 您觉得最好的情况是什么？

19. What are the biggest difficulties to address in the future?
您觉得我们现在面临着那些主要困难？

C. Border management 边疆治理

20. How did the border area develop since the GMS/GTI started?
他们给边境地区带来了那些发展机遇？现在情况怎么样？

21. What is the function of the Special Border Zones?
特区的作用是什么？

国际合作示范区

22. What are the most important issues of border governance?
区域管理 (border management)， 边疆治理 （administration of the border region）现在面临着什么

主要问题？

23. What is the function of the border in times of regionalization? How did the border change?
边境变化有哪些意义？

24. What does border security mean? Is it still a hard or soft border?
对于您来讲什么是一个安全的边境？现在是一个硬边疆或软边疆？

25. C. 资金问题 Financial issues

26. 最近省一级跨境基建的资金多少？区域化工作的资金多少？How much money can the county invest in the development of cross-border infrastructure?

27. 目前是否有所资金变化？您觉得西部大开发的政策或者财政改革对公共服务均等化有影响吗？Have there been any recent changes regarding the funding? Is there an impact by the XBDKF policy or the fiscal reforms?

28. 资金来源有哪些？Which are the sources of the funds?

29. 多少财政资金是上级提供的？ How many financial resources does the upper level provide (tax rebating, FDI, earmarked funds, other)?

税收返还：

外商直接投资：

别的：

30. How specified is their usage? 如何规定用途？

31. Are there more FDIs and earmarked funds now? 现在有更多的外商直接投资和专项补助吗？

32. 上级分配的资金、新来的支付是否有明确的使用规定？有没有具体的规定或者使用办法？What are the conditions for using the resources distributed by the upper level?

33. 你自己筹集资金吗？如何筹集？（预算内、预算外、收费）Do you raise funds yourself? How (on-budget and off-budget revenues, tariffs)?

34. Do you take loans from policy banks to improve infrastructure? 政策性银行这几年有没有加大中长期贷款对跨境基建建设的支持力度？

35. Do you obtain loans for financing the projects? If yes, can you negotiate on the repayment? 你们的项目会获取财政贷款吗？如果是，你可以在偿还问题上交涉吗？

36. How do you distribute the funds among the counties/villages? 你如何在乡村提供资金？

37. How is the current financial situation of the county government and the townships and villages? How is the debt situation? 目前县、乡镇、村的财政状况如何？债务如何？

38. Providing attractive infrastructure for increasing cross-border mobility is already very difficult. Does the competition against private investors make it even more difficult? 在城市提供吸引的跨境基建已经很难，是否预示着区域化使其更难？

39. Which are your major expenditures? In how far can you decide on the concrete expenditures? 县级政府的主要支出责任是什么？有什么决策力？

40. Does the province government take over more investment lately? 最近省政府会承担更多的投资吗？

41. Do you cooperate with any non-governmental entities (development agencies or companies) in your urbanization work and in equalizing public services? How about the cooperation with local entrepreneurs? 在城镇化和均等化过程中，你与任何一家非政府组织合作吗？（发展团体或者公司）与地方企业合作的如何？

D. 策略 (strategy)

Goals

42. What are the main difficulties of regional development? 总的来说，目前地区发展过程主要的困难有哪些？如何克服这些困难？

43. How strictly do you need to follow the upper level's plan of infrastructure development? How large is your discretion in shaping the regional process? Have there been changes? 你如何严格的遵守在投资发展的高级计划？你的判断在区域化进程中有多大的落实空间？最近有什么改变吗？

44. How do you use it? Could you give some concrete examples? 你如何使用它，可以给出一些是在的例子吗？

Institutional environment/Feedback/Performance assessment 制度环境/反馈/今宵考核

45. Does the central/provincial government evaluate your regional cooperation? How? Do you know the standards? (省)政府怎么来考核您们落实地区合作的成绩？您们都知道上面考核的标准吗？

46. Do you coordinate with lower levels when they evaluate? 如果上级政府来考核，县级政府和下级政府合作吗？

47. Do the results influence their provision of financial resources? 考核的结果是否会影响到之后县（包括部门）的上级资金拨付？考核结果对干部个人的职业发展有影响吗？

48. What do you do with the results? Do they have any impact on the townships or villages? 您们跟结构做什么？考核得好不好，对他们有什么具体的影响？

49. What feedback do you get regarding your projects for local cross-border cooperation? 一般来讲，省政府对您们推动当地的跨界合作有什么样的反应？

50. Can the township cadres or village leaders make any suggestions regarding the equalization of public services/urbanization work? How? Can you give concrete examples? 乡镇领导和村干部会在当地的跨界合作中提出任何建议吗？怎么提出，你可以提供一些实在的例子吗？

51. How do you know what the people think about your projects? 您们怎么知道村民是否支持某项目？老百姓、村委会的意见对县政府重要吗？他们如反对的话，您们怎么来处理？最近发生情况吗？

Interaction/social networks 相互作用/社会网络

52. Are you in contact with cadres from other counties? Do you exchange on the local cross-border cooperation topics? 你和来自别的国家的干部有联系吗？你和他们在地区发展和当地的跨界合作这些项目上有交流吗？

53. Are you personally in much contact with the township or village officials? How is the relationship? 你个人和乡镇，村子的干部们联系的多吗？关系如何？

54. Do you participate in any development organisations that engage in regional development? 你参加任何政治组织或者从事于发展团体吗？

E. Opinions on the regional process 区域化进程中的观点

55. What do you think will be the most serious problems that the regional development process will face in the future? 你觉得将来地区发展进程中最严峻的问题会是什么？

56. Do you personally believe this process is difficult? Why? 你个人认为这个进程将会遇到很多困难吗？为什么？

Appendix D: Chronological List of Conducted Interviews

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List of Abbreviations

ADB	Asian Development Bank
APEC	Asia Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
BCG	Border Control Groups
CCP	Chinese Communist Party
DPRK	Democratic People's Republic of Korea
EU	European Union
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GMS	Greater Mekong Subregion
GTI	Greater Tumen Initiative
IBO	Identity-Border-Order
ILO	International Labor Organisation
IO	International Organisation
IOM	International Organisation for Migration
IR	International Relations
GMS	Greater Mekong Sub-region
GTI	Greater Tumen Initiative
MoFA	Ministry of Foreign Affairs
MoHRSS	Ministry of Human Resources and Social Security
MoPS	Ministry of Public Security
NDRC	National Development and Reform Commission
NPC	National People's Congress
PAP	People's Armed Police
PLA	People's Liberation Army
SEZ	Special Economic Zones
SBZ	Special Border Zones
UNCTAD	United Nations Conference on Trade and Development
UNHCR	United Nations High Commissioner for Refugees
WTO	World Trade Organisation