Franziska Plümmer

Rethinking Authority in China's Border Regime

Regulating the Irregular

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New Mobilities in Asia

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

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

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

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

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List of Abbreviations

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

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1 Introduction

Abstract

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

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

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

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

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

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

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

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

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

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

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

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

Multiple Borders – Tracking the Border down

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

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

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

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

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

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

Contextualizing Chinese Border Politics in the Making

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

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

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

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

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

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

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

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

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

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

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

On Border Regimes, Sovereignty, and Immigration

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sovereignty and Territory

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

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

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

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

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

Immigration and Citizenship

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

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

Chinese Border Politics

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

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

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

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

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

State of the Art on Chinese Border Regulation

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

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

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

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

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

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

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

Historical Territorial Narratives from Tributary System to Centre-Periphery Relations

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

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

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

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

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

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

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

Methodological Reflections

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

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

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

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

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

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

Ethnographic Border Regime Analysis

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

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

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

Table 1   Relevant organizations

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

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

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

Fieldwork: Experiencing the Border

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

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

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

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

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

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

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

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

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

Map of the Book

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

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

Figure 1   Border as a method
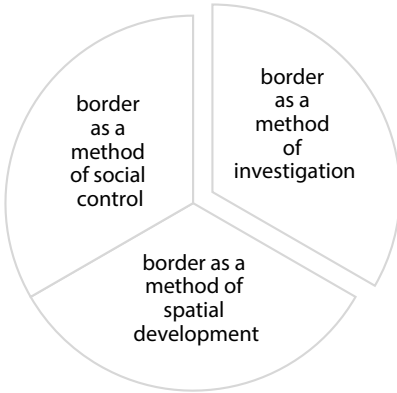
the Chinese immigration system exert graduated authority over border-crossers. The passport as a boundary object becomes decisive instrument that differentiates among various groups of immigrants, namely regular, irregular, refugee, border residency, and border tourism. The introduction of border residency and its legal positioning as an exception within the immigration system is discussed here. I conclude by examining how the underlying rationale of the immigration system builds on strict control and selective and limited provision of visa and residence permits.

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

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

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

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

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

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