

***THE BORDER WILL TEAR US APART AGAIN:
GOVERNING BODIES AND COMMODITIES AT
THE MARGINS OF THE STATE***

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Abstract

On the bases of ethnographic data collected on the border area between Romania and Serbia in the pre-and post-accession period to EU, this thesis investigates the consequences of the internationalization and the Europeanization of this border on the practices, networks and the power relations of the people involved in the border-crossings. As the idea of the national border is rescaling and changing positionality by becoming a EU external border, the populations and places encompassed by the border region, as well as governing of the flows undergo important transformations. In addition to the dynamics of rescaling and fragmentation of the state after 1989, the making of the external EU border also contributed to these fragmentation and reterritorialization processes. I analyze these dynamics taking place within the context of cross-border securitization as a gradual shift from predatory rule to the making of the post-socialist state of the 1990s. In order to examine the interactions between the state and the borders, I explore the transnational form of governance enacted by the European Union. This thesis is an attempt to unpack the new forms of governmentality of flows taking place within context of the post-socialist EU.

I dedicate this thesis to all the people who make their living across the borders of the nation states

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1. Introduction

1.1. Cross-border securitization and contraband disconnects

On Wednesday, fourth of April 2007, breaking news was offered quite generous space in the print, as well as in television Romanian media. It was about the funny fact that in the border area of the town of Satu Mare, close to the border with both Hungary and Ukraine, the contraband in cheap Ukrainian cigarettes is such a secure transnational business that it is carried out by rudimentary means of transportation such as horse drawn carts¹. Besides the funny thing, the illustration expresses a phenomenon that has many far-reaching implications. It is estimated that annually the cigarette producers lose two billion Euros due to the growing contraband in cigarettes. This means that the big cigarette producers could put pressure on the state to securitize cross-border flows and thus to increase the revenue of their business. Another matter of fact is that borders are indeed porous and good opportunities to illegally create value outside the national territories, in spite of the recent rhetoric and operations of cross-border securitization. Moreover, it was largely believed that by closing the duty-free shops² much of the pricing asymmetries, unfair competition and customs revenues in the enlarged European Union will be finally better regulated and governed. On the contrary, various press releases show that the elimination of duty-free shops on the Romanian borders and other areas

¹ Contrabandă de țigări cu căruța, în Satu Mare! [Cigarette smuggle by the horse driven wagon in Satu mare!] ProTV news line, April 4, 2007. News article available online at: <http://www.protv.ro/stiri/justitie/contrabanda-de-tigari-cu-caruta-in-satu-mare.html>.

² Special shops located in the neutral space of the borderline which were meant to supply travelers and border crossers with various goods exempted from duties and any kind of taxes, that is, much cheaper as compared with the regular suppliers from the nation state territory.

have stimulated a flourishing contraband in cigarettes³. From the obvious disconnect between the practices of securitization promoted by the state and the EU and the ongoing contraband on almost every border of the Romanian nation state is such evidence that makes the hereby thesis an interesting and relevant one and which legitimates further inquiry into the processes affecting border communities and local offices of the state.

It should not be understood that the contraband is a new phenomenon. The only thing which seems to become a matter of novelty is the growing awareness that these instances of cross-border, transnational criminality should be addressed by the regulatory functions of the state and supra-state departments. For example, no earlier than February 2007, just one and half months after the successful EU accession of Romania, the Romanian Border Police and two major tobacco producers signed an agreement to fight contraband⁴.

This is a sign that smuggling cigarettes from Ukraine or the Republic of Moldova into the European Union increasingly becomes a transnational process that fuels the desires and imaginations of business of many people staying at the offshore of the mainstream societies and economies. On the other hand, it becomes a pretext for the powerful (such as the state apparatuses and the big legal business players) to secure even more their monopolies on regulation (read taxation, increasing customs duties revenues and controlling cross- border flows). Similar attempts to control the contraband were

³ Depozite cu țigări de contrabandă, în locul magazinelor duty-free [Storing spaces for cigarette smuggle replace the duty-frees] ProTV news line, February 16, 2007. News article available online at: <http://www.protv.ro/stiri/justi-ie/depozite-cu-tigari-de-contrabanda-in-locul-magazinelor-duty-free.html>.

⁴ România împânzită de contrabandiști de țigări și alcool [Romania densely populated by cigarettes and alcohol contrabandists] ProTV news line, March 3, 2007. News article available online at: <http://www.protv.ro/stiri/justi-ie/romania-impanzita-de-contrabandisti-de-tigari-si-alcool.html>.

insistently taken in Hungary in 2006⁵, a country that joined the European Union in 2004, in which smuggling goods from outside of the EU is still an issue at stake.

1.2. EU internal and external borders: uneven securitization?

Furthermore, it should be noted that the media illustration introduced above comes from the location of such a secured place like Romania-Hungary border, that is, one of the internal borders of the European Union. Such areas are right now disproportionately being regulated, that is, much less, as compared to the external borders of the EU, such as the Romania-Serbia border, which are meant to undergo severe processes of securitization to be completed few years from the moment⁶. As the intrigue of the story shows, apparently those less regulated borders still present opportunities for contraband and other illicit activities, no matter how much or less they are securitized. Nevertheless, there are many aspects of the cross-border flows and practices of border control which are becoming matters of more effective governance, as effected by securitization.

This paper wants to make a good case for a better understanding of the differences suggested by the following question: what exactly does securitization mean when looked at from the perspective of the changing nature of the practices of border crossing and border control, and how different are the internal EU borders from the external ones, in

⁵ Hitting the illicit cross-border cigarette trade. Budapest Sun June 8, 2006. News article available online at: <http://www.budapestsun.com/cikk.php?id=20124>.

⁶ Fortăreața de la granițele României [The fortress at the Romania borders]. *Capital* January 3, 2007. <http://www.capital.ro/index.php?section=articole&screen=index&id=100559&cauta=securizarea%20fronti erelor>.

the interesting case in which both are governed by the same, Romanian, state, together with the EU. To make these differences meaningful and to address fundamental analytical issues in the anthropology of borders and the anthropology of the state through the lens of a rich empirical material collected by ethnography, this paper will be devoted to studying the Romania-Serbia border as an EU external border and to the processes of securitization this border passes through. Even if the effects of re-defining borders and treating them differently are less evident from such a shallow look at a few press materials⁷, the differences between internal and external borders of EU still exist and the operations of surveillance carried out in those areas differ, while the very dynamics of illicit cross-border trade and seasonal labour can be expected to take different forms and scopes. At the same time, there are important differences among the internal, respectively external borders, as well. For example, the EU external borders “hosted” by Romania at the moment are those with Ukraine, Serbia and Republic of Moldova. Given this diversity of border situations and border governance, why do I choose to deepen the securitization of the Romania-Serbia border, and not other’s? I will repeatedly argue throughout this paper that the Romania-Serbia border, as compared to those with Ukraine and Republic of Moldova, presents a unique case of changing regional economic and political asymmetries in relatively short periods of time (from socialism to post-socialism) which are very well reflected in the nature and scope of cross-border flows, as well as in the special attention the state always paid to govern in one way or another, this border.

⁷ As can be the case with the illustration of contraband from the EU internal border between Romania and Hungary I brought in the first paragraphs of this chapter.

1.3. Locating the research: Romania-Serbia border pushed towards securitization

This border is very illustrative, maybe much more than any other Romanian EU external border, for the paradoxes and for the apparently redundant nature of the state decisions related to the governance of flows. EU accession is a decisive case in point which impinges towards securitization which, in effect, produces harsher restrictions and regulations of flows either to Serbia or to Romania. Nevertheless, the issue at stake, at least until 2004 when the bilateral visas were required for border-crossings, was not really the intense mobility of Serbians, for example, into Romania, which in fact was low. It was rather the reverse which seemed to be true, that is, the Romanians seeking massively to trade or work into Serbia, and the war economy prompted by the embargos of the 1990s in which the Romanians (border people, but from more remote areas as well) were very active players. However, the EU accession of Romania and the cross-border securitization or construction, symbolically as well as materially, of the EU external border on the spot, was able to signal the re-scaling of the border in the regional political economy and to change, even if not yet fully, the power relations between the cross-border neighbours.

However, there are not only the recent developments that increase securitization of the border. Romania-Serbia border can be acknowledged for its spectacular changes during the last forty years or so. It was relatively accessible during socialism, then it became a site of generalized illicit cross-border trade culminating with the embargos, while now it is being securitized. However, the securitization of the border started much

earlier, in the late 1990s, when the first attempts to limit the cross-border war economy were orchestrated, without much effect. From this point of view, the current phase of securitization seems to be the most systematic in terms of effectiveness.

Another peculiarity which makes the Romania-Serbia border an excellent site for studying such transformations is the fact that during socialism this was one of the few ports for the illicit, but acknowledged, entrance of Western goods into Romania, in a period in which the imaginations and desires of consumption could have only hardly been met due to the ever restrictive nature of the Romanian socialist shortage economy. In the same period, Yugoslavia was the origin of significant mobility into the Western Europe and for this reason, cross-border trade, which was to some degree allowed at Romania-Serbia border, was very much fueled by the Western goods brought by the Yugoslav traders.

1.4. What would cross-border securitization be able to say, analytically?

Moving to another level of reflection, I would say that the idea of this paper revolves around widespread evidence that numerous national borders are no longer the formal limits for the monopolies of violence of nation-states, but sites for the strategies of a multitude of actors, including new state and supra-state entities acting to defend against diffuse threats of a global nature and to implement processes of securitization of a flexible regulation and governmentality of flows. Besides the difficulties of implementing such a project in which a diversity of actors compete and cooperate to produce expertise,

ideologies and new technologies of control, the result is that apparently local places become areas of making politics and administration aimed to serve rather global actors and causes. At the same time, and even more than ever, borders seem to become very special places in themselves, through their strategic role for implementing such global projects.

These points are magisterially expressed in the making of the European Union's external border. On one hand, the Romania-Serbia border is more or less visibly transformed along with the state. This transformation is aimed at creating a secure space to act as an effective buffer against flows of people and commodities. The other side of the story can be usefully approximated by the presence of circumventing border natives (and not only of them) who were used to base their livelihoods on the occupations such as cross-border contraband, petty trade, fishing, seasonal labour, that is, cross-border activities that largely evade the state and other actors aimed at ensuring the border surveillance. My border case becomes in this way an utterly interesting laboratory for studying the dialectics of power and resistance, state, supra-state, and society, a perspective from which a social anthropological lens of the border would gain much. Along with the challenge of redefining borders at sub- and supra-state levels of governance, which seems in itself a terra incognita for states and international agencies designing and implementing them, there is indeed a growing need to understand these transformations from a more analytical social science point of view, from which the need to have such studies available, and the particular relevance of my research.

This paper will elaborate on these topics at different levels of analysis but will mostly concentrate on the border zone. It will focus on ethnographic data collected

through fieldwork in the summer of 2006 and on secondary data given by other, supplementary sources, such as newspaper articles.

On the border, one encounters with the state, to which I will repeatedly come to as to the local state, that is, the local offices of the state appointees in charge with the border control and securitization on the spot. On the other hand, the border is also inhabited by people. And from this statement a kind of antinomy would first appear as reasonable in the analysis of securitization. However, my paper will try to avoid polarizing the border people and the state just as in the light of the good recent suggestion on the anthropology of the state opened up by Trouillot (2001) who says that the state should be conceived of and constructed anthropologically beyond its institutional fixity. This does not mean that the state disappears from analysis, but rather that the researcher should rather look for the state at alternative places, people and even commodities, and examine the traces securitization leaves behind by changing scale and positionality of a very particular borderland in the larger regional and global economy, politics and society. The point advanced by Trouillot (2002) is also consistent with the shift in the social anthropological focus from the state itself as bureaucratic rational power produced and enacted by institutions, in a pure Weberian view, to Foucauldian notion of governmentality, a new state of theoretical mind prompted by the capitalist crisis of late Fordism (Nugent 2004). While the Weberian notion of the state was based upon an oppositional model between state and society which stands to explain processes like state-building, state-making etc., carried out by legitimate and rational institutions acting unitarily and coercing local or national populations (Nugent 1994), the Foucauldian alternative of governmentality admits the presence of competing structures, both of a public and private nature,

employed to negotiate the possibility to govern and regulate populations on bases different from the previously celebrated legitimate violence. Governmentality, as a mechanism of control, is much more subtle than the state, and the legitimate violence of the state seems to be replaced in this case by a disciplinary concern of those in charge with producing knowledge, identifying and monitoring the objects of regulation (Foucault 1991).

1.5. Research problem and questions

Given these preliminary notions, I would describe the general puzzle of my research as approximated by the following question developed into two steps. First, I am interested in describing and analyzing the ways in which the new approach to border control is set in motion in the case of Romania-Serbia border, that is, a particular EU external one. Then, the first question would be: how is this cross-border securitization understood and implemented at the border zone? Going further, I want to find out what the securitization produces or, what does the securitization effect on the border people in terms of creating new subjectivities, on one hand, and on the local state, on the other. To put it more generally, my question would be: how does cross-border securitization change the social, economic and political landscape of the border? Following from this, this paper will inquire into the various presences which make the cross-border securitization a meaningful and observable process. However, the state, and this will deserve more attention in the chapter of research methods, was long considered a very difficult to study epistemological object for ethnography, as far as it is both localized in

certain local offices and institutions, while it is necessarily a trans-local entity (Gupta 1995). What makes the presence of the state visible? What makes the presence of the EU visible? How do these presences act to cooperate in the field of securitization, and how do they oppose or approach the cross-border flows and the border people? These are only a few general questions through which I will try to fix the puzzle of seeing the state in the border area as an administrative unit seeking to implement securitization procedures aimed at regulating the flows.

I suggest here that there is a considerable lack of evidence and scholarly concern with how the states of this region re-territorialize, fragment and re-establish themselves under the pressures of globalization, regionalization and whatever else. I propose that inquiring with specific analytical tools in this desert of evidence, social anthropologists could better understand not only the post-socialist transformations, but also processes of globalization with a regional, East European lens. The central argument of my paper is that the cross-border securitization is an excellent illustration for a new approach to governing local marginal populations through re-scaling (from national to European level and significance, in my case) and re-technologizing the borders. It stands for a process which involves a massive production and transfer of new technologies and expertise in which not only the state structures take part. On the contrary, the success of the making of the EU external border between Romania and Serbia depends on the coordinated actions of a diversity of actors.

I hypothesize that the East European states and borders have entered after the fall of socialisms in the late 1980's complicated and heterogeneous processes of restructuring. Nevertheless, the paths were very different. My Romanian case of the state

and its borders took various forms during the 1990's, according to global, regional, national and local imperatives: from overt predation, along with transnational counterparts, clients, beneficiaries, to contending, neo-liberal structural reforms and strategies (Radu forthcoming). EU and NATO accessions were crucial for establishing the Romanian state as a contending (Walker, Mendlovitz 1990; van der Pijl 2006), neo-liberal client of the global actors. Here comes one of my important claims: cross-border securitization and the making of the EU external border are part and parcel of this contending, neo-liberal re-arrangement and re-fragmentation of the state. Therefore, I consider that studying the making of the cross-border securitization beyond the institutional reach, which is, by studying the new governmentalities inscribed in the border-crossing people and commodities, this paper is aimed at making a valuable contribution to the state and border restructurings in the newly enlarged European Union.

2. Governmentalities of cross-border flows: blind spots in the ethnographies of the state and borders? Literature review

In this critical literature review I will try to capture meaningful debates on the state and globalization by emphasizing an intermediate sequence of social, economic and political process taking place currently with the enlargement of European Union by the inclusion of Romania, that is, the securitization and the making of the external EU border between Romania and Serbia. Obviously, this helps crafting this paper in various ways, but above all it is aimed to make me understand the possible connections between the state, its borders and the flows of people and commodities, and to refine my research puzzle in a more analytical manner. I will take the current sequence of cross-border securitization as a particular empirical instance through which one can better understand how the state power is re-fragmented and how the mobile populations and goods are becoming governed and regulated in new ways in their attempts to cross the borders. Perhaps the most useful starting point in this undertaking is the (by now) vast anthropological literature on the state.

2.1. Anthropology of the state

Following Michel-Rolph Trouillot (2001), it would be reasonable to start from the point in which anthropologists realized that the state can be depicted and understood as having no institutional fixity, having no effects channeled exclusively through institutions while being even more diffusely spatialized and displaced in the context of globalization.

What Trouillot spoke about has far-reaching consequences for the study of the state because if we consider the three statements above it becomes imperative to extend the empirical boundaries of the inquiry. The state should be therefore located beyond the empirical obvious, that is, the loci of governments and government agencies and institutions. This is actually a long standing challenge for anthropologists and social and political geographers who have felt that their special contribution to the research of the state could be meaningfully made in this area. It is namely about conceiving of the state as beyond modernist canons such as methodological nationalism.

Neil Brenner (2004), for example, starts his argument of *New State Spaces* from the intriguing fact that the social sciences have long been considering states in a way that the territoriality of the nation was somewhat naturalized. Spatial fetishism, methodological territorialism and methodological nationalism were three important assumptions falling into this approach. On the opposite, more recent strands of research have argued that given globalization as a new container of social, political, economic relations, one can only conceive of the state as a de-territorialized entity. Here comes one of the important claims of Neil Brenner: it is fine that in this way we get rid of the state-centrism and its assumed territorial fixity, but on the other hand de-territorialization thesis poses as many disadvantages as advantages. Why disadvantages? Because, Brenner says, a great deal of the new ways in which the state re-territorializes under the impact of the currently spreading capitalism itself comes out of the analytical reach. The task of anthropologists and geographers, the representatives of two disciplines which seemingly make a common effort in understanding the new shapes of the state, is thus to understand the state without downplaying a relational perspective which might give interesting

insights in how the states restructure in connection with neo-liberal capitalism, for instance.

Possible answers/revisions of these dilemmas come from the state fragmentation theses which can take various forms. The first mode would be the fragmentation stemming from the analytical (semi-) autonomous categories of thinking the social world such as the state, society, economy, enduring since the Enlightenment and its powerful project of modernization. Therefore, there is a long standing literature on a binary mode of opposition between the state and society. This is just a part of the story, though. Inspired by their empirical insights collected in various areas of the world, the anthropologists have tried to conceive of this fragmentation differently. Taking the process of state building, David Nugent (1994) for example, argues against the oppositional model by emphasizing the case of Peru as an even more complex instance of fragmentation, in which state and society are not really two separate things. The question seems not necessarily be the effort of centralizing power by setting up central institutions of the state, but rather to account for all the possible negotiations and situations of conflict and cooperation that can impose certain forms of power which finally appear embedded in the state apparatuses. Ferguson and Gupta (2002), following the earlier reflections on the translocality of the state (Gupta 1995), make a similar powerful point by showing how the states are spatialized, in terms of representations and images encountered at the grassroots levels of inquiry. By criticizing two analytical and popular images of the state – verticality and encompassment, which basically force many to represent the state as a top down entity powerfully imposed on the local populations – the authors try to depart from the stereotypical image of the state contemplating, acting upon,

and encompassing society from above. To some extent, the two authors speak about spatiality of the state as a way to solve the puzzle of the oppositional model of state versus society. However, they go a little further and formulate the need to readdress the issue of spatiality. They produce a new model of seeing the spatializing of the state through the notion of transnational governmentality, closely connected to globalization debates and to the fact that in the last decades the global political economy and the state have been friendlier with each other than ever before.

“Claims of verticality that have historically been monopolized by the state (claims of superior spatial scope, supremacy in a hierarchy of power, and greater generality of interest and moral purpose) are being challenged and undermined by a transnationalized “local” that fuses the grassroots and the global in ways that make a hash of the vertical topography of power on which the legitimation of nation-states has so long depended. For increasingly, state claims of encompassment are met and countered by globally networked and globally imaged organizations and movements – manifestations of “the local” that may claim (in their capacity as ecological “guardians of the planet,” indigenous protectors of “the lungs of the earth,” or participants in a universal struggle for human rights) a wider rather than narrower spatial and moral purview than that of the merely national state.” (Ferguson and Gupta 2002: 995)

Seemingly, their argument is that the state requires a new analytical nerve because it is no longer exclusively spatialized by the images of verticality and encompassment promoted by the governmental agencies. Rather, the new spatialization of the state should be directly related to globalization and the involvement of various actors which make connections between the local and global under the umbrella of a statelike discourse and imagery. Among these, it is likely to find a myriad of NGOs, both local and global.

2.2. How to conceive of the securitization?

At this point I will call attention back to the puzzle of my cross-border securitization research. As stated before, my puzzle is given by a two-step question. First, identifying the new actors and technologies of power put to work for the cross-border securitization project. Second, understanding what is the form the state takes on the border during the process and how it can be viewed in a new light in relation to the cross-border flows of people and commodities. Analytically speaking, the question formulated in the hereby research is consistent with what John Gledhill (2000), following Michel Foucault, refers to as regimes of truth. Securitization is a new way to conceive of border control and, by extension, it can be viewed as a way to produce regimes of truth to the extent to which people subjected by the border control internalize power and discipline themselves by virtue of governmentality. However, my research will inquire into the transformation towards a new regime of truth such as cross-border securitization in a critical manner. The critical perspective is granted by the fact that the border is, on one hand, the contested place in which the new regulations are taking effect and, on the other hand, the privileged site for studying the disaggregating of the image of the monolithic state and the dialectics of power and resistance. In the context in which

“smuggling and petty-consumer contraband seem to constitute the borderland occupation par excellence, especially in areas where different levels of economic development and tax regulations create favorable conditions for bordercrossing cooperations,” (Wendl, Rosler 1999: 13)

the state the other actors carrying out securitization have a difficult job. It is reasonable to admit that the borders are sites for many

“Institutions of global governance are not simply replicating on a bigger scale the functions and tasks of the nation-state, as both proponents and opponents of transnational governmentality often assume. Verticality and encompassment continue to be produced, but not in the same way by the same institutions and groups (...) The ethnographic challenge facing us today with neoliberal globalization is to understand the spatiality of all forms of government, some of which may be embedded in the daily practices of nation-states while others may crosscut or superimpose themselves on the territorial jurisdiction of nation-states.” (Ferguson, Gupta 2002: 996)

2.3. The border

Given these new challenges of conceiving differently the global neoliberal spatialities of the state, it would be the right moment to expand one of the important elements of my research puzzle: the border. As Wilson and Donnan (1998) put it, the anthropology of borders would be best suited to a kind of critical inquiry into the state and would help envisioning the approach of the state, because they are sites systematically neglected in the discussions about state-building. Why approaching borders would be so useful in studying states? Because, as the following research clearly shows, there is one open possibility to understand the state, even the central structures of the state, by analyzing the peripheral, local state in its efforts to carry out such a big project as cross-border securitization. Borders were systematically removed from any serious challenge on the nation-state because of their peripheral location and marginality. It was misleadingly largely believed that the only possible flows of power would come from the centre towards the peripheral territories of the state (Kearney 1991; Wilson,

Donnan 1998; Donnan, Wilson 1999) and from this point of view the borders were less under consideration of the big transformations in state and society. Nevertheless, borders in general and my case in particular are particularly relevant areas for seeing such big processes. Following Gledhill's (2000) suggestion that social anthropology can account for macro-structures by following the micro-politics and apparently micro-events consumed between local authorities of the state and local people, I will show that the border I am studying can hardly be considered as a marginal place of the nation-state. It was given crucial significance since socialism when the biggest power plants in Eastern Europe were jointly constructed and exploited by Romania and Serbia on the Danube. Now it seems to be of even more crucial relevance and centrality when European Union sets its margins and the whole structural landscape of the border is expected to change. Even if I am not speaking of the state building through border events, such as securitization, I will look for the ways in which the local state is restructured in the process and also will question the possible transformations that can occur at the central agencies of the state and of the European Union as a result of the events and processes taking place at the border. In this ways, my research will take seriously the recommendations of the anthropology of borders and try to see how the shifts in positionality and scale of the border can pose challenges on the assumptions of marginality of the border areas. To put it differently, and making the connection with the above paragraphs about the spatiality of the state, my research will inquire into two expected transformations. First, I will look for explaining the transformations of the state, as put it already several times. Second, I try to identify the transformations of the border

in terms of rescaling from a relatively marginal place into a central and relevant one for regional and even global calculations and purposes.

2.4. Alternative state fragmentations

Another mode of fragmentation, which is not necessarily different from the first one outlined above as a reaction to the oppositional model, is, as I see it from the available literature, taking the shape of public-private, on one hand, and legal-illegal orders, on the other hand, both in which the states seem to participate intensively, contrary to any oppositional assumptions about the nature of the state. This dynamics seems to be closely related to globalization, and to the violence globalization generates. It simply says, somewhat following the Marxian thesis that the state is just an instrument for legitimizing the influence and power of the bourgeoisie, that the state is just of the possible competitors for wealth and power that might appear from the interstitial relations of society, economy, and the central power. In this way, the state should be viewed as a fragmented entity, according to the multiplicity of instruments, resources and factions within it which might struggle to get preponderance on one another. Therefore, the state is captured by the contradictions and opposing interests which lie right at its institutional bases. From this point of view, the anthropologists and political scientists dared to speak about the state in a challenging manner as a private entity, divided into various conflicting state subunits, or as a predator, actively taking part in the processes of banditism, occult accumulation, which were all instances of new state fragmentation (Sampson 2003; Friedman 2003a; Friedman 2003b; Hozic 2004; Volkov 2002).

2.5. Back to how to conceive of the securitization

So far, the missing element seems to be the populations which states have long been supposed to govern. The questions are: why talking so much about the fragmentation, once we have agreed to devoid the state of institutional fixity? Or how to conceive of the analysis of the state beyond the empirically obvious Trouillot was speaking of? It seems obvious that if our analysis has not so much coherence if focused on institutional loci of the state, we still have a chance to depict and analyze the state by inquiring into whom the state affects, that is, the populations as both collective entities and individual subjectivities encountered with the de-localized, fragmented state. In other words, many anthropologists and social scientists in general inspired by many (including above all, Michel Foucault 1991) wanted to decipher the traces of the state in the individual or collective bodies of the supposedly state subjects.

Following the seminal Foucauldian contribution on governmentality, it was largely acknowledged that the state cannot be conceived of as a form and source of absolute, sovereign power. Stressing the notion of governmentality, Michel Foucault and his followers have stressed the nature of power not as an enforcement or monopoly of a given institutional body, be it autonomous (in Weberian theses) or interdependent (in the finer conceptions of Gramsci and the followers). Governmentality is a notion which Foucault proposed to mark the shift from what he calls sovereign power to disciplinary power (Foucault 1991; Deleuze 1988) and clearly includes the different rationalities that may come across in various contexts such as “governing the self” or “governing the

others.” The shift to disciplinary power is in fact an analytical mode to understand the changing technologies of power. Changing technologies takes place as the power manifestation itself becomes a much more subtle concern of those governing. Disciplinary power simply means that the state is rather concerned with governing populations, that is, applying more invisible and subtle methods and techniques in order to get submission to power in order to avoid the overt conflicts, contestations and mobilizations. Nevertheless, the effects of this disciplinary rule are extremely powerful. For example, using a Foucauldian frame of analysis, Aihwa Ong (2000) has shown how the (strong) states of South East Asia do not lose control and sovereignty at the pressures of multinational capitalist corporations spreading the neo-liberal global rule, but rather perfection their administrative and coercive apparatuses in order to be able to govern in much more efficient ways the various populations encompassed by the national territories, which are supposed to fulfill different functionalities in the neo-liberal rule. In this way, the state establishes a mode of “graduated sovereignty,” by actively governing different populations.

3. Methods

Since 2002, after giving up Schengen visas for Romanians, I have been carrying out a multi-sited, fragmented fieldwork in this area. This paper is mostly based on the most recent fieldtrip I undertook in Serbia and Romania. It occurred in July-August 2006 and it covered more than one site: the village of Dusanovac and the town of Negotin, in Serbia, and the towns of Turnu-Severin, Orșova, Băile Herculane, as well as Eșelnița, a village on Romanian side of the border. Empirical data used in this paper was produced through circa 50 semi-structured interviews and observations, in the form of both recordings and field notes. Alternatively, I use here press articles which can give interesting insights on my research problem which cannot necessarily result from the fieldwork experience and can give a sense of triangulation in my final theoretical construction. Related to this practice of doing research available to the social anthropologist, Akhil Gupta (1995) has provided an insightful suggestion. He stated that the empiricist view saying that fieldwork is the one and only methodology should be, especially in particular research fields such as those trying to document the practices and discourses on the state, complemented by the analysis of newspapers, regarded as cultural texts which enable spatial locations and connections of a larger discursive kind.

The most valuable gain of my intermittent research was the opportunity to encounter and talk to people at different times and in several key contexts of the same border. Some of my informants were retailing in second-hand clothes at the marketplace of Negotin. Others were traveling on daily basis by the bus driving trader-tourists and their merchandise on the road between Turnu-Severin (Romania) and Negotin (Serbia), through the border checkpoint of the Porțile de Fier I. And the landscape of my field

research situations could be expanded. Even if I sat on the Danube shores of Orșova while talking to an occasional angler, or trying to catch day-laborers in Serbian Vlach households in Dusanovac (Serbia) during their working breaks, or asking state's employees checking passports and luggage in the offices of border checkpoint of Poștile de Fier, I permanently had the impression of listening to temporarily dislocated people, or persons embedded in different places at the same time. Even if the spots of my field research were not always the same as my informants' native places, it was strikingly clear that all of these people were related to each other through a common border experience, articulated by the feeling of nostalgia of the triumphal days of the embargo related contraband of the 1990s and the relatively prosperous, though limited in space and scope, socialist border crossings, was clashing with the specter of an increasingly securitized border.

3.1. Between centrality and marginality, history and anthropology: further methodological reflections

The methodological vision of my research helps me elaborate not only an ethnographic point of view but also leaves a space for historicizing people, places and practices. From this point of view, my paper addresses the alternative micro-history of border crossings since socialism. By using the term “micro-history”⁸ I deliberately assume that the official historical representation is just one of the methodological ways

⁸ A critical analysis of the term “micro-history” is given in Gregory (1999). He writes that “the practitioners of *Alltagsgeschichte* and *microistoria* questioned the purported teleology of modernizing historical processes. Their diverse, detailed results, suggest that developments such as industrialization and bureaucratization should be rethought as contingent and uneven. At the same time, meticulous attention to human interaction on the micro-scale preserves the agency of ordinary people”. (p. 101)

available to account for socioeconomic and political processes. It follows that macro-history overlooks many of the dramatic consequences of, for instance, war, state-making, drawing borders, and widespread contraband, all of which are processes equally embedded in local, regional, and global forces. Alternatively, the micro-history approach proposed here is given as a useful tool in considering the interplay between macro-processes (initiated by state and supra-state levels) and local responses (given by micro-regions, localities, local structures of the state, social networks and cliques, and individuals). It helps “situating” (Kalb, Tak 2005: 4) local action in conjunction with larger processes, and the reverse seems also true: it contributes to a locally embedded view of macro-forces. Having this local-global logic briefly stated as a methodological punch of my research, I find worth saying, together with Eric Wolf, that these sets of local-global interplay “are not timeless; they develop and change,” (1997: ix) and if ethnography seems to be a privileged methodology to inquire into the this relations, it is perfectly true that the work of the anthropologist and his experience of fieldwork would have much to gain from employing additional perspectives of a historical kind.

Thus, I assume that the processes that heavily influenced the border crossings and the shape of the Romania-Serbia border since socialism must be located in space (particular key local contexts) and time. The time-sequential anthropological approach I propose here cannot be neither the time of socialism, breakup of FRY, nor the time of NATO bombings, or that of sanctions set in motion by European Union, military allies, neighbors of FRY, including Romania. It is rather the time of small scale border crossings, the time of contraband in gas and other commodities, and the time of cross-border seasonal labour, which is more or less overlapping with the timing of the

processes mentioned earlier and in which various actors took part. This is a meaningful way, I think, in which ethnography can incorporate the dynamic perspective of history. It is hereby implied that ethnography should systematically avoid timeless views on social processes. A well encompassing concept that can account for most of the social action engaged in larger transformation is that of “power”.

“We proposed that historical anthropologists should use the local site of research often prescribed by the initiation rituals of their discipline as a window onto wider and evolving landscapes of power – as a discovery procedure to get at critical junctions”. (Kalb, Tak 2005: 4)

By now, the ways in which history and anthropology are put to inter-exchange concepts and methodological perspectives are part of an extensive scholarly debate, inspired by the ongoing transnationalization of economy and society under way. A recent suggestion says that the analysis of social relations can best incorporate history by using a four-fold framework. Thus, the anthropologist engaged with history should operate *critical junctions* of

“relations through time, relations in space, relations of power and dependency (...) and the interstitial relations between nominally distinct domains such as economics, politics, law, the family etc.” (Kalb, Tak 2005: 2-3)

Particular times and spaces of the processes I inquire into are deliberately taken here as significantly introspecting social, political and economic relations transcending the boundaries of locality. Following the interpretation I put in the literature review chapter of the anthropology of borders as a particularly useful critical approach to the state, coming not from the centre, but from the margins of the state, I have to notice that

this theoretical underpinning has important methodological consequences. Recently, it has been explored in detail by Horstmann and Wadley (2007) in their book about borders, in which the authors say that the borders provide the analytical temptation of re-writing history from a marginal point of view. The histories resulting from the anthropological inquiries into the borders of the nation-states (or, in my case, the border between both nation states and EU and non-EU), are marginal histories, constituted as voices and alternatives to a mainstream history privileging the centre and the nation. From this point of view, historicizing the border ethnographically gives way to a meaningful project of reinterpretation of local histories in conjunction with the global forces.

4. Results and analysis

4.1. The interstitials of the state and border crossers, socialism to post-socialism: from gifts to bribes

Before 1989, the border-crossings, even limited⁹, were efficient ways for border communities to overcome socialist shortage of goods. Whether or not deliberately orchestrated by the state, these gaps in the boundaries of the socialist state entailed complex transactions, such as buying from Romania, selling in Yugoslavia, buying at the same place in Yugoslavia and then selling or gift-giving when back in Romania. The circulation of goods bought in Yugoslavia was explicitly spoken about as gift-giving to different persons: customs officers, doctors, socialist managers, workplace colleagues, or kin. It is important to note that the border guards and trading border-crossers were seen as partners whose exchanges upon going back and forth across the border were stimulated by a particular social imaginary given by consumption of luxury, Western goods such as expensive cigarettes, certain clothes and electronics.

⁹ The border crossings were granted to border communities only (located 25 kilometers away of the border line, that is, the Danube River). For these people there were issued special cross-border permits, passports, named *pas de mic trafic*.

4.2. From bribery to securitization, via embargo? The ethnography of difficult and happy times of cross-border agency

After 1989, the practice of border crossing, as expected, acknowledged huge developments in terms of flows, diversification of cross-border activities, institutional designs for border control and so forth. Between 1989 and 2002, the basic characteristic of state formation in general was the lack of legal regulations. Border crossings were largely unregulated, while at the same time huge amounts of paper were expended on issuing international passports. Only after 2002, border crossings became increasingly criminalized. For example, Romania did not issue in that period a customs code able to say what goods can circulate across the borders and how. Romania's violation of economic sanctions upon Yugoslavia during the 1990s, even if it was also a subject of big predation by the state and transnational bodies, is a good illustration of the lack of regulation of small-scale smuggling. Newspapers suggestively reported in that period that people were transporting gas to Yugoslavia by their car collectors. Border guards interviewed on that occasion were telling that they do not know how to stop this small-scale gas smuggling because there was no law to regulate the amount of goods to be transported across the border¹⁰. The legal void of border crossings had the consequence that the border control was minimal. Minimalizing border control was an opportunity to establish the predatory informal rules of harassment of the (more or less innocent) border-crossers by the border guards. Nevertheless, the period was still acknowledged as a

¹⁰ *Evenimentul Zilei* 1999.

negotiable relationship, in which gift-giving, conceived in both forms, as money and goods, was the general rule of appropriating the border control by border crossers.

After 1st of January 2002, Romania was accepted in the Schengen agreement of no visas to most of the West European countries. Romania-Serbia border thus became a subject of increased regulation but at the same time much legal and administrative ambiguity was given at the expense of migrants. The amount of money required for border crossing as well as the necessary monthly trips to the customs in order to stamp the passport were the main sources of bad news for cross-border laborers. It can be said that there was the time when the relationships between customs officers and the migrants shifted from gift-giving (consisting of cigarettes, coffee and others), conceived as a friendly relationship between equals, based on reciprocity in returning services and goods, to bribery. Bribery was conceived as a short term, cold, and asymmetrical relationship, involving increasing professionalized and predatory state institutions such as border police and customs, on one hand, and increasingly impoverished border crossers trying to figure out ways to survive. A change in the vocabulary of border crossing would imply that these relationships changed from unconditional offers to socially prescribed performances (Smart 1993). Since 1st of January 2002, border crossers describe the interactions with the border guards as “corruption”, by complaining on bad treatment they have to undergo at the checking points. A very difficult situation was created at the end of 2003 and beginning of 2004, when the officers informally set the tax of border crossing at 1,500 Euro, an enormous amount for an ordinary Romanian¹¹. It was possible because the customs is usually a place where the void of official norms is compensated by the supreme authority of the policeman in person (Konstantinov 1996).

¹¹ *Evenimetul Zilei* 2004.

In February 2002, when I carried out my first field trip in the region, the villagers from Balta Verde and Gogoşu, two localities on Romanian side of the border, were very pessimistic about the future of their affairs in Serbia. The difficult situation was fixed by developing informal institutions in the shadows of the state institutions, able to overcome the new barriers set up on the border and useful in helping transnational laborers and traders on their ways to Serbia. Obvious were the new central roles of the transportation companies, which became temporary moneylenders. The drivers were distributing the money required for border-crossing to all passengers as a short-term loan and after leaving the customs office they were collecting the money back. The practice of taxes by the drivers in exchange for this service was very different. Depending on who was to give and who was to take (in terms of place of origin – the border or more distant, class, ethnicity), the loan was not offered without interest. Every traveler who did not possess the money had to pay this service by up to 50 Euro. The amount gained by the company on every border crossing, except for the regular amount for the tickets, was distributed between the customs officers, border policemen, and the transportation entrepreneur involved. In this way, the gift relationship formerly established between border crossers and border control institutions was somehow ruptured. It started to be increasingly intermediated by another category of predators, which intervened in this occult political economy of border crossings. In this way, gift-giving as a face-to-face relationship gave way, and it was replaced by complex informal arrangements with different degrees of (in)visibility of bribery.

From the point of view of the state, such practices were generally defined as criminal acts because people who do not meet the legal criteria are enabled to cross the

border. Nevertheless, this situation could not be possible without the participation of border guards who paternalistically became partners in a very profitable business based on informal taxation of migrants and informal institutions that facilitated the border crossing. It is obvious that the reinforcement of regulations has also created the means to overcome the obstacles. Interesting is also the fact that institution building aiming to prepare Romania's border areas for European accession was accompanied not only by popular discontent among transnational laborers and traders, but also by ambiguity and patron-client relationships, well expressed in the fact that *the former gift to the state* became the *bribery to the intermediaries of the state*.

A parallel, but extremely significant form of border crossing which seemingly pointed to the fact that the Romania-Serbia border should undergo a special treatment of securitization was that encountered with the embargo and the contraband in oil. Lasting approximately between 1992 and 1999, the massive contraband in which the central state, as well as the border people were very active, led to significant changes in the border landscape and challenged the local state and the practices of control as never before, making many commentators talking about the generalized "corruption" of the customs and about border as an area of non-security.

4.3. Snapshot: Border people and the state after the embargo: contraband and EU external border securitization under way

After all the economic sanctions ended, in the 2000s, the border people, temporarily converted into contrabandists, restarted angling. Nevertheless, the spirit of

embargo was kept alive: the contraband, even if paralleled by securitization, still goes on. Even if the gas is neither needed, nor profitable, there are many other commodities which find their illegal way to Serbia across the river. The embargo-related contraband supplied a huge amount of useful social relations, which afterwards were easily converted in tracking other commodity chains between Romania and Serbia. Occasionally, the anglers help various persons in their attempts of getting to Serbia illegally¹². Even if in 2001 many of the border guards of the region were forced to resign as new institutional designs were implemented in order to approach European accession, the new border police was first to come into contact with the local anglers, who happened to be occasional contrabandists, asking for fish or for helping carrying diverse loads of luggage by boat from some points to other.

*It was a good [re]start, man. In this way our good cooperation has no way to failure [laughing].
Times are changing. Gas in Romania is more expensive than in Serbia now. (Aurel, angler on the Danube)*

If not gas, what does Aurel still carry over the river now?

For example, I had a big transport of candies, [including] many packages of kinder chocolate eggs with surprises. Then, I brought industrial wax of 13,000 Euro worth from somebody from Moldova, nutmeat from somebody from Sighetu Marmației.

He smuggles out these commodities. Reverse flows do also take place. The most often transacted commodity is flour, which he takes from his “Serbian friends” and brings

¹² For various reasons, illegal cross-border guiding now becomes a significant activity for many anglers. One of these reasons is the difficulty, after July 2004, of getting visas from the Serbian consulates of Timișoara or Bucharest. The other important one is the lack of papers such as the passport due to case-to-case interdictions upon mobility.

into Romania. Most of the bakeries of the border area take their inputs in this way from Serbia. It is cheaper, as Aurel says. These exchanges take place more or less similarly as they did during the embargo. Somebody, either from Romania or from Serbia, may need some commodities or some goods, which might not necessarily be end products. Then he calls one of the anglers or, anyway, one of those having and using a big ship, anyway, big enough to carry the amount he needs. Sometimes it happens that the lucky angler appealed to is Aurel. To take him as a case, he then carefully searches through his contacts in order to find someone suitable to supply the needed commodity in a certain amount. Usually, these arrangements are easy to keep up because the supply and demand of a few commodities is constant. In the case of flour, these relations are already established since long ago. Depending on products and commodities, and their availability in certain seasons through the year, the clandestine commodity chains develop cyclical back and forth circulation across the Danube. Nevertheless, the role of the anglers in setting up this commodity chains is a very active one. They do not only carry the products over the river. They face both supply and demand and intermediate between them. The partners of a given transaction might very distant from each other, such as the case of nutmeat from Sighetu Marmăției, a small town on the Romania-Ukraine border, anyway, remote in the far North of the country, going to Serbia. Then, the anglers have to bribe the border guards, or as they say, they “arrange the banks”, because without a previous informal agreement with the control institutions, navigating by night with a heavy load of commodity off the export papers might be dangerous, and risky anyway.

It happened once a Serb from Veliko Gradiste to ask Aurel to send him a few people for labor. Then, he found such persons willing to go working without paying for passports, visas, bribes in the customs, or bus tickets. Sometimes he helps people doing small-scale trading in Serbia. The traders cross the border legally through the customs, but their commodities cross illegally by Danube, contained in Aurel's ship. It happens like this because after the introduction of visas, petty traders have to avoid showing too big amounts of commodity in the customs. In some cases, Aurel and other anglers carry the commodity or persons only to the border demarcation on the river, in order to avoid trespassing, which might be noticed. Serbian anglers take the commodity in their ships and continue the connection to Serbia.

4.4. Governing flows, securitizing the border, controlling the state

Since 2005 the central state started to intervene violently into the local state's arrangements. It is another institutional shift with consequences for border crossings. The pretexts of these interventions are now fuelled by an anticorruption politics, European accession and border securitization. Visas for Serbia were introduced even earlier, in 2004. But now, sudden controls and destitutions among the chiefs of customs offices became common practices of state visibility especially in 2005, when Romanian government had to present European Commission its strategy of restructuring and investments in border areas. Recently, the newspapers documented cases in which the controls found out thousands of Euro cast-off as waste paper in the rubbish bins and dogs' cages of the customs office of Moravița. The same Romania-Serbia border crossing

point is very well known as the place where the traffic in cigarettes bought from duty-free shops will probably be a never ending business which currently includes participants such as border policemen, migrants and various people trying to make money avoiding the official rules. Spectacular scenes at that border in which tens and hundreds of people suddenly abandon their bags full of cartons of cigarettes and run away are well represented by various media releases¹³. As far as the principal task of the state is widely prescribed to be liquidation of corruption and as the border police is recognized as being among the most corrupted Romania institutions, the fight seems to take place against state itself. This is a very important shift in the state's approach to border areas.

How far does the securitization go? What is the 2006 perspective of border control institutions on the practices of border control?

You know, the control's law is different of the human law. Isolated cases that go beyond the law can be everywhere found, it is important to prevent their expansion and formation of new illegal phenomena. (interview with border policeman-in-chief, Iron Gates I, cross-border checkpoint, August 2006)

Interestingly, the border control institutions seem to operate explicitly the differences between cases of dangerous entrenchment of the law and tolerable suitcase trading. So, negotiation between border-crossers and control institutions is still possible and the officials openly recognize that:

it is ok for you to bring 1 kilo of meat if you introduce yourself at the border as a honest man, for example if you just went from your sister and can prove that, but it is a totally different story is when you smuggle big things across the border. I permitted once a person to bring into Romania a sack of potatoes. It would have been a problem if instead of one sack he sought to bring home 10 sacks. (ibid.)

¹³ *Evenimentul Zilei*, September 5, 2005.

In this respect, border securitization can be read in the above statements as a kind of hegemony that must be selectively understood and applied, as far as it can otherwise intervene in the complex moral relationships of bribery and gift-giving which, even changed in their meanings, were established by decades of shortage economy and postsocialist transition without no clear state or supra-state regulations. And the only one bus still driving people and commodities in 2006 on a daily basis during the night between Drobeta Turnu Severin (Romania) and Negotin (Serbia) marketplace is the clear expression of the new visibility of cross-border small-scale trading. It is not likely to stop, and it is not socially desirable to be like that, but it acquires a new in(visibility). It is not an accident that the traders travel on a daily basis back and forth and they transport their merchandise to Serbia by bus during the nighttime, when the most convenient arrangements and negotiations with the institutions can still take place. According to the new Romanian customs code issued in June 2006, there are some national new protectionist measures which put some restrictions on those who deal with small-scale trading. For example, the cigarettes and alcohol that can be carried across the border to Romania are quantitatively limited (for example, no more than 1 bulk of packs of cigarettes allowed) while all the other commodities must not exceed the monetary value of a 175 Euro amount in order to avoid customs taxes. Given these new restrictions, as described by the institutional employees I interviewed, the small traders have to hold back their merchandise they bring to Serbia in a more effective way, and have to approach institutional structures differently.

Another change visibly brought by EU is that the control is no longer exercised

upon border-crossers only. It is equally a question of internal organization of the border control institutions in themselves. Thus, EU seems to create new notions and definitions such as what I would call *governing the governmentality of the border control*, and it seeks to link institutional structures as they are peripheral to the central levels of the administration more effectively. More concrete, surveilling the border crossers is the task of a team. A control team is made up by a policeman and a customs officer, and it was not like that before EU accession. Within such a team, the policeman is the supervisor of all the control procedures applied to persons and commodities. This is not convenient enough because the leadership involves additional tasks and responsibilities. He/she, for example, must account for the errors, if any, of his/her colleague from the customs office. Even if not explicitly stated in my interviews, this collaboration between border police and customs is very questionable. The policemen seem to blame their colleagues more often and to accuse them for corruption. How does the state department of which the border police is part (Ministry of Administration and Interiors) seek to control the human resources in charge with the border control? By sending periodically questionnaires with questions about legislation and procedures about their work, by forcing them to declare their money and expenses every day. Moreover, hard foreign currency is strictly forbidden, and all these things fall in the surveillance of the policeman-in-chief. Thus, securitization gives way, to some degree, to a tensional model of relatedness, in the informal aspect of institutional cooperation, and at the same time an insider's model of control, in the hierarchical organization of control tasks (*who controls whom?*). Institutions might have different views upon bribes, for example, or they would like to apply the same rule in different ways. By approaching different institutions to do the

same job, the securitization project also gives way to new conflicts and forms of resistance to the regulations.

4.5. Snapshot: From above, as from below...

A recent report¹⁴ issued by Romanian Border Police suggestively reiterates the old problem of the Romanian state in relation to the Southwestern border. It says that the border economy goes increasingly illegal: “frontier law breaking is a phenomenon”, “the networks of organized crime are well developed”, “local poverty seems to be the main cause”, these developments “can explain the recent ejects operated in the leadership of the border police posts”. The roots of this state of illegality back to “1990s oil crisis of Yugoslavia” (ibid.). The contraband is carried out with various products such as live animals, foodstuffs, cigarettes and even persons – especially Romanian, Moldovan and Turkish citizens. The protagonists are not only the natives or other individual producers or intermediaries, but also firms that declare their exports less, in order to use illegal border connections for the great bulk of their commodities avoiding taxes. Sheep and bulls, flour and seeds and herbicides – all go to Serbia by fast ships on the river. The report especially highlights cases of trafficked women – mostly Romanian, Ukrainian, and Moldovan - for prostitution in Western Europe.

The report was not accidentally issued in spring of 2004. That year culminated with the introduction of visas between Romania and Serbia and a complicated public rhetoric about customs’ corruption and scapegoating in relation with the sealing of the European Union’s external border is still under way. In all these processes, the state, even

¹⁴ Vlad, Remus. « Caracatița de la Dunăre » [Danube’s mafia]. *Evenimentul Zilei*, 30 May 2004.

if still lost in its previous ambivalent positions towards border politics – the past of huge lack of regulation and the embargo contraband carried out by officials can be shown as evidence – tries to retrieve its sovereignty, by borrowing political discourses and other instruments from European Union. The great deal of overlapping between cross-border mobility and cross-border crime in which, as I have shown in this paper, the state was an active agent, makes the issue of securitization a contentious one. Criminalizing of petty contraband and small-scale cross-border trading which were practices acknowledged even before 1989 are important components of such a strategy in which the state seems to be no longer the protagonist.

Moreover, as Peter Andreas (2004) put it,

“there is a tendency in much of the popular and criminological literature to categorize these clandestine cross-border flows as ‘transnational organized crime’. This is a frustratingly broad, vague, and fuzzy term, and is too often used as a poorly defined and all-encompassing umbrella category under which all sorts of perceived ‘transnational threats’ are placed” (p. 643).

If I am to take Andreas’ statement as a useful suggestion, it turns out that securitization through such criminalizing strategies, more or less consciously carried out by the state and its supranational allies, are rather matters of confusion. It makes us depart from the embeddedness of the “organized crime” in the state apparatus itself. Contraband, as I used this term in my paper, cannot be separated by the structures which supported and benefited from it. If the Romanian state successfully “commercialized its sovereignty”, to use a metaphor coined by Aida Hozic (2004), especially in the early periods of embargo, to the extent that it became an active predator, nowadays it faces the

necessity to remove completely the contraband from the external border of the EU.

Nevertheless, contraband can be viewed from another point of view as well:

“While offering services to its wealthy clients, the advanced industrial countries, it [the Balkan weak state] neglects to provide social services for its own poor. Organized crime steps into this void and acts as an intermediary between the two worlds. Therefore, organized crime can be seen as a manifestation of a Polanyian double movement, the consequence of the expanding global economy and the search for forms of social protection”. (Hozic 2004: 8)

Small-scale gas contraband at Romania-Serbia border in the early 1990s embargo clearly acted in this way. The most recent pressures towards securitization, visible during the late 1990s embargo as well, will certainly clash with the state’s need to maintain established socioeconomic functionality of the contraband in the border communities.

4.5. Snapshot: On the road together with the cross-border traders, July 2006

After 1 July 2004, the date on which most of the bus lines, working both formally or off the books, between Romanian and Serbian border localities were struck. After that date, traveling between, for example, Negotin and Drobeta Turnu-Severin on a daily basis is made possible only by a private bus, jointly owned by a Romanian woman, still a trader-tourist, and a driver who formerly worked in a Serbian state owned transportation company. It leaves at 3,00 o’clock in the morning from Drobeta Turnu Severin and arrives at no later than 5,00 o’clock right in the front of the open-air marketplace of Negotin, the destination of most of the travelers. The tourists, traveling by this bus line, and I speak about them by using this term because their travel is actually justified and

disguised as tourism, strictly speaking from the point of view of how local border guards see them from the point of view of the state, while at the same time being acknowledged with the fact that they travel for daily cross-border commerce, are residents of the border town Turnu-Severin, and only few of them come from Craiova, Caracal and other Southeastern places from Romania. The group of passengers, most of them women, is all the same, the same persons traveling every day between the two cross-border locations. All of the cross-border traders staying together in this way know each other and do this cross-border commuting for a long time. They are involved in various and complicated commodity exchanges with various persons. Among these there are the Serbs visiting the marketplace of Negotin, the other vendors of the marketplace, their kin and neighbours in their hometowns. Important relationships of commodity exchange take also place between the cross-border traders themselves, as well as between the passengers and the driver and his associate, between themselves and the duty-free shop keepers and various other retailers from other marketplaces on their way (for example the marketplace of Kladovo). And, perhaps the most intriguing personal contacts they establish during their intermittent border-crossings are those with the border guards and the customs operators of Porțile de Fier I.

After a long market day, approximately ten hours of selling in the open-air from the stall, the bus driver calls for the passengers and everybody boards on, not before depositing some of their merchandise at the Serbian friends around the marketplace. The bus drives away to Romania. On the way, they discuss and exchange various things. The bus stops in Kladovo, a border Serbian village just 5 minutes away from the border checkpoint, for approximately 30 minutes while the passengers get off and buy various

things in big amounts – alcohol, shampoo, sugar, oil - from the local marketplace. Once the bus departs from Kladovo, the trader women start talking about who is appointed to do the border control that day. They seem to know every border guard and every customs officer more or less personally and their knowledge about these is very relevant for the simple fact that this gives expectations about any problems and obligations they would have towards the border offices. Moreover, upon leaving Kladovo, the driver and his associate had a mysterious conversation in which he asked repeatedly if she bought “something for them [the border guards]”, if she found out who was on the post etc. In the meantime, almost all the merchandise supplied from Kladovo was carefully hidden in a kind of sleeping place inside the bus, under the seats.

Once getting into the Serbian border checkpoint, I could see two border guards sitting relaxed in a booth and watching a DVD from a laptop inside. They suddenly became very angry when doing the routine of checking the passports of the bus passengers (after all of us got off the bus). I had the surprise to observe the Serbian border police complaining with resentment in Romanian language to, seemingly, the leader of the traders’ group (the woman associate of the Serbian driver) about the fact that on their last border crossing, the traders were very generous with the customs officers but very churlish towards the border police in post. “So, you give whisky to the customs, but nothing to us [the border police].” The woman replied in a benevolent and humble manner that she did not give anything to the customs. Nevertheless, our bus passes through the Serbian checkpoint without any control of the luggage and everybody seems happy. On the other hand, all our passports got stamped and one of the women told me that usually the traders like her have to issue new passport at every two months

because of the daily traffic. Then, the driver, visibly affected by the remarks of the Serbian border police, asked his associate to buy from Drobeta Turnu-Severin or from the duty free shops on the border some Marlboro cigarettes and drinks to secure the way back to Serbia.

In the front of the Romanian checkpoint still on the Porțile de Fier bridge over Danube, the spectacle of border crossing was even more animated. First, there was a long queue of cars waiting in line for the checking procedures. As the wait was expected to be a long one, some of us passengers got off the bus. The woman boss meets another woman from Drobeta Turnu Severin and talks something about the duty free shops of the border checkpoint. The woman was driving to the bridge and passed the Romanian guards towards Serbia just to supply her shop in Turnu-Severin with some cheap cartons of cigarettes from duty-frees on the spot. It is noteworthy that in that period there was a moderate campaign and news largely publicized that all of the duty-frees will be closed due to the EU accession which will prevent any unfair competition in the new member or associate states. However, I could see that even if apparently the shops were closed, their merchandise (mainly duty-free cigarettes and drinks) were still accessible to certain clientele from Drobeta Turnu-Severin, coming especially, probably on appointment, to supply various shops in town. It was not only that woman who was buying cigarettes from the shop, but many of the cars waiting in the Romanian customs were actually not returning back from Serbia, but from the bridge. Basically, they pass the Romanian offices, shortly after they stop at the duty-frees, and then they drive ahead towards Serbia just for convenience because actually they neither reach the Serbian customs. After a few hundred meters, make a u-turn and come in the waiting line to return to Romania.

The boss woman went to one of the shops but soon she came back a little disappointed. She told me that it is hard to buy cigarettes that the shopkeepers have their own clients from Turnu-Severin, and that the one she visited did not want to sell her anything cheaper. Other women confirmed this reluctance of the duty-frees in relation to the passengers of their bus.

After some ten minutes we had to face the border guards and the customs officers. We were told to get off again with the hand luggage and a kind of a minimal, routine control took place. We did it as indicated and shared a feeling of gravity and seriousness, all of us having the impression that something important was happening, even though the routine like aspect of the whole thing was quite obvious for everybody. But it was like a ritual in which the passengers were to obey some rules nobody knew actually about. The passports were all stamped, our hand bags scrutinized and finally the bus was permitted to cross the barrier without any control inside, but only after some short conversation between the driver and the customs. However, when driving ahead to Turnu-Severin, I had a feeling that everybody on the bus was somehow released, just like after passing successfully through a danger. I was frequently asking myself in such occasions what do all these people fear about, as far they already know (even personally) the people carrying out the control of their identities and of their luggage?

The control, on the Romanian side, as well as on Serbian one, seems to be something that everybody should fear, but at the same time a kind of easy task during which anybody gets threatened. The border guards, that is, the state, do the control in very visible manner: the passengers are asked to get off, to deploy their hand bags, to give the passports ... But the bus remained untouched by the control, at least in the case

of my cross-border traders and, in addition, the whole procedure of checking the small luggage and passports takes no longer than 15 minutes for approximately 30 people. On the other hand, I was frequently said by various people doing these regular trips that the border control used to be longer before 2004. This visible difference of approach by the side of the state control institutions seems to be related to other statements of the border policemen and customs officers themselves according to whom once the border gets securitized, the control procedures need to be much more simplified. In relation to this statements, and attuned with the various trainings in which they learn about what securitization is, the state employees strive to show that the border is a really an area of effective security, from which the threat was permanently removed. The feature of visibility – visible, but not through control - legitimizes many of the state actions and directives and it is perfectly fit in the expectations of how should an EU external border look like. However, behind these routine procedures, there remain many of the formerly flows of commodities categorized as illicit by the state reports, including those issued by the border police, customs etc.

Visibly, the making of the EU external border brings in a very different approach to flows, harsher in many respects, at least at an ideological level. Since it appears as such, the border is suddenly constructed and imagined as a secured place, whereas in the last years it was intensively scapegoated as one of the most permeable borders of the Romanian state and as a cradle for trafficking and contraband. However, in practice, the control is even much more simplified and reduced to a routine from which everybody has to understand that it would never have been the other way around. As a particular kind of ideological apparatus, cross-border securitization seems not really to radicalize the

practices of the local state in the field of control or stopping the flows. It is rather aimed at imposing a certain kind of discipline among the border-crossers and among the local state institutions as well. It is not only that those crossing the border in order to make living to become disciplined, but also the state appointees (border guards, customs officers and other tax collectors operating on the border crossing point) to be subjected by the same governmentality. The disciplining effect of this new way to approach the flows is easily observable in the fear and respect of institutions of the border crossers, and in the hastiness with which the state appointees carry out the control. All of these people are not clearly separated and polarized in the process. Rather, they are subjected, even differently and in different aspects of their different activities, by the same governmentality. If the border-crossers learn that they have to get visas from the Serbian consulates, that they have to show respect and to speak humbly or to answer promptly any question, the local state present on the border learns that they have to ensure everybody that the border is a safe and civilized one, that crossing the border is comfortable undertaking and that everything is normalizing at the Romania-Serbia border, a view in striking contrast with the former images and representations of the same place. And, above all, what governmentality disciplines in the border offices of the state is the practice which is often referred to as corruption. They have to prove by all visible means that they permanently removed all the accusations of corruption.

Conclusion

In this paper I have tried to describe and explain the transformations of the local state and border people prompted by Europeanization in its form of making and securing the external EU border in the territorial common limits of Romania and Serbia. Improving the border control as a reaction to the demands of reform in the chapter on Justice and Interior Affairs has created, in the first weeks and even months after 1st July 2004, discontent among the communities sending migrants on the Romania-Serbia border. A few years after, in 2006, the picture is not radically different, but the knowledge about what was accomplished to date and what is to come in constructing the external EU border becomes more and more inscribed in both border-crossers' strategies and control practices of the state appointees. My material is suggestive not only for the powerful influence that state and supranational policies exert upon cross-border lives, but also about the circumventing strategies of all the actors involved, directly or not, in this process. I have shown that a particularly lucrative manner of reformulating some of the theoretical statements of the anthropology of the state and of the anthropology of borders from the point of view of the illiberal processes of border in order to defend and securitize the liberal democracies is to take into account and problematize the dialectics inherent in the new ideological apparatuses and administrative procedures aimed at inaugurating a new way to govern the cross-border flows.

After several months of silence in the summer of 2004, the flows of people and goods could be taken back. Rather than stopping flows and sealing the border, the administrative reform creates new opportunities and infrastructures for eluding the state. The most important places where this reform has been applied, where the border crossing

is allowed or not remain the customs and the cross-border checking points. The customs was referred to as a place of institutionalized corruption where every problem could be solved with certain codes of behaviour and certain amounts of money. In time, the migrants actively appropriated the customs, the informal requirements, while the border guards started to acknowledge rapidly the persons, their destinations, their problems when crossing the border.

The Romanian-Serbian border displays a particular way of organizing the production and consumption. We tried to show how the socialism initiated an active exchange of people disguised as tourists and goods and how it initiated the development of an informal system of practice in the form of border crossing, household economy and what I have called a labour market. Even after 1989, the border people continued to live on from the opportunities created in socialism. Moreover, the informality expanded and generated a regional system of temporary migration at the margins of European Union.

It is easily noticeable that introducing of visas on 1 July 2004 was able to transform the occupational patterns, informal structures that support commuting, and even the economic relations between the nation states involved. Above all, the most dynamic and the most flexible in adaptive sense is the transformation encountered at the level of social networks. The way the system of letters for visa works after 1st July and the new transportation facilities figured out recently, and the continuity of cross-border trading are exemplar.

The paper reveals another important aspect. The life on the Serbia-Romania border, a region that it is currently subject of increasing regulation, is founded on different kinds of asymmetries, exchanges, flows of people and goods between different

national territories. A variable degree in household dependency stimulated by the shortage of money on the Romanian side and the shortage of labour accompanied by the development of “postindustrial lifestyles” among the former Serbian Vlach guest workers should be noticed. The experiences the Romanian workers encounter in Serbian villages are very different, ranging from solidarity between employer and employee to deep antagonisms, abuse of authority and exploitation. Finally, the stories of my informants are very useful in illustrating the relations of dependence between different expanding informal labour markets - the Austrian and Serbian, on one hand, Serbian and Romanian, on the other – and how these dependencies are transformed in the process of cross-border securitization. To put it simply, I will use the words of a day labourer: “We live on from Serbs, and the Serbs do the same from Austrians”. Rather than a simple emergent migration subsystem, the relationships between Romanian, Serbian, and Austrian/German labour markets can represent different situations of unequal exchanges of value in a transnational setting, in which the migrant labour is a commodity “...that is embodied in persons and persons with national identities” (Kearney 1998: 125).

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