Networks of Resilience: Legal Precarity and Transborder Citizenship among the Karen from Myanmar in Thailand

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Abstract

This study probes the relationship between legal precarity and transborder citizenship through the case of the Karen from Myanmar in Thailand. Collected through ethnographic multi-sited fieldwork between 2012 and 2016, interconnected individual life stories evolving across the Myanmar-Thailand border allow the critical interrogation of the political and legal categories of 'migrancy', 'refugeeness', and 'citizenship', teasing out their blurry boundaries in migrants' experience. Following the recent critical research in legal ethnography, this study demonstrates that legal precarity is not simply an antithesis to citizenship. The social and legal dimensions of citizenship may diverge, creating in-between areas of not-yet-full-citizenship with varying levels of heft (Macklin 2007). The article consists of three parts. First, it offers a theoretical framework to reconcile the Karen legal precarity (even de facto statelessness) and citizenship, even on both sides of the border (legally impossible). Second, it presents the three groups of Karen in Thailand, produced by the interaction of three major waves of Karen eastward migration and tightening Thai citizenship and migration regulations: Thai Karen, refugees, and migrant workers. All three face varying levels of legal precarity of temporary status without full citizenship. However, the last part demonstrates the intertwined nature of those groups. A grassroots transborder perspective reveals the resilience of the Karen networks when pooling together resources of the hubs established on Thai soil by the three waves. Even the most recent arrivals in Thailand use those resources to move from one precarious legal status to another and even to clandestinely obtain citizenship.

KEYWORDS: precarious migrants, citizenship, resilience, Karen people, Myanmar-Thailand borderland

Mᴀɴᴇᴇ[2] ɪꜱ ᴀ Tʜᴀɪ citizen of Karen ethnicity living in the Thai border town of Mae Sot. Her Burmese colleague introduced her as 'Thai Karen', a member of Thailand's upland ethnic minority. Our 2016 conversation revealed

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[2]I have changed the names of interlocutors and mixed up some of the details of their stories to ensure anonymity.

that she was, like most Karen in Mae Sot, a refugee from Myanmar (Burma)[3]. Her family, originally from a village in Hpa-an (Pa-an) Township, were displaced multiple times due to her father's involvement in the Karen National Union's (KNU) insurgency against the Burmese central government (1948–2012). In the mid-1980s, they ended up on farmland in the Thai countryside that later became the crowded Mae La refugee camp. Nobody from the family remains in Mae La: one brother has resettled in Australia, whereas another brother and sister became migrant workers in Thailand. Manee, once a *de facto* stateless person, considers herself a border citizen, not fully Thai and with no wish to return to Myanmar. However, she has acquired both Thai and Myanmar citizenships through her Karen connections, affording her privileged mobility rights despite the official ban on dual citizenship by both countries.

Manee's story is a trajectory from *de facto* statelessness to transborder citizenship. It illustrates the legal and clandestine pathways that allow members of a transborder community to alleviate their complex legal precarity. Their spatial strategies build on social capital hubs and enable interstitial transnationalism even for people who appear stateless. If citizenship is a matter of degree (McCargo 2011; Migdal 2006), no abyss separates it from statelessness: they are gradations on the same continuum. Forced/voluntary and legal/illegal migration and migrancy/citizenship dichotomies become fluid and nuanced as regulations change. Migrants can also outgrow their legal status and even clandestinely claim a new one. Unless the implementation of strict immigration rules is equally tight, legal precarity does not need to be a dead-end of non-citizenship.

In the past few decades, migration regimes around the world have tightened (see Andreas and Snyder 2000; Kyle and Koslowski 2001: 6), spreading legal precarity. More than 50 countries worldwide currently run guestwork schemes with no settlement and citizenship rights (Surak 2013: 84). Governments in most of the Asia-Pacific, in denial about entrenched immigration flows (Castles 2004; Castles *et al.* 2014: 170), restrict settlement rights for immigrants whose labour is indispensable especially in low-paid industries. In Asia in particular, citizenship rules are exclusive: no sufficient protection from statelessness, restricted access to naturalisation, and adversity to dual nationality (Vonk 2017: 29–30).

However, the gap between strict rules and their implementation creates room for more nuanced forms of membership, as Ehrentraut (2011: 795) has revealed in Cambodia. Myanmar and Thailand both exemplify the trend. Despite harsh regulation, a grassroots view proves that the borderland networks are a powerful resource helping to outsmart state agents and claim citizenship rights on both sides of the Myanmar-Thailand border. This case study thus

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[3]As the official name of the country was changed in 1989, I use 'Burma' in the period before and 'Myanmar' thereafter. I adopt other changed/Burmanised place names but add the previous form in parentheses at first mention. However, I call the ethnic group in question 'Karen' rather than 'Kayin'.

argues that the relationship between legal precarity and citizenship is not simply that of opposites, as it may seem in restrictive migration and citizenship regimes prevalent in Asia.

I interrogate the restrictive Thai migration and citizenship regime through the lens of the complex life stories of Myanmar's Karen as told to my co-researchers and myself in interviews and informal conversations mostly in Bangkok, Mae Sot (Thailand), and Hpa-an (Myanmar) between 2012 and 2016. Studies of the Karen usually focus on a specific group according to their legal status, producing 'refugees', 'migrant workers', and 'stateless highlanders' studied separately. For many of our interlocutors, the status conferred on them in Thailand was not fixed. The Karen from Myanmar living in camps along the Myanmar-Thailand border are (popularly) known as 'refugees' and those working in Bangkok as 'migrant workers'. Yet people in both locations may come from the same village, the same family, or even be the same person at different stages of his/her life. People from both groups have achieved Thai citizenship, often with the help of Karen 'highlanders'.

The article consists of three parts. The first proposes a theoretical framework allowing to reconcile legal precarity (even *de facto* statelessness) with transborder citizenship through social networks. The second presents the three main Karen groups in Thailand, produced by the interaction of three major migration waves and tightening Thai citizenship and migration regulations: Thai Karen, refugees, and migrant workers. The last part builds on ethnography to demonstrate how intertwined the hubs established by these waves are and how their links help to alleviate the legal precarity of the Karen in Thailand, making them resilient in an adverse environment.

LEGAL PRECARITY AND TRANSBORDER CITIZENSHIP THROUGH NETWORKS

Goldring and Landolt (2013: 5–6) call for "a clear framework for identifying coherence and connections among the diverse forms of non-citizenship, and between these and citizenship" rather than simplifying non-citizenship as a residual of citizenship and separately conceptualising the different types of non-citizenship. In this vein, I scrutinise those connections in the case of Myanmar's Karen in Thailand and locate their changing legal statuses on a continuum stretching from statelessness to transborder citizenship. With attempts to theorise citizenship skewed towards the Global North (Vink and Bauböck 2013: 640), the Karen case is a useful addition that illustrates the contested and shifting boundaries between different legal statuses and the resilience of precarious migrants.

Citizenship can be seen as a (state-based) formal status of membership guaranteeing rights or a (society-based) practice based on collective action and shared

identities (e.g. Fox 2005: 174; Nyers 2011: 185; Stephen 2007: 316). There is the fact of possessing it vs. a process of performing/becoming. In this latter sense, it is possible to speak of 'alien citizens' (Bosniak 2006) or 'undocumented citizens' (McNevin 2009). However, rights-based and substantive approaches to citizenship, though conceptually distinct, are intertwined in reality (Fox 2005: 174). Citizenship and non-citizenship – especially 'illegality' – are inextricably linked. Citizenship is a mechanism of closure and exclusion (Faist 2016: 17; Shachar 2009) but also an emergent emplaced and embodied condition "rearticulated each time particular bodies are deemed in- or out-of-place" (Hepworth 2014: 7). *Acting* like a citizen while undocumented is thus one of the strategies to avoid unwanted attention. The Bangladeshi 'paper citizens' of India that Sadiq (2008) describes are able to fraudulently secure papers precisely because they are linguistically and culturally close to India's Bengalis.

Non-citizens' legal precarity is the creation of migration law that does most of the 'dirty work' of exclusion from citizenship (Dauvergne 2009: 123). A temporary, restricted, or altogether lacking legal status makes migrants' situation precarious. Being undocumented has material consequences for the lives of migrants (e.g. Talavera *et al.* 2010), such as deportability (Genova 2002) and precarious employment and livelihood (Paret and Gleeson 2016: 280–81). Legal precarity produces labour precarity; being undocumented significantly reduces migrants' bargaining power, usually confining them to low-paid, unstable, and dangerous jobs. Thus, moving to a more stable status with more secure rights is desirable.

On the other hand, boundaries of citizenship appear fluid over a longer period of time (Coutin 2007). Legal and informal ways of belonging define each other (Coutin 2013: 114). In between them, Coutin (2013) discovers 'citizenship in the breach' or an 'approximation' of citizenship: a space where a person may be stuck for years by, for example, living like a citizen for most purposes and deriving rights from this (undocumented) presence but not being able to secure formal citizenship precisely because of it. Macklin's (2007) conceptualisation of citizenship accommodates its legal, cultural, and social dimensions, its opposite 'illegality', and its mimicry and breaches blurring the fluid boundary. Unlike most, it escapes methodological nationalism (Wimmer and Schiller 2003). Macklin (2007: 354) proposes the notion of 'heft of citizenship' to measure the substance of individuals' attachments – legal and social – in all countries concerned because "being a citizen somewhere else matters for the alien, as does the content of that citizenship" (Macklin 2007: 355). She offers a parallel with a container: a void in the container is statelessness, whereas "citizenship fills it to a greater or lesser degree" (Macklin 2007: 336–37).

The contents of the container can range from no more than a certificate of citizenship (sometimes fake or fraudulently obtained) to a deep sense and wide recognition of social and cultural belonging to a particular polity (sometimes despite the lack of a certificate). In McCargo's (2011: 842) words, in Thailand there are "full citizens who feel completely Thai" (e.g. Buddhist ethnic Thai),

"formal citizens who suffer from Thai deficiency syndrome" (e.g. Thai Chinese), and "paper citizens who do not suffer from Thai deficiency syndrome" (e.g. Thailand's Malay Muslims)[4]. As a transborder ethnic group inhabiting the Myanmar-Thailand frontier, the Karen find themselves at the edge of the Burmese and Thai citizenship and migration regimes. Well-embedded in the Myanmar-Thailand borderland, they are recognised as members of the local community, although they often lack legal citizenship or unquestioned allegiance to the national polity on either side of the border. Some resort to claiming citizenship clandestinely to end 'life in the breach' or an approximation of citizenship in Thailand.

Macklin's (2007) socio-legal conceptualisation is thus comprehensive enough to capture the variegated, shifting, and graduated nature of Karen membership, helping to construct a statelessness-citizenship continuum. The most disadvantaged have no claim to citizenship anywhere (*de jure* stateless), such as the disenfranchised Rohingya of Myanmar. In Thailand, upland populations – including some Karen – are in a similar situation, though state authorities have recently sought to minimise statelessness and most have been granted some status. The heft of citizenship is higher for asylum seekers who do have citizenship rights somewhere, even if they cannot exercise them while *de facto* stateless. Such was the situation of the Karen displaced to Thailand by civil conflict. Refugees granted international protection are in a better situation legally, yet long-term labour migrants, even if undocumented, may have accumulated more heft on the social dimension of citizenship. Permanent residency can be the 'ladder' (Goldring and Landolt 2013: 4) to full citizenship.

However, Thai regulations do not foresee permanent residency or citizenship for low-skilled migrants and asylum seekers. Therefore, the Karen from Myanmar in Thailand usually land in conditional temporary statuses, 'chutes' (Goldring and Landolt 2013b: 4) to irregularity. The ethnic, kinship, and linguistic ties between the groups nevertheless help them claim transborder citizenship (Glick Schiller and Fouron 2001: 25), i.e. full membership on both sides of the border and a relationship with the governments of two adjacent countries. It would be impossible in contexts of consistent law enforcement, but the very strict Thai and Burmese regulation regimes are subject to interpretation when implemented, allowing migrants more breathing space.

The Myanmar-Thailand borderland has seen not only protracted displacement and statelessness but also successful efforts to amplify citizenship. Translocality across relatively short distances in this region opens up a transnational and even global perspective. Refugees displaced in countries that do not offer legal and social protection are usually not considered transnational agents (Brees 2009: 172–73), whereas the Karen resettled from the camps in Thailand to the Global North are considered 'Karen transnationals' or 'Karen diaspora' (see

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[4]For discussions of 'Thainess', see Renard (2000), Thongchai Winichakul (1994, 2000), and Vandergeest (2003), among others.

Green and Lockley 2012; Kanska 2008). The Myanmar-Thailand borderland is a critical node in the Karen refugee movement across and beyond the border (Lee 2012: 268). This is not only true for refugees: it is a source of transborder citizenship for the Karen from Myanmar long resident in Thailand and seeking a stable legal footing for their social citizenship. The next part of this article presents the main groups of Karen in Thailand whose ties make it possible to move along the statelessness-citizenship continuum.

THREE WAVES OF MIGRATION AND THE LEGAL PRECARITY OF THE KAREN IN THAILAND

The Karen are an internally diverse and widely scattered ethnic group, with the majority speaking S'gaw or Phlong dialects and following either Buddhism or Christianity. Higher numbers of Karen live in Myanmar than in Thailand. However, they had settled in the rugged frontier areas before the inter-state boundary was agreed upon and sustain cross-border ties. Until the 1970s, border-landers moved across easily. Despite tightened enforcement, the border remains porous. Three waves of eastward Karen migration are identifiable in modern history. Two resulted from wars in Burma (at the turn of the nineteenth and in the late twentieth century) and the third was largely motivated by economic transformations at the turn of the twenty-first century. Due to Thailand's changing citizenship law and its varying enforcement, migrants from Burma arriving with different waves have landed in various legal statuses (see Grundy-Warr 2004: 233). Below I briefly review the legal situation of the three waves.

As inhabitants of the frontier region wedged between lowland power centres, the Karen suffered from warfare from the seventeenth to nineteenth centuries (Hayami 2004: 24; Keyes 1979: 35). The defeat of a Karen insurrection by Burmese armies in the late eighteenth century set off the first known eastward flow of the Karen into the Northern Thai hills that lasted into the nineteenth century (Buergin 2003: 45; Hinton 1979: 85; Renard 1980; Renard *et al.* 1988: 23). Some Karen may have lived on the eastern side of the Dawna Range prior to this migration (Keyes 1979: 29; Wanat Bhruksasri 1989: 9). Present-day Karen communities of Thailand—mainly in the country's north and west—consist of around 0.5 million people[5].

This first wave is variously integrated into the polity. Some 'Thai Karen' have Thai citizenship, whereas others are stateless, having obtained only restricted status. In the early twentieth century, the first citizenship and naturalisation laws made anyone born in Siam (later renamed Thailand), to a Siamese father, or having lived in the kingdom for five years eligible for citizenship (Loos 2006: 133–34; Pinkaew Laungaramsri 2014: 145–46; Renard 2000: 78–79). Yet

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[5]Delang (2003: i) estimated that the number of Karen in Thailand was over 400,000.

most upland populations had little contact with the state apparatus and few officially registered (Renard *et al.* 1988: 54). In the context of Cold War securitisation, the lack of written certificates was later interpreted as proof of non-belonging. In 1972, undocumented immigration status became a reason for stripping someone of Thai nationality by birth or preventing its acquisition (Tang 2005: 220). Naturalisation of foreigners in Thailand became an exceptional occurrence due to lengthy, complex, and obscure procedures.

The household registration (*thabian ban*[6]) documenting continuous residence in the same settlement or household is a crucial document for obtaining the Thai citizen card (UNESCO 2008: 29). If a person is not registered as a child, obtaining a citizenship or residence card becomes complicated. In 2016, well over 400,000 of Thailand's residents were registered as stateless (Jedsadachaiyut and Al-jasem 2016), including many upland dwellers[7]. Those ineligible for citizenship could only obtain the so-called blue 'hill tribe' ID cards (see Pinkaew Laungaramsri 2014: 153, 155) or residence permits tied to their household registration, TR 13 (*tho ro sip sam*) (Buergin 2003: 62), renewable every five years. Their holders require permission to move outside the area of registration. Most Karen in Thailand hold one of these documents. The legal situation of the descendants of the first wave of Karen migrants is thus diverse but precarious.

Other Karen were absorbed into the modern Burmese state, producing two later eastward waves. Considered one of the official 'ethnic nationalities', the Karen in Myanmar are explicitly entitled to citizenship according to the restrictive 1982 Citizenship Law (Socialist Republic of the Union of Burma 1982). In reality, those living in remote regions or areas under the control of insurgent armed groups would not obtain an identity card, which is closely tied to the Household Registration List (TNI 2014: 7, 13). Enforcement efforts are on the rise (see Pyidaunghsu Hluttaw 2011; San Yamin Aung 2013; TNI 2014: 13) and it is easier to obtain a citizenship card (see Busarin Lertchavalitsakul 2014). However, coverage is incomplete, leaving some people *de facto*, if not *de jure*, stateless. Obtaining international passports, now also relaxed, was even more complicated and costly under the Burmese military regime (1962–2010). Given limited access to identity cards, let alone international passports, most Burmese migrants would leave undocumented despite threats of imprisonment (Caouette and Pack 2002: 3, 27). Due to Thailand's current restrictive immigration regime, even those possessing citizenship documents mostly arrived in Thailand as undocumented migrants as part of the two later waves.

The second wave mostly ended up in Thailand's immediate western borderland in refugee camps along the Myanmar-Thailand border or the self-settled communities around them. People identifying as Karen make up almost 80%

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[6]Thai words are transcribed using the Royal Thai General System.
[7]By the Thai government's own estimate in 2004, 40% of the 'hill-tribe population' did not have Thai citizenship (Committee on the Rights of the Child 2005: 131).

of the current total refugee population of nearly 100,000 (TBC 2018: 8). The camps sprung up as a result of the prolonged Karen insurgency against the central government in Burma (1948–2012). By the mid-1980s, Burma Army's sustained attacks on the areas claimed by the KNU had entrenched cross-border displacement (Banki and Lang 2008: 62; Lang 2002: 83; TBC 2013: 124). After a split within the KNU ranks in the mid-1990s and the loss of important borderland bases, the displaced population continued to swell. The new splinter group, the Democratic Karen Buddhist Army (DKBA), aligned with the Myanmar government, was mounting attacks on refugee settlements (Cusano 1998). In the late 1990s, Thai authorities shunted settlements dispersed along the border into crowded and confined camps, the biggest of which is Mae La housing over 36,000 people (cf. maps in Lang 2002: 124, 126; McConnachie 2014: 5; TBC 2018: 8). They now serve as another Karen hub on Thai soil.

Initially the Thai authorities were adaptable and assumed that displacement was temporary. KNU was instrumental in their 'buffer' policy to contain the spread of Communism and had free reign in the borderland; KNU-issued travel documents were recognised within Thailand (Sitte 1979: 36, 53). Earlier arrivals eventually also fared better in terms of legal status. Between 1976 and 1993, so-called 'pink cards'[8] were issued to displaced Burmese nationals who arrived before this period. Those born in Thailand before 1992 and registered as children can acquire citizenship (Flaim 2015). Those who came as children were later also ruled eligible for Thai citizenship (Pinkaew Laungaramsri 2014: 152).

These measures do not apply to the people who arrived in the agglomerated refugee camps. By the 1990s, Thai authorities had dropped the 'buffer policy' and exchanged the alliance with KNU for close economic cooperation with the Burmese military junta. The Thai government, a non-signatory of the Refugee Convention, officially calls the settlements of thirty years 'temporary shelter areas' (*phuen thi phak phing chua khrao*) and their inhabitants 'people fleeing fighting' (*phu ni phai chak kan su rop*) rather than 'refugees' (*phu li phai*)[9]. They do not have any official status in the country, but the camps create spaces of nominal cessation of their deportability. The Thai Ministry of Interior established its own Provincial Admission Board (PAB) to screen camp residents (Caouette and Pack 2002: 9; HRW 2012: 20). If deemed genuinely displaced by fighting, they received a UNHCR 'slip'. Those who obtained it before late 2005 are eligible for resettlement (McConnachie 2014: 56, note 21) to third countries (US, Australia, UK, Sweden, Finland, and others). With most resettlement opportunities already exhausted, more than a third of the camp population

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[8]'Pink cards' are issued to various groups of foreigners living in Thailand but have recently been best-known as the identification document for migrants from Myanmar, Laos, or Cambodia registered during the Thai government's amnesties (see below).

[9]On the status of the refugee settlements in Thai policy, see Lang (2002: 92–95), McConnachie (2014: 82–88), and HRW (2012).

remained unregistered (HRW 2012: 24; UNHCR 2014). Some leave the camps to become undocumented migrant workers, while others take up the offer of voluntary repatriation following elections and ceasefires in eastern Myanmar[10]. Others yet insist on staying in the camps as long as possible despite the Thai authorities' plans to close them (Chen 2015; Karen News 2014b).

As in the Northern Thai Highlands, the legal status of the Karen inside and around the refugee camps is diverse, though precarious. Nevertheless, this second hub of the Karen network borderland is a source of Karen global diaspora with privileged mobility rights. Those who are resettled acquire permanent residence permits in third countries and receive the right to naturalise, which they officially cannot do in Thailand.

The final major wave overlapped with displacement by war. In the mid-1980s, villagers from Kayin (Karen) State started to seek work across the border in Thailand rather than in central Burma. Their communities were affected by ongoing fighting, the soldiers' demands for forced labour, and general economic mismanagement. People commonly referred to as 'migrant workers' are dispersed across Thailand but mainly cluster in the central plains. The estimated total number of Burmese migrant workers in the country is around three million (Ma 2017). The Karen migrant workers are potentially more numerous than the Karen refugee population in Thailand and seem to make up the majority among the Burmese migrants in Bangkok. The third wave of Karen migration thus populated Central Thailand's workplaces.

Initially undocumented, many have registered as guest workers. Until 2008, low-skilled labour migration to Thailand was expressly forbidden in the Immigration Act B.E. 2522 (1979) and the Alien Employment Act B.E. 2521 (1978) (International Labour Organization 2015: 5; Sciortino and Punpuing 2009: 40). Even with a passport, no visa was available for most Burmese people. Migration took place regardless, especially in the border areas. In 1992, Thailand started experimenting with migrant labour registration or amnesties for undocumented foreign workers. Announced every few years by an *ad hoc* Cabinet resolution, a period of a month or more was allowed for undocumented Burmese, Lao, and Cambodian workers to register, obtaining a 'migrant worker' ID (the so-called 'pink card') valid for one or two years. Registration did not regularise the applicant's visa status[11] but issued temporary residence and work permits, postponing deportation (see Pearson and Kusakabe 2012: 178; Saltsman 2012: 10; Sciortino and Punpuing 2009: 20–21, 55). If the migrants missed the deadline, if the next round was announced after their cards expired, if it only renewed earlier registrations rather than accepting new applications, or if the use of registration was

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[10]Refugee population numbers quoted above are of December 2017, but they have been shrinking steadily since at least 2012 when the total was over 142,000 (see TBC 2018, 7).

[11]Srawooth Paithoonpong and Yongyuth Chalamwong (2012: 9–14) refer to them as 'registered illegal migrant workers'.

deemed marginal (see Arnold 2005: 288; Caouette and Pack 2002: 29–30), many remained undocumented. In addition, registration was valid only in the province of residence, effectively immobilising migrants like the holders of 'hill-tribe' cards.

Thailand's Intergovernmental Memoranda of Understanding (MoUs) signed with Myanmar, Laos, and Cambodia in 2002–2003 and in force since 2009 finally created a legal avenue of immigration. The Thailand-Myanmar MoU allows people to obtain the documents needed to work in Thailand and sign the work agreement before leaving Myanmar. However, the costly, time-consuming, and restrictive scheme (see also International Labour Organization 2015: 13; Natali *et al.* 2014: 19) is underused[12]. The Karen choose to use their well-established borderland human smuggling networks instead, relying on friends to find work in Thailand[13]. They arrive undocumented and undergo registration when the opportunity arises.

The MoU has also established a process of 'nationality verification', allowing registered migrant workers from the three countries to regularise their immigration status by obtaining temporary passports valid only in Thailand. 'Nationality verification' has allowed Burmese migrants to travel to Myanmar for visits and return without human smuggling brokers. Since 2014, a new scheme of Thai-Myanmar cooperation started offering permanent passports (Nyein Nyein 2014). However, both procedures of 'legalisation' are too complex to navigate without a broker and thus costly (see IOM 2014). Moreover, whether the passport is temporary or permanent, only two-year Thai visas are available, renewable once. The Cabinet decisions on the fate of those whose papers expire cannot be foreseen. Given the lack of timely information, even legalisation provides only a temporary escape from irregularity.

In 2012–2013, most Karen migrants working in Greater Bangkok who we interviewed had already obtained temporary passports. By mid-2013, the first temporary passports were expiring. However, due to Thailand's internal political turmoil, migrants were only told to apply for new visas in February 2014, and only in March 2014 were they granted a grace period of 180 days (Natali *et al.* 2014: 18); only in mid-2014 could those who had already become undocumented apply for another amnesty (The Government Public Relations Department 2014). In the meantime, many left fearing deportation or were dismissed from their jobs (see also Hall 2014). Some of my Karen acquaintances stayed beyond the

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[12]Close to 142,000 Burmese migrants had used the MoU channel by November 2014 (International Labour Organization 2015: 6), but over 778,000 had completed the Nationality Verification scheme for regularising irregular migrants by July 2013 (Huguet 2014: 3).

[13]Despite the political concern with human trafficking, it is a marginal factor in Karen migration from Myanmar to Thailand. Out of almost 100 interviews with Karen migrants, three women told us of episodes akin to being sold to their first employer for housework in the 1990s or early 2000s. All ran away to start better jobs. With Karen networks now well established in Thailand, such stories seem to have disappeared.

expiration date, while others went back to Myanmar to wait for the results of new applications or returned to Thailand with newly acquired permanent passports and tourist visas and started doing visa runs. By 1 November 2014, registration had closed, followed by a period of intense inspections and arrests of undocumented migrants (Kantipon Kusmit 2015). Finally, in March 2017 it was announced that the 'pink cards' preferred by some as a cheaper alternative to the costly 'nationality verification' would be phased out (Pratch Rujivanarom 2017). Vulnerability to cycles of legalisation and their lapses is constant, making the legal situation of low-paid Burmese migrants precarious in Thailand.

The Karen in Myanmar and Thailand present a case of graduated citizenship. The Burmese and Thai orders of membership interlock in producing largely precarious statuses, ranging from fully documented citizens to stateless people or undocumented migrants. Whereas obtaining citizenship documentation has become easier in Myanmar, obtaining legal status in Thailand – initially possible – has become difficult. Even among the Thai Karen some are still stateless with restricted mobility rights. The displaced Karen are differentially integrated into the Thai polity, with some now citizens or permanent residents, yet others *de facto* stateless and little more than undocumented migrants. The durable solution for regularising their status outside Myanmar – resettlement to third countries – appeared only in 2005, after decades in limbo, and is not available to later arrivals. The third wave of Karen migration is not entitled to permanent status in the country.

Diverse precarity is characteristic of the Karen in Thailand, with the mobility of many people restricted and long-time migrants repeatedly slipping into illegality. However, the three waves of migration have created Karen hubs in Thailand such as Kanchanaburi, the highlands around Chiang Mai, and the borderland around Mae La and Mae Sot. Cross-border networks connect the hubs to Karen centres in Myanmar such as Hpa-an, Yangon (Rangoon), and Taungoo. To prolong their stay, the Karen from Myanmar may move between statuses and even find long-term solutions by tapping into their borderland networks.

REFUGEES AND MIGRANT WORKERS TO CITIZENS

In general, Burmese migrants in Thailand are a population consisting of "separate but interrelated parts" (Banki and Lang 2008: 59–60) that "often blur one into the other" (Caouette and Pack 2002: 7; see also Rhoden 2016; Saltsman 2015). The Karen in Thailand are mostly known and studied as either highlanders or refugees from Myanmar, though singling out one group tends to obscure their links (some exceptions include Brees 2009; Grundy-Warr and Wong Siew Yin 2002; Lee 2012). Karen refugees and migrant workers and even some of Thailand's Karen face similar challenges in terms of their precarious legal status,

restrictions of mobility, and employment. Their linkages bridge precarity and citizenship.

Proximity and local cross-border ties work to the advantage of Burmese borderlanders: the inhabitants of eastern Myanmar were the earliest arrivals and make up a sizeable proportion among Burmese migrants in the main cities (Arnold 2005: 290; Farrelly 2012: 137). Though at their densest in the borderland, these networks have extended to include the Karen working in Central Thailand. If we focus on networks rather than certain hubs or legal status, the boundaries separating the groups of Karen in Thailand become blurred. It becomes apparent that people from the same community, same family, or – consecutively or simultaneously – the same person can hold different statuses.

This last part of the article is divided into two sections. In the first, personal stories of Karen migrants demonstrate how overlapping and interchangeable the categories of refugees and migrant workers are, questioning the forced/voluntary migration dichotomy. The second reveals how the ethnic and linguistic connections serve people from either group to obtain citizenship documentation on either side of the border. Thus, the migrancy/citizenship dichotomy is also blurred. Regardless of their categorisation upon arrival in Thailand, the Karen aim to strengthen the heft of their citizenship by moving along the statelessness-citizenship continuum.

FROM REFUGEENESS TO BEING A MIGRANT WORKER

Manee's family story is not special in either Hpa-an Township or Mae Sot. Other Karen biographies narrated below illustrate how intertwined the fates of refugees and migrant workers are in Thailand. Supposedly based on eligibility, legal statuses are to some extent situational. The Myanmar-Thailand borderscape, heavily influenced by the three waves of Karen migration, continues to shape their choices about where to settle, seek education, work, and raise their families, producing a precarious type of flexible citizenship (Ong 1999). It may be an incremental choice, but it does involve deciding who goes where and when (see Khosravi 2010: 13–14). Decisions are made in the ever-changing socio-legal environment described above, and their consequences determine later options and decisions.

Naw Shar, from a village in Hlaingbwe Township (north of Hpa-an), has lived in Thailand since the early 1990s. Her extended Christian S'gaw family was involved with the KNU and many were displaced early on and repeatedly like Manee's family. Naw Shar came to Nu Po refugee camp to join her relatives in her early teens, while her parents stayed behind in northern Kayin State. Naw Shar moved with her relatives between various Karen settlements along the border when it was easier than it is now. She had two children with a former KNU soldier. In the late 1990s, the family were staying in Mae La. After

several years there, Naw Shar separated from her husband, leaving the daughter with him in Mae Sot and the younger son in her mother's care in Myanmar. She left for Bangkok to work as a live-in carer, registering as a migrant worker before returning and settling in Mae Sot with her family. As a long-term resident of the borderland, she holds a ten-year residence permit registered in Tak Province. Many members of her extended family have resettled in Australia and the UK. She, however, did not obtain the UNHCR slip that would have made her eligible. Most of Manee's family, though long-term camp residents, also lost the chance as they were away from Mae La during one of the registration rounds verifying camp population data. Despite living in refugee settlements for nearly a decade, Naw Shar has been a migrant worker, maintaining links with her home village. Similarly, Manee's brother and sister left the camp and became migrant workers susceptible to the capricious Thai migration policy.

Saw Mi Maung grew up in a mixed S'gaw-Phlong village north of Hpa-an, near the border, in the 1980s. The locality was originally under KNU control. As the frontline drew closer, demands for portering for either the Burma Army or the KNU troops and shootings intensified. Saw Mi Maung's parents sent him away, while they stayed behind. He was in his mid-teens when he left in a group of youngsters but already had some relatives in a refugee camp. The youths trekked to the border and after crossing took a pick-up truck to Mae La and then to Hway Ka Loke camp (no longer there). While living in Hway Ka Loke, Saw Mi Maung worked on a farm near the camp. Being engaged in some kind of employment in or near the refugee camp was common. Yarris (2015: 116) reports of a man who would go to a refugee camp, work on the farmland nearby, and bring the savings back to his family in Myanmar several times before relocating all of them when it became too risky. The decreasing rations have also mounted pressure on residents to work (Karen News 2014a) despite the Thai government's official ban on economic activities in the camps.

Saw Mi Maung stayed in Hway Ka Loke for one year. A Thai broker looking for cheap labour then recruited him to work in Bangkok. The broker arranged passage through police checkpoints along the road, just like for Karen economic migrants smuggled directly from Myanmar these days. In Bangkok, he worked in shops and factories for fifteen years. After being arrested and deported back to Myanmar, he took a chance to rest in a refugee camp located nearby and then travelled back to Bangkok. When opportunity arose, he registered as a migrant worker and acquired the 'pink card'. In Bangkok, he met his wife – also from Myanmar – who was working as a housemaid. In the mid-2000s, he returned with his pregnant wife to Myanmar and settled in Hpa-an Township to start a business and raise a family. Once an unregistered refugee, then undocumented migrant, then semi-documented, Saw Mi Maung's changing status demonstrates his resilience in an environment adverse to migrants. Precarity shaped and probably contributed to his eventual decision to return.

Naw Shar and Saw Mi Maung's families were affected by the civil conflict, yet in both cases the parents stayed on, despite sending their children to Thailand. Reasons for going to refugee camps further diversified later, as fighting ceased in most parts of Kayin State. Instead, news of resettlement started to attract interest. Education opportunities in the refugee camps lured others. Sometimes, the KNU staff from the camps themselves would encourage young people to come and join schools there, building up a support base.

Saw Tha hails from the borderland in southern Kayin State. In 1997, the Burma Army attacked his village, forcing his family to flee. In the new village, Saw Tha finally started schooling as his native village had no school. After a few years, he met a boy visiting from the Nu Po refugee camp who told him of the NGO-funded education there. Saw Tha made up his mind and his mother took him to Nu Po in 2004. They travelled along the 'buffalo track' used by cross-border black market cattle traders before the military attacks. A Thai Karen villager showed them the way. His mother left Saw Tha in the camp where the teenager finished high school and started working with a KNU-affiliated organisation. He registered at the camp, but his organisation later sent him to the central office in Mae Sot where we met in 2012. At the time, he was constantly in fear of the police. When we met again in 2016, Saw Tha had lost his PAB camp registration documents, having left them with a refugee family who were resettled. However, by then he held a temporary Myanmar passport, which made him a migrant worker. Many people I had known as refugees in Mae Sot switched their status in this way or came back to Myanmar in secret to obtain a permanent passport, often bribing the authorities or assuming a different name. *De facto* statelessness due to civil war or persecution did not retract their citizenship. Claiming it back under new circumstances in Myanmar allowed the Karen migrants to at least temporarily regularise in Thailand, a clear example of the merits of Macklin's multi-dimensional approach.

Naw Shar, Saw Mi Maung, and Saw Tha's experiences show that it is possible to simultaneously or at least consecutively be a refugee and a migrant worker. The two statuses interchange and overlap to some extent and, as long as resettlement had not taken place, the choice did not have to be final. Low-paid employment was available for undocumented workers and so was a chance of semi-regularisation during the next amnesty or even full regularisation after 2009. Thus, going to a refugee camp did not rule out becoming a migrant worker later. Among those Karen from central Kayin State who left for Thailand before the late 1990s, staying at a refugee camp before continuing to the Thai cities in search of work was common. Even afterwards the connections did not need to cease. As opposed to eking out a living in the Kayin State, between the 1980s and the early 2000s the Karen could choose between going to a refugee camp or joining the informal labour market in Thailand (or both). As new registrations are no longer possible in the camps, those leaving later in the

2000s tended to become migrant workers, though some still managed to get onto the resettlement programme. In some cases, places were bought. Manee said that people could fraudulently register as members of eligible families. A UNHCR employee also informally admitted to having heard such talk at work.

Complex family geographies are usual among the Karen. During fieldwork in a village in Hpa-an Township, I came across many families with migrants in Bangkok and in the refugee camps. For instance, Naw Eh Moo has worked in Bangkok since 2004, whereas her brother had lived in Umphiem refugee camp for a long time. Around 2008, his family was resettled in Nebraska, US. Naw Eh Moo's other brother initially also stayed in Bangkok. He met his wife there and followed her to settle in Umphiem in 2013. Daw Htet Pyu and her two siblings were all in Thailand: she and her sister in Bangkok and their brother in Mae La. He went to Mae La after 2005, hoping to be resettled but failed repeatedly. Rather than returning or leaving the camp to become an undocumented migrant worker, he started a family there. Saw Poe and his wife are long-time migrant workers in Bangkok, whereas Saw Poe's younger brother went to Mae La in 2007 and also tried to get onto the resettlement programme for almost a decade while doing odd jobs in the camp. Eventually Saw Poe persuaded him to move to Bangkok to work as a security guard instead of asking them for money.

Others were luckier in pursuing their hopes of citizenship in the Global North. Naw Thaw Say's example is particularly striking. Employed as a school teacher when we met in Kayin State in 2016, she had worked in Bangkok as a nanny for ten years after finishing school. Naw Thaw Say and her sister had come back, while three other family members were still working in Thailand, like in any family in her village in Hlaingbwe Township. In the family house, Burmese and Karen-style photos from Naw Thaw Say's recent wedding adorned the walls but her husband was in Minnesota, US. He hailed from the same S'gaw Karen village but went to Mae La around 2007, was resettled three months later, and later acquired US citizenship. In fact, the man's brother had arrived in Mae La earlier, secured a place on the resettlement programme, and then invited him to join. To attend his wedding in the native village, Naw Thaw Say's husband flew to Thailand and crossed the border undocumented. In late 2018, Naw Thaw Say was already relocating to the US after securing a visa to join him. That her husband managed to secure resettlement despite his late arrival in the refugee camp seems legally impossible but has produced material results, namely a US citizenship and right to family reunification.

Many of the stories presented above entail attempts to bend the rules governing legal statuses in Thailand. Rather than simply submitting to the legal categories imposed on them, the Karen interact and enterprise with them. The stories show that Karen refugees were making conscious and often calculated choices at the time of leaving for Thailand, during their exile, and after resettlement. This confirms the conclusions of the small-scale study among the Karen refugees

resettled in California (Yarris *et al.* 2015) as well as the overall argument against the portrayal of refugees as victims of *force majeure* (Malkki 1995: 7–12). Navigating the different statuses strengthens their resilience in an adverse migration regime.

The decision to become a refugee is taken in specific circumstances with regard to specific available resources, including ethnic networks. The space for manoeuvre is bound by policy restrictions, yet the cracks of their implementation allow leeway. Although the forced/voluntary migration distinction does have heuristic value, it should not be entrenched (e.g. Khosravi 2010: 13–14; Mountz 2010: 25–26; Poros 2011: 16, 62). In the Karen case, going to refugee camps or working in Thai cities were often driven by similar circumstances and the same wish to improve one's lot by attaining more security, a better livelihood, and greater freedom from oppression. The Karen have tapped the available networks to achieve these gains. The KNU ceasefire (2012), easier procedures for obtaining citizenship documentation, and the 'nationality verification' process in Thailand have improved communication and mobility across the networks connecting the S'gaw and Phlong in Myanmar and Thailand. Many people, once *de facto* stateless, were able to obtain citizenship documentation alongside conditional statuses in Thailand. In the next section, I explore how the Karen connections can also be an asset in securing a more stable position in Thailand.

From Migrancy to Citizenship

The second part of the article described the shrinking legal avenues for the Karen to obtain permanent status in Thailand. None exists for those arriving from Myanmar today. Among those unwilling or unable to return to Myanmar, the Karen continuously registered at the refugee camps since before 2005 found themselves on a legal pathway to eventual citizenship outside Myanmar through resettlement. Permanent residence or citizenship in host countries finally grants them secure legal footing and privileged global mobility rights. However, overseas citizenship does not offer any stable status in the borderland where they have long been imbedded. For those who stay, there are still informal ways to claim dual transborder citizenship, though opportunities have also diminished.

In the borderland itself, it is not the legal intricacies that matter but having a card suitable for the situation. Thai identity cards are diverse and eligibility has changed over time, with some already discontinued[14]. The same family and even the same individual can hold various combinations of those cards; it is safer to have more options (see Pim Koetsawang 2001: 79; Pinkaew Laungaramsri

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[14]See for example Pinkaew Laungaramsri (2014: 92–95) and UNESCO (2008: 2–6) for more details on the complex and contingent Thai system of identification 'colour cards' issued to various 'non-indigenous' groups.

2014: 159). As a last resort, the 'King's card'[15] (a bribe in Thai baht with the late King's image) can be used. However, the Thai citizenship card is the most valuable. Even for those legally residing in Thailand, fluent in Thai, and skilled employees with Thai families, the naturalisation process is cumbersome with no foreseeable timeline or guarantee of a successful outcome (see YaiBan.com 2009a, 2009b). One of my Burmese acquaintances has lived in Thailand for 30 years and fulfils all of the above criteria. In 2018, he finally obtained permanent residence and was told he would be able to apply for Thai citizenship "in five years". As a prominent person in the local community, he was not trying to bend the rules.

Among the Thai Karen, there are still holders of 'hill-tribe' cards. However, the earliest arrivals of the second wave have by now settled their status in Thailand. For example, Buddhist Phlong Kyaw Chi Bu was born in the 1960s in Central Burma and lived in Karen and Mon States before moving to Kanchanaburi, Thailand's western province heavily infused with Karen. As he registered there before his mid-teens, he obtained a Thai citizenship card. Well-embedded in Thailand, he nevertheless spent several years at the KNU Ma Ner Plaw stronghold before relocating to a refugee camp and later Mae Sot.

Saw Khu was born in a Mae Sot hospital in 1981, though his parents were living in Pha Lu, a KNU-controlled border post not far to the south. They would move across the border easily at the time and healthcare services were better on the Thai side. By 1986, only KNU soldiers stayed in Pha Lu as villagers including Saw Khu's family retreated across the border for safety. Saw Khu already had a Thai birth certificate and registered at the town hall before the age of 15, securing Thai citizenship. His parents, however, only obtained permanent residence. From 1990, as the KNU was weakening, the Thai authorities were becoming stricter and even those born on Thai soil could not easily attain citizenship.

Many people seem to have secured the 'right cards' through informal means. When I asked a relative of Kyaw Chi Bu living in Mae Sot, originally a refugee, whether he could obtain a Thai citizenship card because he had lived in Thailand for twenty years, he did not give me a straight answer but said that "things were different then": 20–30 years ago, one could simply buy a Thai ID card for 20 baht (around $0.8 at the time) in a village. A symbiotic relationship with the local Thai Karen population allowed the early refugees to blend in. Manee, who acquired her Thai identity card in the mid-1990s, noted the following:

> Around 20 years ago, there were times, if you can find your own way, with good connection, you can pay a certain amount of money… five years later, it is almost becoming like a business stuff, business thing buying and selling ID. It usually happen[ed] in a Karen village, Thai Karen

[15] I thank Samak Kosem for this point.

> village. They don't use the ID much or they don't register their kids in the [household] registration. When they give birth, they didn't go to the *amphoe* [district authority] to register so you can easily get into their family and register there [as a member]. Because till now there are a lot of Thai Karen villagers who are very [far] away from [the] *amphoe*.

As Manee mentions, such Karen pockets continue to exist in Thailand. Saw Soe Min who had worked in Central Thailand for years also mused that those Karen who do not want to return to Myanmar can find places where they can live undocumented as "the police won't come".

The Thai authorities are aware of statelessness in the hills. Efforts to eliminate it by naturalising legitimate applicants have also benefited the Karen from Myanmar. Since Thai and Burmese citizenship rules are based on parents' nationality and verifiable family residence, the solutions manipulate the crucial proof of household registration. In a Thai Karen village, the Karen from Myanmar may obtain a dead person's Thai household registration number or register instead of an unregistered Thai Karen child. This bending of the rules (not just by the Karen) got the citizenship industry[16] to the point where Thai officials were reportedly dealing daily with citizenship applicants who claimed that their parents were dead. This made it impossible to clarify their legal status in Thailand (if they were in Thailand at all)[17]. Claiming citizenship for adults later became much more difficult, but a recent move against statelessness (see Pimuk Rakkanam 2017) is likely to see attempts by later migrants to regularise.

Registering borderlanders' children in Thai households (Pinkaew Laungaramsri (2014: 159) calls it 'adoption') is widespread. This is how Ma K'lar attained Thai citizenship. As a child, she moved with her KNU-involved family to the Thai side in the late 1980s and grew up in refugee settlements, enduring DKBA attacks, but was registered in a Thai Karen household. Arrivals of the third wave still report using the same method to register their children born in Thailand (or Myanmar). Based in Thai cities, the third wave migrants may now enlist the help of their long-term Thai employers rather than Thai Karen. Two of Daw Thein's children were born in Thailand in the 1990s but grew up with grandparents in a village in Hpa-an Township. Daw Thein's employer in Bangkok registered her daughter. Nan Shwe Moe's son, born in Bangkok in 2010, was registered with her husband's relatives. Nan Shwe Moe's husband has a Thai ID card (despite hailing from the Laos side of the border) but they had neither a Thai marriage certificate nor a house belonging to them where their child could be registered.

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[16]Procuring citizenship documents clandestinely is a low-key shadow industry in the sense of an established pattern of collaboration and exchange of money for goods (whether it is legal or not), as Manee describes above.

[17]I am grateful to Tom Lochery and Busarin Lertchavalitsakul for this point.

Registering children as born on either side of the border depending on where the parents want them to have opportunities is quite common for the fluid Karen and other borderland families. Long-term translocality in the Myanmar-Thailand borderland offers a chance of transborder citizenship. Despite legal precarity, the ones who are patient enough to nurture relationships over time may be rewarded with the official recognition of their heft of social citizenship obtained through informal means. However, circumstances may also change over time, dashing hopes. Daw Thein's daughter, now a young woman, left to work in Thailand in 2014. In 2016, we asked her father whether she had acquired the Thai ID card as intended. U Naing Min replied that the family of her household registration had passed away. To apply for citizenship, the girl would have to contact another family, bring many documents including their household registration, and be accompanied throughout the process. U Naing Min said, "It is too much. It is OK, we are Burmese and we will not stay in Thailand forever. We don't want to be Thai citizens. When we have a lot of money, we will go home," and burst out laughing as if admitting defeat over their plans for the girl, yet refusing to give up.

Most people in the third wave, apart from the youngest, speak about returning to Myanmar. In contrast, Karen migrants of the second wave who have secured at least a residence permit or a 'hill-tribe' card do not consider it. That does not prevent them from using their origins to obtain Myanmar citizen IDs now that the process has become easier. Manee who received hers in 2012 or 2013 commented:

> You have to be part of some household and also villagers have to know about you or your parents or something. There should be some kind of [connection]. Like me, my parents still have land there and then the villagers know my parents, my grandparents … I got it through connection as well, even though in my own village [laughing]. And I know that a lot of people get ID there but a lot of them in some way were originally there but they grew up here [at the border]. Or some of them were born here but their parents, their relatives or their cousins…

With no connection, she thought, one must have a lot of money for bribes.

At a closer look, the Thai system of colour cards may appear arbitrary and access to Thai citizenship loosely controlled, but networks mediate it. On both sides of the border, familiarity, relationships (kinship, friendship, or patronage), linguistic skills (in the national language or in a Karen dialect), and hence acceptance into a local family and through it into the local community, allow individuals to achieve transborder citizenship. These are indeed elements of the heft of citizenship, though its levels for a particular person may differ on the two sides of the border. As the heft of citizenship grows, whether through attachments in Thai highlands or cities, the Karen from Myanmar move ever further from migrancy and find ways

to formalise it. The earliest refugees have already blended with the Thai Karen, whereas the newer arrivals have used access to these populations to claim citizenship or at least a renewable residence permit. The Myanmar Karen are using their connections on both sides of the border to break out of life in the breach (Coutin 2013) and to become transborder citizens regardless of official restrictions.

CONCLUSION: TRANSLOCALITY AND NETWORKS OF RESILIENCE

Unauthorised migrants are invisible on the national scale, though experienced locally (Sadiq 2008: 31). Alienage constitutes the boundary between the worlds of citizenship, and non-citizens are liminal figures (Bosniak 2006: 140). The perceived threat they pose may even trigger regulatory changes and enforcement operations targeting 'illegals' or 'fake citizens' like in Thailand in the 1970s or in India in 2018. However, with networks bridging legal precarity and citizenship, the boundaries of the latter change over time. Today's alien can be tomorrow's citizen, even in contexts where naturalisation is limited. Sustained relationships to place and people assist the transition. To be a transborder citizen, one has to be local on both sides of the border.

The cross-border networks of Karen borderlanders connect the Burmese and Thai worlds and allow them to claim bundles of rights in both. Their presence is prominent in Thailand's west and north and in Greater Bangkok. Three major waves of migration resulted in groups now known as Thai Karen, refugees, and migrant workers, creating hubs of Karen formal citizenship beyond Myanmar. Lee (2012) has shown that the residents of different camps, surrounding Thai Karen villages, Mae Sot, Myanmar's Kayin State, and refugees resettled abroad communicate with each other and move around. These networks have extended to Bangkok. The refugee population enjoys a symbiotic relationship with the Thai Karen and overlaps with economic migrants. The groups share aspects of cultural identity, dialects, are connected by kinship, and continue to intermarry.

The networks thriving in the Myanmar-Thailand borderland are the source of Karen resilience in an ever-changing and adverse institutional environment. Entrenched by war-time displacement, networks are behind the two varieties of Karen transnational citizenship: cosmopolitan (in the Global North) and transborder (informal dual Burmese and Thai nationality). Refugee camps and (limited) resettlement opportunities offer a promise of future citizenship in the Global North and greater mobility rights. Meanwhile, pathways—sometimes truncated—to Thai and transborder citizenship originate in the Karen-populated Thai highlands and urban centres. Their respective Myanmar and Thai citizenship 'containers' may not be full, but overall the Karen possess considerable heft of citizenship.

With 'hill-tribe cards', 'temporary shelters', and a system of guestwork in place, legal precarity is a common concern for the Karen in Thailand. In the cracks of the implementation of rigid Thai (and Burmese) migration and

citizenship regimes, translocal networks and time offer the Karen pathways to transborder citizenship. Patiently nurtured cross-border and locally-embedded personal relationships are the assets allowing them to bridge the gap between legal precarity (even statelessness) and citizenship, even in two states at the same time. They enable them to break out of life in the breach and turn an approximation of citizenship into a formal status. Not all members of the second and third wave exploit these opportunities, but such inactivity, like the statelessness of some Thai Karen, allows more room for those eager to end their own precarity. It was possible to become a member of a refugee family eligible for resettlement or a member of a Thai Karen family and it is still possible to make one's child a member of a Thai urban family. The principle of proving familial and community ties—heft of citizenship—to substantiate one's claims remains.

Acknowledgements

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