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Entitled to contraband: citizenship and sovereignty in an Indigenous borderland (Guyana–Venezuela)

Olivier Allard

In Guyanese localities close to the (contested) border with Venezuela, I witnessed in late 2018 numerous Venezuelans smuggling fuel, which they had bought for almost nothing in their country and sold in Guyana for about US\$100 per drum, so they could go back with food and manufactured goods. Venezuela had been suffering a deep crisis for several years, characterized by high inflation and shortages of basic products, but fuel was still available at the time. In previous years, the country had also known another widespread form of small-scale illicit trade, the sale of subsidized food on the interior black market, commonly known as *bachaqueo* (after *bachaco*, a term for leafcutter ants, which are known for carrying heavy loads). In both cases, trade was illegal because people were not allowed to resell subsidized goods, intended for domestic consumption only, and certainly not at a price set above the official one and therefore deemed ‘speculative’. Venezuelans were not selling goods that were illicit per se (such as drugs), but rather infringing trade regulations: it therefore represents ‘contraband’ in a broad sense, even though only fuel was exported across an international border.¹ In the context of twenty-first century Venezuela, it would not be meaningful to deal separately with the smuggling of fuel to neighbouring countries and the sale of food on the black market. Both activities are practised and justified in similar ways, and they are profitable because those items are heavily subsidized by the Venezuelan state (see also Van Roekel, [Chapter 6](#) in this volume). They represent a way of diverting public spending that depletes the treasury, as much as instances of smuggling that more traditionally shrink public revenue by evading tariffs and customs (see Beccaria [1872 \[1764\]](#), 127).

The Guyanese–Venezuelan borderland, which includes the Orinoco Delta and the area south of the Orinoco River, is a forested region where most traffic uses river transportation and whose inhabitants are largely – but not only – Indigenous people. On the Venezuelan side of the border, the state of Delta Amacuro, the people mostly identify as ‘Warao’ and live alongside a handful of Spanish-speaking, nonindigenous Venezuelans, who represent the majority only in cities. Venezuelan Warao numbered about 50,000 in the last official census (2011), most of them speaking their own Indigenous language, with widely varying degrees of fluency in Spanish. On the Guyanese side, Region 1, also known as Barima-Waini, there are a few thousand Warao, and also Indigenous people who identify as ‘Amerindians’ if they speak only English, as well as nonindigenous English-speaking Guyanese, who may be of African or South Asian descent. While I tend to foreground the experience of Warao Indigenous people, with whom I have done most of my field research since 2007, it is important to note that all of these people were to some extent involved in smuggling and illicit trade.

The condition of Warao people is representative of the ambivalent citizenship of the underprivileged in general in twenty-first century Venezuela. On the one hand, they have been prime targets of manifold policies of social and political inclusion – the motto of the Bolivarian regime, instituted by Hugo Chávez and continued by Nicolás Maduro, being ‘*Venezuela ahora es de todos*’, Venezuela now belongs to everyone – whereas they used to be treated as national subjects whose rights were conditioned on their progressive integration, especially at the hand of Catholic missionaries since the beginning of the twentieth century. Warao and other Indigenous people have eagerly seized these new opportunities, which notably included the right to vote and to receive social benefits. On the other hand, they have been ‘unruly’, often accused of causing the failure of policies meant to improve their condition. While subsidized food is presented as a way of giving poor families access to a balanced diet, Warao and nonindigenous Venezuelans who sell such products are, according to widespread narratives, causing the shortages that plague the country, and therefore bring about their own suffering.² Well-intentioned outsiders dealing with Warao people in Venezuela or Guyana, for instance humanitarian agents or missionaries, often remark that they are particularly difficult to help.

The study of small-scale contraband therefore offers a way of understanding the complex relationship that exists between subaltern people who conduct most of this activity in defiance of official injunctions, and states which attempt to regulate trade but also take care

of their population, often through different and sometimes rival administrations (Li 2007, 12–14). In this chapter, I want to thematize less this ambivalence of states – care provided in coercive ways and control exercised to the point of violence – than Indigenous people’s transgressions, which raise problems of their own. In order to do so, I will draw on the insights of the anthropology of illegality, which has especially challenged the opposition between legality and illegality, and with it, the assumption that smuggling could simply be explained by the weakness or remoteness of state centres (see Heyman 1999; Abraham and Van Schendel 2005; Thomas and Galembo 2013).

One way of correcting official statist views relies on the concept of sovereignty. The challenge to state or imperial authorities that smuggling represents may be seen as the expression of a competing sovereignty – and, in particular, an Indigenous one. This may result from an effort to see things from the perspective of the borderlands themselves, as advocated by Hämäläinen and Truett (2011). In the Guajira Peninsula at the northern tip of South America, for instance, Wayuu people preserved their economic and political autonomy by refusing colonial Spanish claims of trade monopoly, and dealing with other European powers present in the Caribbean (Polo Acuña 2005). Even today, Indigenous sovereignty has not disappeared, although it is often ‘nested’ in that of modern states: according to Audra Simpson (2014), Mohawk people who carry cigarettes across the border between Canada and the United States, while often denounced as smugglers, are in fact exercising their ancient right to freely move on and across their land. The context of lowland South America is, however, vastly different. Is it enough to qualify sovereignty, paradoxically making it ‘nested’ (Simpson 2014) or ‘layered’ (Burbank and Cooper 2010)? Such expressions underscore the spatial dimension of sovereignty, which has been especially theorized to address colonization.³ I will argue that it is useful to understand processes on the Guyanese side of the border, and especially how illicit trade relates to local territorial control (see Galembo 2012). However, this notion of sovereignty also carries the idea that Indigenous people are politically constituted as ‘people’, in the sense of a political community, which would be a mistaken assumption regarding the Venezuelan Warao.

In fact, Warao Indigenous people engaged in illicit trade in the Guyanese–Venezuelan borderland are not merely asserting their independence with respect to states; they resist but also depend on them, evidencing the thorough imbrication between state centres and margins that has been underscored by many anthropologists since the volume edited by Das and Poole (2004). In Venezuela, the contraband

of subsidized goods represents a way of appropriating the subsidies themselves, that is to say, of accessing public resources. It represents a form of resistance against the state, but also a claim *on* the state – a complex imbrication that might best be understood through the concept of citizenship.

Indigenous sovereignty and national citizenship are often contrasted as contradictory political orientations in the literature on North American Indigenous people: they lose their own sovereignty when they become US or Canadian citizens (see Biolsi 2005; Simpson 2014). In South America, the opposition does not hold in such a way, and citizenship and autonomy have been joint goals of Indigenous movements. The meaning of citizenship should nonetheless not be taken for granted. We need to move beyond its characterization as a clearly defined legal status, in order to approach it through the experience of ordinary citizens and highlight dimensions that are ignored in official texts (Lazar and Nuijten 2013). Citizenship might then be considered ‘insurgent’ when people challenge the terms of their inclusion, the legitimate definition of their participation and belonging (Holston 2009). Warao and nonindigenous Venezuelans who engage in contraband do so in order to tap into state resources and, while such direct appropriation might be illegal (because it undermines public policies), it also relies on the assumption that citizens have a fundamental right to the country’s wealth, which derives from its subsoil, a view that Coronil (1997) has shown to be widely shared in Venezuela. Could smuggling therefore appear as a subversive way, for some Venezuelans, of claiming their rights as citizens, and specifically as a means for Indigenous people of becoming full national citizens (Allard 2019a; Schwartz 2021)? This is my central argument, but I also argue here that such a concept mostly holds on the Venezuelan side of the border, so that Warao people who cross into Guyana are sometimes confronted with fundamentally different assumptions about state resources and political communities.

The claims made by Warao people and other Venezuelans are not articulated collectively, and there is therefore always a form of ambiguity or indecision that remains. These claims must be read into their speakers’ practices and deduced from side-comments, and there are important variations. To summon an overused concept, those claims are mostly ‘infrapolitical’ (Scott 1990), which does not mean that they are lacking in political elaboration, but rather that they are effective only insofar as they remain covert. This is precisely why they escape the dichotomy between (liberal) individual citizenship and (Indigenous) collective sovereignty. However, while contraband may be read as a matter of ‘resistance’ to

control (a common corollary of infrapolitics), it also represents a form of ‘refusal’ of what is presented as a gift or a good (to borrow a concept from Simpson 2014). By selling subsidized fuel or food, Warao people reject expectations or stereotypes regarding the proper behaviour of authentic Indigenous people: they are not ‘original socialists’ (*socialistas originarios*), supposed to set an example for everyone else, but rather people who could profit from illicit trade and decide autonomously how they should consume and spend, even in ways considered morally wrong or politically deficient by others. In non-coordinated ways, they not only resist control, but also refuse others’ definition of how they should behave for their own good.

I will set out this argument in five steps. I start by discussing the separation of legality and illegality, which we find, for instance, in the idea that ‘outlaws’ are apart from the law: while it is well-known that illegal trade is often locally legitimate, especially in border areas and during times of crisis, it is equally accepted that contraband is also an unwanted consequence of the legislation – it is both distanced from and of the centre. I then move to the Venezuelan context, where contraband is more directly a means of accessing national wealth, even for (or especially for?) Indigenous people such as Warao villagers, who thus claim full citizenship. The implicit ideology that it belies, according to which everyone has an equal right to a share of the country’s wealth, should however not hide their highly variable involvement in illicit trade, that is, that the democracy of small-scale smuggling is highly relative. Such variations can partly be accounted for by the danger and uncertainty that affected Venezuela at the time of my fieldwork, and I will show that the blurring of boundaries that characterizes contraband was so pervasive that it affected social reality itself. Finally, I argue that many local residents also fight this uncertainty by engaging in the never-ending work of restoring boundaries, especially on the Guyanese side of the border where Indigenous people (some of whom identify as Warao) defend the (limited) sovereignty of their recognized villages.

Between local legitimacy and state legislation

Let us start with a simple and well-established fact: illegal activities are often locally considered perfectly legitimate or licit (Abraham and Van Schendel 2005, 4; Scheele 2009, 88). Although the smuggling of fuel and the *bachaqueo* for food were frequently denounced as criminal activities⁴ which, as I mentioned in the introduction, were said to exacerbate the

shortages suffered in Venezuela, most of my interlocutors considered it acceptable and even natural to take part in them. It had nothing to do with, for instance, robbery, which many Warao people condemned as a typically nonindigenous behaviour.

To my interlocutors, contraband represented a way of making a living, of accessing needed goods in a time of crisis, when consumption habits and expectations had suddenly been disrupted. The severe economic and political crisis that has affected Venezuela since the mid-2010s is crucial to understanding how illicit trade is justified. The public allowances that poor families had been increasingly receiving since the beginning of the century became practically worthless because of the high rate of inflation. Sometimes, as I witnessed when I conducted fieldwork in the Delta in early 2017, transportation costs that Warao villagers from the lower Delta had to pay, to go to get their allowances in the regional capital, Tucupita, were more than the actual amount people received, and they joked about the weakness of the 'hard Bolívar' (*Bolívar fuerte* or BsF) that was the currency at the time. However, unlike financial assistance, the real value of subsidized goods remained constant, and it therefore became crucial for most people to get some of them – either food or fuel.

Venezuelans received subsidized food through various state-controlled distribution circuits, and I will mention only one: Mercal – for *Mercado de Alimentos S.A.* – a chain of state supermarkets that had been established throughout the country in the 2000s. Warao people had to wait until 2014 to get a store in the lower Delta, however, which was precisely when shelves started to be empty in the rest of the country. The store was opened in Guayo (short for San Francisco de Guayo), a main locality of the lower Delta originally founded by missionaries in the 1940s. I stayed for long periods of time in a village in the vicinity, which I will call Burojo,⁵ whose members I accompanied during their weekly visits to Mercal. They could acquire basic food products at a low price – a price that inflation⁶ rendered comparatively even cheaper – and it was a privileged way of getting sugar or rice, which other stores in Guayo did not have anymore: it therefore offered a valued complement for people who essentially lived off fishing and slash-and-burn agriculture. Mercal also gave them a crucial opportunity, however: at least for a while, they could buy a pack of milk powder, whose consumption was not in their habit, but which fetched a high price on the interior black market. With the money they earned in such a way (Bs.F 6,000 for a kilo of milk powder that had cost them Bs.F 350),⁷ they could shop at Mercal the following week and often buy other goods that they actually wanted,

without being limited by government assumptions regarding their basic necessities. My host José and his wife Candida, in Burojo, were often very anxious about the products they would find during their next trip to Mercal: had it been resupplied, and would there be pasta, cooking oil and milk powder? Or merely rice and sugar? Conversely, they knew that selling the food was not the difficult part, and they answered my doubts by saying that government officials understood that the state of the country left them no other choice.

Fuel was the other subsidized commodity: distribution was entirely in the hands of state-owned *Petróleos de Venezuela S.A.* (PDVSA), and its price had not been raised for years. Everyone considered that a low price was crucial to individual mobility and to the transport of goods, especially in the Delta where motor-powered boats required people to get at least a couple of 200 litre drums whenever they went to the fluvial service station. The almost null price of fuel naturally made it very tempting to smuggle into neighbouring countries. It has been well documented at the border with Colombia, where land transportation allows very small quantities to be sold with profit (hence a *bachaqueo* of fuel, see Schwartz 2021; Beach 2018 and Chapter 5, this volume). In the Delta, on the other hand, people would pool their resources and transport up to a few dozen drums into Guyana, often using the long iron canoes that they had received through government-sponsored schemes in previous years. While I only occasionally visited the service stations when they acquired fuel, I conducted fieldwork in 2018 in a Guyanese area where they would land: Mabaruma, the capital of Region 1, and a neighbouring Amerindian village that I name Deepwatta (see Figure 3.1). The contraband of fuel had always been profitable, and each drum was sold for more than US\$100 (the currency used to discuss such deals in the border area). It became a vital activity, however, when the crisis struck Venezuela, since so many things were impossible to find there, smugglers would often come back with goods that they had bought in Guyana, rather than with money.

While contraband here cannot be understood without taking the crisis into account, it must also be contextualized in the longer history of the borderland, where, as a Guyanese Amerindian shop-owner from Deepwatta, grown slightly exasperated with my naive questions, put it: ‘smuggling is a way of life’. He meant that most business opportunities in the area had always been related to contraband, even if they had changed over time. While the smuggling that took place in colonial times was largely forgotten, everyone remembered that, in the 1980s, Guyanese were deprived of food products such as wheat flour

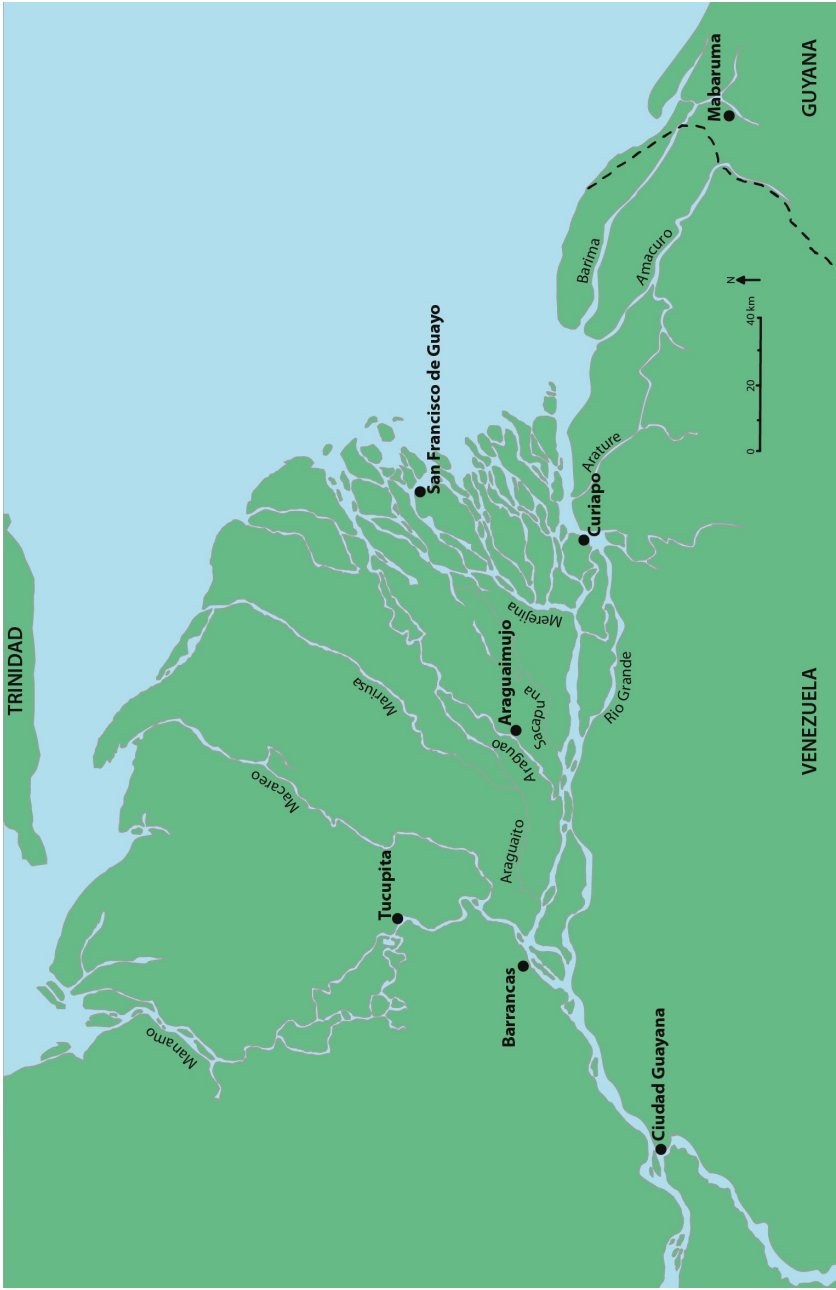


Figure 3.1 Map of the Orinoco Delta and the Guyanese-Venezuelan borderland, omitting the locations of 'Burojo' and 'Deepwatta' to protect their anonymity. © Olivier Allard and Nicolas Verdier.

or canned sardines ('banned items') by the self-sufficiency policies of then-President Forbes Burnham, and people had to get them illegally from Venezuela. They knew that the political or economic tide could change again, and that smuggling would remain central to the region. The special character of borderlands is sometimes acknowledged by authorities, which often tolerate contraband because they are aware that local economy and administration require it (Grahn 1997, 29). On the Venezuelan side of the border, border posts were poorly provisioned: although the military knew that people needed smuggled goods for their own consumption, they were themselves desperately reliant on them, sometimes handing smugglers on their way out a list of things to bring them on their way back – extortion could be disguised as care. On the Guyanese side, a measure was taken in 2014 to legalize the smuggling in of fuel from Venezuela, on the condition that a tax of GY\$5,000 (about US\$25) per drum was paid and that it was consumed in Region 1. It was so distant from the rest of Guyana that it was expensive to supply, and border contestation implied that legal trade with Venezuela was virtually nonexistent. By adopting such a measure, Guyanese authorities quite explicitly recognized that the prosperity of the region – and particularly of its mining industry – depended on smuggling (Tamboli 2019, 427).

While it is necessary to highlight the specificity of a crisis affecting a border area, it would be wrong to imagine that local morality simply exists 'outside the law', as if it constituted a kind of parallel world, anterior to and independent from official legislation. Various anthropologists such as Bocarejo (2018) have already challenged this implicit spatialization of legality and illegality. Indeed, since Beccaria's treatise *On Crimes and Punishments* it has been recognized that: 'The crime [of smuggling] is owing to the laws themselves; for the higher the duties, the greater is the advantage, and, consequently, the temptation' (1872, 127). It is not merely that the law creates a crime (which would not be a crime if it were not forbidden), but more precisely that state regulation generates the incentives for contraband. In Venezuela in the late 2010s, when shortages of basic products started to occur and prices were rising, the government reacted by instituting regulated prices, which it called 'fair' (*justos*), so that shopkeepers who did not respect them were accused of being profiteers who sold at 'speculative prices'. In order to monitor demand, those products were also rationed, so that it was, for instance, impossible to buy more than one bag of milk powder at a time – and, in Guayo in 2017, people were allowed to come to Mercal only once a week, and their shopping cart had been filled in advance. While fixed prices and rationing are a common answer to scarcity,

they generate the price differential and unfulfilled demand that make a black market possible and lucrative. Similarly, smuggling is caused by the border and the difference in legislation it creates (see Peraldi 2007), whether we consider the controlled sale of subsidized fuel in 2010s Venezuela or the ban on some food items in 1980s Guyana. The Guyanese Amerindian village where I conducted fieldwork used to be 'high bush' until the 1970s and only became populated, according to older residents, when people settled there to smuggle foodstuff from Venezuela – its territory goes up to the border and offers discreet routes between both countries. It is already well-known that a border is at once both a division and a bridge (Heyman 2009), and here it has a power of attraction precisely because it creates a differential: the village would be a ghost town if the border was totally closed, as a young sergeant posted there told me, and he agreed that it would also be the case if there were no border at all (for instance, imagining that Venezuela's territorial claims were satisfied and that the whole region became part of its territory, see Allard 2020). Both the smuggling of fuel and the black market for food are therefore direct, even though unwanted, effects of state legislation – but was it only that?

A claim on national resources

In early twenty-first century Venezuela, and in the Delta in particular, contraband was also a way of accessing state resources, and more precisely the oil-wealth of the country. This is highly specific to that time and place, and, for instance, it was not at stake when Guyanese used to smuggle food into their country in the 1980s. As already mentioned, illicit trade concerned products that were heavily subsidized by the state thanks to its oil production: people already benefited from the subsidies by consuming those products, but trading them was a way of converting the subsidies back into monetary form, that is to say to realize (in the financial sense) the value of what they had received, without suffering the consequences of inflation. As Guyer (2004) has argued, it is crucial to pay attention to what happens at thresholds of conversion, which are often highly contested.

Once again, it is necessary to highlight the significance of the crisis that has affected Venezuela since the mid 2010s. At that time, contraband became the only means through which Warao and non-indigenous Venezuelans could continue accessing the resources that they had been promised and that the government failed to deliver. This was

actually the latest twist in a longer history. In the preceding years, after Hugo Chávez was elected president of Venezuela in 1998 and launched his 'Bolivarian revolution', underprivileged Venezuelans had benefited from manifold generous social policies, from grants enabling adults to pursue their education (*Misión Robinson*) to collective productive projects run by 'communal councils'. Special attention was given to Indigenous people who, maybe for the first time in the history of the country, had the same rights as others, and even some advantages, in order to redress social inequalities (for instance being able to receive the old-age pension five years younger). In the Delta, it produced a radical change: within a few years, most Warao received cash transfers and goods to which they had scarce access previously, since they usually had to go into debt with local fishing bosses in order to obtain commodities – and they did not imagine it would stop so brutally. Those generous policies probably had their own roots in an earlier concept of the relation between Venezuelans and the country's rich subsoil. Coronil (1997) has shown the emergence, since the beginning of the twentieth century, of the idea that Venezuela is made of a social body (its citizens) and a physical body (its subsoil), which should ideally be made to coincide – so that political conflicts have often focused on the uses and (mis)appropriations of oil wealth. From that perspective, Chávez's Bolivarian revolution can be (partly) understood as the promise that everyone would share the resources (and power) that were previously monopolized by a minority, and this 'petro-citizenship' has been particularly meaningful for Indigenous people, as also described by Penfield (2019) for the Amazonian Sanema (see also Lauer 2006). In this context, *bachaqueo* and smuggling represent an insurgent way of demanding this promise to be fulfilled (Allard 2019a).

It is, indeed, as Venezuelan citizens that Warao people have claimed a right to this wealth. Although there had been some exploration in the past, no underground resource has been found in the Delta. Oil has historically been extracted from the western end of the country, while attention has more recently been drawn to the 'Orinoco Oil Belt' and the 'Orinoco Mining Arc', neither of which includes the Orinoco Delta itself.⁸ Most of my Warao interlocutors, in villages of the lower Delta, talked about the government's money or Venezuela's wealth, without ever mentioning its origin in oil. They might have been aware of it, but it was not of particular concern to them. When I discussed Venezuela's crisis with Burojo's headman, in 2017, he argued that it was caused by politicians stealing the country's wealth, which he deemed inexhaustible: there was nothing else to add. Although some of their practices and discourses were similar to those of the Añú, as recorded by Steven

Schwartz (2021), they have a very different meaning. Añú people live in La Guajira, in western Venezuela, which is the region of major oil extraction, and they have suffered its environmental consequences, so that their smuggling of fuel across the border with Colombia could be understood as a claim to control the resources of their own territory, a nascent sovereignty claim. However, it is difficult to argue anything of the sort about the Warao or inhabitants of the Delta in general: while some conflicts may have arisen regarding resource extraction (fishing in particular), what they obtained through contraband was access to Venezuelan national wealth.

I heard a very explicit – if somewhat surprising – formulation of such a view when I met, in 2018, a Warao man who had come to Guyana to sell a boatload of drums of fuel, as so many people were doing at the time. Speaking forcefully in Warao, while incorporating many Spanish words and sometimes sentences, he granted me a few minutes, although he was busy conducting business. He presented himself as the headman of a community of Warao who had settled outside of the Delta itself, in the garbage heap of one of the largest Venezuelan cities, Ciudad Guyana, which many Warao have visited to scavenge for clothes and other things over the past decades (Ayala-Lafée and Wilbert 2008; Sørhaug 2014). It gave them an easier access to fuel (whereas inhabitants of the lower Delta had to travel far to reach a service station), but they still had to deal with the authorities. My interlocutor assertively brushed the problem aside: they had reached an agreement with a General from the powerful Bolivarian National Guard, who agreed that it was their only source of income and that they were protected by ‘the law of the late president’. If some members of his community were arrested while conveying fuel, he could therefore confront the authorities and demand their release from prison. With this seemingly made-up or naive reference (to which I will return in the following sections), he stated that their involvement in activities usually denounced as illegal was in fact lawful: it was more than a mere question of local legitimacy.

I believe that this view was at least implicitly shared by state agents, even though they were often denouncing contraband, and Warao people knew not to take official discourses at face value. For instance, when they made their weekly visit to Guayo, the Mercal supervisor often reminded them that milk powder was for themselves and their children to drink, a valuable complement to their diet, otherwise the government would stop supplying it. But they never paid much attention to those admonishments: José and Candida joked that they were not stupid ‘*indios*’ anymore – a derogatory word they

sometimes use themselves in such a way – who did not know the real worth of milk. Paradoxically, following official guidance would not turn them into good citizens. And, although anthropologists of Amazonia have highlighted the importance of alimentary diet in defining identity (see Renard-Casevitz 1991), drinking milk – a nonindigenous food in Amazonia – would here make them more Indigenous. It appears that Warao people, even when they lived in villages of the lower Delta and spoke little Spanish, knew how to critically appraise official statements and policies.

Although many officials denounced *bachaqueo* and smuggling in their speeches, their behaviour, that is to say, the actual logic of the institution, said otherwise. In Guayo, I was struck by the very elaborate controls implemented at Mercal. When people came to shop, they had to show their ID cards, an employee would check that they were on the list of authorized customers, they would be called and given a token they had to hand to the cashier, the cashier also did a biometric control, ensuring that their fingerprints matched those registered in the computer; and a security guard would check their receipt when they left. I was impressed that people who came by canoe, usually paddling or sailing, had to go through such elaborate and technically advanced procedures. There was a stark contrast between such controls and the fact that, as soon as they left, they would sell the milk powder and cooking oil they had just legitimately acquired: the border guards did not prevent contraband at all – but were they really meant to? In practice, controls rather served to ensure that no one could buy twice, that no one got more than their share: everyone received exactly the same basket of food.

A similar interpretation can be made of the centrality of the (waiting) 'list' at fluvial service stations: '*la lista*' was the focus of much anxiety, as among the Sanema of Southern Venezuela (Penfield 2016), and suspicions of favouritism sometimes triggered violent quarrels. Fairness meant that people got fuel when their turn came, even though emergencies were in theory justifiable, for instance for medical reasons. Local authorities therefore made efforts to preserve peace by making sure that everyone got their share, rather than controlling what they did with it. Admittedly, the importance of fuel smuggling played a part in the decision not to reopen the fluvial service station of Tucupita, after it accidentally burned down in 2018. Was it really part of an effort to curb smuggling? Or rather that the place had become too disorderly because of the rivalry between buyers? Indeed, while controls served to ensure that everyone had an equal access to goods that could be smuggled, the fairness of the distribution was always contested.

The relative democracy of contraband

Small-scale smuggling is often described as ‘democratic’ by its very actors, for instance Añú people at the border between Colombia and Venezuela (Schwartz 2021, 511) or inhabitants of the Chad Basin (Roitman 2005, 29). Sometimes explicitly, people contrast it to large-scale smuggling practised by real criminals who have contacts well-placed within state administration and the military (or the other way around) (see Nordstrom 2007). This was a widespread view in Venezuela. The real thieves, those who were really plundering the country’s resources, were members of the emerging *Boliburguesía* (Bolivarian bourgeoisie). On the one hand, they could move huge cargos that dwarfed the tiny shipments managed by Warao or local nonindigenous people: the few drums sold by the latter could not have any noticeable impact. On the other hand, large-scale smugglers were in no way a model to emulate: they were thieves because, contrary to ordinary citizens, they appropriated more than their share. The opposition was certainly exaggerated – since there were also connections between small- and large-scale smugglers (Schwartz 2021, 510) and even Warao people would cultivate their contacts with the military – but it is undeniable that *bachaqueo* was a resource for the poor.

However, democracy is always relative, and we should be aware that such claims may hide major differences. Let us start with the example of Mercal. In Burojo, where I conducted most of my fieldwork, all permanent residents were allowed to shop at Mercal, men as well as women – if they had enough children, both parents were entitled to a basket, and single adults could also claim one. However, only members of communities located in a restricted area around Guayo had that right, which therefore amounted to a privilege. Soon after the opening of that branch of Mercal in 2014, customers started coming from further and further away, including nonindigenous people living in cities, because it kept on being supplied while other public and private supermarkets were struck by severe shortages. I was told that one had to come well in advance, and queue sometimes for an entire day and night on a stilted platform that was not made for such a purpose. The answer to this problem was to restrict access to Mercal to a limited number of communities whose permanent residents were recorded in a census. In a way, this restriction made *bachaqueo* possible (city residents could only buy milk powder from Warao from the lower Delta), but it also fuelled local tensions. Indeed, where was the line to be drawn, between communities considered as belonging to the vicinity of Guayo and others

deemed too distant? It caused strife with residents of villages that were as distant as Guayo from urban centres, and were equally Indigenous, and therefore complained that their exclusion was an unfair political decision.

Differences were even more marked with respect to fuel, since one theoretically needed an outboard motor, a boat, documents and money, as well as connections, in order to buy some. Community leaders and their families were privileged from this point of view, as well as larger communities that had attracted most of the governmental attention. Since distant river navigation is a gendered activity, in particular among the Warao (see Wilbert 1993), it is not surprising that most smugglers were men. Women therefore had less access to the benefits of fuel contraband, but it does not mean that they were systematically excluded. Indeed, gender equality had been a significant goal of the Bolivarian revolution, so that motors and boats had sometimes been granted to Warao women – in an effort to promote their political leadership and economic autonomy. And it was a success, at least with respect to contraband: at the river port of Tucupita, some of them were deeply involved in the smuggling of fuel, employing their male relatives as hands, managing the money and dealing directly with state officials.

Many Warao people nonetheless considered that smuggling was too dangerous. In Burojo, my host José was appalled when I mentioned that some other villagers had offered me to join them on their trip to Guyana: the canoe could capsize, the military could arrest us, and we could be attacked by criminals. There was indeed a growing insecurity in the Delta, and while subsidized food and fuel had become highly valued products, it also meant that they were targeted by criminal groups: smugglers could be robbed by those who did not have ‘legal’ access to subsidized goods, thieves who were violent and therefore unambiguously condemned. Even a trip to Tucupita, which they had made countless times, could be judged too risky: while some people took there the bags of milk powder and bottles of cooking oil that they had acquired at Mercal, knowing they could get a better deal just by offering them on the street, most preferred to sell to the itinerant traders who regularly visited their villages. The calls of ‘*wabimo*’ – ‘sellers’ in Warao, which refers to pedlars carrying all sorts of things – had been replaced by those of ‘*nisamo*’ (‘buyers’) or ‘*lecheros*’ (‘milkmen’, in Spanish), even though they were often the same people. Villagers had to negotiate hard: Candida for instance argued with a buyer that she knew quite well how much he would get for the bag of milk powder in Tucupita.

However, even though the price would be lower, selling to such intermediaries reduced uncertainty and risk.

Some Warao were even reluctant to go that far. In March 2017, while most villagers were eager to go to Mercal every week, anxious to know whether it had been resupplied, some older couples were avoiding it altogether, preferring instead to go in the forest to extract moriche palm sago. This is a resource associated with the Warao's past, which has also remained an emergency food, available when they flee potential danger by dispersing in the forest. If the Orinoco Delta in general is a zone of refuge that has hardly been colonized, the swampy islands of the lower Delta, where moriche palm groves are concentrated, constitute a refuge within a refuge (Allard 2019b). In a context of increased uncertainty, even going to Mercal was dangerous: the congregation of people coming from many different villages made sorcery attacks more likely. Teenagers found the gatherings exciting, because it gave them an occasion to flirt; but adults often complained that they had fallen ill after going shopping. Moriche palm sago extraction represented a way of procuring food while limiting social interactions and their dangers. Such a possibility is probably available to Indigenous people more than others, since they often still have the knowledge of a variety of forest uses, but it does not mean that they were stuck in the past. Candida's father, who had built a temporary shelter in the forest during my visit, was frequently visited by his son and sons-in-law: they were thus learning or recalling how to extract palm sago, but they also went to Mercal and had experiences of the nonindigenous world. As analysed by Gow (2018), Indigenous Amazonian sociality is often characterized by an oscillation between opposite movements of emergence and hiding (see also Kelly Luciani 2016), so that even those who favoured forest resources over contraband could reverse their priorities at a later date. The unequal involvement of Warao people in illicit activities is however largely explained by the increased violence that affected the Delta at the time, and I want to describe how it produced generalized uncertainty.

Boundaries blurred

Warao people and other Venezuelans have suffered violence at the hands of criminal bands, which multiplied in the late 2010s and are simply called *sindicato* in the Delta (short for 'crime syndicate'), but also at the hands of Venezuelan police and military, whose principal body is the Bolivarian National Guard, usually referred to as *guardias*. Indeed, legislation

adopted with the stated aim of fighting smuggling and the black market had criminalized ordinary activities: those who carried small quantities of food or fuel could be doing so for personal use, but any traveller caught with some food or fuel might be accused of illicit trade. While mutual support between kin was crucial to survival at the time, I heard many people complain that they could not take food to their relatives living in another Venezuelan state, or could not travel with a motor borrowed from someone else (since its documents would not bear their own name). What was the limit between personal consumption and commercial activity? In Guyana, a custom officer let a couple of Warao men pass with two drums of fuel without asking them to pay any duty because, as he commented, such a small quantity was for ‘personal use’ – even though they had only paddles and no motor, and were obviously intending to sell the fuel. Conversely, Venezuelan authorities were much more likely than Guyanese officials to harass people carrying small quantities, and they were barely disguising their threats of violence. Indeed, this is one reason why I often heard in Guyana that people were not ‘free’ anymore in Venezuela: they could not do as they wanted with their possessions, and their mobility was restrained by both *guardias* and *sindicato*.

The military were however not trying to prevent contraband, since, as I mentioned, it was often a source of their own supplies. They were mostly extorting a bribe or levying informal taxes on any cargo, warning they could seize all of it, or sometimes threatening to arrest people. In Guyana, I often overheard some Venezuelans comparing the number of *alcabalas* (checkpoints or tollgates) they had had to go through, and the number could be up to ten, between the *sindicato*, the army, the navy, the *guardias*, and the Guyanese customs. Their concern was that it reduced their earnings – sometimes to the point of making their activity barely profitable, according to some – but it did not matter who or what institution had stopped them: there was little difference between officials and criminals, between tax and racket. One of them commented, partly in irony, that Warao people who supplied smugglers with fuel in Ciudad Guyana had to pay US\$2 per drum to the local *sindicato*, since ‘it makes it more legal for people in the community’ – as if criminals enforced a law of their own.

The legitimacy of state agents may therefore always be called into question, to the point of making visible its very contingent nature: as Bourdieu (2012, 220–1) notes, taxation is merely legitimate extortion, and he stressed the need to investigate how it has become so entrenched that its origin is forgotten. But anthropologists often witness moments of crisis, when such a violent and arbitrary origin becomes palpable

again. Roitman (2005, 32) has explored how the power to seize wealth, in the Chad Basin in Africa, has been experienced as a 'right of state' that may also be resisted by ordinary citizens or enacted by non-state armed actors: distinctions are always being reconfigured. It is not merely whether a tax is legitimate or not, but whether it is actually tax or racket. Roitman describes how travellers who pass through official checkpoints may successively be asked to pay a toll by various people wearing a uniform or waiving a professional ID: among them, who is the true customs officer (Roitman 2003, 99–100)? Such uncertainty is however not limited to state agents and institutions. On the Guyana–Venezuela border, smugglers often justified their buying relatively large quantities of fuel with fishing permits, and it is said that they received authentic permits through their contacts in the administration, which led some local journalists to title a piece: 'The smuggling of fuel is now legal in Delta Amacuro'.⁹ It however implied that such permits were denied to others, so that officials in league with the smugglers 'have questioned the truthfulness of true fishermen', and the article concludes by reiterating its anxious question: 'who are the true fishermen? ... who are the fishermen?' – a repercussion of the doubt regarding the true military officials. Reality itself becomes uncertain when the legitimacy of state agents is thrown into doubt, since they do not guarantee its univocal existence anymore (see Boltanski 2012).

This pervasive blurring of boundaries explains how a Warao headman could refer to 'the law of the late president' to justify his involvement in the smuggling of fuel, even though he would probably have had trouble citing a particular act or decree. He was not being naive or ignorant, as could be imagined by contrast with Indigenous people in other countries who possess relevant legal knowledge (see, for instance, Coliaux 2019). I argue that he rather showed his good understanding that it was not always possible to distinguish between right and might, in early twenty-first century Venezuela, and that armed actors could bring up legal dispositions in arbitrary ways. He was in fact referring to general principles that reflected the balance of power: Indigenous people were now full citizens who did not have lesser rights than nonindigenous Venezuelans. They had always been loyal supporters of Chávez's Bolivarian regime, and those elements gave the Warao headman leverage in his negotiations with the military. Only some Warao people were however attempting to engage in this uncertain process. Others, as I mentioned, turned to forest resources, and many decided to settle permanently in Guyana to enjoy a more stable social environment, a goal that, I will attempt to show, required their active involvement.

Boundaries restored

Guyanese officials were unsurprisingly working to maintain or restore boundaries that were blurred on the other side of the border by the crumbling of Venezuela. The head of regional customs, for instance, reminded his subordinates that they had to give a receipt to traders who paid the tax on fuel imported from Venezuela – it was an official tax, not a bribe, even though I doubt that smugglers themselves cared about the distinction. Yet, more importantly, other local residents were also engaged in similar projects. Many people who had crossed the border from Venezuela as ‘refugees’ or ‘migrants’ (as they were sometimes called) wanted criminals to be prevented from entering after them: they wanted the border to be selectively permeable, but not to be nonexistent (a statement that also applies to smugglers), since they wished to move to a different state where they would be safer. As Reeves (2011, 920) notes with respect to Kyrgyzstan: ‘being bordered often *matters* intensely to those living at the border’.

In Deepwatta, people were often anxious about the possibility that *sindicato* members would pass undetected, since little distinguished them from other Venezuelans, and only those who had witnessed their participation in criminal activities could eventually identify them. One morning in 2018, I learned that the village had been deeply disturbed by the rumour that *sindicato* people had come in to attack and rob residents: those settled near the river connecting the village to Venezuela rushed towards its opposite end, which leads to the regional capital. The commotion was such that soldiers were sent to patrol at night, and even people in the national capital apparently heard about it on social media. The next day, the situation was calm again. The soldiers, frustrated by a sleepless night on the border, tried to investigate but could not reach any definitive conclusion: was it a false alarm? Or had they thwarted a dangerous attempt to infiltrate the village and the country? The border is a place of rumours and fragmentary information, impossible to check for people who, like the Guyanese soldiers (or me), could not cross to the other side. Yet, it is important to observe that many ordinary residents had expectations regarding the border and its workings: they wanted to be able to differentiate between Venezuelan and Guyanese territories, between lawful soldiers they could call on for help and corrupt ones who would extort them, between ordinary migrants that could cross and *sindicato* that should be stopped.

Contraband between Venezuela and Guyana was flourishing partly because there were many possible routes. Smugglers (and migrants)

could for instance reach the regional capital, Mabaruma, directly, but they could also enter an Amerindian village such as Deepwatta. In the latter case, they were getting into a different national territory but also into a recognized Indigenous territory. The route was less practical, since fuel that arrived by boat from Venezuela had to be carried across a swamp before being loaded onto trucks, but it had one major advantage. While there were soldiers stationed in the village, it escaped the attention of custom officers, and smugglers could therefore avoid paying the GY\$5,000 (US\$25) official tax. Village authorities however quickly reacted to the increased passage of smugglers by levying their own tax of GY\$500 per drum: it was decided by the village council and a councillor was appointed to check the entry point and collect the 'contribution' or 'donation', as they called it. It is strikingly similar to the situation, described by Galemba (2012), at the Mexico–Guatemala border, although the members of the community she studied built an actual chain to block the transit of trucks through their village. In Deepwatta, conversely, the appointed councillor was alone and unarmed, and the terms of 'contribution' and 'donation' have connotations of voluntariness, but the decision may be read as an act of territorial sovereignty (exercised not through smuggling itself, as among the Mohawk, but rather through its control, see Simpson 2014). The village has a right to control who and what passes through its territory, as much as the state controls the national territory – it makes democratic decisions through its elected council, and such contributions ensure that smuggling benefits the village as a whole and not some of its members only.

To be used in such a context, the notion of sovereignty must however be qualified in two ways. On the one hand, it is markedly 'nested' or embedded. Indeed, contrary to the Mohawk case analysed by Simpson (2014), from whom I borrow the expression 'nested sovereignty', it does not cut across states but rather is entirely encompassed within Guyana, so that boundaries are hierarchically organized in a statist way (Rubenstein 2001). The territory under consideration is not that of, for instance, 'the Warao' (who do not consider themselves a unified polity), but rather that of a specific Guyanese Amerindian village (in contrast to other Amerindian villages). Even more strikingly, a boundary stone, erected in 1901 to mark the border between then British Guiana and Venezuela, is located within the territory of Deepwatta. While the border has been contested by Venezuela since 1962, Guyanese Amerindian villagers saw it as their duty to look after the boundary stone and national flag: their being encompassed by and included in a national state certainly mattered.

On the other hand, expressions of local sovereignty relied on Guyanese legal tools and institutions: while residents of Deepwatta often described to me a rather absolute view of village sovereignty, arguing that the village council and headperson could even legally forbid government people from entering (which might be an exaggeration), they were justifying it with the 2006 Amerindian Act, that is to say national legislation. The idea of the village council being an elected 'body corporate' acting in the collective interest of the village, and of a territory that is strictly demarcated and held collectively, have been instituted by the legislation – so that, for some of my interlocutors, being Amerindian represented a legal status as much as a personal identity. Such institutions were, conversely, totally absent on the Venezuelan side of the border. Deepwatta therefore levied its own tax on fuel that was smuggled through its territory, but did so within Guyanese territory and through Guyanese legislation: in spite of some verbal affirmations to the contrary, local sovereignty was nested and limited. This is certainly why Guyanese state actors were tolerating it and not cracking down on smugglers who avoided paying the official duty by meeting the local contribution, or on village councillors who were collecting it. Those processes were negotiated because villagers needed to convince smugglers and travellers to respect their decisions, without regional officials or the military seeing local autonomy as a threat to their own authority.

Conclusion

An ethnographic perspective on contraband reveals how statist and official concepts may be challenged in various ways by ordinary activities, and especially how illegal activities may be pursued for legitimate ends. The differential created by an international border represented the main resource used by smugglers, but here it also introduced an asymmetry in the meaning of contraband. While I have started by stressing the legitimate character of smuggling in a borderland area, especially in a time of crisis, the notion of borderland should not mask the fact that there were some crucial differences between each side of the border. In Venezuela, Warao and nonindigenous people sold subsidized food on the black market and exported fuel to Guyana in order to reap the benefits associated with full Venezuelan citizenship, rather than wait for the goodwill of the authorities. They exploited side-effects of the legislation, as is always the case with contraband, but above all attempted to access

their share of national wealth – although the fairness of this distribution was hotly contested. In Guyana, conversely, there were no such connotation since the state only had, until the recent discovery of offshore oil fields, rather limited resources. But Guyanese Indigenous communities are also recognized entities, which enabled them to assert a collective control on smuggling that passed through their territory: on the one hand, it contrasted to the blurring of boundaries that happened in Venezuela; on the other hand, it could be read as a form of nested sovereignty.

In both cases, claims of citizenship or sovereignty are ‘smuggled in’, so to speak: they are mostly made in an implicit or covert way, which is, I believe, a condition for their success. This infrapolitical dimension enables them to avoid direct political opposition or repression, but it should not be understood as strategic manipulation. This is also how Indigenous people may express political claims when they are not constituted as ‘peoples’ in the sense of forming real ‘nations’. As Schwartz (2021, 516–17) argues, we should pay attention to the broad scope of their responses to state control, beyond those that belong to the repertoire of recognized political action, such as legal activism or direct confrontation, without assuming what Indigenous people are or should be. On the Venezuelan side at least, in the lower Delta, the political life of Warao people is characterized by dispersion, as is common in lowland South America (see Viveiros de Castro 2010), and contraband offered them an opportunity to make their claims in such a way. It is all the more important in highlighting the meaning of their acts that they were criticized both by state officials, who saw them as lacking civic sense, and by Indigenous activists, who denigrated them as incapable of organizing themselves. And yet, many Warao people refused to let others define how they should behave, and it is worth trying to recover the positive signification of those so-called deficiencies.

Notes

- 1 Merriam-Webster Dictionary, for instance, defines contraband as: ‘1. Illegal or prohibited traffic in goods. 2. Goods or merchandise whose importation, exportation, or possession is forbidden’. See <https://www.merriam-webster.com/dictionary/contraband>. Accessed 14 March 2024.
- 2 See, for instance, ‘En claves: Las consecuencias del bachaqueo’, 25 May 2015. <https://www.telesurtv.net/news/En-claves-Las-consecuencias-del-bachaqueo-en-Venezuela--20150525-0023.html>. Accessed 14 March 2024.
- 3 Such approaches are largely distinct from those that focus on ‘emergent’ sovereignties and their exercise of violence on bodies (see Hansen and Stepputat 2006) – whereas Indigenous sovereignties are often considered legitimate because they are said to predate colonization.

- 4 The *Ley Orgánica de Precios Justos* (21 November 2013, Gaceta Oficial no. 40.340, 23 January 2014) punishes the 're-sale of first necessity items', with a lucrative aim, with a fine and the seizure of said items, 'extractive smuggling' with a sentence of ten to fourteen years of imprisonment, 'speculation' (sale of goods and services at a price above that fixed by the authorities) with a sentence of eight to ten years of imprisonment, and so on.
- 5 *Burojo* means 'island' in Warao; I use made-up names for this community, for the village where I stayed in Guyana, as well as for all my interlocutors, in order to protect their anonymity.
- 6 Inflation estimates were above 250 per cent for 2016 and 2017, before hyperinflation in 2018 which peaked at 130,000 per cent. See IMF figures: <https://www.imf.org/external/datamapper/PCPIEPCH@WEO/VEN?zoom=VEN&highlight=VEN>. Accessed 20 March 2024.
- 7 Bs.F6,000 represented about US\$600 at the official rate of exchange and US\$2 at the parallel rate of the time. I however only want to give an idea of the relative price at which Warao villagers would buy and sell bags of milk powder. The differential between the official and parallel exchange rates was not really relevant in the area at the time, because no one could access US\$ at the official rate (except, according to rumours, high government officials).
- 8 There is, admittedly, small-scale gold mining in the Sierra Imataca, south of the Orinoco Delta, and Warao people who live in the area may either benefit from it (for instance selling food or carrying fuel) or, being threatened by gold miners, be forced to flee.
- 9 'El contrabando de combustible ya es legal en Delta Amacuro', <http://tanetanae.com/contrabando-combustible-ya-legal-delta-amacuro/>, 3 April 2017. Accessed 4 May 2017. The article is unfortunately not accessible anymore. I therefore give here the original formulations: the accomplices 'han cuestionado la veracidad de los verdaderos pescadores ... ¿Quienes son verdaderos pescadores? ... ¿Quienes son los pescadores?'.

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