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METHODS ARTICLE

The 'Arrangement' as Form of Life on the Mexico-Texas borderline: A Perspective on Smuggling

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This article aims to explain the smuggling of goods in the Mexico-US border from Wittgenstein's perspective on the worlds of life and language games. This work advocates for an approach that considers the diversity of circumstances, the hierarchical inequalities, the amalgam between actors and 'legal' and 'illegal' activities, and the 'arrangements' happening as part of the way each individual interprets whatever he watches, and what he and those he is interacting with are doing. This work is based on observations and interviews with merchants and customs employees that make 'arrangements.' The question to be answered is: what are the meanings and assumptions that make such 'arrangements' happen between merchants and customs employees, so that the goods can cross the border illegally? Based on Wittgenstein's perspective, this paper also tries to analyze the 'irony' resulting from the transformation of the 'arrangement' once the drug cartel members started participating in it.

Keywords: smuggling; forms of life; language games; Mexico's border; Texas border

1. Introduction

This article focuses on the specific interactions and arrangements reached by certain social participants to achieve the undeclared crossing of merchandise at the Mexico-US border. The initial assumption is that those intervening in such arrangements are part of collective operations (Becker 2009) because they share perspectives on how things must happen, and they act using not only legal but also moral frameworks, as reference.

As evidence, and based both on Wittgenstein's perspective on forms of life and language games and on Howard Becker's idea of collectivity, empirical cases will be presented on the different ways customs workers, merchants, and smugglers come to 'arrangements' (O'Day and López 2001) to carry out smuggling. More than describing how smuggling takes place, such as the steps followed to cross merchandise at that border, the main interest will be focused on answering: what are the meanings and assumptions that make such 'arrangements' possible? After answering this question, the next one will be about the changes in the ways such 'arrangements' have been happening lately, that is, since drug cartels' members have aimed to control all illegal flows of merchandise throughout the Mexico-US border.¹ By analyzing the latter, it is argued that the 'arrangement crisis' results in an 'irony' (Wittgenstein, 2003) for trade border crossers and customs workers.

This paper initially presents some contextual information and details about the research from which this article emerged. Subsequently, it explains the concepts of arrangement and forms of life, and finally, describes the several ways in which the agreement happens, and how these have changed with the drug cartels' intervention.

¹ In recent years the rate of armed murders, kidnappings, forced disappearances, extortion and drug trafficking increased throughout Mexico, and particularly in some states and regions, like the Tamaulipas border (Heinle, Rodríguez and Shirk 2016; Flores 2013; Izcarra Palacios 2012; Sonja 2011; Benítez 2009). As shown in this article, members of organized crime have come to control the flow of illegal merchandise through border customs. In this framework, on July 2020 Mexico's President ordered that customs be controlled by the Military (Camhaji 2020).

2. Methodology and context

Merchandise smuggling is an historical activity on the Mexico-US border which has historically involved different types of flows, merchandises and forms of organization (Bernecker 1993; Sadler 2000). Within this diversity, I recently researched the smuggling organization and marketing of *fayuca*² in Mexico, that is, merchandise for personal consumption, not illegal in the country, which is mostly traded informally in *tianguis*³ (markets) at the City of Monterrey.⁴ Many merchants travel every week to the Texas border⁵ to obtain *fayuca*,⁶ and are helped by *pasadores* (border trade crossers)⁷ and customs agents (also called '*vistas*') to organize the merchandise transfer.

The empirical information used in this article derives from an ethnographic research carried out between 2010 and 2018. Such research was not only related to merchandise smuggling since this was considered part of a broader economic and commercial organization, to which I refer as the '*fayuca*' economy. Observations, interviews and informal conversations were carried out as fieldwork with wholesalers, staff and 'trade border crossers' in the Texas border. It included talks with customs agents, who were also interviewed at the Tamaulipas⁸ border, and with merchants in Monterrey. This was inductive research, so the fieldwork was not aimed to cover a quantitative sample of total participants involved in the *fayuca* economy; it covered instead all the steps, spaces and operations involved in this economic setup.⁹ In this sense, fieldwork consisted of putting together the puzzle involved in the *fayuca* trade organization. The inspiring questions of this article emerged from observing how merchants, 'trade border crossers' and customs agents organize the crossing.

3. The Arrangement

In their 2001 research, Patrick O'Day and Angelina López proposed the term 'arrangement' to refer to the 'understanding' that took place between the state and civil agents in the border ports of the state of Tamaulipas. Merchandise smuggling derives from such 'arrangement.' For O'Day and López (2001), the arrangement involves a money transfer from one party to the other. However, in this article I hold that the 'arrangement' is much more complex. Among other things, the 'arrangement' is not an act performed by individuals in an isolated, sporadic or exceptional way. It is, rather, performed not only by those who individually cross a border, loaded with merchandise, but also by a customs agent acting on his own, forming together a two-way community: a) an active participation of several people to make the smuggling and trade activity possible, and b) the character of the normalization of the activity. Both concepts are explained.

² *Fayuca* is the term used in Mexico, particularly around the second half of the 20th century, to refer to smuggled merchandise through the United States border and later sold unofficially. Before 90s (NAFTA) trade opening, many household appliances, electronic devices, perfumes, toys and goods were acquired by middle-class Mexican consumers thanks to the *fayuquero* (*fayuca* seller) mediation. There are several explanations about the origin of the word *fayuca*, however, there isn't a convincing one. I advocate for the English word '*fake*,' which refers to many synonyms or figures that may well refer to what a smuggled merchandise represents: pretend, feign, falsify, simulate, fake, impostor, false, lying, fallacy, feint, fake (<http://www.wordreference.com/es/translation.asp?tranword=fake> Consulted May 23, 2016). Just like other words used colloquially in Mexico, *fayuca* could have emerged from the interactions between Mexicans and Americans.

³ *Tianguis* (a Nahuatl-origin term) is the name used for street markets in Mexico. There is no clear data about the amount of *tianguis* established each week in the City of Monterrey since this usually results from political exchange between trade unions and local authorities. From original research, it was possible to calculate that around 900 *tianguis* are established every week in Monterrey, housing approximately 150,000 stalls.

⁴ From the Mexican side, the research focused more in the Monterrey's metropolitan area, capital of the state of Nuevo León. Monterrey is the third largest of Mexico's urban areas and of the northern country. With more than 4.5 million residents, it is located 250 km from the Tamaulipas, Mexico border with the Rio Grande Valley (southeast of Texas).

⁵ Mainly to Laredo and McAllen. Some also travel to San Antonio and Houston.

⁶ Most of the merchandises currently entering without declaration through Mexico's northern border are: used clothes, general merchandise (cheap merchandise, of low quality, such as personal accessories, school supplies, toys and a very wide variety of other items), warehouse clearance retailers such as Walmart, JCPenny, Sears, ToysRUs, Macys, etc.), and used merchandise commercialized in flea markets and thrift shops. High volume smuggling usually includes new clothes. There is also trafficking of goods prohibited to sell in Mexico, such as weapons or fake versions of cigarettes or liquor, but this type of merchandise trafficking is not included in this research. According to reports from the Mexican government and business organizations (Chamber of Commerce, Business Board, among others), smuggling in Mexico generates 'losses' of more than 34 billion pesos to the economy. In this regard, consult, among others: <https://www.forbes.com.mx/pirateria-y-contrabando-dejan-perdidas-de-hasta-de-43000-mdp-al-anio/>; <https://www.proceso.com.mx/586368/el-sistema-aduanero-puerta-grande-del-crimen-el-sexenio-pasado>.

⁷ *Pasador* is the person in charge of transporting merchandise to the north to the south side of the border. *Fayuquero* is the *fayuca* seller.

⁸ Several states are located in the US-Mexico border. Tamaulipas is at the east side. There are 17 border crossings between Tamaulipas and Texas (Hernández 2020). The main border port for trade between Mexico and the US is located in Tamaulipas: Nuevo Laredo. (Sandoval 2012).

⁹ A Premises and Merchandise Census was carried out in more than 60 *tianguis* in Monterrey for this research, finding that most of the *fayuca* sold in *tianguis* is used clothes and shoes, as well as general goods (trinkets); and that some type of *fayuca* is sold in one of each three stands.

Several authors explain how smuggling is organized in different borders of the world, through the participation of several actors coordinated for this purpose (Ribeiro 2012; Gauthier 2009; Rabossi 2004; Peraldi 2001; Tarrius 1995). Regarding this collaborative participation and its meaning, it's interesting to consider Howards Becker (2009: 14–15), for whom everyone involved in a situation contributes to make it happen, since they all define what is 'bad' and what is 'good,' what is 'normal' and what is a 'deviation' based on the situation they're involved in. Thus, even when smuggling is carried out individually by a woman carrying goods in a handbag, the action happens because, in many border zones and for many groups of people, the smuggling and trade activity is, at the end, something routine.

The two meanings of collectivity just mentioned converge into one, when we understand that the smuggling organization, like many others acts of life, is based on social ties structured by relationships of family, ethnicity, shared region or nation, gender, buddies, friendship or any other forms of social cohesion operating under the framework of certain ethical or moral guidelines and values explained from the specific reality in which people live. This community implies sharing meanings and, then, forms of life and language games (Wittgenstein 2003). Under this framework, we can say that behind every crossing *à la valise* (Peraldi 2001), *ant* (Gauthier 2009), *fayuquero* (Sandoval-Hernández 2015a), *chivero* (Sandoval-Hernández 2015b) or *sacoleiro* (Rabossi 2004), there are forms of life, understood as social and cultural systems that, in the setting of cross-border trade, are built and reproduced with, and in the border. These forms of life imply 'ways' executed, in this case, by 'border participants' (van Schendel 2005: 46) that specifically and definitely organize merchandise trade, transportation and distribution. The 'forms', that is, are ways of waiting, looking, greeting, getting closer, speaking, explaining, requesting, asking (Wittgenstein 2003; Jacorzynski 2008), in other words, ways of doing.¹⁰

4. Forms of Life and Language Games

For Wittgenstein, the forms of life can be understood as the meaning built by everyday practices, meanings that at the same time explain the practices themselves. That is, the meaning of things is built from social practices, but at the same time, they carry out the frame in a sense that exists beyond them. Practices like negotiating, making arrangements, and smuggling or collectively organizing themselves to trade, 'constitute social structures that largely organize the way of interacting with a community or a broader social group' (Flores 2017: 13). These practices 'require a context and a meaning that allow actions to have meaning by themselves' (Flores 2017: 19). This context (understood as the 'cultural background of correct human actions' (Reguera 2009: CXVI), which in this case underlines the practices of trade, agreement and smuggling, is materially objectified at the international border. But the border is not only a material and legal context, but also a relative space (Sandoval-Hernández 2012) or 'social world' (Cefaï 2015), giving sense to, as Guez says (2016: 105), 'that tendency typical of all border people of making arrows out of every kind of wood, to earn a living'. According with Cefaï (2015), this tendency in the border life, could be rather understood as a perspective on the border, and from Wittgenstein as a 'seeing how' or 'flashing look' (Jacorzynski 2008:7), that is, seeing the border space from the different ways in which our life worlds make sense: if the border has a meaning for the state, this is only an 'aspect' of the sense in which people, from their forms of life, see the border. For the state, the border is like a traffic regulator, for some people it's like a barrier to cross. This 'seeing how' helps us to understand that many actions carried out in the border (like making arrangements) are seen as legitimate and 'normal' ways (Becker 2009) of relating and dealing with the law. That is, an agreement between the smuggler and the customs agent is seen by the state 'as' smuggling or corruption; but for merchants and customs agents can be seen 'as' an understanding called 'arrangement'.

5. Two scenarios in the arrangement

To reach an understanding we have to first share, the forms of life involved in the mastery of language games which, in turn suppose a series of rules that make sense to those who share those forms of life. It is then, when we can reach an understanding and therefore, an arrangement. That is the substantial framework we need to understand about why arrangements exist, why they happened in so different ways and mostly, why they appear as a normal and not as an unusual form or way.

¹⁰ It could be argued that to analyze the 'ways of doing' smuggling, instead of turning to Wittgenstein I could have turned to de Certeau, which will be covered in further research. I would say that, while the ways of doing things of *fayuqueros* and Customs Agents coincide with the 'consumers' (from de Certeau) regarding the 'dominated' they make on 'the laws' 'imposed differently from what the conqueror believed to obtain with them' and they subvert them 'not through rejection or change, but through their way of using them for purposes and based on references not related to the system from which they cannot' escape from (de Certeau 2000: XLII y XLIII); I am not interested on the nature of 'production' of the 'practices' (de Certeau 2000:37) is but on the crisis of the worlds of life in its form of 'irony,' a matter that isn't in de Certeau's agenda but in Wittgenstein's.

The arrangement happens between two or more parties identified in forms of life and language games. This happens in multiple scenarios¹¹ and I'd like to highlight two general types, one where two or more individuals identify themselves because they coincide in a given situation as partners in language games and forms of life; the other, where a group, besides identifying themselves like in the previous type, they are linked through social ties built beyond the encounter situation itself, a reason why they identify both as partners of a situation and as members of an 'us' (family, community, origin, legal entity –customs–, etc.).

The first scenario is the one I called *chivera*. In Mexico *chivera* is a woman (although it doesn't necessarily have to be a woman), who brings merchandise from the United States, which is later sold informally among their clients. In an ideal type, the *chivera* crosses the border alone or perhaps accompanied by a person and returns with goods that will be put up for sale later.

The *chivera* crosses the border to the north, buys merchandise and upon return, she is checked over by a customs agent with whom she has no previous relationship. During the supervision, the employee detects a quantity of merchandise greater than the allowed. Then, from a brief conversation, an arrangement arises because there is a coincidence between the two. However, in reality, the arrangement does not result from such conversation only but from the whole situation that involves a woman carrying a bundle or traveling on a weekday in a vehicle carrying a certain type and quantity of merchandise. The identification of both participants within the language game occurs due to the situation itself that we can objectify in the Customs checkpoint scenario. Both identify themselves as part of forms of life and language games, then they reach an arrangement. This is the normal thing to happen, and the opposite would be unusual.

The other scenario is the one I call *fayuquero*. A *fayuquero* is a smuggler that carries out smuggling in coordination with other partners and State agents (the Customs' *vistas*, police officers). Thus, the *fayuquero* crossing is the one arranged between a *fayuquero*, their partners and the Customs Agents. The specific situation of crossing and the direct interaction between the *fayuquero* and the Customs employee entails meetings, conversations or interactions previous to the crossing situation. Everyone's acting also implies a mutual understanding and empathy according to forms of life and language games, but also entails the existence of a social tie uniting them. This is the difference from the *chivera* type.

This union of social ties can be organic in the sense that everyone acts to reach a purpose, in this case, the crossing of merchandise; but it can also be mechanical. In the latter, it is about a specific quality that makes the illegal mechanism work. Not mentioned by O'Day and López (2001) is a social tie existing between the State agent and the civil agent which can become the background in a spatial encounter at the border. I'll explain myself.

The arrangement doesn't necessarily take place between two strangers. The civil agent and the state agent can know each other even before playing the smuggling language game. I consider with drug trafficking at the border works such as Guez's (2016) show how civil and state agents tend to know each other from childhood by having shared neighborhood or school life in a border city. When that's not the case, they know someone who knows them both, being this the meaning of the phrase 'everyone knows each other, here.' This can be a reality in the border cities of Mexico and even in the cross-border social space, especially for those who participate in trafficking, trade and smuggling careers,¹² sometimes for generations.¹³ If there's someone who knows us that means there's a tie with someone in common who is now uniting and forcing us to reach and abide to an arrangement. Furthermore, there can be ties created from the first arrangement experience (it may have forged a friendship or economic association between smuggler and customs agent) that last through long-term interaction.

6. Some examples

From interviews, informal conversations and observations, I present some cases that exemplify everything so far explained.

¹¹ A scenario includes logical behaviors, determined characteristics, a given meaning as well as significant symbols: 'By our logical behaviors, we indicate to ourselves and everyone else, which are the characteristics of the situation that counts for us, the ones that make and don't make sense... We adapt attitudes and acquire habits. Our perspectives are organized by the production, dissemination and use of *significant symbols*, which are updated in the activity and interaction games. In them we share the same reality, we understand each other, we do things together and we project ourselves together in action plans. In summary, *we live in the same social worlds*' (Cefaï 2015: 4–5). The translation is mine, the italicized is the author's text.

¹² According to Hughes (1937: 409), 'in a highly and strictly structured society, a race objectively consists of a series of status and professions clearly defined. In a less structured one, individuals have more freedom to create their positions or choose among several ones; similarly they are less certain of reaching any given position'.

¹³ Mendoza Rockwell (2012) makes as well, a very interesting analysis about the sense of belonging to the moral community of those who participate in drug trafficking in Altar, Sonora and the consequences of the intervention of participants not related to said community.

Pedro started working in the *fayuca* trade unintentionally. He started taking advantage of his leisure trips and visiting family that migrated to Texas years ago. One time, he brought back some articles as a favor to his friend, who sold them informally. The favor ended up being an interesting business for Pedro, since he soon learned that he could get cheaper merchandise in Texas than the ones offered in Mexico. Pedro started bringing and selling merchandise by himself, but he didn't know how to cross it through the border without paying the required fees. Little by little, Pedro explains his learning process:

At the beginning I threw myself to the deep end, we crossed the border without knowing what it was all about. We brought many things that due to regulations were not allowed in quantity...

Then we asked ourselves what we can do if we couldn't cross the product. My wife was always scared. I told her we should bring the stuff in quantity in the car and crossed through the declaration lane, 'everyone does it that way, even *fayuqueros* do it'. For example, a pickup truck full of *fayuca* pays like \$2000.¹⁴ A van pays 100 dollars at the first checkpoint and 100 at the second one. By going through the self-declaration area, everything is arranged so you don't have problems, because if you intentionally want to skip it [the declaration], your bribe can be refused, and if they get furious, they might fine you and seize your car, that's the worst scenario. I've known people that have lost their cars.

One individual, who helps me on small quantity importations, lost his car in 2001 because it was so full of jeans. They crossed through the regular instead of the declaration lane, he didn't declare and his vehicle was seized.

As tourists, we are entitled to import exactly 5 toys [dolls]. Then, based on regulations, we have enough passengers in our trips to import the number of dolls we directly require, that is, over the weekend at the store. Thus, the number of passengers is a limitation imposed by the Treasury Office to prevent people from importing too much, but it is a tactical rule that you cannot bring too much volume, otherwise, you expose yourself.¹⁵

According to what Pedro explains, the way to cross undeclared merchandise is pretending to respect the law, which is, crossing through the lane to declare merchandise for importation, pretending to have also a relationship based fairly on law, between the number of passengers in the vehicle and the number of transported dolls. Once both claims are satisfied (in Wittgenstein's language, ways of doing so), the third thing can then be claimed: come to an arrangement. Pedro's ambitions, which I consider more as perspectives or ways of 'seeing-as' (based on Wittgenstein's terminology), occurs in a social world that is 'a network of perspectives and perspectives of perspectives... with a distribution of roles and status, of shared languages of participation, an occupation of places and duties, a granting of privileges...' (Cefaï 2015: 2), implying certain forms considered legitimate and normal (Becker 2009), of relating and sort it out with the law. It's a language game everyone has to master, forms of life everyone should live, to reach an agreement.

Under the framework of Pedro's explanation, we can understand what Óscar, a used-clothing merchant, told me about the trip he made a few days before our first interview. On this regard, I wrote the following in my field journal:

He made the trip with his family last Saturday. He came back with three bundles of clothes of the right size to not be seen through the pickup window. At Customs, he was asked why he was bringing so many clothes. He told them it was for his children, that they had chosen it and told me that he, in fact, was bringing clothes his children could wear. He told me that crossing used clothing is smuggling. He explained me that when you cross, there can be a tolerance in relation to the days you spent in the US, that is, if you stayed several days, it was kind of logic to bring many clothes with you, but the logic has a limit, he said. The fact is that Óscar is not aware about the established quantities. At the end, Óscar asked for the customs agent's name and was given his card. Óscar did this because later at the checkpoint, he could get asked why he hadn't declared the clothing importation.¹⁶

Óscar didn't admit to me having given money to the customs agent, which is possible. Nevertheless, the interesting thing here is, once again, the series of perspectives which become part of conversations and interactions. First, for Óscar, and maybe for the customs agent and the law itself, the amount of clothes an individual can carry for a trip is not clear; consequently, this is a matter of perception. Second, Óscar traveled with his

¹⁴ Amount in Mexican pesos. On April 5, 2021, the US Dollar was listed in México at \$20.25 pesos per dollar.

¹⁵ Interview to Pedro, May 2, 2007. Monterrey.

¹⁶ Field journal dated October 15, 2007.

family precisely to be able to justify the crossing of used clothes he acquired in the border. The more people travel in the vehicle, the greater the amount of clothing being transported in a supposedly legal way. Besides, the clothes were mostly for young boys, just like Óscar's three sons. Despite all of Óscar's strategies, ambitions or perspectives, there is also the customs agent or '*Vista*' perspective. He, according to Óscar's testimony, didn't seem to be interested in proving the several days stay in the US by Óscar and his family. Actually, I am not aware of cases where customs employees request hotel or travel vouchers from people crossing the border to return to Mexico. Something simply not done or not usually done because it is not part of the language game of the arrangement. Second, the clothes Óscar had bought were used. Óscar had bought bundles of men's clothing, opened them and kept only the clothes that could be sold. All under the perspective of pretending it was for his children. But any '*Vista*' must know, that when taken out of the bundle, clothes are particularly wrinkled and can even have a certain smell. However, the Customs Agent does not seem to have noticed or rather, pretended not to have noticed it. Everything shows, I believe, an arrangement started from the fact that both the Customs employee and Óscar knew, each one, what the situation they were involved was about.

7. The *fayuquero* way

When a *chivero* merchant intends to cross lots of merchandise, it is usual to hire the services of *pasadores*, a fundamental personage for merchandise crossing, particularly in the *fayuquero* way. *Pasadores* are people in charge of transporting merchandise between the north and south sides of the border, a task for which they charge per transported bundle or by cargo volume. In addition, they take the merchandise to the city and merchant's address who requested the service.

Crossing of merchandise in trailers results from the arrangement made by trade border crossers and *fayuqueros*, preferably with customs agents already known, but since many are rotated after a while, the contact network sometimes has to be restarted in order to reach the right people. In this regard, José, a Brownsville trade border crosser, told me: '...you have to wait for someone you can make an arrangement with, since it cannot be done with all. There are some with whom you shouldn't even meet'.¹⁷ A customs agents explains how this happens:

It's just a matter of talking with the one in charge of the bridge *jale* [assignment]. You approach one and: 'hey, I'm looking for the person in charge' or 'I want to cross this, what can I do?' and they just tell you who to talk to. If they come to an arrangement, a time and number of vehicles crossing is then agreed on. A key tip is crossing at the exact moment of shift change.¹⁸

Customs checkpoint serves as a space for sporadic arrangements, but also for permanent ones. A customs agents explained:

People know customs' old employees. Even when customs closes, they let things pass... You make friends with old guards, with permanent employees that allow crossing little by little, who have their deals. They meet up with them [*pasadores* or *fayuqueros*], go for lunch or breakfast, and make their arrangements there. They are permanent.¹⁹

An example is the relationship between local residents of border towns or cities and customs employees. A customs agent who worked in a Tamaulipas Customs Office said:

There are several restaurants around there and their owners smuggled a lot of whisky and tobacco. They had an arrangement with customs agents, who could go to the restaurants with their family and everything, and wouldn't be charged. December was the best time for customs agents. They received, for instance, food, feasts, and goat meat.²⁰

As evidenced in other works (Guez 2016; Mendoza Rockwell 2012), both *pasadores* and *fayuqueros*, as well as State agents have in many cases, organized around ties of kinship, neighborhood or trust. They constructed the latter by dint of exchanging services in a thorough manner. These networks, consequently, can remain for generations because the operations covered by their members practically become trades inherited through socialization processes, which are part of the forms of life in the border.

¹⁷ Field journal dated August 10, 2015.

¹⁸ Interview with customs agent, November 10, 2018, Texas border.

¹⁹ Interview with customs agent, November 11, 2018, Texas border.

²⁰ Interview with customs agent, November 11, 2018, Texas border.

8. The threat 'irony'

As explained, the arrangement takes place preferably and peacefully in a language game where the legitimate use of violence is on the State agents' side. In this game, the arrangement is conceived as a beneficial act for both parties, which also works as a principle of appeasement and trust. That's why the arrangement might be an illegal but not a criminal activity. Far from it, it's an (il)legal activity (Ribeiro 2012) which occurs under the principle of peaceful relationships, mediated, I insist, by convergence in the worlds of life and knowing how to do trustworthy relationships (Peraldi 2001). When this principle is broken, the arrangement ceases to be such and turns into something else, as explained by an interviewed customs agent:

The smuggler usually arrived trying to make a contact and asking for help, requesting to be let through by exchanging money. But if you said no, then nothing could be done. After the changes, this was no longer possible. Now, instead of a request it was a threat: 'either let me pass or something will happen to your family'. And arrived with information about your wife, or your mom. My wife received calls... Or smugglers arrived with ten armed assholes, and we, the customs agents couldn't do anything, we barely had a 9 mm, we weren't prepared for this, nor knew how to confront armed people.²¹

The testimony first refers to the 'smuggler' which was a trade border crosser or a *fayquero*, but after that, when he says 'they arrived', it actually refers to members of some drug trafficking cartel. For him, there's a clear change between the 'help' request (that happens within the framework of a shared language game), and the act of threat. In fact, the customs employee also explicitly says: 'before, we had control. Now they have it'.

With his testimony, the customs agent makes reference to the change in language game. If before, the game was the arrangement, now the threat is the game, and this is then another game that doesn't involve the same form of life. And according to Wittgenstein, the encounter with new forms of life and new language games results in an 'irony,' which can be understood as a personal, individual and even existential crisis, since it turns out that the way in which the world has always been understood is neither the only nor the dominant one. In this regard, the fact that a customs agent who told about the threats received by members of drug cartels ended up leaving his job as a way of protecting his life and his family's, the 'irony' is not solely anecdotal.

Leaving the activity was a resource also followed by many *pasadores* that, upon receiving threats forcing them to work under the new rules imposed by drug traffickers, chose to seek another type of job. And those who resisted the change (threat) paid with their life. This was explained by a merchant of used clothing in Monterrey: '[before, the clothes] were brought by a *pasador*, it was always the same one, but the Reynosa mafia didn't let him cross anymore. He belonged to a group [of *pasadores*], but they weren't longer allowed to work and one of them, was even killed. We never heard from the one that used to come by.'²²

People involved in drug trafficking cartels demarcated routes, border crossings and even supply points of *fayqueros* and *pasadores* under threat. Thus, they modified the logics prevailing among groups of *pasadores*, one based in family, friendship and shared routes groups (Sandoval-Hernández 2015a), thanks to which trade border crossers could supply merchants regardless of their geographic location. With the arrival of threats, mobility was restricted, border crossings were distributed to specific groups, and the same with routes. On July 2015, while visiting a clothing store in the Texas border, I witnessed this situation. In front of the store's counter there were three signs with the name of about ten Mexican cities and next to each, of *pasadores'* names and phone numbers. If merchants wanted their merchandise to be transported by a *pasador*, they had to contact someone assigned to the corresponding destination. In such a time, a trade border crosser explained to me, in a low voice and on a corner of the used clothing store: 'You need an arrangement with those people. I've been doing this for 20 years and now I work with a boss. He is the one arranged with those people, the one who pays them. People receive the money and pay the *Vista*, and the *Vista* calls my boss and he tell us when we can cross.' Adding: 'If I want to go on my own, the boss will make me lose favor with the customs agents so he doesn't let me cross, besides, to cross you need to mingle with the people from there, and I'd rather not.' For this reason, 'we cannot bring any other thing, I can only cross bundles [of clothing], I don't even know who crosses cigarettes or tires. If you cross something else you get fined, or more, like my boss who was fined, around \$50,000, but he's the one that will ruin me.'²³

²¹ Interview to customs agent, November 11, 2018, Texas border.

²² Field journal dated March 16, 2011.

²³ Field journal dated July 20, 2014.

This *pasador*, who identified his employer as 'an average one' just for working with shipments that fit in a van, is the lowest of a hierarchy where there is now a boss, a customs agent and 'the people,' meaning drug traffickers. Their traditional way of working, organized in family, friend and neighbor groups who did not compete with each other, and negotiated directly with the *Vistas*, had changed drastically. This included the fact that they now speak quietly and hidden, about their job.

Conclusion

Analyzing the arrangement or smuggling from the forms of life and language games perspective allows us to rescue aspects usually ignored by explanations that, by limiting themselves to legal and normative issues, reduce the complexity of social action, which instead of being analyzed, is prosecuted. Using this perspective is also a way of approaching the intimacy of the collective practice (socially accepted and therefore legitimate) of smuggling, taking into account its perpetrators not as criminals or corrupted, but rather as people that act from their particular ways of viewing the world, and therefore carry out practices that have more to do with legal frameworks than with others of moral and social (collective) type. For this reason, this perspective also helps to observe the personal and social implicit consequences in the changes of forms of life. The incursion of the language game of threat supposes a lifestyle different from the one traditionally executed through agreements between *pasadores* and *vistas*.

The perspective of the language games and forms of life allows us to wonder what are the consequences, in terms of social trajectories, of life histories and social organization, when such primarily peaceful social institutions as the 'arrangement' (Ribeiro 2012) are disrupted through the use of firearms and threats from agents with other purposes than the mutual benefit implicit in the 'arrangement.' By analyzing the latter, it was observed how forms of life and ways of doing enter into crisis and adopt the form of irony. With threats, *pasadores* have their geographic mobility and types of merchandise they can cross limited; customs agents or *Vistas* can no longer see what is being transported to decide how the crossing will happen later. *Pasadores* who cannot 'cross' where they want with the merchandise they want and a *Vista* who cannot 'see' what is crossing the border are an irony. An 'irony' is also that a form of life consolidated in the community and mutual knowledge, is now based on threat. And that the *fayuca* trade continues to occur routinely and almost unchanged in the Monterrey *tianguis* is also an irony, an irony no one talks about and some even deny (as a taboo and dangerous topic) but that everyone acknowledges.

Competing Interests

The author has no competing interests to declare.

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