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# 10 (Re)spatialization and its Limits: Territory and Descent, Ideology and Pragmatism in Definitions of Citizenship

Title II of France's Constitution of 1791 begins with three articles on territory and citizenship: Article 1 states that the "kingdom is one and indivisible" and will consist of 83 *départements* (departments), each of them subdivided into districts in turn made up of cantons. Articles 2 and 3 proceed to link citizenship to "France". Even though they provide various routes to citizenship (descent, marriage, purchase, entrepreneurship, or naturalization), none is effective outside the nation's spatial reach. Individuals can be citizens because they are children of a French father, born *in France*; because they are children of a foreign father, born and resident *in France*; because they are children of a French father, born abroad, but having returned *to France*; because their ancestors left France for religious reasons, and they have now returned *to France*; because they were born abroad of foreign parents with no connection to France, but have lived *in France* and bought real estate *in France*, have married a native wife *in France*, or run a business or a farm *in France*; or because they have been naturalized and fixed their domicile *in France*.

There is a tension between this emphasis on territory as the main conduit of citizenship and the constitution's introductory remarks, which emphasize not just the equality of citizens, the abolition of privileges, and equality of access to public appointments, but also the freedom of all "men" to go, to stay, or to leave. Regardless of how precisely this tension was to be resolved, citizenship clearly had a strong spatial dimension in the perspective of the Constitution of 1791; moreover, another spatial dimension was left unstated in the text: the contrasting reach of equality and freedom in metropolitan France and in France's colonial spaces.

It is not very controversial to state that the French Revolution marked a turning point in the history of citizenship.[1] But is has become less easy to pinpoint where exactly the peculiarities of revolutionary conceptions and practices

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**1** See, e.g., P. Weil, *How to Be French: Nationality in the Making since 1789*, Durham: Duke University Press, 2008.

of citizenship lay and what their implications were in the medium and in the long term.

Classical readings of the evolution of French concepts of citizenship considered the territorial dimension – or, to put it differently, the respatialization of citizenship – as its most striking aspect. The emphasis on territory set French (and US) citizenship concepts apart from definitions that tended to highlight other aspects, like fealty, allegiance, or descent. French citizenship was often contrasted to German citizenship concepts, widely considered to have evolved in reaction against the revolutionary experience, with the long-term implication of creating pronounced inequalities within the national space between individuals set apart owing to their ancestors' migration history.[2]

However, much of the debate on the development of citizenship concepts, on citizenship and nationality legislation, and on the practical impact of state rules conducted since the 1990s has called this distinction into question.[3] The debate, for instance, has deconstructed the opposition between "French" *ius soli* (right of the soil) and "German" *ius sanguinis* (right of the blood) by demonstrating the importance of Napoleon Bonaparte's Code Civil for the formulation of Prussian citizenship laws. While recent work has been unanimous in highlighting the fact that it is more prudent to speak of varying citizenship laws and practices rather than of long-term traditions in the way citizenship is conceived, it has presented arguments both for moving the crucial turns in citizenship history forward, for instance by exploring the greater "nationalization" of social rights and the intensification of migration control from the 1880s,[4] and for moving it backward, by presenting arguments for the existence of clear normative concepts of citizenship in Ancien Régime societies.[5] This chapter will take up the debate on the reconceptualization of citizenship by first looking at the state of the debate on citizenship regulations in Ancien Régime France, then discussing the extent of respatialization during the French Revolution,

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**2** R. Brubaker, *Citizenship and Nationhood in France and Germany*, Cambridge: Harvard University Press, 1992.
**3** See, e.g., Weil, *How to be French*; D. Gosewinkel, Einbürgern und Ausschließen. Die Nationalisierung der Staatsangehörigkeit vom Deutschen Bund bis zur Bundesrepublik Deutschland, Göttingen: Vandenhoeck & Ruprecht, 2001; A. Fahrmeir, *Citizenship: The Rise and Fall of a Modern Concept*, New Haven: Yale University Press, 2007; D. Gosewinkel, *Schutz und Freiheit? Staatsbürgerschaft in Europa im 20. und 21. Jahrhundert*, Berlin: Suhrkamp, 2016.
**4** C. Reinecke, *Grenzen der Freizügigkeit: Migrationskontrolle in Großbritannien und Deutschland, 1880–1930,* Munich: Oldenbourg, 2010.
**5** E.g. T. Herzog, *Defining Nations: Immigrants and Citizens in Early Modern Spain and Spanish America*, New Haven: Yale University Press, 2003.

and finally examining the implication of this process (and its retrospective interpretation) for later conceptions of citizenship.

## Spaces of Citizenship in Ancien Régime France

In contrast to the Constitution of 1791, which envisioned a clearly demarcated national territory subdivided into administrative entities that did not overlap, the relationship between France's Ancien Régime monarchy and the geographical space it controlled was complicated. Control over an expanding territory was clearly a political goal, in fact the overriding political purpose of the monarchy. Though "glory", the all-important marker of successful monarchical rule,[6] did not follow exclusively or immediately from the size of a kingdom, there was no doubt that size (as well as population) mattered greatly. However, this control did not need to be exclusive. At borders, the notion of a line demarcating the territory of one ruler from that of another only emerged gradually over time, even in frontier zones where there were only two contenders and the extent of territorial claims was relatively clear.[7] At France's eastern borders, exclaves and enclaves were more common; in addition, there was an overlap between secular and ecclesiastical boundaries. In a sense, this was in consequence of the expansion of France into territories that had previously formed part of the Holy Roman Empire and represented an intermediary state of affairs that might well have disappeared over time even without the French Revolution. But it was also a reflection of the way rule was envisioned: a combination of complex relationships that oscillated to varying degrees between interpersonal ties of fealty and loyalty and hierarchical administrative relationships between a central state and its local representatives. With the latter, the direct relationships between privileged corporations, such as certain towns or estates, and the monarch were another complicating factor. Hence, internal administrative space, too, consisted of overlapping jurisdictions (or places left outside the administrative map), and the French monarchy contained a number of foreign possessions, with the papal presence at Avignon and the imperial duchies of Salm-Kyrburg, Mömpelgard (Montbéliard), and Saarwerden the most visible.

While bringing such foreign entities under control was a monarchical goal in principle, this aim was not necessarily combined with a precise statistical or

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**6**  T.C.W. Blanning, *The Pursuit of Glory: Europe 1648–1815*, New York: Viking, 2007.
**7**  P. Sahlins, *Boundaries: The Making of France and Spain in the Pyrenees*, Berkeley: University of California Press, 1991.

geographical knowledge of the kingdom available to the monarchy's central administration. Key data remained unknown, leading to complications with major construction problems like the Canal du Midi, for example.[8] One obvious issue was the degree of accessibility of some regions from Paris. While the integration of the kingdom by roads and postal links proceeded apace in the eighteenth century, considerable areas remained isolated.[9] Moreover, any attempt to provide the central government with a precise understanding of land ownership and, by implication, insights into local structures of governance encountered formidable difficulties. What was required was not merely a map of land correlating with a list of its owners, but a complex description of a variety of property rights subject to rapid change over time and only loosely correlated, if at all, with the formal rank of the primary owner of a given property.[10] The status of territory (and its administrative classification) could change for a broad variety of reasons, one of the more curious being whether the land was dry (used as open fields) or flooded (used as artificial ponds for the cultivation of carp); secular fields could turn into ecclesiastical domains by flooding and vice versa.[11]

Mapping the kingdom involved not just occasional voyages of discovery that brought local peculiarities to the attention of the royal administration. Such undertakings required the production of extensive tables that reconstructed or constructed the precise combination of rights and privileges that applied to specific territories and the persons found there, which might well be completely out of date by the time they had been completed. This fact became increasingly problematic in the run-up to the French Revolution. One reason was due to the growing prominence of debates on the significant differences in taxation and other impositions that invariably resulted from such arrangements. Another reason was due to the attempted resolution of such problems, namely the representation of the "nation" in Estates General, for which, as it

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**8** C. Mukerji, *Impossible Engineering Technology and Territoriality on the Canal du Midi*, Princeton: Princeton University Press, 2009.

**9** A. Bretagnolle, T. Giraud, and N. Verdier, "Modéliser l'efficacité d'un réseau: Le cas de la poste aux chevaux dans la France pré-industrielle (1632–1833)", *Espace Geographique* 2 (2010) 10, pp. 117–131.

**10** R. Congost, "Property Rights and Historical Analysis: What Rights? What History?", *Past & Present* 181 (2003) 1, pp. 73–106.; N. Fitch, "'Entrepreneurial Nobles' or 'Aristocratic Serfs'? Reconsidering Feudalism in Old Regime Central France", *French Historical Studies* 39 (2016) 1, pp. 105–143; P.M. Jones, "The Challenge of Land Reform in Eighteenth- and Nineteenth-Century France", *Past & Present* 216 (2012) 1, pp. 107–142.

**11** R. Abad, *La conjuration contre les carpes. Enquête sur les origines du décret de dessèchement des étangs du 14 frimaire an II*, Paris: Fayard, 2006.

turned out in 1789, no electoral map that met the demands for an equal and comprehensive representation of the national territory existed – thus reinforcing the perceived need for fundamental administrative reform. *Bailliages*, the entities chosen as the main electoral units, contained numerous enclaves and exclaves, that is to say villages located within the confines of one bailliage could be part of another, more distant one. The affiliation could also depend on the precise administrative context. To make matters worse, the monarchy ordered administrative boundaries redrawn in January 1789 for the elections of the Estates General, a dubious move that was contested in practice because it contradicted traditional privileges.[12] As it turned out, the difficulties that arose appear to have been handled pragmatically at a local level. They concerned who was entitled to attend which electoral assembly (deputies were not required to be residents of the locality or members of the estate they represented), and there is ample evidence that these questions were settled on the spot according to local custom – thus allowing, for instance, women or men under 25 years of age to participate, though they were excluded in theory.[13]

By contrast, the monarchy's social space was mapped in great detail at varying levels. The relationships of rank within the aristocracy were as well known as the degrees of proximity and distance within urban societies; both could, but need not, have something to do with the geographical distance between individuals' places of origin and the place where membership ties were crucial (a city or a court). Both could, but need not, bear some relationship to the geographical distance of territories to which a noble title was attached and the location of a court. Therefore, social hierarchies that created proximity and distance could be imagined in spatial terms and were acted out in processions, for example, where the lowest and highest-ranking participants commonly took positions that converted the distance of social prestige into physical distance.

The relationship between this type of social imaginary and citizenship is currently subject to debate,[14] and this debate has implications for the broader

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**12** M. Bouloiseau, *Cahiers de doléances du tiers état du bailliage de Rouen pour les États généraux de* 1789, Rouen: Presses administratives, 1957, p. XIV; R. Mousnier, *The Institutions of France under the Absolute Monarchy, vol. 1: Society and the State*, Chicago: University of Chicago Press, 1979, pp. 626f.; A. Forrest, *The Revolution in Provincial France: Aquitaine, 1789–1799,* Oxford: Oxford University Press, 1996, p. 41.

**13** C. Le Digol, "Verification des pouvoirs et incident électoral. Les enjeux de la mise en forme des élections (1789–1791)", in: P. Bourdin, J.-C. Caron, and M. Bernard (eds.), *L'incident électoral de le Révolution française à la Ve République*, Clermont-Ferrand: Presses Universitaires Blaise Pascal, 2002, pp. 45–60.

**14** Cf. P. Sahlins, "Sur la citoyenneté et le droit d'aubaine à l'époque moderne: Réponse à Simona Cerutti", *Annales. Histoire, Sciences Sociales* 63 (2008) 2, pp. 385–398.

narratives of the development of citizenship, which, somewhat paradoxically, is also its starting point. One way of approaching the problem of how to write a history of citizenship before the state has been to start from a modern definition of citizenship – that is to say, a set of norms that create rules for the inclusion of "citizens" and the exclusion of "aliens" – and to look for functional equivalents in Ancien Régime societies. For France, the *droit d'aubaine*, the law regulating the estates of *regnicoles* (subjects) and *aubains* (aliens) within the kingdom, seemed a plausible candidate for a precursor of "modern" citizenship of the type codified in the Constitution of 1791 and its successors as well as in the Code Civil of 1804. In theory, there was a significant distinction between *regnicoles*, that is to say individuals born within the confines of the monarchy (or "naturalized" subsequently), and *aubains*, that is to say foreign-born individuals. The distinction was that only *regnicoles* could inherit or bequeath property, while *aubains*'s possessions or claims went to the crown. In a meticulous study centred on those individuals who sought naturalization in France, Peter Sahlins documents the relevance of territory in this context as well as the range of exceptions that related to territory (e.g. exemptions for residents or bourgeois of particular cities), past and present alliances (the inclusion of Scots and subjects of other friendly powers), or local administrative exceptions.[15] Michael Rapport highlights that territory entered the picture in another way as well, for individuals exempted from the *droit d'aubaine* in France could be subject to special taxation if they removed property from the territory of the monarchy.[16] If one is prepared to accept that the *droit d'aubaine* amounted to "*nationalité avant la lettre*" (nationality before the letter),[17] and that this type of nationality had a strong territorial component, then territoriality may have reached a new apogee during the French Revolution, but it was not a novel development.

However, the view that *nationalité avant la lettre*, or indeed any consistent definitions of insiders and outsiders, can be found in Ancien Régime regulations in general and the *droit d'aubaine* in particular has been questioned. The most sustained attack has been mounted by Simona Cerutti, who argues that the *droit d'aubaine* is misconstrued when read as a proxy for citizenship. Working from a different set of sources on a different territory (notary records from the

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15  P. Sahlins, *Unnaturally French: Foreign Citizens in the Old Regime and after*, Ithaca: Cornell University Press, 2004.

16  M. Rapport, "'A Languishing Branch of the Old Tree of Feudalism': The Death, Resurrection and Final Burial of the droit d'aubaine in France", *French History* 14 (2000) 1, pp. 13–40.

17  P. Sahlins, "La nationalité avant la lettre: Les pratiques de naturalisation en France sous l'Ancien Régime", *Annales. Histoire, Sciences Sociales* 55 (2000) 5, pp. 1081–1108.

Duchy of Savoy), she argues that the difference between "natives" and *aubains* was linked primarily not to their place of birth, but to the presence or absence of local connections and the presence or absence of local status – that is to say integration into social networks that had little to do with physical space but could conform to the type of social maps described above.[18] Whether Cerutti's work is the last word on the subject is an open question,[19] but one key result of the debate is that the legal position of "foreigners" and "locals" was as uncertain for contemporaries as it remains for historians. Who belonged to which category vis-à-vis which particular individuals in a position of authority, and what the practical consequences of this classification were to be, was likely decided on an individual basis – even though there was also a commercialization of the social order, in that patronage came at a price known to and demanded by brokers, just as social status in the form of patents of nobility was literally up for sale.[20] In this sense, Cerutti's formulation that being "foreign" (a term she unfortunately does not, as far as I am aware, translate into the Italian of her Turin sources in her book) was a condition of uncertainty in the Ancien Régime is surely apposite, though the degree of uncertainty is subject to question.

When it came to defining allegiance, too, territory played a large role in theory. The allegiance of subjects was acquired primarily through their birth in the territory ruled by a monarch. Moving from the allegiance of one sovereign to another was difficult and at times expensive, and the effects of a change of allegiance were at least open to doubt: naturalization could be granted by one monarch or royal administration in exchange for fees or service, but whether it could absolve an individual of the duty they owed to their birth monarch entirely remained contested. The numerous officers who left their native territory to serve another monarch walked a legal tightrope, although the risk of being tried for treason by moving to another territory was negligible, which suggests that the relevance of allegiance tied to territory was less than the relevance of personal networks, rank, or status; the same was true of admission to urban corporations like guilds or access to local poor relief.

A third perspective on territory, membership, and space complicates the picture further, even though it also represents a sort of compromise between

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**18** S. Cerutti, *Étrangers. Étude d'une condition d'incertitude dans une société d'Ancien Régime*, Montrouge: Bayard, 2012.

**19** For a critical assessment, see P. Sahlins, "Sur la citoyenneté et le droit d'aubaine à l'époque moderne".

**20** S. Kettering, *Patrons, Brokers, and Clients in Seventeenth Century France*, Oxford: Oxford University Press, 1986; S. Kettering, "Brokerage at the Court of Louis XIV", *The Historical Journal* 36 (1993) 1, pp. 69–87.

Sahlins's and Cerutti's perspectives. It highlights a notable feature of the built environment of the Ancien Régime: the existence of walled towns typical of continental Europe.[21] The existence of fortified towns was not only intended to protect territories from foreign invasion,[22] but also had a large impact on everyday life both inside and outside their walls. Town gates were artificial but noticeable checkpoints and walls both suggested and represented a clear demarcation between inside and outside space. While the walls of garrison towns could be designed mainly to keep soldiers in, usually town walls were associated with attempts to keep the less orderly non-urban world out; hence they could be shut at night and leave travellers arriving late stranded or subject to fines. In terms of policed space, there was an obvious contrast between towns and the countryside thinly patrolled by the *maréchaussée* (military guard).

Control of territory was thus extremely uneven, and comparatively well-administered spaces alternated with those in which the monarchy was a relatively remote presence. Turning definitions of boundaries into practice therefore depended disproportionately on cities, which in turn meant that the regulation of the monarchy's territory tended to begin and end with the first and last town and that urban regulations had a comparatively large impact, creating a considerable degree of diversity both between town and countryside as well as between different towns.[23]

However, the distinction could blur in very large towns. Whereas neighbourly surveillance was key to enforcing rules like immigration regulations in typical Ancien Régime urban societies, in a metropolis like Paris other methods could be required. In this context, this lead both to more intensive professional surveillance by policemen and paid informers as well as to plans for systems of documentation required to distinguish between insiders and outsiders even within urban space – providing a potential blueprint for dealing with situations in which distance prevented identification by personal knowledge.

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**21** Y. Mintsker, *The Defortification of the German City, 1689–1866*, Cambridge: Cambridge University Press, 2013.

**22** An aspect of fortress architecture highlighted by C.S. Maier, *Once Within Borders: Territories of Power, Wealth, and Belonging since 1500*, Cambridge: Harvard University Press, pp. 56–72.

**23** See, e.g., H. Sonkajärvi, "From German-Speaking Catholics to French Carpenters: Strasbourg Guilds and the Role of Confessional Boundaries in the Inclusion and Exclusion of Foreigners in the Eighteenth Century", *Urban History* 35 (2008) 2, pp. 202–215.

# Respatialization?

The question is whether very much changed during the French Revolution. Certainly, uncertain boundaries and interstitial spaces became even more problematic. The quest for natural frontiers suggests that boundaries could become clear, definitive and comprehensive, doing away with exclaves and enclaves. This quest for certainty and definitive administrative units was also responsible for the initial conflicts between France and its neighbours, not least with the ecclesiastical territories in the western Holy Roman Empire, whose ecclesiastical jurisdiction and semi-public property extended well into eastern France. In terms of legal technicalities, as historians like Michael Rapport[24] and Patrick Weil show, normative texts distinguished natives from aliens following the implementation of the revolutionary constitutions, placing particular emphasis on the importance of a territorial connection to France and penalizing its absence. The documentation of membership or non-membership was reinforced by what John Torpey calls the "invention of the passport"[25] as well as by identity cards colour-coded for status (in red, white, or blue) in Paris.[26] Likewise, the mapping and administrative embrace of territory advanced apace.

Both processes were linked, in that the places where individuals required travel papers were defined by the new administrative spaces (and travellers outside their *canton* were considered sufficiently unknown to require proof of identity and permission to move). While the distinction between domestic and foreign space with regard to travel papers was gradual, leaving or entering the national space did require extra papers, fees, and permissions. In theory, therefore, citizenship was now linked more closely to a physical space, which was not merely an important criterion in determining citizenship, but which determined where citizenship mattered most and where it became precarious. At the same time, distinctions between metropolitan and colonial spaces largely remained intact, hardening and softening during different phases of the revolution and in different colonies. As the key marker here was the status of "natives" and "slaves", an issue closely anchored to physical space even during

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**24** M. Rapport, *Nationality and Citizenship in Revolutionary France. The Treatment of Foreigners 1789–1799*, London: Clarendon, 2000.

**25** J. Torpey, *The Invention of the Passport: Surveillance, Citizenship and the State*, Cambridge: Cambridge University Press, 2000.

**26** O. Faron and C. Grange, "Paris and its Foreigners in the Late Eighteenth Century", in: A. Fahrmeir, O. Faron, and P. Weil (eds.), *Migration Control in the North Atlantic World: The Evolution of State Practices in Europe and the United States from the French Revolution to the Inter-War Period*, New York: Berghahn, 2003, pp. 39–54.

the Ancien Régime, when slaves automatically acquired legal freedom in some judicial districts in metropolitan France. Under Napoleon, this distinction became firmly settled in law again, and even after emancipation it survived in the differentiation between colonies (and the Algerian departments), where "native" status continued, and metropolitan France, where it did not.

This changed, to a degree, with Napoleon's return to a more descent-focused definition of citizenship in the Code Civil, as Patrick Weil's careful analysis demonstrates. From 1804, the first indication of being French was being the descendant of a French father. Birth in French territory continued to matter as well, however; anyone who had remained in France after birth could opt to become French when he or she reached the age of majority, a possibility denied to foreigners born outside the country of foreign parents, regardless of the duration of their residence, requiring them to apply for the discretionary grants of admission to domicile or naturalization. In a respatialization perspective, this could be read as reducing the importance of space somewhat – while also reducing gradations of belonging between citizens, domiciled foreigners, and foreigners without domicile. However, the expansion and later contraction of French territory that occurred at the same time rendered the status of territory uncertain; after 1811, the acquisition of territories by France had retroactive consequences for anyone born there, prohibiting them from serving France's enemies. After the contraction of the French Empire began in 1812, the focus shifted, solidifying a link (usually by birth) to territory that had once been French or allied with France. As late as 1863, the attribution of imperial French decorations and pensions to veterans who had fought on the French side at Leipzig created major problems for the planned "national" German commemoration ceremony in the town by effectively excluding veterans from the left bank of the Rhine River, Bavaria, or – particularly poignantly – Saxony.[27] Such legislative and judicial decisions involved a respatialization of entire biographies, rendering anyone who had been born not just on the left bank of the Rhine River, but in Hamburg, Friesland, Erfurt, the Netherlands, or on the Croatian coast, potentially French.

While the 1811 regulations tied status to the connection between an individual and a geographical space at birth, other regulations that affected individuals in the same space had a different intention. Treaties regulating the punishment of deserters often introduced citizenship as a criterion alongside the place of birth, giving individuals the right to "return" to their "native" army regardless of where they served or which citizenship they held. Regulations

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**27** *The Times*, 21 October, 1863, p. 9.

governing the fate of former inhabitants of secularized monasteries attached the receiving of a pension to their presence in France, but at the same time they required those born outside France's borders to return to their places of birth – thus cutting them off from their allowance. It is often unclear how rules, particularly incompatible or contradictory rules, were implemented in practice; it has been argued that the reach of the administrative state remained highly precarious in rural areas and the country's periphery until well into the 1850s.[28] The timing and extent of these processes was a result of changing conceptions of governance and governments' desires to unlock their territorial resources through "the rationalization of the rural countryside"[29]; it was also determined, however, by the outcomes of numerous local negotiations in favour of or opposed to change; on balance, local negotiations often saw to it that rationalization remained nothing more than an aspiration.[30]

Perhaps the situation in France can best be characterized as follows: rational respatialization was an aspiration that directly and indirectly affected conceptions of membership. There were, however, significant limits to the consistency and implementation, reflected not least in the tendency to introduce various exceptions for specific groups in particular places and to alter rules retrospectively. This in turn followed from the shift from an emphasis on natural frontiers to the experience of fluctuating boundaries. Accordingly, respatialization involved two processes: reformulating norms and reconfiguring territory. This also involved domestic space. For military as well as for bureaucratic reasons, the Napoleonic period witnessed the first continued effort at the defortification of cities, dismantling walls as defences, and paving the way for their disappearance as points of control (even though the control and tax barriers around Paris and other cities persisted for considerably longer).[31] What was at issue here was the understanding that urban particularities had been abolished in favour of a hierarchical (in)equality of administrative units. Furthermore, the capabilities of the administrative state and its increasing personnel were now able to permit the surveillance of the entire territory to a similar degree – a degree that also rendered the specific surveillance

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**28** J.M. Merriman, *Police Stories: Building the French State, 1815–1851*, Oxford: Oxford University Press, 2005.

**29** Maier, *Once Within Borders*, p. 287.

**30** As discussed in E. Weber's classic *Peasants into Frenchmen: The Modernization of Rural France, 1870–1914*, Stanford: Stanford University Press, 1979; and, more recently, in J.C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, Cambridge: Harvard University Press, 2008.

**31** Mintsker, *Defortification*.

of borders at the point of their imagined lines superfluous because the state's bureaucratic embrace of foreigners and citizens alike could occur at the first point of control.

# Medium- and Long-term Consequences

As Patrick Weil and others show, the French model of citizenship exerted significant influence in continental Europe, directly being implemented in the Netherlands, on the left bank of the Rhine or in the seven Illyrian departments in present-day Austria, Slovenia and Croatia and indirectly as a model for Prussia and other states. In central Europe, the key issue that ultimately limited or delayed respatialization was the persistence of social distinctions and composite statehood. While administrative space was standardized along the lines of the Napoleonic model, issues of membership were initially regulated within the framework of multilayered systems in which distinctions derived from a social hierarchy and corporate membership played a large role. State citizenship was thus always mediated by membership in localities and/or issues of rank. Physical space was but one factor in determining domicile or citizenship. This distinction was even deeper in Russia, where rank and religion continued to be vastly more important than links to space.[32]

In Britain, by contrast, a strong focus on the importance of physical space for definitions of subjecthood contrasted with numerous exceptions concerning descent, particular occupations, or even specific property, which could grant access to similar or identical status in the eighteenth century. Here, the impact of the French Revolution and counter-revolutionary warfare sparked several developments: increasing attention to political loyalty when controlling access to territory as well as increasing emphasis on the importance of allegiance derived from territory, particularly where the United States and its recent immigrants from Britain were concerned.[33] However, in this case, too, the timing of respatialization was potentially contested. In theory, nothing or very little had changed – not least because the fundamental legal authorities for definitions of citizenship were said to date back to the early seventeenth century. In practice, a temporary increase in surveillance had led to greater awareness of the rules and their

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**32** E. Lohr, *Russian Citizenship: From Empire to Soviet Union*, Cambridge: Harvard University Press, 2012.
**33** D.R. Hickey, *The War of 1812: A Forgotten Conflict*, Baltimore: University of Illinois Press, 2012, pp. 5–27; Fahrmeir, *Citizenship*, pp. 42f.

potential problems. But the scope of the rules and the extent of "His Majesty's Allegiance" remained imprecise. Birth in territory subject to "His Majesty's Allegiance" bestowed the status of a British subject. But were semi-private territories like the East India Company possessions, or territories like Hanover, ruled by the same prince, but only for as long as the different rules of inheritance permitted, subject to this allegiance in the same way as England, Wales, Scotland and Ireland?[34] Moreover, the short- and medium-term consequences of the war produced additional territories, whose residents were placed in uncertain legal positions or spent periods under effective British control without acquiring rights, sometimes leaving curious legacies like the Nelson estate in Sicily.[35]

In a long-term perspective, yet another ambivalence emerges. The key normative respatialization of the French revolutionary era was doubtless the imagination of a space, defined in geographical terms, where the equality of rights among citizens was obtained. In this vision, foreigners were a problematic group. They could either be imagined as citizens-to-be, that is to say individuals who would adjust in ways that would ultimately pave the way for equality. Alternatively, they could be seen as visitors who entered the country to conduct business or for other reasons but whose ties to the national space were so tenuous that they did not need to be defined further. In the nineteenth century, however, this fragile link had its limits when it came to property – generally speaking, aliens' property rights were respected and enforced, and the protection of citizens' property rights was considered an important aspect of states' foreign policy. Finally, foreigners could appear as individuals of dubious loyalty, who were likely to place their own nation first and who thus had to be subject to surveillance, particularly in times of crisis.

Over time, suspicion of foreigners waxed and waned, and the treatment of enemy aliens in wartime differed from conflict to conflict – albeit with a general tendency to improve after the end of the Napoleonic Wars and to deteriorate once again in the second half of the nineteenth century. Ultimately, however, respatialization tended to replace the uncertainty of Ancien Régime distinctions with a division between citizens and aliens, division that was often blurred in practice but which remained a key point of reference. Perhaps the

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**34** T. Riotte, "Die 'Stepney Election Petition': Britische Staatsbürgerschaft und die Personalunion vor Gericht", in: S. Graf, R. Rößner, and G. Steinwascher (eds.), *Archiv und Landesgeschichte: Festschrift für Christine van den Heuvel*, Göttingen: Wallstein, 2018, pp. 297–307.

**35** L. Riall, *Under the Volcano: Revolution in a Sicilian Town*, Oxford: Oxford University Press, 2013.

fundamental importance of this normative shift is both particularly relevant and particularly visible today.

For example, regardless of its ultimate outcomes, Brexit shows that the respatialization of citizenship rights in multilevel systems of governance can prove precarious when its basis – the fundamental equality of territories that form a "union" – is suddenly called into question, an experience possibly not unlike the bureaucratic aftermath of the collapse of the Napoleonic empire, which rendered economic, political, and residence rights uncertain in the course of a process of rapid respatialization that left issues unresolved until well into the 1840s. And a recent process of respatialization and refortification not of cities but of entire countries harks back to some of the issues raised during the transition from corporate to territory-based rights. Some present-day states apparently find that, as they cannot restrict those rights on legal or normative grounds, they can use the link between rights and territory formulated in the 1790s to deny rights by denying access. Clearly, respatialization has come a long way, but many issues related to the revolutionary respatialization of citizenship are still with us.