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## The Citizen and the Vagabond: Key Figures in the History of Mobilities

The purpose of this essay is to explore mobility, and particularly the politics of mobility, through specific figures who are formed through and marked by their mobility and immobility. These are the figures of the citizen and the vagabond. The paper builds on the foundational work of Zygmunt Bauman and his discussion of the Tourist and the Vagabond. In his accounts, the focus is on levels of volition in the mobility of the figures alongside the pleasure, or lack of pleasure, associated with mobility. In my account, building on citizenship studies, the figures are mapped onto a continuum of power and participation in civil society and everyday life. The paper is illustrated by historical and contemporary case studies including the identification of vagabonds in Switzerland during the fifteenth century, the policing of black bodies in Florida four hundred years later, and the selective production of citizenship in Malta in recent years. These are framed within a wider account of the the politics of mobility from within the interdisciplinary field of mobility studies.

Keywords: mobility; citizens; vagabonds; politics; figures

### Introduction

The purpose of this essay<sup>1</sup> is to explore mobility, and particularly the politics of mobility, through particular figures who are formed through and marked by their mobility and immobility. These are the figures of the citizen and the vagabond. Before doing that, however, I want to make clear what I mean by mobility.

Mobility has become a key concept across the humanities, social sciences and arts thanks to the advent of what has been called the new mo-

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<sup>1</sup> While there is no previously published paper in this form, elements are taken from previously published work including Cresswell “Citizenship in Worlds of Mobility”; Cresswell “The Prosthetic Citizen”; Cresswell “The Vagrant/Vagabond.”

bilities paradigm or mobilities turn around the turn of the century. Mobility theory starts from the recognition that mobility had previously appeared as logically, morally and politically secondary to concerns that emphasised versions of fixity, boundedness and rootedness. The anthropologist Liisa Malkki referred to this as a sedentary metaphysics – a set of beliefs that prioritised rooted, bounded and relatively fixed spaces and places in a way that made mobility conceptually and politically suspect. Similar beliefs were identified by scholars such as John Urry and Mimi Sheller as being widespread across disciplines (Sheller and Urry). They asked, instead, what happens when we start with mobility rather than making it secondary to the arrangements of spaces and places? What if we take mobility seriously?

Drawing on the work of Malkki, Sheller, Urry and others, my take on mobility insists, in line with Henri Lefebvre's theorisation of space, on mobility as a social product. It includes three aspects that are almost always interrelated and never exist in a pure form: movement, meaning and practice (Cresswell *On the Move*). Movement refers to physical movement between locations. Like Lefebvre's representations of space, this refers to the dominant view of planners, governments and transport operators. It is usually quantifiable and often mapped. It is the lines and arrows that appear of maps to denote the size, frequency, speed, and direction of flows of people, things and ideas. Meaning recognises that movements are culturally and socially encoded. The lines on the map are never all there is. These lines are filled with significance. Travel and journeys, from the daily commute to the hike to the North Pole, are meaningful parts of our more than human life. This is exactly why journeys form the basis of so many of our stories from epic poems to modern novels. From *The Odyssey* to *Ulysses*. Mobile practice is the third element of mobility. Similar to Lefebvre's spatial practice, this recognises that we *do* mobility in both mundane and extraordinary ways. We walk, we drive, we sail, we fly, we crawl, we swagger, we march. How we do mobility makes a difference. These differences cannot be conveyed by the technocratic plans that only really convey movement.

So, these are the three aspects of a fully socialised and fully cultural notion of mobility. Mobility includes movement but also exceeds it. The relationship between movement and mobility is not unlike the difference between location and place. The dot on the map that marks location is transformed once we know the place it signifies. Mobility is to movement as place is to location.

The next step in my development of the idea of mobility is to recognise that it is totally wrapped up in power and politics (Cresswell, “Towards a Politics of Mobility”). This is true of movement. The lines and arrows on maps reflect established patterns of power. Where we can go, how often we go, how fast we go, what direction we go in – all these are dependent on who ‘we’ are and how ‘we’ are positioned in distributions of power. Movement, like space, is both an outcome of power and a tool in the production, reproduction and possible transformation of systematically asymmetrical hierarchies of power and privilege. Meaning, too, is saturated with power. Car ads sell us sex and prestige. Road movies convince us of the power of mobility as rebellion. We are convinced that mobility is about modernity, or progress, or, alternatively, it is about the forces that threaten to undo these things. A lot depends on what meanings mobility is given and who it is that authorises these meanings. Finally, practice is political. How we move tells us a lot about who we are in relation to systematically asymmetrical relations of power. Do we travel easily through the streets of the city or are we frequently stopped, whether walking or driving? These questions are entangled with race. Do we travel first class, or in economy, do we drive or take the bus, do we flow unimpeded through the airport or do we embark on a boat that is barely seaworthy to cross the Mediterranean or the English Channel? This, then, is the basis of an approach to mobility. Mobility is Movement + Meaning + Practice in the context of power.

It is with that in mind that I focus on two figures who illuminate the politics of mobility – the citizen and the vagabond. These paired figures draw on and are inspired by Zygmunt Bauman’s related discussion of the tourist and vagabond. Bauman used these figures in his diagnosis of the condition of postmodernity. The difference between the tourist and the vagabond, marked, in his terms, the “principal division of the postmodern society” (*Tourists and Vagabonds* 5). The tourist was the “hero” of postmodernity and the vagabond was the “victim.” They were united by their mobility.

Bauman contrasted both the tourist and the vagabond with the figure of the pilgrim. The pilgrim, to Bauman, was the mobile figure that best represented modernity – a figure who followed a known, linear path which was “orderly, determined, predictable, insured” (*Tourists and Vagabonds* 8). The travels of the pilgrim, Bauman tells us, no longer make sense in a world where time and space have become fractured and values uncertain – the world he elsewhere refers to as “liquid” (*Liquid Modernity*). In a liquid world, Bauman tells us, the postmodern strategy is to



avoid being fixed. Key to this identity is the tourists feeling that she is “in control” – that her mobilities are mobilities of volition, equatable with agency. They are also connected to pleasure as the tourist is a hedonist.

Avoiding being fixed is the strategy of the tourist – “the masters supreme of melting the solids and unfixing the fixed” (Bauman *Tourists and Vagabonds* 11). Bauman describes, or, perhaps, constructs, the figure of the tourist as a person whose mobilities are guided by whims and desires, who rarely connects in any meaningful way with the places she passes through. It is a life spent on the move and never arriving. Clearly, Bauman’s tourist is a figure that rarely maps on to actually-existing tourists. Bauman’s tourist is a figure to think with. The tourist, however, is not the only mobile figure Bauman thinks with.

But not all wanderers are on the move because they prefer being on the move to staying put. Many would perhaps refuse to embark on a life of wandering were they asked, but they had not been asked in the first place. If they are on the move, it is because they have been pushed from behind – having been first uprooted by a force too powerful, and often too mysterious, to resist. They see their plight as anything but the manifestation of freedom. Freedom, autonomy, independence – if they appear in their vocabulary at all – come invariably in the future tense. For them, to be free means not to have to wander around. To have a home and to be allowed to stay inside. These are the vagabonds; dark moons reflecting the shine of bright suns; the mutants of postmodern evolution, the unfit rejects of the brave new species. The vagabonds are the waste of the world which has dedicated itself to tourists [*sic*] services. (*Tourists and Vagabonds* 14)

The vagabond, in Bauman’s account, is the tourist’s mirror image. The vagabond shares the characteristic of mobility with the tourist. Mobility is what unites them. Their mobilities are also related – they provide services to the tourists. As with the tourist, Bauman’s vagabond is a figure to think with. He uses the term vagabond to refer to people who are compelled to move, and whose movement is necessary for the tourists. We might think here of the people, often immigrants, who work in hotels, or drive taxis, or clean airports. Every bit as mobile as the tourist, but otherwise opposite. The vagabond figure includes the migrants, asylum seekers and refugees.

Bauman’s account of the tourist and the vagabond is based on his claim that mobility has become the activity and value *par excellence* of liquid postmodern life. The twin figures show how a hierarchy of mobility exists, with the pure tourist at one end and the pure vagabond at the other.

They also reveal how forms and figures of mobility are functionally dependent on each other.

The vagabonds, the victims of the world which made the tourists into its heroes, have their uses, after all; as the sociologists love to say – they are ‘functional.’ It is difficult to live in their neighbourhood, but it is unthinkable to live without them. It is their all too blatant hardships that reduce one’s own worries to marginal inconveniences. It is their evident unhappiness that inspires the rest to thank God daily for having made them tourists. (*Tourists and Vagabonds* 15)

There is something anachronistic about Bauman’s use of the vagabond figure to discuss postmodernity. Few actually use the term vagabond to refer to migrants, refugees, or even the homeless these days. It is a term we are more likely to associate with Elizabethan England than we are with postmodernity.

Here, I am less concerned with diagnosing the condition of postmodernity and more concerned with deeper historical continuities that have led us to where we are. Bauman’s anachronistic use of the figure of the vagabond is suggestive, and I intend to consider this figure a little more literally and in relation to another figure formed through mobility – the figure of the citizen. While the continuum linking the tourist to the vagabond focusses our attention on agency and pleasure, the one connecting the citizen to the vagabond is centred on belonging and politics. As with Bauman’s work, I mobilise these historical characters as figures whose meanings are rooted in their histories and literal existence but whose significance exceeds these limits.

### **The Construction of Citizens and Vagabonds in Fifteenth Century Bern**

At the end of the fifteenth century, in Bern, Switzerland, inhabitants began to notice bedraggled strangers arriving from elsewhere, begging for alms. The population of the city at the time was something under 5000 people. Not a small village but certainly small enough to be a knowable community. These new people were not known. They were wandering strangers carrying with them the scent of other places. Something needed to be done.

In a fine-tuned evocation of the politics of mobile identities the Bern Council of 1481 decided to expel all poor people who were not citizens of

Bern (excluding pilgrims who were asked to move on more politely). A later edict of 1483 reiterated the wish to be freed of the wandering poor, this time picking out those wandering beggars who spoke French for particular loathing. This was repeated in 1503, 1510 and 1515. As well as wayfaring paupers, Gypsies, pilgrims and an assortment of other travellers were asked to leave – and to never return (Groebner 178–181). Clearly, the council of Bern was upset for over 30 years. They were upset by a group of people who were both poor and mobile. They had, of course, always been poor people in Bern and elsewhere. The problem was that these wayfaring vagrants were not locatable. They produced anxiety because they were not legible within the clear hierarchies and geographies of medieval Europe. This was a world in which everyone had their place both geographically and socially. The poor were tied to the soil both through backbreaking labour and through law. They belonged to places and it was the responsibility of those places to look after them. The Council of Bern, then, was responding to the mobility of the wandering poor. These were people without place and ‘masterless men’ (Beier).

All of the edicts from 1483 to 1515 in Bern demanded the expulsion of the wandering poor. But as the number of these wanderers increased it became increasingly difficult to tell who they were. They also had to be differentiated from (sometimes) legitimate wanderers such as pilgrims and merchants. In a small town, where everyone is known, this is not difficult, but as more and more wanderers turn up this becomes complicated. By 1527 the Council of Bern required all the deserving poor (that is the poor who belong to Bern) to wear badges identifying them as worthy of alms. The authorities kept lists of all those entitled to wear these badges. Forms of identification became a key tool in distinguishing between two kinds of people, two figures. One who belonged and deserved charity, and one who did not belong, and could be moved on. These events are outlined by the historian Valentin Groebner in his book *Who Are You?*, where he charts how the very notion of identity in a modern sense was invented in fifteenth-century Berne, where the supposed threat of the new mobile people led to the poor being issued identity documents to prove they were worthy of alms. By the middle of the sixteenth century similar ordinances could be found across Europe. From 1530, for instance, all those practicing beggars in England were supposed to carry a byllet (ticket) when begging for alms (Aydelotte 143; Groebner).

Across medieval Europe authorities responded to the presence of the wandering poor by differentiating the worthy (because local) poor from their wayfaring (and thus unworthy) counterparts by issuing forms of

identification to those who are legitimate and refusing such identification to those who were not. Such a strategy also required forms of regulation in the form of people who could check identification and then punish or expel those who were too mobile. Punishment could be harsh, ranging from expulsion to branding and whipping. In 1571 those who were unfortunate enough to be caught in Bern having already been expelled were branded on the forehead with an iron cross (Groebner 115).

In these early appearances of the vagabond, in Bern and elsewhere, we can trace how this mobile subject was brought into being as a nightmare figure for a settled society – “the advanced troops or guerrilla units of post traditional chaos” as Zygmunt Bauman has called them (*Life in Fragments* 94). We can see how the vagrant became central to the construction of particular laws. These vagrancy laws would travel across the world over several 100 years. We can see how particular kinds of mobile subjects were given identities through papers, badges and other forms of identification that became necessary to the process of labelling. We can see how practices and technologies of surveillance were brought into being to keep the new enemy in view. We can see how the process of identification took the form of primitive biometrics via branding. All of these are reflected in aspects of life today; they continue to identify and bring into being suspicious, mobile subjects – dangerous travellers – alternative mobilities. The vagrant is there in the increasing number of anti-homelessness laws that are proliferating in the twenty-first century (Mitchell). He’s there in the biometric passport, he is there too in the iris scanner and fingerprint reader. The vagrant continues to haunt the nightmares of the modern state. Nightmares which frequently feature the threatening traveller, the unworthy wanderer practicing unwanted ingress.

In reaction to the newly mobile poor such as that in Bern we see how new relations of mobility were being formed. Certain kinds of mobility were being formed both in relation to other forms of mobility and in relation to investments in place-boundedness. In Bern, if you had the right document, you possessed a form of identification that suggested you were worthy of alms and were allowed to beg. If you had no papers then you did not. Groebner argued that the act of begging was central to the creation of what we now know as modern identity papers. Mobility was central here as it was only the mobile strangers arriving in ever-larger numbers as the systems of feudalism broke down that provoked the need to be certain who someone was. The emergence of a class of wandering poor went hand in hand with the emergence of the merchant as a figure at the heart of new forms of trade over long distances. The mercantile class de-

pended on new forms of legitimate mobility and circulation. Our notions of belonging and citizenship changed as the scale of authority over correct and incorrect mobility moved from the city to the new nation-state (Torpey). A key part of this was the establishment of identities in the literal sense of your ID – the papers that prove that you are you. Importantly this was not purely about individual identity – but group membership. If you had the right papers you belonged and could move freely. If you did not, your mobilities were immediately suspect. You could be moved on or punished. This was one place where the identity of the citizen was being created through its differentiation from another mobile identity – that of the vagabond, or vagrant.

### **Policing Black Bodies in Jacksonville, Florida.**

About 400 years after the edicts of Bern, two black men, Jimmy Lee Smith and Milton Henry, were waiting, one cold, weekday morning, for a car a friend had promised to lend them on a street in downtown Jacksonville in Florida. They needed the call to apply for much needed employment in a produce company. Smith worked off and on in the produce industry and helped to organise a local black political group. Henry was an 18-year-old high school student. On that morning, Smith had no jacket, so they went briefly into a dry-cleaning shop in the hope of staying warm. They were soon asked to leave. Still fighting the cold, they walked up and down the street looking for their friend. Seeing Smith and Henry pass by their store several times the store owners became wary of the two companions and called the police. Two police officers searched the men and found neither had a weapon. Nevertheless, they were arrested due to the lack of identification on the two men and distrust concerning their story. They were arrested on a charge of vagrancy according to the Jacksonville ordinance code 26–57 which read:

Rogues and vagabonds, or dissolute persons who go about begging, common gamblers, persons who use juggling or unlawful games or plays, common drunkards, common night walkers, thieves, pilferers or pick-pockets, traders in stolen property, lewd, wanton and lascivious persons, keepers of gambling places, common railers and brawlers, [405 U.S. 156, 157] persons wandering or strolling around from place to place without any lawful purpose or object, habitual loafers, disorderly persons, persons neglecting all lawful business and habitually spending their time by frequenting houses of ill fame, gaming houses, or places where alcoholic beverages are sold or served, persons able to work per but habitually liv-

ing upon the earnings of their wives or minor children shall be deemed vagrants and, upon conviction in the Municipal Court shall be punished as provided for class D offenses. (Jacksonville Ordinance Code 26–57, qtd. in District Court of Appeal Florida 156)

The case of Smith and Harris came before the Supreme Court of the United States of America on 8 December 1971. They were named in *Papachristou v. City of Jacksonville* (District Court of Appeal Florida 156) as two of eight defendants who had been convicted in a Florida Municipal Court of violating the vagrancy ordinance. The conviction had been affirmed on appeal by a Florida Circuit Court. Their co-defendants had been convicted on charges of vagrancy as well as “being a common thief,” “loitering” and “prowling by auto.”<sup>2</sup> The U.S. Supreme Court overthrew the convictions on the grounds of the ordinance was too vague and encouraged arbitrary arrests at the hands of an unfettered police force. Their decision was informed by a working knowledge of the history of vagrancy law that had been imported wholesale from medieval England. These are the words of Judge Douglas.

The history is an often-told tale. The breakup of feudal estates in England led to labor shortages which in turn resulted in the Statutes of Laborers, designed to stabilize the labor force by prohibiting increases in wages and prohibiting the movement of workers from their home areas in search of improved conditions. Later vagrancy laws became criminal aspects of the poor laws. The series of laws passed in England on the subject became increasingly severe.... the conditions which spawned these laws may be gone, but the archaic classifications remain. (District Court of Appeal Florida 161–162).

In fact, vagrancy laws had been used in the United States for over 150 years. *Papachristou v. City of Jacksonville* had become a well-known case because it pointed out the absurdity and archaic nature of such laws that effectively allowed police to decide what kinds of activities would fit the term ‘vagrant.’ Vagrancy was a crime of identity rather than identification of a particular action. In the years following 1972, most states and Canada abolished vagrancy laws and replaced them with new codes specifying kinds of behaviour most often associated with the homeless. The Safe Streets Acts of Ontario and British Columbia passed in 1999, for instance, criminalised ‘aggressive’ soliciting, and the unsafe disposal of needles

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<sup>2</sup> “Prowling by auto” is not listed in Jacksonville’s vagrancy statute but the Florida District Court of Appeal had construed this as a variant of “wandering or strolling from place to place” in a previous case.

and condoms. In effect they reintroduced vagrancy laws through the back door (O’Brassill-Kulfan).

We can see here how the figure of the vagabond casts a long shadow over the history of mobilities. The figures created by the edicts of Bern, and in Elizabethan England were encoded into law as vagrancy acts and these vagrancy acts became globalised through the mobilities of empire. It was moments such as the creation of Bern’s edicts, and the vagrancy laws of England, that fed into the laws that were used to stop and arrest Smith and Harris. The vagabond figure haunts any number of moments in which people’s mobilities are deemed suspicious – often leading to arrest, incarceration, and even death. What *Papachristou v. City of Jacksonville* illustrates is how mobilities have been racialised. The vagabond has become black. Black mobilities, and particularly the mobilities of black men, have been frequently described and treated as suspicious and threatening. Black men and women are more likely to be stopped while walking or driving in the United States and elsewhere. Often, they are incarcerated and sometimes, as we have seen all too often, they are killed. The link between vagabondage and race was quite literal in the American South during both the period of slavery and in the years following the emancipation of enslaved black people. Vagrancy acts were used to arrest free black people and effectively re-enslave them as criminals who could be sold into servitude or forced into labour – effectively enslaving them again. Similar uses of vagrancy statutes occurred in the West Indies as Demetrius Eudell has shown regarding the laws surrounding the end of slavery which made departure from the estates on which they had been slaves prohibitively difficult. Lisa Lowe has shown how vagrancy laws were used in Hong Kong in the mid-nineteenth century by colonial governments to prosecute the dislocated peasants from China who were labelled as outcast transients. “Vagrancy,” she writes, “was an available category through which the colonial state could manage the Chinese population by disciplining and dividing ‘good’ workers from ‘bad’ vagrant” (121). As with the edicts of Bern, the twenty or so ordinances passed by the Second Governor of Hong Kong, Sir John Francis Davis, used techniques of governance including registration lists and passes to control the mobility of the vagabonds – in this case, Chinese people – both within Hong Kong and across its borders. The Chinese, for instance, “were required to carry a registration card at all times and faced imprisonment or deportation if not registered” (124). Lowe shows how the ordinances were used to “legislate Chinese colonial difference” (124) and they did this largely through the governance of mobilities.

In all of these cases, and particularly in the attempt to define Smith and Harris as vagrants, the process of definition is conceptually and practically linked to the status of the mobile figure of the citizen. While vagabonds are those who move about and are unable to give a satisfactory account of themselves, citizens are those who are lawfully entitled to move, both within the space they are citizens of, and across borders according to international law. Moving freely, or being stopped, are the attributes of citizens and vagabonds. They exist in relation to each other. In so far as literal citizens are not able to move freely either within the space they are citizens of, or across its borders into other spaces, then they are experientially and politically something less than citizens. The experience of Smith and Harris, and the experience of countless other black and brown people reveal how citizenship as a legal identity and citizenship as lived are often at odds. In addition to racialised others, homeless people, gypsies and travellers, LGBTQ+ people, disabled people, and many others are frequently treated in ways that make citizenship a dubious notion. The citizenship scholar, Engin Isin, has noted how the citizen figure is produced through a logic of othering rather than a logic of exclusion:

The logic of exclusion assumes that the categories of strangers and outsiders, such as women, slaves, peasants, metics, immigrants, refugees, and clients, preexisted citizenship and that, once defined, it excluded them. (3)

The logic of othering, on the other hand, suggests that the citizen and its others came into being as part of the same logic, simultaneously. Thus, in the Greek Polis, “slaves were not simply excluded from citizenship but made citizenship possible by their very formulation” (Isin 3). Even within the logic of othering there is a binary of citizen and other. In the citizenship literature a number of other figures have been formulated to interrupt the either/or logic of citizen/alien. ‘Shadow citizens,’ ‘barely citizens,’ and ‘insurgent citizens’ are all ways of describing people who are legally citizens but are not treated as such – they all focus our attention on notions of spatial and mobility justice (Sheller).

Critical geographers have subjected the abstractions of citizenship and rights to a number of critiques (Blomley and Pratt; Bullen and Whitehead; Chouinard; Desforges et al.; Kobayashi and Ray; Painter and Philo; Peake and Ray). The observation that the seemingly universal figure of the citizen operates within particular spaces links these different critiques. Critical geographers argue that we need to consider the uneven distribution of citizenship rights as they are lived in situ, paying attention to how the spatiality of social life places some individuals in Linda Peake



and Brian Ray's terms "at the margins of visibility for justice" (184). In addition to this are the realities of the material production of different mobilities (Cresswell, "The Production of Mobilities"). The entanglement of citizenship and rights naturalises mobility as the property of individual, moving, able-bodied citizens. The idea of a freedom to move, for instance, assumes a certain kind of normal body with access to the resources to do so. These assumptions produce "shadow citizens" such as the mobility-impaired, disabled person. Geographer Vera Chouinard has outlined the spaces of shadow citizenship for disabled people in Canada where, in her words, the "law as discursively represented and law as lived are fundamentally at odds" (165). Black people frequently inhabit these spaces.

Black people in major cities across the West are far more likely to be stopped by police due to racial profiling and the mythical crime of "driving while black" (Bloch; Harris). In post-9/11 London, people of Middle Eastern appearance are increasingly stopped by the police on suspicion of activities associated with terrorism. Racial profiling also appears to take place in airports in Western nations where non-white people are frequently stopped and searched at customs or before boarding a flight. Black bodies have been, and continue to be, constantly surveilled, stopped or asked to move on as Simone Browne has persuasively shown in her book *Dark Matters* that traces histories of techniques and strategies for controlling the mobilities of black people, including the slave ship, the branding of enslaved people, slave passes, and laws that mandated the carrying of candles after dark so that black people could be seen.

In the majority of cases, the shadow citizens may be legal citizens but the inhabitation of this category and the rights that come with it are mostly meaningless in everyday life. The shadow citizen inhabits a world which is neither the polis of the citizen nor its excluded other. Their legal status of citizen makes little difference and seems ineffectual in the face of the possibilities open to the denizens of gated communities and elite spaces of flow. They are a product of an uneven material geography of power.

### **Producing Citizens and Vagabonds in Malta**

This brings me to my final story – a story of two journeys that brings us right up to date in our exploration of the role of mobility and immobility in the production of the citizen and the vagabond.

The first journey is instigated by a Vietnamese businessman. Let's call him Dahn. This particular journey involves the flight of his private jet from Hanoi to Malta International Airport, just southwest of the Maltese capital, Valetta.<sup>3</sup> Dahn himself is not on the plane. He sends one of his gaggle of personal assistants. The Hanoi-Valetta route is not well travelled but it is a route that has a particular utility for a businessman such as Dahn. Dahn is one of the global 0.1 percent. He is very wealthy. On board, with his assistant, is some important paperwork. Dahn wants to rent a villa in Malta and he wants to do this as soon as possible. It is not that he desires frequent holidays on the Mediterranean island. He simply needs to sign a lease on a property – a property that will remain empty. The goal is not the property but the reward that will come one year after the lease is signed and Dahn can claim residency. In the following year Dahn will find time in his schedule for a brief visit to Malta in order to claim his residency card. He will spend no more time in Malta over the next year. Once residency has been established, after twelve months of leasing an empty property, this super-elite avatar of a global world will visit one more time to claim the passport that comes with citizenship of Malta and, more importantly, the European Union. To qualify as a “resident” under the “Individual Investor Program,” Dahn will have to make a contribution of 650,000 euros to the Maltese government and acquire 150,000 euros of stocks and bonds in Maltese companies. He will also have to prove he has health insurance. Needless to say, he does.

The journey of Dahn's assistant on his private jet is Dahn's response to a scheme that the Maltese government hopes will raise 2 billion euros which equals 25% of the island's GDP. It turns out that the two times the new citizens must visit the island is a dramatic improvement on an earlier version of the scheme where the global elite could simply pay. The residency requirement is a new hurdle they must cross. Dahn was alerted to this opportunity by a German business colleague who sent him a link to the scheme which was described in the following way on the website of “Identity Malta” – the office that administers the programme:

The Individual Investor Programme is designed to attract to Malta's shores applicants who can share their talent, expertise and business connections. It is the first citizenship programme in the European Union to be recognized by the European Commission.

Applicants are subject to a thorough due diligence process which guarantees that only reputable applicants acquire Maltese citizenship. Moreover,

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<sup>3</sup> This story is based on the article by Jenny Anderson.

applications from countries where international sanctions apply may not be accepted. Applications from a particular country can also be excluded on the basis of a Government policy decision.

Malta offers great opportunities to applicants of the IIP and their families, including a high standard of living, a stable political system and a robust economy.

The IIP is your chance to be part of Malta's success story.

Let's call our second traveller Mohammed.<sup>4</sup> Let's say he is from Ethiopia. Mohammed does not have a private jet. Instead he pays a smuggler 1000 euros to get him from Libya to Malta. Mohammed was part of a minority political grouping in his home country and his life is now threatened. His journey to Libya overland through Sudan took days on top of several overcrowded trucks through desert landscapes. At various points along the way he was strip-searched by Sudanese authorities and bandits who robbed him of his few remaining possessions of value. On several occasions he was beaten with spades. In Benghazi he was briefly locked in a shipping container while his captors waited for money to arrive. When it arrived, he was moved to Tripoli where he transferred 1000 euros to a smuggler for a place on a boat to Malta.

Eventually Mohammed was placed on a small, barely seaworthy boat with dozens of other refugees from Syria, Somalia, Mali and Eritrea, all of whom had made similarly tortuous journeys. What followed was a week at sea, sleeping on deck, with diminishing food, water, and fuel. Many of his companions died along the way and were thrown into the sea.<sup>5</sup> They had joined the over 5000 deaths that had occurred in the Mediterranean in 2016. Eventually the boat arrived near the Malta Freeport where Mohammed and the remaining passengers were forced to wait five hours before disembarking. Mohammed had not been able to move or exercise during the journey and could not stand up without extreme muscle pain.

Mohammed was moved to the Hal Far Immigration Reception Center, built on an old Royal Air Force base. Despite its name, Hal Far is actually a detention centre and Mohammed was to spend six months there before being moved to Ta' Kandja – a cage-like detention centre with dry rot and mould on the walls in an old prison with only the most basic facilities. He

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<sup>4</sup> While this story is fictional, it is based on narratives such as these: "Rahel's Journey from Ethiopia to Libya"; Cacciottolo; Konate.

<sup>5</sup> There were 5,143 recorded deaths in the Mediterranean Sea in 2016 according to the United Nations' International Organization for Migration ("Mediterranean Migrant Arrivals").

is likely to be there for over a year, spending 22 hours per day in the two dormitories, before his fate is decided (Mutwira).

Perhaps, during one of Dahn's brief visits to Malta, he found himself within a few miles of Mohammed. It is highly unlikely they ever met. They inhabited different worlds. In 2017-2018 Dahn would have been one of around 330 people who applied to the Malta Citizenship by Investment Programme in the year (see Chetcuti). In 2012 Mohammed would have been one of 2,775 people arriving by boat. Recent years have seen fewer migrants in detention as Malta dropped its automatic detention policy following an agreement with Italy in 2015, which agreed to disembark all migrants rescued in the Central Mediterranean. Despite their differences, these two journeys are connected. In both of these cases, geographies of citizenship are tangled up with meanings and practices of mobility, as well as emerging senses of borders as things which are being relocated and multiplied in such a way that they can no longer be simply reduced to the black lines on a political world map (Rumford).

Dahn and Mohammed are both attempting to become citizens of the European Union. The idea of the citizen has, of course, long been attached to two geographies, the geography of a particular place or territory that the citizen belongs to (originally the city-state, then the medieval market city then the nation-state in the classic formulation) and a geography of mobility. The citizen belongs to a place and is able to move within that place and across its borders (Cresswell, "Citizenship in Worlds of Mobility"; Cresswell, "The Prosthetic Citizen"). It has increasingly been argued that those geographies are being reconfigured. One form of reconfiguration is the new global elite for whom, it is argued, national boundaries are becoming less and less important. These are the private-jet owners – the inhabitants of a smooth space of flows in which bodies move alongside capital at a global scale. Another form of reconfiguration, as we have seen, is the vagabond shadow-citizen who is increasingly incarcerated within ever more limited worlds. For the vagabonds, even being a member of a nation-state does not appear to bring the full parcel of rights you might expect.

This question of the meaning of borders and the meaning of citizenship has become particularly acute in the European Union where the promotion of mobility as an ideal has been matched by the removal of internal borders (particularly in the Schengen zone) and the strengthening of external borders. Etienne Balibar, the French political theorist, has argued that the whole of Europe has become a "borderland" in which the external borders have been replicated internally along lines of race and national

identity such that some Europeans (ones with dark skins mostly) experience borderness as part of daily life – not just at an actual political border. What is happening in Malta is part of this process of “bordering” and the reconfiguration of geographies of citizenship.

Malta is simultaneously the site of the European Union’s first and only approved citizenship-by-investment programme *and* an important site of a “fortress Europe” policy of mass incarceration of African immigrants arriving, uninvited, by boat. On 12 October 2013, the BBC reported the Maltese Prime Minister Joseph Muscat as saying that the Mediterranean was turning into a cemetery due to the number of Africans who were drowning in and around Malta during attempts to enter the European Union. “I don’t know how many more people need to die at sea” he said, “before something gets done” (“Mediterranean ‘a Cemetery’”). Part of Muscat’s complaint was that the European Union was doing nothing and leaving it up to Malta (and Italy) to deal with what was an EU problem. Between then and now the issue of dangerous attempts by Africans and Syrians to migrate in unseaworthy and overcrowded boats has become many times worse. Muscat attempted to have some of the migrants flown back to Libya against their wishes. Malta, he pointed out, is an island with 400,000 people that was struggling to deal with tens of thousands of uninvited guests. Now, they are stuck within a unique regime of mandatory detention. The states of the EU, meanwhile, do not want the immigrants either and effectively use Malta in its historic role as fortress island. The geographer Alison Mountz has been examining this use of islands as sites for the management of global migration – where the process of ‘bordering’ gets relocated “offshore.” Malta becomes part of what Alison Mountz calls “the enforcement archipelago” – a collection of islands that includes Guantanamo, Christmas Island, the Canary Islands and Lampedusa.

The situation in Malta illustrates the increasingly stark politics of mobility in today’s mobile world. In one case we see a set of laws made up to encourage Maltese and thus EU citizenship based on money and a spurious notion of residency. On the other we see the policing of citizenship through the outsourcing and offshoring of border construction. Malta is a semi-permeable membrane. The Maltese *Immigration Act* that regulates the African arrivals defines a group known as ‘prohibited immigrants’ – immigrants who are not authorised or whose authorisation is invalid because they are unable to support themselves or their families (Government of Malta 6). Once labelled in this way the immigrants are issued a “removal order” which requires that they are removed from Malta – an action that cannot actually take place. Any person with a removal order

can then be detained. In contrast, the chief executive of ‘Identity Malta’ wants to attract what he calls the “real high flyers” in order to “add value to our country” through the enrolment of their ideas and networks. Clearly there are other networks they would rather not be part of.

While Bauman diagnosed postmodernity through the figures of the tourist and the vagabond, I have chosen to focus, instead, on the citizen and the vagabond through an exploration of the edicts of Bern, *Papachristou v. City of Jacksonville* and the politics of mobility in present-day Malta. Both the citizen and the vagabond are figures who are partly defined by their mobilities, mobilities which, as I have shown, exist in relation to each other and combine to illuminate the politics of mobility. Their entangled careers show us how mobility exceeds the technicalities of movement and plays important cultural and political roles in the production, reproduction and transformation of systematically asymmetrical power relations that are informed by distinctly geographical imaginations. These imaginations construct mobility as both a right which is embodied in the figure of the citizen and a threat that is embodied in the figure of the vagabond.

## References

- Anderson, Jenny. "Malta Citizenship and Perks for a Price." *New York Times*, 1 May 2015, pp. B1 and B7.
- Aydelotte, Frank. *Elizabethan Rogues and Vagabonds*. Clarendon Press, 1913. Oxford Historical and Literary Studies 1.
- Balibar, Etienne. "Europe as Borderland." *Environment and Planning D-Society & Space*, vol. 27, no. 2, 2009, pp. 190–215, <https://doi.org/10.1068/D13008>.
- Bauman, Zygmunt. *Life in Fragments: Essays in Postmodern Morality*. Blackwell, 1995.
- . *Liquid Modernity*. Polity Press, 2000.
- . *Tourists and Vagabonds: Heroes and Victims of Postmodernity*. Institut für Höhere Studien (IHS), 1996. Reihe Politik-wissenschaft 30.
- Beier, A. L. *Masterless Men: The Vagrancy Problem in England 1560-1640*. Methuen, 1985.
- Bloch, Stefano. "Policing Car Space and the Legal Liminality of the Automobile." *Progress in Human Geography*, vol. 45, no. 1, 2021, pp. 136–155. <https://doi.org/10.1177/0309132519901306>.
- Blomley, Nicholas K., and Geraldine Pratt. "Canada and the Political Geographies of Rights." *The Canadian Geographer*, vol. 45, no. 1, 2001, pp. 151–166.
- Browne, Simone. *Dark Matters: On the Surveillance of Blackness*. Duke UP, 2015.
- Bullen, Anna, and Mark Whitehead. "Negotiating the Networks of Space, Time and Substance: A Geographical Perspective on the Sustainable Citizen." *Citizenship Studies*, vol. 9, 2005, pp. 499–516.
- Cacciottolo, Diana. "Malta Migrants: Sole Survivor Describes 11 Days in Dinghy." *BBC*, 16 Aug. 2019, [www.bbc.co.uk/news/world-europe-49368077](http://www.bbc.co.uk/news/world-europe-49368077). Accessed 16 Oct. 2019.
- Chetcuti, Jean-Philippe. "Malta Citizenship by Investment Programme Statistics 2018." *Chetcuti Cauchi Advocates*, 14 Dec. 2018, [www.ccmalta.com/news/malta-citizenship-by-investment-programme-statistics-2018](http://www.ccmalta.com/news/malta-citizenship-by-investment-programme-statistics-2018). Accessed 16 Oct. 2019.
- Chouinard, Vera. "Legal Peripheries: Struggles Over Disabled Canadians' Places in Law, Society and Space." *The Canadian Geographer*, vol. 45, no. 1, 2001, pp. 187–192.
- Cresswell, Tim. "Citizenship in Worlds of Mobility." *Critical Mobilities*, edited by Ola Soderstrom et al., Routledge, 2013, pp. 81–100.

- . *On the Move: Mobility in the Modern Western World*. Routledge, 2006.
- . "The Production of Mobilities." *New Formations*, vol. 43, 2001, pp. 3–25.
- . "The Prosthetic Citizen: New Geographies of Citizenship." *Political Power and Social Theory*, vol. 20, 2009, pp. 259–273.
- . "Towards a Politics of Mobility." *Environment and Planning D: Society and Space*, vol. 28, no. 1, 2010, pp. 17–31.
- . "The Vagrant/Vagabond: The Curious Career of a Mobile Subject." *Geographies of Mobilities: Practices, Spaces, Subjects*, edited by Cresswell and Peter Merriman, Ashgate, 2011, pp. 239–255.
- Desforges, Luke et al. "New Geographies of Citizenship." *Citizenship Studies*, vol. 9, 2005, pp. 439–531.
- District Court of Appeal Florida. *Papachristou v. City of Jacksonville*. 405 U.S. 156, 8 Dec. 1971. [www.supreme.justia.com/cases/federal/us/405/156/](http://www.supreme.justia.com/cases/federal/us/405/156/).
- Eudell, Demetrius Lynn. *The Political Languages of Emancipation in the British Caribbean and the U.S. South*. U of North Carolina P, 2002.
- Government of Malta. *Immigration Act*. 1970.
- Groebner, Valentin. *Who Are You?: Identification, Deception, and Surveillance in Early Modern Europe*. Zone Books, 2007.
- Harris, David A. "Driving While Black and All Other Traffic Offenses: The Supreme Court and Pretextual Stops." *Journal of Criminal Law & Criminology*, vol. 87, 1997, pp. 544–582.
- Isin, Engin F. *Being Political: Genealogies of Citizenship*. U of Minnesota P, 2002.
- Kobayashi, Audry, and Brian Ray. "Civil Risk and Landscapes of Marginality in Canada: A Pluralist Approach to Social Justice." *The Canadian Geographer*, vol. 44, 2000, pp. 401–417.
- Konate, Ali. "Starting a New Life in Malta." *Our Island: Personal Accounts of Protecting Refugees in Malta*, edited by Neil Falzon, Aditus Foundation, 2018, pp. 105–112. [www.unhcr.org/fr-fr/5bae2a134.pdf](http://www.unhcr.org/fr-fr/5bae2a134.pdf).
- Lefebvre, Henri. *The Production of Space*. Blackwell, 1991.
- Lowe, Lisa. *The Intimacies of Four Continents*. Duke UP, 2015.
- Malkki, Liisa. "National Geographic: The Rooting of Peoples and the Territorialization of National Identity among Scholars and Refugees." *Cultural Anthropology*, vol. 7, no. 1, 1992, pp. 24–44.



- “Mediterranean ‘a Cemetery’: Maltese PM Muscat.” *BBC*, 12 Oct. 2013, [www.bbc.co.uk/news/world-europe-24502279](http://www.bbc.co.uk/news/world-europe-24502279). Accessed 16 Oct. 2019.
- “Mediterranean Migrant Arrivals Reached 171,635 in 2017; Deaths Reach 3,116.” *Making Migration Work For All*, 5 Jan. 2018, [www.iom.int/news/mediterranean-migrant-arrivals-reached-171635-2017-deaths-reach-3116](http://www.iom.int/news/mediterranean-migrant-arrivals-reached-171635-2017-deaths-reach-3116). Accessed 16 Oct. 2019.
- Mitchell, Don. “The Annihilation of Space by Law: The Roots and Implications of Anti-Homeless Laws in the United States.” *Antipode*, vol. 29, no. 3, 1997, pp. 303–335.
- Mountz, Alison. “The Enforcement Archipelago: Detention, Haunting, and Asylum on Islands.” *Political Geography*, vol. 30, no. 3, 2011, pp. 118–128. <https://doi.org/10.1016/J.Polgeo.2011.01.005>.
- Mutwira, Roben Pfumai. *Asylum-Seeking Trauma: A Journey without a Destination*. Xlibris, 2012.
- O’Brassill-Kulfan, Kristin. *Vagrants and Vagabonds: Poverty and Mobility in the Early American Republic*. New York UP, 2019. *Early American Places*.
- Painter, Joe, and Chris Philo. “Spaces of Citizenship: An Introduction.” *Political Geography*, vol. 14, no. 2, 1995, pp. 107–120.
- Peake, Linda and Brian Ray. “Racializing the Canadian Landscape: Whiteness, Uneven Geographies and Social Justice.” *The Canadian Geographer*, vol. 45, no. 1, 2001, pp. 180–186.
- “Rahel’s Journey from Ethiopia to Libya.” *Telling the Real Story*, The UN Refugee Agency, [www.tellingtherealstory.org/en/stories/articles/-rahels-journey-from-ethiopia-to-libya/](http://www.tellingtherealstory.org/en/stories/articles/-rahels-journey-from-ethiopia-to-libya/). Accessed 16 Oct. 2019.
- Rumford, Chris. “Theorising Borders.” *European Journal of Social Theory*, vol. 9, no. 2, 2006, pp. 155–169.
- Sheller, Mimi. *Mobility Justice: The Politics of Movement in the Age of Extremes*. Verso, 2018.
- Sheller, Mimi, and John Urry. “The New Mobilities Paradigm.” *Environment and Planning A*, vol. 38, no. 2, 2006, pp. 207–226.
- Torpey, John C. *The Invention of the Passport: Surveillance, Citizenship, and the State*. Cambridge UP, 2000. *Cambridge Studies in Law and Society*.