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HENRI LEFEBVRE
SPATIAL POLITICS, EVERYDAY LIFE
AND THE RIGHT TO THE CITY

CHRIS BUTLER

NOMIKOI
CRITICAL LEGAL THINKERS



Henri Lefebvre

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and the right to the city

Chris Butler



 **Routledge**
Taylor & Francis Group

a GlassHouse book

First published 2012
by Routledge
2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

Simultaneously published in the USA and Canada
by Routledge
711 Third Avenue, New York, NY 10017

A GlassHouse Book

Routledge is an imprint of the Taylor & Francis Group, an informa business

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British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

Library of Congress Cataloging in Publication Data

Butler, Chris, Dr.

Henri Lefebvre : spatial politics, everyday life and the right to the city /

Chris Butler.

p. cm.

Includes bibliographical references.

1. Lefebvre, Henri, 1901–1991. 2. Law—Philosophy. 3. Law—Political aspects. 4. Sociological jurisprudence. 5. Social sciences—Philosophy. I. Title.

K230.L399B88 2012

301.092—dc23

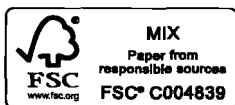
2012000720

ISBN: 978-0-415-45967-9 (hbk)

ISBN: 978-0-203-88076-0 (ebk)

Typeset in Times New Roman

by Keystroke, Station Road, Codsall, Wolverhampton



Printed and bound by CPI Group (UK) Ltd, Croydon, CR0 4YY

Henri Lefebvre

While certain aspects of Henri Lefebvre's writings have been examined extensively within the disciplines of geography, social theory, urban planning and cultural studies, there has been no comprehensive consideration of his work within legal studies. *Henri Lefebvre: Spatial Politics, Everyday Life and the Right to the City* provides the first serious analysis of the relevance and importance of this significant thinker for the study of law and state power. Introducing Lefebvre to a legal audience, this book identifies the central themes that run through his work, including his unorthodox, humanist approach to Marxist theory, his sociological and methodological contributions to the study of everyday life and his theory of the production of space. These elements of Lefebvre's thought are explored through detailed investigations of the relationships between law, legal form and processes of abstraction; the spatial dimensions of neoliberal configurations of state power; the political and aesthetic aspects of the administrative ordering of everyday life; and the 'right to the city' as the basis for asserting new forms of spatial citizenship. Chris Butler argues that Lefebvre's theoretical categories suggest a way for critical legal scholars to conceptualise law and state power as continually shaped by political struggles over the inhabitation of space. This book is a vital resource for students and researchers in law, sociology, geography and politics, and all readers interested in the application of Lefebvre's social theory to specific legal and political contexts.

Chris Butler is a Lecturer at the Griffith Law School, Australia. He researches in the areas of critical theory, law and geography, administrative law and urban studies.

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Acknowledgements

This book has its origins in doctoral work I undertook between 1999 and 2003. Since that time, it has transformed into a very different project that has allowed me to explore the inspiring social thought of Henri Lefebvre in great detail. I am very grateful to the series editors, Peter Goodrich and David Seymour, for giving me the opportunity to bring my plans for this book to fruition, and to Colin Perrin at Routledge for his excellent guidance in the early stages of planning and writing. More recently, Melanie Fortmann-Brown has provided clear, prompt and helpful editorial advice at all stages. Both Colin and Melanie have been extremely patient with me (and my relationship with earlier, more optimistic submission deadlines), and for this I offer them my heartfelt thanks.

During the writing of this book I have been very fortunate in receiving assistance from a number of colleagues, who I want to acknowledge here. First, I offer my sincerest thanks to Brad Sherman, who has been incredibly supportive since I began my final writing campaign in early 2011. He read the entire manuscript several times, provided very useful feedback and, most importantly, gave me confidence at crucial moments when the completion of this project was near. Over the years, my work on Lefebvre has benefited from conversations with other colleagues in the Griffith Law School. In particular, I want to thank fellow members of the Legal Theory Group: Allan Ardill, Paula Baron, Roshan De Silva Wijeyeratne, Charles Lawson, Bill MacNeil, Bronwyn Statham and Kieran Tranter, who provided me with valuable comments on early drafts of Chapters 3 and 5. I also express my thanks to Tarik Kochi, Andreas Philippopoulos-Mihalopoulos, Honni Van Rijswijk, Angus McDonald and Illan rua Wall for helping me to clarify my ideas about translating Lefebvre's thought into a critical legal context. I am especially grateful to Andreas for inviting me to present a paper at the Law's Unbuilt symposium at the Byzantine and Christian Museum in Athens in November 2008, which allowed me to test a number of arguments that have found their way into Chapters 5 and 6. I have also gained valuable insights from critical responses to papers I have presented at the Law and Society Conference at Humboldt University, Berlin (July 2007), Trans(l)egalité at Griffith University, Brisbane (December 2009) and the Critical Legal Conference at the University of Utrecht (September 2010).

During the past three years, I have received various forms of institutional support from the Law Faculty at Griffith University. The Law School very generously adopted a flexible approach to my teaching responsibilities during the second half of 2011, which gave me a wonderful opportunity to focus on the completion of the manuscript. I am extremely grateful to Bill MacNeil, Brad Sherman and Afshin Akhtarkhavi for making this possible. I also want to thank the Socio-Legal Research Centre at Griffith University for awarding me a grant in 2008 which has enabled me to make use of research and editorial assistance at crucial stages of this project. Thanks are due to Heather Anderson, Russell Brennan, Anna Farmer and Suzanne Lawson for their efforts in uncovering some great material for Chapters 4, 5 and 6, and to Sue Jarvis for performing her editorial magic under quite unreasonable time constraints.

Several friends have been fantastic at helping me keep my book-writing preoccupations in some kind of balance. I would particularly like to thank Mike Leach for his unwavering friendship over the years, and for always being ready to discuss the experience of academic life and many 'other matters'; Andrew McNally, for our shared explorations of cinematic history and urban life in London, Brisbane (and now perhaps Melbourne); and Greg Daley for our irregular conversations about our respective projects over warm drinks at various West End sites.

I owe an enormous debt to my parents, Bev and Adrian, who have been so influential in my intellectual development and have always encouraged me to adopt a critical perspective on established forms of social power. Without their love and support over the years (including the strategic provision of childcare assistance), it would have taken me much longer to finish this book. I also express my appreciation to my brother Cam and sister Susan for their moral and musical encouragement throughout the writing process. To my two gorgeous children, Sagine and Hayes, I want to say 'thanks kids' for being so good humoured about my long periods in the study and my general lack of patience during 2011. Their energy and joy for life continues to remind me of the beauty that is there to be grasped within everyday life.

Finally, I wish to express my deepest gratitude to Paulette Dupuy for her love and emotional care, both during the writing of my original PhD thesis and over the four long years this book has remained unfinished. Her preparedness to relieve me of some of my share of the domestic load during the second half of 2011 (in addition to carrying her own heavy work commitments) has been invaluable to my efforts to complete the writing of this book. I dedicate this book to her and again offer her my love and thanks for everything. I now look forward to resuming our lives together without the spectral presence of a certain French philosopher lurking in the background.

Parts of a number of chapters have appeared previously in different forms in the following publications:

Butler, C. (2005) 'Reading the production of suburbia in post-war Australia', *Law Text Culture*, 9: 11–33 (Chapters 2 and 5).

Butler, C. (2008) 'Slicing through space: mobility, rhythm and the abstraction of modernist transport planning', *Griffith Law Review*, 17(2): 470–88 (Chapter 5).

Butler, C. (2009) 'Critical legal studies and the politics of space', *Social and Legal Studies*, 18(3): 313–32 (Chapters 2 and 6).

I am grateful for permission to reproduce this material here.

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Introduction

This book explores the philosophical and sociological writings of the French social theorist Henri Lefebvre and examines Lefebvre's potential contribution to critical studies of law, the state and the political. Lefebvre is arguably one of the most important intellectual figures of the twentieth century; however, his stature and the extent of his engagements with a range of fields within the social sciences and humanities have only begun to be widely recognised over the past two decades. In the English-speaking world, his strongest influence has been in the fields of critical geography and urban studies. As a result, the primary interest in his work still centres on his theoretical writings on space and the urban, which have played an incredibly influential role in the rise of the 'spatial turn' within the social sciences since the 1970s. However, these later works can only be understood in the context of the trajectory of a writing life that spanned almost seven decades.

Lefebvre was born in 1901 and he witnessed, and was a participant in, many of the momentous intellectual and political movements of the twentieth century. He studied philosophy at the Sorbonne and in the mid-1920s became involved with the radical *Philosophies* group.¹ During this period, he became interested in forms of philosophical romanticism that built on his early passion for the work of Nietzsche, and he began reading Hegel.² He also developed passing connections with Tristan Tzara's Dadaists and, less happily, with the Surrealists.³ By the end of the 1920s, Lefebvre had joined the French Communist Party (PCF) and later became an active party theoretician. During the 1930s, he settled on a humanist and Hegelian-inspired approach to Marxism, which was focused increasingly on alienation rather than abstract questions of economic determination. An early example of this approach to Marxist philosophy can be seen in his 1940 book *Dialectical Materialism*.⁴ In the immediate post-war period, Lefebvre wrote the first volume of his *Critique of Everyday Life* as an attempt to reorient Marxist

1 Burkhard (2000).

2 Shields (1999: 67–73).

3 For Lefebvre's withering attack on Andre Breton and the limitations of the Surrealist movement, see Lefebvre (1991a: 110–18).

4 Lefebvre (1968a).

thought towards the alienation embedded within daily life.⁵ In 1956, his opposition to Stalinism and his critical stance on the suppression of the Hungarian uprising led to his censure by the party and he relinquished his party membership soon afterwards. After leaving the PCF, he developed an association with a number of the radical artists, activists and intellectuals who went on to form the Situationist International. A number of its members (including Guy Debord) participated in Lefebvre's seminars at the University of Strasbourg.⁶ He later took up a teaching post at the University of Nanterre, where he played an intellectually influential role in the lead-up to the events of May 1968.⁷ In the wake of the failure of the 1968 revolution, Lefebvre began working intensively on an analysis of urban life and the role of space in the survival of capitalism.⁸ Between 1976 and 1978 he published a four-volume work on the state, and in 1981 he finished the third volume of the *Critique of Everyday Life*.⁹ His final writings on rhythmanalysis and a new model of citizenship were completed shortly before his death in 1991.¹⁰

During the course of this eventful life, Lefebvre produced a vast written output across debates in philosophy, sociology, history, politics and state theory. One of his most enduring contributions was his application of his methodological approach to alienation to the non-economic domains of everyday life, which Marxist theory had previously failed to analyse. While both his philosophical approach and his political stance evolved as he became preoccupied with new subject matter, there was also a process of sedimentation of the many underlying concepts and themes that run throughout his work. For example, he never lost his attraction for the work of Nietzsche, whose influence resurfaces in his critique of the abstract space of contemporary capitalism; and his interest in the relationship between the body, rhythms and space that appears in his final writings on rhythmanalysis, has its roots in his pre-Marxist romanticism.¹¹ Similarly, a number of the themes arising out of his sociological inquiries into the everyday are integrated into his works on space and the urban. For this reason, comprehending an individual element of his work often demands an understanding of how it relates to others. This is particularly true of his work on the production of space, which is overflowing with references to philosophy, cultural theory, Marxism and sociology, in addition to its commentary on the urban condition.¹²

The complex historical and intellectual influences that inform Lefebvre's later writings on spatial questions generally have not been appreciated in much of the interdisciplinary research that has drawn on his thinking. In many ways, this is a

5 Lefebvre (1991a).

6 Shields (1999: 89–92); Merrifield (2006: 31–8); Ross and Lefebvre (1997).

7 A number of Lefebvre's students during this time, including Daniel Cohn-Bendit, played leading roles in the student movement.

8 Lefebvre (1996, 2003c, 1976c, 1991b).

9 Lefebvre (2005).

10 Lefebvre (2004, 1990).

11 Lefebvre (1991b, 2004); Lefebvre (1996: 219–40); Lefebvre and Régulier (1999).

12 Lefebvre (1991b).

perverse result of the success of critical geographers and urban sociologists in appropriating Lefebvre's work since the 1970s, which has helped to obscure many of its non-spatial elements. While he is now commonly regarded as one of the theoretical pioneers of the spatial turn in the humanities and the social sciences, this has often been at the expense of a recognition of the philosophical richness and political radicalism of his thought. This point has been previously made by Stuart Elden, who has done much to explain the multiple threads of Lefebvre's work and their interconnections.¹³ Nevertheless, it remains an accurate depiction of the reception of Lefebvre's ideas within contemporary legal scholarship. Apart from brief acknowledgements in the literature on law and everyday life, this reception largely remains limited to the field of critical legal geography.¹⁴ Here it has been writers such as Nicholas Blomley and David Delaney who have made the most direct references to *The Production of Space* in theorising the spatial dimensions of law.¹⁵ However, this aspect of Lefebvre's work has rarely been interrogated in any detail by other legal thinkers.¹⁶

This raises the question of whether there is something intrinsic to Lefebvre's social theory that has dissuaded many critical legal scholars from engaging more fully with it. The denseness and the elliptical nature of his writing have often generated criticism and, undoubtedly, this style has made some readers reluctant to follow through his arguments to their conclusions.¹⁷ Of course, there are similar difficulties involved in reading the work of other continental philosophers, such as Jacques Derrida, Gilles Deleuze and Jacques Lacan, but this has not impeded their influence on Anglophone legal studies. An alternative explanation of the limited reception of his ideas is that his philosophical and political inclinations were distinctly unfashionable during much of the latter half of the twentieth century. One perceived problem has been his attachment to a humanist Marxist tradition, which conceives of the social world as an open totality, in which humans retain an emancipatory agency to transform social relations. A second issue is his implacable opposition to the collapsing of social relations into mental structures, which he identifies in the ascendancy of the linguistic turn in the social sciences. Together, these theoretical assumptions led him into intellectual battles with structuralism, Althusserian Marxism and the increasing dominance of varieties of poststructuralist thought. The prominence of each of these tendencies played a significant role in the marginalisation of his social theory during the post-1968 era.

Placing these stylistic issues and intellectual trends to one side, there is perhaps a third reason why Lefebvre's work has not been embraced more enthusiastically

13 Elden (2001); Elden (2004c: 6–7).

14 Sarat and Kearns (1993: 1–5).

15 Blomley (1994); Delaney (2001, 2004, 2010).

16 While it is too early to be certain, there are some signs that this neglect may at last be being redressed, with recent legal interest in Lefebvre's concept of the 'right to the city': Fernandes (2007); Butler (2009); Layard (2010); Wall (2011: 137–41).

17 Molotch (1993: 893).

within critical legal studies and contemporary legal theory. This is the fact that he is not an obviously juridical thinker. His writings only occasionally deal with the law directly, and he does not devote much space to the analysis of legal and regulatory phenomena. Further, he provides no detailed account of his approach to jurisprudential themes that might enable others to appropriate it in the development of a coherent and unified 'Lefebvrian theory of law'. While this might be seen as an initial obstacle, it would be a great loss if legal scholars were to ignore or bypass Lefebvre's philosophical and sociological writings for this reason alone. One of the tasks of the secondary literature on Lefebvre is to identify and build on the elements of his thought that have implications for disciplines with which he did not explicitly engage. This book is the first serious contribution to this project in relation to critical legal studies, and therefore a primary aim is to provide an exposition of the most important strands of Lefebvre's social theory and to introduce the broad scope of his work to legal readers who have not previously encountered it. A second aim of this book is to explore the significance of Lefebvre's social theory for critical investigations into law, state power and the politics of space. Through providing examples of how Lefebvre's ideas can be deployed in specific legal and political contexts, I hope the book will be read as an extension to the broader body of scholarship on Lefebvre that has been expanding gradually over the last decade.¹⁸

Writing a book of this kind inevitably involves decisions about which aspects of a thinker's work should be included and which will be omitted. In Lefebvre's case, the breadth of his interests certainly heightens this dilemma. I have decided to focus on six currents that run through his work:

- 1 humanist Marxism
- 2 the concept of everyday life
- 3 the theory of the production of space
- 4 the political and spatial role of the state
- 5 the theory of rhythmanalysis, and
- 6 the concept of the right to the city.¹⁹

In taking this approach, I have been able to consider comprehensively those elements of his writings that are of most importance to a critical legal audience. I have also relied primarily on the existing English-language translations of his work. Where I have referred to texts that remain untranslated, I have either drawn on my own reading of the French, or have referenced the translations of selected passages by scholars such as Neil Brenner, Mustafa Dikeç, Stuart Elden, Andy Merrifield, Christian Schmid and Łukasz Stanek.

¹⁸ Shields (1999); Elden (2004c); Merrifield (2006); Stanek (2011).

¹⁹ I do not directly consider his writings on nationalism: Lefebvre (1937); rural sociology: Lefebvre (1963); linguistics: Lefebvre (1966); or 'mondialisation': Lefebvre (2009: 274–89).

In Part I of the book, I examine Lefebvre's scholarly output from his early interventions in Marxist theory in the 1930s through to his writings on space in the 1960s and 1970s. In Chapter 1, the central features of Lefebvre's social theory are identified and distinguished from a number of other traditions of critical social theory, including the Frankfurt School, structuralism, poststructuralism and psychoanalysis. I outline a number of theoretical themes that remain constant throughout his work, including the pervasiveness of human alienation and the need to situate social phenomena within a totality, constantly open to transformation and renewal. I also discuss the main elements of Lefebvre's *Critique of Everyday Life*, the first volume of which was published in the immediate post-war years, and provides his first attempt to construct a sociological framework for the study of daily existence within capitalist modernity.²⁰ Lefebvre regarded his introduction of the concept of the 'everyday' as his most important contribution to Marxist thought, as it allowed him to extend his account of alienation to non-economic forms of domination. It also prompted him to think about alternative sites of political expression, beyond the orthodox Marxist fixation with class conflict.²¹ In the second volume of the *Critique*, he proposes his 'theory of moments' as an elaboration of the political implications of the experience of transient and luminous fragments of time that reveal the utopian possibilities inherent within everyday life.²²

By the late 1960s, Lefebvre's interest in the everyday increasingly drew him towards a recognition of the importance of urbanisation in the reproduction and consolidation of capitalist social relations during the post-war decades. He embarked upon a series of works dealing with specifically urban and spatial questions, which culminated in the landmark 1974 publication of *The Production of Space*.²³ Chapter 2 is a detailed exposition of the central elements of the unique theoretical approach to space developed in that book. Deriving inspiration from the Leibnizian notion of 'relative space', rather than the absolute space of Newtonian physics, Lefebvre characterises spatial relations as a complex of practices, representations and imaginary elements.²⁴ His central claim is that space cannot accurately be conceptualised as either an inert container of social relations or as a purely discursive or mental field. Instead, he understands it as both a product and a precondition of processes of social production. It is an instrument of state planning and control, and an arena of creativity and political struggle. In the second half of the chapter, I turn to Lefebvre's account of the history of spatial formations, from the organic 'absolute space' of prehistory to the 'abstract space' of contemporary capitalist societies, which is characterised by simultaneous tendencies towards the fragmentation, homogenisation and hierarchical ordering

20 Lefebvre (1991a).

21 Lefebvre (1988: 78).

22 Lefebvre (2002: 344–50).

23 Lefebvre (1991b).

24 Lefebvre (1991b: 169–70, 33, 38–9).

of space.²⁵ Despite the apparent totalising nature of these tendencies, Lefebvre argues that abstract space generates and exacerbates internal contradictions that cannot be hidden or suppressed indefinitely. On the contrary, they point towards the possibility of an alternative 'differential space', which is the utopian objective framing his articulation of the politics of space.²⁶

Part II of the book consists of four explorations of the implications of Lefebvre's philosophical and sociological writings for critical accounts of law, state power and the political. Each of these chapters is concerned with a discrete topic, but the connections between themes in Lefebvre's work mean that certain concepts will recur throughout the discussion. Chapter 3 takes its lead from the analysis of abstract space conducted in the previous chapter, in order to investigate how the analytical process of abstraction is embedded within institutional structures, legal forms and social relations. Lefebvre argues that abstract space presupposes the dominance of a 'logic of visualisation', which is closely linked to aesthetic deployments of power through art, architecture and urban planning, and exerts a powerful influence across a range of other disciplines.²⁷ Within law, the logic of visualisation is responsible for the contemporary fetish for transparency as the guiding principle of contemporary public administration but is also involved in the darker sides of law's abstract character. By this, I refer to law's inevitably violent imposition of state power – an issue with which Lefebvre deals through an implicit debate with Lacanian psychoanalysis over the role of the mirror in subject formation. Lefebvre's appropriation and critique of Lacan's concepts provides an opportunity to compare the differences between these two thinkers' approaches to the body, language and the law. Ultimately, Lefebvre refuses to reduce law to either a neutral mechanism for transparency and accountability or a pure imposition of violence and prohibition. Instead, law can best be understood in his work as a 'concrete abstraction', a material inscription of abstract relations on the social world and in the practices of living bodies.²⁸

In Chapter 4, I focus on Lefebvre's account of the role of the state in spatial production and his identification of the emergence of a new social formation, which he describes as the 'state mode of production' (SMP). Although originally formulated as a means of critiquing the productivist and commodifying tendencies of the social democratic state, this concept will be interpreted here as also encompassing the global rise of neoliberalism within the architecture of the state over the past four decades. Drawing on the extensive work of Neil Brenner in this area, I argue that recent changes to land-use planning laws in Australia demonstrate the rescaling and geographical restructuring of urban governance in the transition to a neoliberal form of the SMP. While such an approach has a persuasive appeal, there is also a potential danger in uncritically adopting Brenner's methodology in

25 Lefebvre (1991b: 229–91).

26 Lefebvre (1991b: 50, 52, 60).

27 Lefebvre (1991b: 41, 96–8, 127–8, 287).

28 Lefebvre (1991b: 100).

his book *New State Spaces*.²⁹ By this I refer to Brenner's attempt to assimilate Lefebvre's state theory within the strategic-relational approach of Bob Jessop, in a way which runs the risk of accepting the state as an inevitable component of the regulation of capitalism as a 'closed system'.³⁰ As an alternative, I argue that the aspects of Lefebvre's analysis suggesting the totalising tendencies of state power need to be combined with a recognition that the state is also placed under constant pressure from diverse political challenges – many of which revolve around grassroots struggles to produce new spaces. In concluding this chapter, I introduce Lefebvre's advocacy of forms of self-management or 'autogestion' as a political practice directed against the state's attempts to consolidate abstract space, and oriented towards the appropriation of space for the maximisation of use values.³¹

Central to Lefebvre's theory of the state is his emphasis on its role in the bureaucratic ordering of everyday life. In Chapter 5, I return to the concept of the everyday to explore how it is structured by the aesthetic and political dominance of technological modernism, which Lefebvre argues has supplanted the emancipatory project of modernity. The rise of the deconcentrated space of suburbia in the decades following World War II is considered as a spatial manifestation of technological modernism, which is marked by a shift from embodied forms of inhabitation to a functionalist and instrumentalist notion of 'habitat' that is detached from the totality of urban life. Lefebvre identifies the rationality associated with the rise of habitat in both the practices of urban planners and administrators and the lived experience of the inhabitants of suburban space. This new model of inhabitation is therefore explained as part of a more pervasive phenomenon, which Lefebvre describes as the 'bureaucratic society of controlled consumption'.³² I outline how this social form goes beyond a simplistic characterisation of consumer society and is based on the dual role of the everyday as a 'modality' for securing both the reproduction of capitalism and ensuring the administration of social life.³³

In this context, I briefly discuss the influence on Lefebvre of Martin Heidegger's writings on 'poetic dwelling' and Gaston Bachelard's depiction of the 'poetics of space'.³⁴ He moves beyond both their accounts in articulating a politics of inhabitation that envisages the capacity of the body to resist the aesthetics of technological modernism through the reclamation of a full range of corporeal gestures. Lefebvre also emphasises the importance of the restoration of the body's relationship to cyclical rhythms, which tend to be marginalised by the dominance of linear repetition. I argue that such a restoration would have significant implications for systems of urban mobility that are based on the private motor car,

29 Brenner (2004a).

30 Charnock (2010: 1283).

31 Lefebvre (2009: 138–52).

32 Lefebvre (1984: 64–109).

33 Lefebvre (1988: 80).

34 Heidegger (1971b); Bachelard (1969b).