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HENRI LEFEBVRE AND THE RIGHT TO THE CITY

Loren King

In 1967 Henri Lefebvre described the right to the city as a “cry and demand.” Much of the revival of interest in Lefebvre’s claim focuses on the content of such a right, and prospects for realization. These voices are diverse, and at times (more than gently) skeptical that the right to the city can be anything more than an occasionally useful platitude. Activists have invoked the right to defend rights to housing for the urban poor in Brazil, where in 2001 something very much like this right was enshrined in reforms to articles of the 1988 constitution (Lamarca 2011; Fernandes 2007). In Brooklyn, the Right to the City Alliance uses the right as a rallying cry for a broadly inclusive program of activism to support a range of marginalized voices. International organizations such as UNESCO and UN-Habitat have adopted the phrase in articulating policy reforms toward more inclusive and sustainable urban development (Purcell 2013). Among both advocates and sympathetic critics, all would agree that whatever a right to the city is, it is best understood in terms of how we use urban spaces, not the market value of those spaces. To put the point another way: The right to the city stands opposed to property rights over urban space.

But why would Lefebvre himself, a Marxist, invoke the language of rights at all? It is tempting to join the critics in dismissing his “right to the city” as either a strategic or ironic rhetorical gesture. I believe we should resist this temptation: Lefebvre’s account is rooted in a subtle understanding of the historical development of urban life and an abiding concern with work as an expression of our being in the world, but also as an inevitable source of alienation.

Rights in and to the city

Because market forces and commercial interests dominate cities so relentlessly, most elaborations of the right to the city, in theory and especially in practice, draw our attention to the political possibilities for challenging these neoliberal forces. Don Mitchell (2003) has put the concept to useful effect in examining the uses of, and conflicts over, public space in North American cities. For Mitchell, the right to the city is a call to interrogate the ways that dominant legal tools and narratives exclude the voices and interests of a great many of those who occupy urban spaces. In a complementary line of argument, Mark Purcell (2002, 2008) has elaborated the political

demands of Lefebvre's vision, and its implications for an understanding of citizenship that takes space seriously. Kafui Attoh (2011) has examined several possible articulations of the right to the city, framed in light of how legal and political philosophers distinguish types of rights. David Harvey, who early on saw the importance of Lefebvre's work, has argued for an understanding of the right to the city as democratizing the question of "who commands the necessary connection between urbanization and surplus production and use" (2008: 40). Margaret Kohn (2016) has further developed the idea of the right to the city, understanding it in terms of fundamental interests in shaping the character of the commons, an interest elaborated in terms of a solidaristic conception of social property that takes rights claims to be internal to, rather than constraining, the politics of the urban commonwealth.

There are, then, several plausible ways to understand a right to the city, and to draw out the political and especially the spatial implications of particular forms of that species of rights claim. Still, for all of this sophisticated scholarly attention, and in spite of an extraordinary range of activism around the globe that invokes the "right to the city" in defense of the poor and marginalized, we have no clear answer to the question: Even if we accept the language of *rights*, why should these be rights to the *city*, rather than to particular kinds of *place*? Why aren't these simply the urban manifestation of rights to subsistence needs, housing, political voice and influence, and so forth? Or is this all that is meant by the "right to the city"?

The question matters for Lefebvre if we think he meant by a *right to the city* something more than a clever and timely rhetorical strategy, appealing to the political mood and vocabulary of the late 1960s. Certainly he may have understood rights as "always the outcome of political struggle" (Purcell 2013: 146), or he may have meant something altogether novel, eschewing altogether the bourgeois conception of rights as entitlements and constraints, powers and privileges. Instead, perhaps Lefebvre understood the term as describing a participatory socio-political process, inclusive of, in part constituted by (but not exhausted through), political struggle.

Still, even if you accept the empirical point that rights in practice inevitably emerge from, and are given substance by, political struggle and complex social dynamics, we nonetheless run up against the brute meaning of the phrase. There is only so much subversive and strategically ironic meaning a term can sustain, and at the end of the day, a *right* – even a right to be part of a dynamic and inclusive sociopolitical process that challenges bourgeois interpretations of ownership and use – is still an assertion of entitlement. Conventional wisdom suggests that Marxists in particular tend to dismiss any such talk as mere ideology, a precipitate of the political and legal apparatus that arise from, and sustain, the capitalist mode of production. Lefebvre was no exception, at least at first blush.

This appearance is deceiving, however: Lefebvre's position is in fact rather more nuanced than it might at first seem, and indeed, just as heterodox as his more orthodox French Marxist critics once charged. Despite his own protestations, Lefebvre really did have in mind a right in more or less the received sense that contemporary analytic philosophers and legal theorists mean when they discuss rights (e.g., Wenar 2005), and that Marxists mean when they reject rights as bourgeois contrivances.

Situating Lefebvre's right

That is a bold thesis and no doubt too strong, but I will be satisfied that useful expository and interpretive work has been done if I can show that Lefebvre's account is surprisingly friendly to an analytic understanding of rights and coheres as an account of a right to place thus understood. We can plausibly claim Lefebvre's right to the city by adopting a very different philosophical

posture than one usually finds in discussions of Lefebvre and the right to the city. Conversely, we can profitably invoke Lefebvre from within a scholarly tradition usually thought rather uninviting to such voices.

Lefebvre's account is rooted in a subtle understanding of the historical development of urban life, its intimate yet ambivalent relationship to commerce and industry, and the distinction between spaces as artifact or work (*oeuvre*) and as product – this in turn mirrored in the related distinction between our *inhabiting* urban society, in contrast to the logic of urban *habitat* imposed by the rationalist conceits of planners, on the one hand, and commercial ambitions of developers, on the other. Behind this subtle and at times confusing marriage of history and theory there is a unifying concern that Lefebvre took very early on from Marx: the reciprocal and mutually constitutive relationship between work as an expression of our being in the world, and as such, an inevitable source of alienation.

Drawing out this early philosophical foundation to Lefebvre's later work goes much of the way to explaining his insistence that any hope for transformation of the city away from commercial imperatives and the dominance of exchange values must be rooted in the working class (Lefebvre 1996: 153–155 and 158). It also provides philosophical coherence to talk of a “right to the city,” suggesting plausible answers to the questions of why the priority of use values should be framed as a *right*, and why it should be a right to the *city*.

The road not taken

Upon hearing talk of rights, an understandable inclination is to draw on tools that seem especially well-suited to the task: the concepts and arguments of 20th- and 21st-century analytic ethics and political philosophy. To this end, we might invoke, for instance, Leif Wenar's powerful framework for conceptualizing and organizing the various species of rights (2003, 2005, 2013), and then pair that understanding, perhaps, with a contractualist justificatory approach to legitimacy, exemplified in the work of John Rawls (1999, 2005), with its attention to justifying public demands on others in ways that respect them as moral equals. Such a pairing promises to be a productive (although certainly not the only plausible) framework for debating conflicting use values of urban space. People have a reasonable expectation not only for social and spatial mobility – freedoms that liberals have eagerly defended, often in the language of rights – but also for *spatial fixity*, or permanence: The neighborhoods we call home, and the spaces we use in living our lives together, typically have a moral significance that is rarely captured in the market value of plots of land, or the assessments of planners and consultants.¹

How to assess that significance? First, by asking citizens to justify their claims to those locations and uses, in ways that are not merely self-serving or narrowly partisan, but that instead appeal to reasons others can find valid, and that are grounded in public values and concerns. Second, by ensuring that political institutions foster and respect such reasonable claims and justifications. If there can be a practicable right to place, as David Imbroscio (2004) argues, and if there is a right to the city in particular, as Lefebvre and others insist, then the standard analytic-liberal, rights-based framework seems likely to be a powerful way to elaborate and justify such a right.

This critical-liberal approach to place-rights in and around cities is not unfriendly to critical Marxist concerns about the uneven geography of urban development in and around the capitalist city, so perhaps it is not surprising that the space between Lefebvre and the liberal analytic narrative is less pronounced than it might at first appear. Henri Lefebvre is often labeled a heterodox Marxist, yet there is a tendency – certainly in geography and urban studies – to read him through the lenses of critical Marxist and radical democratic approaches that reject much,

if not all, of the liberal analytic and normative framework. In his use of the early Marx and his privileging of a particular idea of the city, however, Lefebvre illuminates a fruitful way to bring philosophy to the city that is recognizably Marxist yet surprisingly consonant with liberal rights-based analytic narratives.

Furthermore, Lefebvre's approach may be useful in a way that more analytic approaches perhaps are not. The latter tend to come into their own for conceptual clarification, logical analysis, and normative argument. In contrast, a considerable strength of Lefebvre's analysis is to ground a right to inclusive and responsive politics firmly in the realities of urban life under late capitalism, and doing so with a conception of alienation that is at once more useful and more sophisticated than the development and application of that concept in Marx's and Engel's mature works.

Why a right to the city?

A right is a distinct assertion. Sometimes that assertion is made directly at others, as when I assert a power over them, or an exclusion from some obligation that binds them. In other cases, the burdens placed on others are more diffuse, as when I assert some privileged standing that requires resources that must ultimately be provided by others. Philosophers have clarified with great precision the ways in which various dimensions of rights are logically distinct yet sometimes importantly related. Again, following Wenar's comprehensive analysis, we can say that some rights assert *liberties* (and often thus imply *exemptions*); others define *claims* (and in so doing impose *duties* on others); still others confer *authority* (typically over the substance of claims); and yet others establish protections by establishing *immunity* from authority (Wenar 2003: 225–237).

The nature and justification of rights

Wenar's account is perhaps the most systematic contemporary analysis of these Hohfeldian dimensions of rights-talk,² and how we can understand the nature of, and rationales for, rights in a way that moves beyond a seemingly intractable debate between will versus interest justifications. Will-based accounts of rights appeal to the space of choices that rights either protect or extend. Interest-based accounts instead justify rights in terms of the interests they advance.

This longstanding debate has been dominated by advocates of each approach crafting clever counterexamples to the other. Interest theorists thus confront will theorists with the question of whether incompetents have rights. They point out that criminal law often seems to protect our right from harm precisely by limiting, not expanding, the choices available. These challenges are then met with troubling counterexamples in turn: Interest theorists are called to explain why I still have a right (to fulfillment of a contract, say) if I was confused about what interest was at stake when I signed. Indeed, why should the interests of others ever bind me, if I have little at stake myself?

For Wenar, we can break this cycle of examples and counterexamples by being clear on the kind of "Hohfeldian incidents" being invoked by an assertion of right and thinking of claim rights in particular in terms of roles rather than individuals (2013: 206ff.).³ Doing so provides a way to clarify our understanding of rights that avoids the familiar pitfalls of interest and will-based approaches.

For our purposes we can forgo some of this logical precision and think less formally, and more practically, about how rights often involve the bearer, or their advocates, being *justified* in making a demand (imposing a duty) on others and holding a legitimate expectation that others

will acknowledge that claim and act accordingly. Think of rights involving liberties of speech, conscience, association, and political participation, or relief from obligations otherwise expected of citizens, as when advocates of group-differentiated rights justify certain religious or ethnocultural exemptions from military service or labor laws (e.g., Kymlicka 1995). Whether the rights asserted are differentiated or universal, we often take such rights to be justified when, given available evidence, they are, or can publicly be seen to be, supported by compelling reasons, even if the protected activity itself seems unreasonable to many citizens. Thus, a right of free speech for racists is often upheld in free societies in spite of most reasonable and informed citizens finding racist beliefs groundless.

Consider too how the cluster of rights types involved in property are responsive to reasons in this way. A right of property in land – at once an assertion of *privilege* (or better, of liberty), a *claim* (that others have a duty to respect), and an *authority* (power to shape specific claims associated with my legitimate holding) – is honored to the extent that reasons in support of those assertions are widely taken as persuasive. This is so whether the justification is framed in terms of abiding interests, a presumption in favor of liberty, or again, as Wenar (2013) usefully suggests, in terms of how we discharge our responsibilities in a variety of roles.

To be sure, reasonable people disagree over what count as convincing reasons and sufficient evidence, and the history of philosophical approaches to what ultimately grounds rights talk – however specific rights are justified – reflects as much. I want, then, to distinguish among (1) the philosophical clarification of categories of rights and their relationships, (2) the moral and sociopolitical justification of rights, and (3) the background and orienting question of whether or not rights exist. The first and the last question are intimately related, to be sure, as Wenar's analysis demonstrates: our views on what rights fundamentally are, and indeed whether they exist at all, will inform the strategies we invoke, and the standards we cite, in justifying particular rights.

Still, in framing what is distinctive about Lefebvre's understanding of the right to the city, it will prove helpful to separate the more recent conceptual clarifications on offer in ethics and legal and political philosophy, on the one hand, from the broader historical currents of thought about rights as such, on the other. There have been, in Western political and legal thought, two prominent strategies for explaining the existence of rights (that then, of course, demand specific justifications), and two equally prominent historical sources of skepticism about rights in toto.

The existence of rights

Beginning with the historical advocates, the two approaches are as follows: first, to appeal to nature, and second, to contract, either real or ideal. Advocates of natural law are not in agreement over what rights are natural and why, but they invoke the idea that, whether discovered by reason, revelation, or intuition, some rights are brute facts, and so must be respected by persons and institutions. I am not concerned here with the (quite likely intractable) controversies over what rights can be thus discovered, and whether, and if so why, their natural status counts as part of the justification for specific rights. I am here only framing the various ways that scholars have thought of rights, even before they have then wondered whether rights create space for acts of will, or whether they advance interests.

Distinct from appeals to nature, one sort of contract theorist of rights takes some claims to be such that any rational moral agent would assent to them: that hypothetical consent is sufficient to establish the existence of the right in question. Other contract theorists are both less demanding and less abstract: Particular types of historical agreement over the scope and content of certain rights are a sufficient warrant for subsequent generations of citizens to acknowledge

the existence of those rights. Again, I am not concerned here with the myriad controversies that plague these positions: How can hypothetical consent bind actual parties? If historical agreement on rights is sufficient, must we limit ourselves only to those rights agreed to in the past by founders? Why only those, if other rights seem to be justified by similar lines of reasoning, but for claims that the founders never could have envisioned? These are vital questions, to be sure, but I am merely mapping a broad conceptual terrain, not taking sides in various disputes.

Two skeptical views are also prominent historically. First, the early utilitarians doubted that there are such things as rights, and more generally, consequentialists reject rights as moral primitives. Even John Stuart Mill, who advocated extensive personal liberties, did not appeal to rights, defending them instead for their consequences for social progress and human flourishing. Mill's approach does, however, suggest that utilitarians and other consequentialists can in practice support something very much like a right, even if they are skeptical or dismissive of the concept as a moral or legal foundation. Contemporary utilitarianism has seen considerable conceptual refinement, most prominently the distinction between act and rule utilitarians. The former take the principle of utility to apply as a maxim guiding every action, whereas the latter allow that some actions may not be utility enhancing but are supported by a rule that does tend toward maximizing overall utility. Rule utilitarians, themselves a diverse group, can be friendly to rights, understanding them as just such rules (e.g., Brandt 1984).

The other skeptical voice in the history of political philosophy and social theory belongs, of course, to Marx, who famously said very little about rights. Furthermore, what he did say – chiefly in “On the Jewish Question” and the “Critique of the Gotha Programme” – is not at all encouraging to rights advocates. Marxists since have tended to understand rights talk as ideological: Rights, especially property rights, reflect the legal and political institutions characteristic of a particular dominant mode of economic production and corresponding social relations with respect to the means of production. When those relations are transformed, the social norms and legal practices that both require and sustain them will dissipate, becoming mere historical curiosities.

Lefebvre's invocation of rights

Lefebvre is no exception here, at least at first blush. While he invokes the language of rights, he insists that whatever a right to the city is, it cannot be natural or contractual (Lefebvre 1996: 194). Why, then, does he speak of a right at all? It would be easy (and probably in some measure correct) to dismiss this choice of words as rhetorical. Given the social and political upheavals of the late 1960s, especially in Paris, “rights talk” would find easy purchase among readers. Yet what little he explicitly says about the right to the city seems earnest, particularly in light of his withering scorn for any imagined right to nature.

Consider the case: when we first encounter the fleeting elaboration of the right to the city, deep within the collection of chapters which make up *Le droit à la ville*, the idea of *right* is presented initially in good Marxist form, as a historical moment, a contradiction of late capitalism: “Rights appear and become customs or prescriptions, usually followed by enactments” (Lefebvre 1996: 157).⁴ Through various struggles – not least those of the working class – the abstract rights borne of great revolutions are given concrete elaboration: liberties of conscience and speech and assembly; and then of shelter, education, and recognition.

Thus far, Lefebvre's account is true to his Marxist roots, and entirely consistent with Marxist orthodoxies, which while fighting among themselves on the philosophical question of rights within Marxism,⁵ nonetheless roughly converge on the rejection of much real-world rights talk as rife with ideology. On Lefebvre's account, rights emerge historically with the rise of

capitalism, and find concrete expression through tensions internal to the political and legal structures that arise with, and reinforce, that mode of production. These abstract right claims, followed by more concrete expressions, nonetheless remain bourgeois instruments, mere precipitates of the capitalist mode of production. Indeed, when the purported “right to nature” is discussed by Lefebvre, it is dismissed as a “pseudo-right” that only emerges once nature has been commodified and valued through mechanisms of exchange (Lefebvre 1996: 158).

The right to the city is different, however: It emerges in part through the struggle of the working class (whose efforts are necessary, but not sufficient) to reclaim ways of living that are not unrelentingly mediated by mechanisms of market exchange and rationalist planning. It is not merely a bourgeois negative right, but something deeper and more extensive, yet still meaningfully characterized as a moral right.

What grounds this sort of right? In much of the literature in geography and urban studies on the right to the city, the (entirely plausible) intuition is that enfranchisement and inclusion, paired against neoliberal market and political forces, admits of several mutually supporting justifications.

Distinct from these popular rationales, I think Lefebvre suggests a different kind of analysis, grounded in the early Marx, whose conception of work and alienation, as central to human beings, is essential to, and ubiquitous in, Lefebvre’s thinking.

For the early Marx, our multifaceted capacity to produce and express ourselves in the world is something more than a base animal need – after all, unlike other animals we produce works even when we are not driven by need. And yet we are driven to express ourselves in the world through a variety of works, and these expressions are immediately distinct and separate from us, and so vulnerable to being appropriated from us.⁶

For the early Lefebvre, as much sociologist as theorist and philosopher, this Marxist theme is critical. Elaborating his approach in the 1958 forward to the first volume of his *Critique of Everyday Life*, Lefebvre insists that “the theory of alienation and of the ‘total man’ remain the driving force behind the critique of everyday life” (1991: 76). “All self-actualization – which can only be partial and must therefore involve alienation at a more-or-less deep level – appears to be, and becomes, total alienation” (1991: 78). But Lefebvre thinks we can rescue the concept from this apparent *reductio ad absurdum* by in essence integrating the philosophical conception of alienation into the sociological analysis of everyday life. For example: “The content of concrete life has produced forms which conflict with it, smother it, and which consequently collapse from this self-inflicted lack of substance and roots” (1991: 80–81). This general indictment, cast early on as the framework for Lefebvre’s sociological work, becomes the guiding critical theme of *Le droit à la ville*, where industrialization, in subsuming and reconstructing the spatial and institutional forms of urban life, undermines the very features that make the city attractive for human emancipation from the tyranny of exchange value.

We do not merely reside and produce in the places we live; we *inhabit* them, expressing within and through them the full richness of our lives in this early Marxist sense (although here we see some of the influence of Heidegger on Lefebvre’s thinking). Central to this vision is a conception of *vital social needs*: Lefebvre calls them “anthropological needs which are socially elaborated” and include “the need for creative activity, for the oeuvre (not only of products and consumable material goods), of the need for information, symbolism, the imaginary and play” (1996: 147),⁷ and, of course, the requirement of time and places where these needs can be expressed and satisfied.

For Lefebvre, then, the contrast between *oeuvre* and mere product, and between *inhabiting* and mere habitat, rests on a complex understanding of human needs that are of necessity expressed in our relations with others in time and place. It is this spatially grounded and intimately social

conception of need that I think is sufficient to ground a moral right claim. Lefebvre, by way of the early Marx,⁸ accepts an understanding of human needs based in our nature as complex social beings, which amounts to a compelling reason for guaranteeing the bases of these needs.

We might disagree, of course, over whether or not there are such needs; or if so, whether they really rise to the standard required to ground successfully a claim of right. Such disagreement, while expected, is of no consequence here: I only mean to show a plausible way in which Lefebvre's invocation of a right to the city can be understood as more than mere strategic rhetoric. If such a right is rooted in claims about the central importance of uses of spaces we *inhabit* and otherwise occupy, uses vital to living a properly human life, then we can imagine those claims being linked to needs in such an obvious and pressing way that we ought to consider these uses as entitlements rooted in moral rights.

Why a right to the city?

If the centrality of place-specific uses is a deep and unavoidable fact of our lives, one implicated with alienation, then why isn't a right to inclusion and influence over those uses – and their characteristic spaces – itself worthy of enshrining as a right? Why is Lefebvre's a right to *the city*, rather than a right to places and use values more generally?

The simple answer is that the city, for Lefebvre, is “a refuge of use values” (1996: 68), but that only pushes the question back: what is distinctive about the city that makes it such a refuge, and why are there not such refuges elsewhere?

For Lefebvre the answer lies in the historical interplay of, on the one hand, dimensions of *centrality* (political, ecclesiastic, commercial) for which towns and cities have been the spatial locus, and, on the other, the eventual supremacy of the logic of industrial production and market exchange.

Commerce finds roots in the medieval cities of Europe, between which trade networks flourish. In contrast, industrialization eventually flourishes largely outside the city, only to return and reshape the city according to its own distinctive logic of exchange values and rational plans. The final stages of this historical process leave urban society triumphant over rural life. This triumph, however, is a result of the urbanization of industrial society, not the primacy of the city as a complex and dynamic way of living together. Rather, “urban society is built on the ruins of the city” (1996: 126) thus understood.

According to Lefebvre, and again true to his Marxist roots, “each type of society and each mode of production has had its type of city. The relative discontinuity of modes of production defines the history of urban reality” (1996: 168), a historical categorization elaborated in Table 6.1.

In Lefebvre's reading of European history, inevitably shaped by the influential historical narratives and descriptive categories of Henri Pirenne (1923) and Max Weber (1921), the rise of the medieval city and the transition to capitalism present contradictory forces. The medieval city is the focus of wealth and of crafts, arts, and the enfranchisement of peasants; yet the city is also the primary site of production and exchange. Wealth is now mobile, and commerce involves networks of cities, eventually subsumed under the coercive power of emerging national states. Cities become the focus of community inherited from the village and the guild, but they also are the sites of intense class struggles: “the ‘minuto popolo’ and the ‘popolo grasso,’” in the Italian cities; “the aristocracy and the oligarchy,” to the north. “These groups,” in Lefebvre's characterization, “are rivals in their love of the city” (1996: 67).

Thus, a paradox of the high medieval city: The rich “justify their privilege in the community by sumptuously spending their fortune: buildings, foundations, palaces, embellishments,

Table 6.1 Modes of production and city types⁹

<i>Type of city</i>	<i>Mode of production</i>
Asiatic	Triumphal: “The sacred enclosure captures and condenses sacredness diffused over the whole of the territory. It manifests the eminent right of the sovereign, inseparable possession and sacredness” (168).
Antique (Greek, Roman)	Place of assembly: the agora and the forum; these cities, along with the Asiatic forms, were “essentially political” (65).
Medieval (feudal)	Enclosure of market and church: “Urban centrality welcomes produce and people . . . heralding and preparing capitalism” (169); “the medieval city, without losing its political character, was principally related to commerce, crafts and banking. It absorbed merchants, who had previously been quasi-nomadic and relegated outside the city” (66).
Capitalist	A “place of consumption and consumption of place” (170); “ <i>exchanges</i> and places of exchange”; “the <i>urbanization</i> of society” (124).

festivities.” In this way, “very oppressive societies were very creative and rich in producing oeuvres.” Yet “later, the production of products replaced the production of oeuvres and the social relations attached to them, notably the city” (1996: 67). This explains why “the most eminent urban creations, the most ‘beautiful’ oeuvres of urban life (we say ‘beautiful,’ because they are oeuvres rather than products) date from epochs previous to that of industrialization” (1996: 65).

Again, industrialization typically began outside of the city, but then attempted to reshape the city according to its imperatives:

We have before us a double process or more precisely, a process with two aspects: industrialization and urbanization, growth and development, economic production and social life. The two “aspects” of this inseparable process have a unity, and yet it is a conflictual process. Historically there is a violent clash between urban reality and industrial reality.

(1996: 70)

Lefebvre’s is a right *to the city*, then, because that is the mode of living that best allows us to flourish as persons, together. Writing of Paris between 1848 and the end of the Haussmann period, Lefebvre provides perhaps the clearest of many elaborations of this idea: “Urban life suggests meetings, the confrontation of differences, reciprocal knowledge and acknowledgement (including ideological and political confrontation), ways of living, ‘patterns’ which coexist in the city” (1996: 75). Given the global nature of the logic of industrialization and its drive to urbanize society, Lefebvre presents the right to the city as a way to recapture what is distinctively urban from that process: to gain access to, and influence over, the spatial and institutional dimensions of the centrality essential to realizing vital needs that require social elaboration.

Claiming Lefebvre’s right

Lefebvre is often cast as a heterodox Marxist. This he certainly was. He was also a hopeful romantic, looking back to medieval spatial and civic forms to find revolutionary possibilities. In framing those possibilities so powerfully within the concepts and vocabulary of Marx’s early expressivist understanding of how and why we work in the world, Lefebvre provides a

justification of a rights claim specific to the context of the city as a distinctive spatial and civic form in which that work best proceeds.

What is more, this grounded *urban* justification is consonant with a philosophical tradition typically thought at odds with Marxist formulations: the liberal analytic understanding of rights. We can claim Lefebvre's *right to the city* without irony or inconsistency, as a familiar species of right, so long as we accept his argument about the distinctiveness of the city.

Notes

- 1 Not only moral significance: David Imbroscio (2010) argues that liberal urbanists tend to be too friendly toward mobility-related reform programs, and less friendly toward place-building strategies that arguably respect a reasonable expectation for spatial permanence that I am citing here. Some of his interlocutors suggest that Imbroscio's charge is too sweeping, leading him to downplay important place-based reforms endorsed on liberal-egalitarian grounds; see, for example, Todd Swanstrom (2006). I take no sides in that dispute here; I only mean to flag this as an important social-scientific and policy debate over whether and how liberals can take seriously something like a right to place, understood as feasible spatial permanence enjoyed by residents in given neighborhoods.
- 2 The reference is to Wesley Hohfeld (1919), an enormously influential work in legal thought, which is the starting point for Wenar's and many other modern analyses of rights.
- 3 Wenar (2005: 224 and 252), where he concludes that "all rights are Hohfeldian incidents. All Hohfeldian incidents are rights so long as they mark exemption, or discretion, or authorization, or entitle their holders to protection, provision, or performance. Therefore, rights are all those Hohfeldian incidents that perform these several functions."
- 4 Or, "Des droits se font jour; ils entrent dans des coutumes ou des prescriptions plus ou moins suivies d'actes" (Lefebvre 2009: 106).
- 5 For an overview of the contrast, most prominently between G.A. Cohen and Steven Lukes, see Brenkert (1986); also Boyd (2009).
- 6 I have in mind here Marx's discussion of estranged labor, early in the *Economic and Philosophic Manuscripts of 1844*; see Tucker (1978: 76–77 and 114–115).
- 7 There is, curiously, a strong resonance between Lefebvre's characterization of socially elaborated needs, on the one hand, and on the other how John Rawls (1999: 79) elaborates the *socialness* of some primary goods, their quality and distribution being deeply implicated in the basic institutional structure of any given society.
- 8 Think here especially of Marx's remarks about the transcendence of private property in the *Economic and Philosophic Manuscripts*, a process through which, inter alia, "the senses and enjoyment of other men have become my own appropriation" such that, "for instance, activity in direct association with others . . . has become an organ for expressing my own life, and a mode of appropriating human life" (Tucker 1978: 88).
- 9 Table page references are to Lefebvre (1996).

References

- Attoh, K.A. (2011) "What Kind of Right Is the Right to the City?" *Progress in Human Geography* 35, pp. 669–685.
- Boyd, C.M.J. (2009) "Can a Marxist Believe in Human Rights?" *Critique* 37, pp. 579–600.
- Brandt, R.B. (1984) "Utilitarianism and Moral Rights," *Canadian Journal of Philosophy* 14, pp. 1–19.
- Brenkert, G.G. (1986) "Marx and Human Rights," *Journal of the History of Philosophy* 24, pp. 55–77.
- Fernandes, E. (2007) "Constructing the 'Right to the City' in Brazil," *Social and Legal Studies* 16, pp. 201–219.
- Hohfeld, W. (1919) *Fundamental Legal Conceptions*, New Haven: Yale University Press.
- Imbroscio, D.L. (2004) "Can We Grant a Right to Place?" *Politics and Society* 32, pp. 575–609.
- (2010) *Urban Politics Reconsidered*, Ithaca: Cornell University Press.
- Kohn, M. 2016. *The Death and Life of the Urban Commonwealth*, Oxford: Oxford University Press.
- Kymlicka, W. (1995) *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Oxford: Clarendon.
- Lamarca, M.G. (2011) "Right to the City in Brazil," *Polis*. <www.thepolisblog.org/2011/10/implementing-right-to-city-in-brazil.html>, accessed June 8, 2017.

- Lefebvre, H. (1991) *Critique of Everyday Life*, Vol. I, trans. J. Moor, London: Verso.
- (1996) *Writings on Cities*, trans. E. Kofman & E. Lebas, Cambridge, MA: Blackwell.
- (2009) *Le droit à la ville*, 3e éd., Paris: Economica/Anthropos.
- Mitchell, D. (2003) *The Right to the City: Social Justice and the Fight for Public Space*, New York: Guilford.
- Pirenne, H. (1969 [1923]) *The Medieval City: Their Origins and the Revival of Trade*, trans. F.D. Halsey, Princeton, NJ: Princeton University Press.
- Purcell, M. (2002) “Excavating Lefebvre: The Right to the City and Its Urban Politics of the Inhabitant,” *Geojournal* 58, pp. 99–108.
- (2008) *Recapturing Democracy: Neoliberalism and the Struggle for Alternative Urban Futures*, New York: Routledge.
- (2013) “Possible Worlds: Henri Lefebvre and the Right to the City,” *Journal of Urban Affairs* 36, pp. 141–154.
- Rawls, J. (1999) *A Theory of Justice*, rev. ed., Cambridge, MA: Harvard University Press.
- (2005) *Political Liberalism*, exp. ed., New York: Columbia University Press.
- Swanstrom, T. (2006) “Regionalism, Equality, and Democracy,” *Urban Affairs Review* 42, pp. 249–257.
- Tucker, R.C. (1978) *The Marx-Engels Reader*, 2nd ed., New York: W.W. Norton.
- Weber, M. (1958 [1921]) *The City*, trans. D. Martindale & G. Neuwirth, Glencoe, IL: Free Press.
- Wenar, L. (2003) “Legal Rights and Epistemic Rights,” *Analysis* 63, pp. 142–146.
- (2005) “The Nature of Rights,” *Philosophy and Public Affairs* 33, pp. 223–252.
- (2013) “The Nature of Claim-Rights,” *Ethics* 23, pp. 202–229.