III

Contested Cities

Afterword

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A starting point for this edited volume is that in this age of social and political tensions we need a more robust understanding of what is happening after dark. As someone with an interest in all things nocturnal, I agree. Any additional insights or conceptual clarity about the night, how it can be researched or understood, or how people live, imagine or experience it is to be welcomed. What stands out, however, is that this call to better understand the night is justified in terms of "political and social tensions." It is common to see research legitimated on all sorts of grounds: that it has not been done before, there is a gap, or it is new, for example. For the editors here, this anthology is not just about responding to absences, however. Instead, they claim that "many of the questions around multicultural living together and the often-polarizing question of migration [...] need to be considered within the context of circadian rhythms." They go on to explain that having this greater knowledge of what is happening after dark will provide "a deeper and more nuanced awareness of [...] the potential of public spaces to foster social integration, including in relation to the often highly political question of migration." Later, van Liempt suggests "[a]n emphasis on leisure time, conviviality and urban dynamics is hopeful if we want to explore new ways to live together in an increasingly diverse world."

There are a number of concepts circulating here: conviviality, diversity, public spaces, integration, migration, and, acting as an umbrella for them all, the night. There is also that powerful word from van Liempt: "hopeful." The night is frequently associated with pleasure and adventure, so hope is often part of the discourse, but the hope identified here specifically refers to the night as "an important site of cultural and intercultural encounters and exchanges, and one that has a key role in galvanizing social inclusion and integration." There are two points I take from this. When we think of migration, encounters, conviviality, or a range of other terms used to explain intercultural sociality, these are not atemporal. The night matters.

Second, public space is not atemporal and at night it enables and constitutes conviviality, sociality, and political assembly.

In the discussion below, and motivated by the preceding chapters, I reflect on the themes that have circulated through this anthology, particularly the contested city, public space and conviviality, and consider how the night, especially public space at night, contours the ways these might be understood and practised. Starting with a reflection on the concept of the contested city and public space, I then examine these concepts in relation to nocturnalization and the multifunctionality of nocturnal spaces. The discussion goes on to address questions about the ways "encounter" and "conviviality" have been understood in relation to "circadian rhythms," before concluding with a reflection on some of the methods that have been used and why these are so important for strengthening our understanding of the night and its capacity for coexistence and social connection. I argue that though the night has long been "contested," what and who is being contested, by whom and for what purposes has in some cases changed, but all too often remained stubbornly the same. As the chapters in this anthology have established, for the study of the night to be more than just "interesting," it needs to provide insight into the highly structured and politicized nature of nocturnal spaces and nocturnal practices.

Contested Cities / Contested Publics

For Gaffikin, et al. (2010), cities are contested due to finite land and resources. They draw a difference, however, between those contested on the basis of *sovereignty* and those contested in terms of *pluralism*. In regard to the former, Hepburn's (2004) work on Belfast, Montreal or Jerusalem addresses those cities where competing ethno-nationalist claims generate competing discourses around history, belonging, and state legitimation. Pluralism, in contrast, is where we see "disputes about social reproduction around differentials in class, ethnicity, power and status" (Gaffikin et al. 2010, 494). Cities might also be contested on the basis of economic changes and debates over the role of the state versus private business (Mollenkopf 1983), or, for Harvey (2005), they might be contested on the grounds of neoliberalism, inequality and gentrification. Yip et al.'s (2019) anthology examines squatting movements, cycling in Hong Kong, and food justice as examples of contestation while other studies examine the contested city in terms of secular, post-secular, and religious claims to public space (see, for example, Beaumont and Baker 2011). Of particular relevance to the study

of the night are numerous examples of spaces (and free assembly in those spaces) being contested around such issues as noise, residential status, morality, the temporal appropriateness of different practices and activities, and commercialization (Chatterton and Hollands 2003; Shaw 2017; Acuto et al. 2021). There are numerous outcomes to all these contestations including securitization and the promotion of fear (Simpson et al. 2017), control and surveillance (Pullan 2011) as well a range of urban interventions such as the gating of suburbs as a well cited example, legal interventions, or the development and use of technologies that act to further control public space. The sites and rationales might change, but these multiple forms of division operate across the city, through its institutions, in its commercial spaces and, of relevance here, in its public spaces. As Hall reminds us:

> Cities have always been divided. They are divided by class and wealth, by rights to and over property, by occupation and use, by lifestyle and culture, by race and nationality, ethnicity and religion, and by gender and sexuality (Hall 2004, 2, cited in Tselika 2018, 280).

Much has been written on this concept of the contested city, what drives it, and its consequences, but as Gaffikin, et al. (2010) note, it is not entirely a new debate. The contested city thesis is often framed in relation to questions of modern identity, diversification, globalization, or late capitalism, but the question of how we live together—or live with or alongside difference and diversity in rapidly changing contexts—is not a question that is unique to contemporary Western society. Gaffikin et al. (2010) argue that early sociologists, when studying the "early modern city," were similarly concerned with "heterogeneity" and "estrangement" (see also Inglis 2009). Such work similarly asked what would happen to existing alliances, communities or solidarities as a result of the rapid expansion, secularization and industrialization occurring in European cities. It is important to state this because as we will see later, echoing Watson (2006), while cities have long been marked by competing discourses, the response of officials and the content of those discourses does change. In other words, while there are unique conditions in different contested cities and it is important not to conflate and ahistoricize terms such as alienation, globalization, or estrangement, there are nonetheless historical frames which continue to reverberate and structure the ways contemporary debates about public space play out. This is especially the case at night, when, while some narratives remain relatively stuck, the solidarities generated, the public spaces in which they occur, and the policy response, all have a history. Curfews are perhaps the

most obvious example of how claims to the nocturnal city have long been curtailed, debated, and imposed (Goldberg-Hiller 2023; Ekirch 2005). But a question I want to consider when teasing out some debates about public space and the night is when, how and for whom did these spaces at night come to be seen as "public space," with all its associated promises and ideals of freedom, democracy and free access? In other words, is an ordinary plaza or park, a waterfront or street understood as "public space" in the same ways at night as it might be understood as public space during the day? This is not a flippant question: what is worth noting of this volume is the way it has demonstrated that the public and nocturnal realms, the promises and hopes of both, and the solidarities, struggles, and communities that are generated in public space at night have a context and a history. Public space is not just there, finished and complete in meaning, and nor is the night. Both are explored here as co-constitutive and only come to mean something—in this context—in their confluence. Before addressing this, it is worth reciting some well noted points about public space and the ways it is understood at night.

Despite frequent concerns about its demise, and the well cited argument that public space is always marked by inclusions and exclusions, it remains firmly in the imaginary as important and needing protection if democratic and freely accessible cities are to exist. Carmona (2010) characterizes recent work on public space into two broad camps: those that emphasize the themes of undermanagement and neglect versus those pointing to over-managed spaces evidenced in commercialization and securitization. In the latter camp, terms such as encroachment, erasure, corporatization or neo-liberalisation (see, for example, Smith and Low 2006) are often centred. Much of the work defending public space owes in part to Lefebvre's (1996) right to the city. This is a conception of public space which sees it as process and product; as Purcell elaborates, it is a right to both participation and appropriation (Purcell 2002). This echoes Routledge's focus on spatial politics when he states: "This struggle for rights produces space, and political action—in the form of actively claiming urban space—acts as the fulcrum upon which the right to the city is leveraged" (2010, 1167). Marcuse's review of the right to the city situates it in one sense as a metaphor of what a city could be. He says:

> [I]t was not a right to the City, not a right to be included in what the city already was, but rather a right to a city that could and should be, to the city as a metaphor for a new way of life, one whose characteristics were directly related to the new processes of urbanization, which for Lefebvre

encompassed a new way of life, of everyday life as well as of government, or a social system as well as, even more than, a physical place, a particular built environment or legal jurisdiction (Marcuse 2014, 5).

As Lefebvre clarifies, this is not a city that is, but "a right to urban life" (Lefebvre 1996, 158, cited in Marcuse 2014, 5). He goes on to suggest that:

> The transformation of society presupposes a collective ownership and management of space founded on the permanent participation of the "interested parties," with their multiple, varied and even contradictory interests (Lefebvre 1991/1974, 422, cited in Purcell 2014, 148).

We will return to this idea of contradictory interests later; for the moment I want to bring the discussion back first to the night. The right to the city at night is similarly not just about access but also about the right to assembly, to organize, to be heard, and to participate in its governance, as much as its promises: leisure, rest, warmth, and fun just to start with. A significant theme in this anthology is precisely what inhibits self-governance and self-determination and how the promise of public space at night is controlled and limited.

As noted, this management is in part historical, and Butler (see Seeliger and Villa Braslavsky 2022) warns against a-historicizing the public. Public space is not just "there." As Harvey elsewhere has argued, space is not just a passive container. For Harvey, there are three ways of conceiving the contested city, the first being that space and time are "containers of social action" (2005, 22), which is an approach that renders the city as little more than a passive backdrop. At night, in this account, the city just happens to be where competing debates about time, use or morality—the time to work, shop, sleep or dine, for example—are played out. There is nothing constitutive of the city or darkness here, both are just where action is located. The second approach sees the city as a container but not neutral; the example he uses is mapping and how it is variable dependent upon that which is being mapped. A final approach for Harvey draws on Leibniz and it is that each process has its own spatio-temporality. In this sense, cities are defined by multiple if not infinite spatio-temporalities "within which conflictual social processes are worked out" (Harvey 2005, 23). In more simple terms, cities are not only defined by processes, but they also make them. The well-cited axiomatic that cities make tourism and tourism makes cities comes to mind.

My own thinking is more aligned with Massey (2004, 2005) and her conception of place as having multiple meanings, as always in process, and

as not bounded or contained. Following this argument, to defend public space at night and to celebrate its promise of free-assembly and potential does not mean foreclosing its meaning or fixing it in some romanticized vision of the past, be that associated with pre-neoliberalism, tourism, or commercialization. It means recognizing that this all unfolds within historical, political and cultural contexts. Just as the public spaces and the public of today are being made, so too their histories must be acknowledged. To discuss night spaces within a historical context, one that pays close attention to the ways histories are always highly contested themselves, also means thinking through the ways that the aspirational promise of public space, who it is for, and its audience, also changes. This, then, means turning to the ways the night, nocturnalization and public space can be thought alongside each other.

Koslofsky (2012) provides an important historical context to the nocturnalization of European culture and links this to public space. In this narrative, the public sphere and the night are intimately bound, with the nocturnalization of European culture occurring alongside the emergence of the coffeehouse in the seventeenth century (2012, 175). Though open during the day, their late hours allowed people otherwise busy working in daylight hours to attend them after work and discuss all things political. In Paris, their hours were heavily restricted, including the lighting of lanterns outside, as also happened in Frankfurt am Main and Vienna, but by the late seventeenth century they were part of urban life during the day as well as at night. As Koslofsky suggests, the representation of the coffee house was "always" after dark with candles on the table. This history of the coffeehouse clearly illustrates the ways public space at night was never there but was made, contested, and came to be through newly emerging patterns of global trade, new technologies of lighting, and new patterns of work and urban living. Already contested, he argues that "together, ministers of state and consumers of leisure colonized the night and created the time and space in which the bourgeois public sphere formed" (Koslofsky 2012, 184). As he emphasises, this was not linear, and it is a timely reminder that even now the expansion of nightlife recedes and rises in waves, intersecting with other moral and political processes, infrastructures, institutions, and structures. What Koslofsky does is also to document the emerging governance of the night and the consumption of time; time that could be controlled through lighting and new work patterns. The entanglement of power, the public and commercialism in the newly illuminated nights of European modernity constituted a way of occupying public space which involved a new form of assembly, visibility and spectatorship.

This framing of the night, nocturnalization and the production of the public and public space is redolent also of Habermas' understanding of public space, that this was not just something built and finished, but that there was a "staging of publicity" (cited in Seeliger and Villa Braslavsky 2022). Butler suggests that to whom it was staged changed. Butler, in reference to Habermas states:

> The spaces deemed public are those into which "anyone" can go, including those who are not invited to aristocratic dinners and parties. At the end of the eighteenth century, the "public" becomes, he argues, the public authority, understood as separated from the aristocracy and the Church (Seeliger and Villa Braslavsky 2022).

This was also happening right alongside colonialism and the institutionalization of racism, so this configuration of the public, public space and nocturnalization cannot be considered outside of those processes of racial exclusion and notions of who is the public and who is a citizen.

The night that is discussed in this volume is largely about these relations between people, about relations between bodies and policies, bodies and institutions, music, darkness, and different cultures and histories. This is where we return to the theme of contested cities and multiple publics. As noted, the night has long been contested in terms of morality, but it is also contested on grounds of who it is for, resistance to its commodification and over management, or celebrated for its diversity. To address this, I want to discuss another key theme of this volume, which is that of multifunctionality.

Multifuncionality

Space, for Massey (2004), is always open, unbounded, forming and being formed by action, processes and structures of the here and elsewhere. A further key point for Massey is space is always full—not full in the sense of being complete or finished, but in the sense of having multiple meanings and forces operating. In a more literal sense, I am also drawing on Batty et al. (2004) here who suggest that if cities in the past were more segregated in spatial and temporal terms, now there is a call for more diversity and multifunctionality. The promotion of nightlife is one such example where the maximum use of space is promoted. A very good example of this would be a barbershop in Amsterdam which becomes a lesbian bar in the evening (Ekenhorst and van Aalst 2019). Another example might be the chameleon

bars found in British cities, which transform from cafes to bars then dancing venues over the course of the day, in each form attracting new audiences, different music and lighting, and producing different effects and affects. Multifunctionality is a feature of many of the spaces that have been discussed in this anthology. Munganga, for example, as explained in Brandellero and Santos Velho's chapter, was a squat, tram depot and now arts and club venue. It is the sort of venue which typifies multifunctionality in its use and users, as well as its history. In a Masseyean sense, it is also—like all spaces—constantly becoming.

In some ways, part of the debate about cities at night is this multifunctionality and whether the night should be kept distinct from all that plagues the day (Crary 2013), or whether the day and night are becoming increasingly alike. Though many of the chapters here on workers roundly debunk the idea that the night is somehow immune from capitalism or work, this does not mean the day and night are the same. They are different in terms of affect, atmosphere, histories and methodologies, exclusions operating, who gets to go out, how it is legislated, the policies enacted, and indeed the enchantments they offer, for some. The night is "full" of meaning and possibility, and part of that owes to the ways the narratives and uses change from day to darkness. To situate the night as a mere extension of the day, or as its antithesis, deprives us of thinking of the night in its specificity and with its own history. Equally, the problem with seeing the night as only becoming more like the day leaves no room for similar sense of enchantment, pleasure, resistance to capitalism, non-work, risk, danger, or self-determination during the day. To think of the night and day in opposition deprives us of any understanding of the night as anything other than derivative or oppositional and not of its own context and its own qualities, materialities, and generative of unique forms of sociality and solidarity. The night is not divorced from the day, but it is "filled" with meaning and functionality in different ways. A point made by scholars of the night is that spaces, their meaning, use, and representation will change between day and night. Yeo refers to the plural meanings of the night; segmentation, a sense of freedom but also heightened forms of structure and control (Yeo 2020).

It follows, then, that at night public space is contested space in the sense of serving different functions, communities, ambitions and purposes which might not always align. Whether it is about noise or morality, which venues are allowed to thrive, and which are more heavily surveilled, or which bodies can pursue leisure unhindered, public space at night is thoroughly steeped in multifunctional uses. This is where we turn to the second main theme of this Afterword, which is conviviality. Though the examples demonstrate

the multifunctionality of space, what might this tell us about such spaces as spaces of intercultural citizenship?

Encounter AND Conviviality

I've argued that public space is not atemporal and that we need to consider it as the editors suggest in relation to circadian rhythms. Koslofsky (2012) provides a good overview of the ways public space and naturalization must be considered together. A public space at night is not just the darkened (or illuminated) version of the same public space from the day. Likewise, the night is not just an empty backdrop in which things happen; as public space is not atemporal, the night is not aspatial. In the previous section, I explored two reasons why multifunctionality is important; firstly, in a literal sense of multiple uses or at least changing users between day and night. The second reason I turned to multifunctionality was to crudely illustrate Massey's (2004) point about the open-ended incompletion of all spaces, and the ways they are formed and transformed through interaction. But what then to make of this interaction and the way it has been framed here in terms of conviviality? This has been a central theme of this volume, and it has been particularly well illustrated by the chapters engaging with nocturnal spaces in relation to migration and exclusion. If space is defined by the relations producing it, multifunctionality and conviviality are both integral to this production. Conviviality is a way of thinking about what people do in diverse spaces, what is allowed, and the everyday ways those intercultural connections transform spaces and their meanings. But, as Hepburn asks, "[w]hat happens in a context where the political and social facts dictate conflict and separation, but proximity and economy require interaction?" (2004, 3–4). To answer, it is important to return to the opening premise of this collection and the claim that knowing what is happening after dark is crucial for understanding questions around migration and diversity. I do not propose here that if contestation is the issue, then conviviality is the solution. I want to use conviviality instead to think about the very conditions under which public spaces at night might be conceptually framed—and within a context which recognizes the highly politicized stakes of such interactions. In accordance with the examples illustrated in this anthology, about multifunctionality and multi-publics, these interactions can also be a resistance to other claims on public space and can generate new configurations and solidarities. Again, a question running through the discussion is what this might mean at night and what does it allow.

Following Wilson's citing of Shapiro (2010), cities are where the encounter is a defining feature and where difference, diversity, or what Massey refers to as "throwntogetherness" (Massey 2005, cited in Wilson 2017) are central. For Massey, this term refers to the ways multiple and complex elements such as the social, political, ecological, and other cross categorical elements come together and intersect to produce a sense of place in the here and now. As we have seen, this translates into other features of urban life already discussed; multifunctionality, diverse needs, plural forms of belonging, and at times competing claims to public space. Drawing on Gilroy (2004), current work on conviviality examines the everyday ways communities come together. Nowicka, for example, uses conviviality as a way of thinking about "human togetherness" (2020, 17). There is a long history to this term that I cannot do justice to here, but de Noronha (2022) provides an excellent overview, defining conviviality as "negotiation across lines of difference in the context of inequality and division." In exploring the shortcomings and oversights in how the term has been deployed, he argues that other writers do not necessarily erase conflict and tension but that "the friction is insufficiently theorised" (2021, 164). By this he means that isolating examples of conviviality or multicultural interaction without theorizing or connecting these observations to the wider structural and political context does not always engage in the anti-racism work the concept requires. As de Noronha asks:

> How should the existence of fairly banal forms of multiculture be weighted and interpreted in relation to analysis of economic conditions, state practices, and racist cultures—all of which appear to be becoming more brutalising as we speak and write? (2021, 174).

Again, if we centre the night here, public spaces—the pavements, parks, waterfronts, and other public spaces where these interactions occur—function temporally. On the one hand, night spaces are often designed precisely to facilitate engagement. It feels clumsy to say so, but considerable work does go into making us comfortable in some nocturnal spaces. Swartjes and Berkers (2022) provide a detailed overview by looking at festivals and how they facilitate conviviality. As they ask, however, at festivals is it more a case of bonding or bridging? We might ask the same of other nocturnal venues. That is, night spaces, perhaps like conviviality more generally, can be overly romanticized as erasing cultural differences and, more generally, power. As Swartjes and Berkers (2022), explain, however, symbolic and cultural capital are common features of nightlife spaces. Some corners of nightlife are committed to doing precisely the bonding and the bridging which has

been called for. Garcia-Mispireta (2023) has recently documented this in terms of rave culture, but with an understanding of how night spaces enable pre-existing groups to bond rather than always doing the work to bridge is in a sense what is being asked here of conviviality at night.

Feminist and Black writers have also for decades been central to calling attention to the ways the night excludes and the dangers it holds. Talbot and Böse (2007), Wicks (2022) and Buford-May (2014), among many others, have examined the exclusionary and dangerous component of the night, as well as the ways narratives of nocturnal culture have centred some experiences to the exclusion of others. Finn Mackay's *Radical Feminism* (2015) explores the Reclaim the Night marches, for example, including the debates about the racist history of night-time policing and policy against Black communities. There is further important work continuing to be done on reclaiming the history of Black nightlife and music (see, for example, Pawel-Rammingen 2021; Adeyemi et al. 2021).

Articulating the relationship between the night and conviviality is not then to suggest that it might be a remedy for social and political tensions. It is true that the night in the UK is sometimes deployed as a panacea for depressed economies and it has become integral to the promotion of cities to tourists. The night is supposed to *do* something, in other words, whether that be to enchant us, provide a space to meet, resolve the current emphasis on making and marking boundaries, strengthen an economy or allow communities of difference to find common ground in leisure. When adding conviviality to this, it is not surprising for concerns to be raised about it being all too happy-clappy (Wise and Noble 2016). But the night is marked by both closure and opening. Wilson, drawing on Leavelle (2004), suggests that "the spatial concepts of border, boundary, margin and frontier are commonly deployed when discussing cultural encounters" (2017, 456). The distinction between the day and night is a border and, as Wilson says, it is at the border where encounters happen. Melbin (1987) similarly wrote of the night as a frontier, and it is a metaphor which still circulates today.

What are those encounters at the border supposed to do? Encounters can challenge misconceptions and allow us to engage with others. There are multiple embarrassments awaiting us at night, as well as real and persistent dangers that continue to inhibit the autonomy of certain groups. There are also the enchantments, the bodily pleasures of drugs, dancing, sweating, or food. There are theatres, a favourite band, or a much-loved restaurant to be enjoyed, as well as, for example, the enchantment of Christmas lights or the swell of being at a stadium. The sensory nature of many night-time activities is part of the conviviality discourse and how it connects us or bridges us to

other bodies. Night spaces cannot easily resolve certain historical attitudes and practices designed to alienate or exclude; taste and distinction operate as formidable boundaries to the promise of conviviality. Nonetheless, as with public space, there is a promise and aspiration for the night and conviviality which has been amply demonstrated in this volume.

Methods

In this final section and by way of bringing this Afterword together, I will reflect briefly on the methods used in some of the preceding chapters and consider them in light of the points raised above. De Noronha (2021) has noted that work on conviviality has tended to privilege the ethnographic. Chatting to people, observing them, and being part of the community is a good way of teasing out and identifying specific issues. We have seen this put to good effect in several chapters here. Other methods have also been featured here, including textual and photographic. There are two points which I want to consider and end with. The first is to return to that opening point made by the editors—we are in an age of social and political tension. The second is de Noronha's question about why people are drawn to examples of multicultural conviviality. To start with the first point, at the time of writing, in 2024, some 49 per cent of the world's population is expected to experience an election this year and there is fear and alarm at possible outcomes. Social and political tensions are very much evident here in the UK where we have witnessed a significant upsurge in hate crimes. Across social and legacy media, in parliament (Hinsliff 2024) and in public spaces, difference is weaponized and the right to free assembly further legislated against (Home Office 2021). In this context, the question of how public space is understood as well as how it is used is crucial. The argument made here is that public space is about free association and free assembly. At night, as seen, its history is tied to nocturnalization and the emergence of the bourgeoisie, but this does not foreclose its meaning. Informed by Massey (2004), like all space, public space is always open and unfinished, and the practices and activities explored in this anthology capture this. They also point to the importance of how we understand public space informing the research we do. A focus explored in this anthology has been on the marginalised and it comes then to that second question of why we do the research we do.

Nightlife is typically about leisure, work, and people coming together so the foregrounding of conviviality is not surprising. But, as the current political context demands, we concur that "[i]n such a sociopolitical context,

there is an urgent need for us to find ways to see the human in the other to enable us to pave the way to constructing wide ranging solidarities that cut across supposed racial lines to help us forge a more hopeful present and future" (Singh 2023, 2). As a tool for understanding how people come together, conviviality can be useful, but de Noronha does warn against erasing its political edge. To focus only on the coming together without considering "economic conditions, state practices, and racist cultures" (de Noronha 2022, 174) erases the bite of conviviality, but also the ways public space at night is deeply entwined with laws, histories, and practices which inhibit the mobility and self-determination of others. I do not wish to over-celebrate or romanticize the night as some panacea for all that plagues contemporary society. Instead, it is important to balance out the competing and indeed multifunctional clams to space at night. What I take from this collection is that the night matters; venues matter, and spaces to connect matter, and it really matters how we represent that and research that in ways that recognizes its importance and its complexity. The night is complex because it is not simply an inversion of the day; for too long the night has been the day's antithesis; leisure to the day's work, freedom to the day's neoliberal capitalism. This not only strips the night of its specificity and history, but it also sets up a false binary and ignores the temporality of space and spatialization of time. Migration, contested spaces, the politics of being out and the politics of representation are all temporal, and night tempers these in ways that need to be carefully mapped against the relations of power and exclusion that shape them. The public sphere has long been conceived in terms of facilitating integration, but to consider how it does this at night, or, more accurately, to consider public space as temporal, is what this collection has expanded upon.

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