

Individual and collective action for healthy rental housing in New Zealand: an historical and contemporary study

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Abstract

Substandard, insecure, and unaffordable housing affects health, contributing to the spread of infectious disease, susceptibility to respiratory illness, and to feelings of stress and anxiety. In New Zealand, people who rent are most likely to experience health problems related to housing. This study explores the connections between power and housing as social determinants of health by investigating the ability of New Zealand tenants to individually and collectively represent their interests in order to obtain healthy housing.

The first part of the study is based on archival records and chronicles the five key phases of New Zealand tenant protest, during which tenants organised for affordable, secure and quality housing through political advocacy, tenant support services, and direct action. Tenant protest groups worked for rent controls in 1916 and 1920, against evictions during the Depression, for better quality and lower rents in the 1970s, against market rents for state housing in the 1990s, and against the redevelopment of state housing communities in the 2010s. Such groups helped individuals retain, gain or improve their housing, and contributed to policy and law change that helped people access healthy housing. However, tenant groups faced common challenges which meant that their actions were small scale and intermittent. In addition, state promotion of homeownership meant tenants were more likely to try to leave the rental sector rather than work towards its improvement. In discussing the results, I draw on Albert Hirschman's exit-voice framework, Kemeny's housing typologies, and the literature on collective action and social movements.

The second part of the study consists of a survey of tenants and interviews with tenant advocates, which explore how tenants are able to represent their interests at an individual level, in relation to their landlord or the courts. Key issues facing tenants were insecurity, affordability, and poor quality housing. When tenants were able to represent their interests, often with the assistance of a tenant advocate, they could improve their housing. However, tenants often chose against representing their interests due to a lack of knowledge or confidence in asserting their rights, as well as the high costs of doing so in terms of time and effort, the experience that reporting housing problems does not lead to their resolution, and the fear of risking their tenancy. In discussing the results, I draw on Hirschman's exit-voice framework and Steven Lukes' work on hidden dimensions of power.

This thesis shows that tenant representation can support health by helping tenants access secure, affordable, and quality housing. But tenants are limited in their ability to represent

themselves. The health disadvantages of tenants are inextricably linked to their power disadvantages. At an individual level, housing insecurity makes asserting their rights, as the legislation requires them to do, a risky endeavour, especially for low-income people. At the political level, group representation by tenants is limited by resource constraints and policies that make home-ownership the rational option for anyone who can afford to. The thesis makes the case that improving tenant health requires interventions that account for power disparities, and suggests that tenants are important allies in working towards healthier housing.

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1 Introduction

This thesis considers the ways in which the power inequities in relation to rental housing contribute to health disadvantages for tenants, and suggests that challenging power disparities can challenge health inequities at their root.

Health is determined in large party by the conditions of daily life: the place we live, the work we do, our gender, our income, our education, and the health and social supports available to us. The international evidence on the importance of living conditions on health was drawn together by the seminal report of the World Health Organization's Commission on Social Determinants of Health (2008).

Housing is one important determinant of health. We are affected by the physical conditions, or the quality, of the dwelling: the extent to which it shelters us from the cold or the heat, the presence or otherwise of contaminants in the dwelling, the extent to which we have space. We are affected by the security of our occupancy in the dwelling: the extent to which we have control over our surroundings and our ability to stay there. We are affected by the affordability of the dwelling: whether we can afford a house which houses everyone without being too crowded, or whether we can pay for our housing costs without sacrificing necessities like food or medicine. Substandard, insecure, or unaffordable housing can contribute to the spread of infectious disease, our susceptibility to respiratory illness, or to feelings of stress and anxiety.

In New Zealand, the negative effects of housing on health are disproportionately borne by people who rent. About 31% of New Zealanders rent, and many tenants live in poor quality housing. An estimated 44% of rental housing is in poor condition, a proportion which is double that of owner-occupied housing (Buckett, Jones, & Marston, 2011). Many tenants experience affordability pressures: 70% of children living in poverty live in rental homes (Perry, 2012). Crowding is one result of affordability pressures. About 19% of rented dwellings are crowded, in contrast to 3.5% of freehold homes, and 5.7% of mortgagee homes (Ministry of Health, 2014). Many New Zealanders experience housing insecurity: half of tenancies end within ten months and 13% end within three months (Department of Building and Housing, 2004). High house prices mean that the proportion of people who rent, and the amount of time they spend as tenants, is increasing, which suggests that the effects of these disadvantages will only increase.

The conditions of daily life that affect health are not random, but are the result of power inequities. The evidence collected by the Commission on Social Determinants of Health showed that poor living conditions are “the consequence of deeper structural conditions that together fashion the way societies are organised” (Commission on Social Determinants of Health, 2008, p. 26). This forceful statement connected to the call of nations under the Alma Ata declaration: that the attainment of health for all required the transformation of society and the economy, as well as the health sector (WHO & UNICEF, 1978). The Commission made a strong connection between power and health, proposing that health inequities were a result of unequal power relations and a lack of representation:

“Any serious effort to reduce health inequities will involve changing the distribution of power within society, empowering individuals and groups to represent strongly and effectively their needs and interests and, in so doing, to challenge and change the unfair and steeply graded distribution of social resources (the conditions for health) to which all, as citizens, have claims and rights” (Commission on Social Determinants of Health, 2008, p. 18).

The Commission makes the case that enabling disadvantaged groups and individuals to better represent their interests allows them to improve their health.

The link between power and health is particularly clear in the realm of rental housing, at both the individual and political level. The extent to which rental homes are affordable, secure, and in good condition depends in large part on government positions on tax, housing supply, regulation of conditions and rents, and the quantity of social housing, to name just a few. These positions are influenced by a number of different interest groups, such as builders, developers, landlords, banks, homeowners, and tenants. The extent to which each group is able to effectively represent its interests can influence policy settings, and therefore health. Tenants can also play a role in influencing their housing on an individual level, in relation to their landlord. A tenant’s access to quality, affordable, secure housing depends to some extent on her ability to represent her interests to her landlord. Enforcing tenancy law in regard to rent rises, notice periods, and conditions of damp and mould, for example, rely on a tenant bringing the law to the attention of the landlord, and possibly the courts. Her success at negotiating improvements can affect the extent to which her home is healthy. In the case of improvement to the dwelling itself, this can also affect the circumstances of future tenants.

Research question

The disadvantages experienced by tenants in accessing healthy housing, and the importance of empowering representation at the individual and group level in order to challenge these health inequities, led me to my research question:

To what extent are New Zealand tenants able to effectively represent their interests, as individuals and as a group, in order to improve their housing and their health?

Answering this question fills gaps in the literature. There has been no detailed research on how tenants in New Zealand have represented their interests to affect policy or their housing conditions. Though there are a number of works on tenant protest groups in other countries, it is uncertain how applicable such research is to New Zealand, or indeed, to other countries. While the limited ability of New Zealand tenants to effectively represent themselves as individuals to their landlord is often cited, it has only been tested in empirical research to a limited extent. Moreover, no work, to my knowledge, has attempted to analyse the restraints on tenant representation in both spheres together.

The two parts to my question led me to a two-part study. In one part, I investigate the ability of individual tenants to represent their interests to their landlord and to the courts. I review the literature on tenant representation in a number of countries with similar housing systems to New Zealand. This review informs the empirical work. Interviews with key informants, and a survey of tenants, show that there were a number of limitations to tenants representing their interests in order to access healthy housing. In navigating the literature and the results, the work of Steven Lukes (1974) on the hidden dimensions of power helps elucidate why tenants sometimes choose against representing their interests, and the work of Albert Hirschman (1971) helps explain contributing factors to the choice tenants make between moving house, and attempting to improve the conditions of their current home – voice, or exit.

In the other part of the study, I investigate group representation of tenants, or, as subsequently defined, tenant protest groups. I review how theorists have drawn on the collective action and social movement literature in order to explain tenant protest in countries with similar housing systems to New Zealand. The literature draws attention to the importance of a number of factors - including resources, opportunities, identity, and frames - to the emergence of tenant protest. This is useful context for the empirical work, a historical study of New Zealand tenant protest groups over the past century, based on

archival records. Tenant protest groups emerged in response to high rents in 1916 and 1920, evictions during the Depression, poor quality housing in the 1970s, the introduction of market rents to state housing in the 1990s, and the redevelopment of state housing communities in the 2010s. Drawing on Hirschman's exit/voice mechanism, and integrating this with insights gleaned from the housing system theorist Jim Kemeny (1981, 1992, 2006), helps explain the effects of policies that promote homeownership on the development of tenant protest.

Defining terms and scope

This thesis considers the representation of interests by tenants as individuals and as part of a group. It is important to define these terms. A housing tenant can be simply described. By "tenant", I refer to any person who pays rent to a landlord, regardless of the landlord. This term therefore encompasses people who pay rent to a private landlord, a public landlord, or a private social housing provider. Private tenants pay rent to a for-profit landlord - in New Zealand, most often an individual rather than a company. Their rent may be partially subsidised by a rent supplement or benefit. In New Zealand the Accommodation Supplement is available to private renters and mortgage holders to assist with their housing costs. People who rent from public bodies – responsible to local or central government – pay below market rents, sometimes related to their income. In New Zealand, such tenants are referred to as council or state tenants; in the United States or Australia, public tenants; and in the United Kingdom, council tenants. Such tenants are often included within terms such as "social housing tenants" or "social renters", which refers to tenants who pay subsidised rent to public bodies as well as private community housing providers (who are often assisted by government funds). Tenants of different landlords are in different circumstances, which may impact on the extent to which they experience health disadvantages or the extent to which they are able to represent their interests. Where relevant, I specify the landlord.

When referring to representation by tenants as a group, I use the term "tenant protest group". I have chosen the term "protest group" over a number of other possible terms due to its precision and inclusivity of a range of potential actions. The term "collective action" is associated with a particular theory (Olson, 1965), and since I consider both this theory and other theories in relation to tenant protest, for clarity's sake I have reserved the term for my discussion of that theory. I have also chosen against a number of terms used by scholars of similar topics. I chose against the term "social movement", agreeing with Opp's (2009, pp. 34–44) critique of the lack of precision in a number of possible definitions. Social

movements have been defined as a set of beliefs in a population (McCarthy & Zald, 1977) or collective action by a large number of people (Toch, 1965) or organised efforts to promote change (Jenkins & Form, 2005); another term, “contentious politics” describes interaction between “claims makers” and government (McAdam, Tarrow, & Tilly, 2001).

Each of these definitions in some way excludes aspects of the object of study. A tenant group may have a target besides government, such as a landlord, property manager, or development company. Sometimes such actions are small scale (such as a rent strike by tenants on one estate) and sometimes they are large-scale action (such as a march on Parliament). Sometimes actions are organised (such as a rent strike) and sometimes they are spontaneous (such as some instances of eviction resistance). One tenant group may undertake a range of these actions, and so it is useful to avoid excluding any action by such a group through a limited definition. For this reason, I chose the term “tenant protest group” for my analysis of group representation by tenants. A protest group is defined as “a collectivity of actors who want to achieve their shared goal or goals by influencing decisions of a target” (Opp, 2009, p. 41). Building on this, the definition of tenant protest group selected for this thesis is “a collectivity of tenants who want to achieve their shared goal or goals by influencing decisions of a target”. Such a term encompasses the range of activities tenants might undertake together to represent their interests.

By specifying that the actors I am interested in are tenants, this definition ensures that the focus is how *tenants* represent themselves as a group. This differentiates a tenant protest group from an advocacy group, which is “a group of people who work to support an issue or protect and defend a group of people” (Macmillan, n.d.). While advocacy groups and academic groups can be important allies, and support tenants’ causes, they are not necessarily tenants. My choice against considering such groups was consistent to the Commission’s specification of the importance of “empowering individuals and groups to represent strongly and effectively *their* needs and interests” [my italics] (Commission on Social Determinants of Health, 2008, p. 18).

The scope of this thesis is therefore limited to how New Zealand tenants represent themselves, rather than how different groups work together to improve conditions for tenants. For example, this means that I do not investigate the important advocacy in recent years for a rental warrant of fitness, which has been led by academics, local government, and social service organisations. In the thesis, where other groups, such as social service organisations, have supported tenant protest groups I have included their contribution in my

analysis. Other support is observable in the references I use: researchers have looked closely at the health and other effects of poor conditions in rental housing, and have used their academic position to advocate for better policy. The contribution of overseas influences to tenant protest groups is likewise out of the scope of this thesis. The thesis outlines comparable tenant protest existing in different countries, and notes the evidence of direct links between tenant protest in New Zealand and in other countries, but emphasis is placed on the New Zealand experience.

Structure of the thesis

In the current chapter, I have introduced the research question, the relevance of power and housing as social determinants of health, the importance of this topic to the New Zealand context, and defined terms and scope.

In Chapter Two, I outline my approach to answering the research question. I survey different approaches to research, and explain my preference for pragmatism. This approach accepts that all knowledge is provisional, and focuses on providing clear and useful accounts of the subject at hand. I explain the methods used to answer each part of the research question. I chose to undertake historical research to enable me to analyse the influence of tenants' groups in five different time periods, and the factors that contributed to their rise and decline. To investigate the ways in which individual tenants are able to represent themselves, I chose to conduct a descriptive study based on a survey of tenants, and in-depth interviews with key informants.

In Chapter Three, I explain the connections between housing and health. I focus on three key areas: the affordability, security and quality of housing. I review the evidence and explain how the three issues connect and influence each other. In addition, I introduce readers to the New Zealand context, explaining the extent to which New Zealand tenants experience affordability, security, and quality.

Chapter Four reviews the theory and literature which helps explain tenant representation. In the first part of the chapter, I outline Albert Hirschman's work on exit and voice, which suggests that people can respond to poor conditions through leaving or challenging a situation. I go on to explain how researchers have used this framework to explain the circumstances in which tenants seek to represent themselves. Next, I explain how Steven Lukes' work on the hidden dimensions of power can deepen understanding of what enables

tenants to represent their interests. I outline the empirical work on tenant representation in countries comparable to New Zealand in light of those authors. In the second part of the chapter, I explain Mancur Olson's collective action dilemma, and how different social movement approaches can explain how this can be overcome. Different approaches – collective identity, framing, resource mobilisation, and political opportunity – are explained with reference to empirical work on tenant protest in countries similar to New Zealand. Finally, I look at how the exit-voice framework can be applied to tenant protest. The suggestion that possibilities of exit from the rental tenure can affect the development of tenant voice is introduced with reference to Jim Kemeny's typology of housing systems.

Chapter Five marks the beginning of the results chapters. This chapter covers the tenant organising that occurred in Wellington in 1916 and again in 1920-22. First, however, I outline the conditions for tenants in the cities in this time period. As a result of urban drift, wartime shortages, and the orientation of the construction sector towards providing for the middle class, tenants were faced with issues of overcrowding, high rents, and insecurity. I note the state's acknowledgement of the housing crisis, and its attempts to address the problems through regulation, building, rent control, and most enduringly, loans for home-ownership. Subsequently, I discuss the connections between the Labour Party, the labour movement, and the two tenant protest groups. I acknowledge the achievements of the tenant protest groups in achieving and sustaining rent control, as well as supporting tenants, and note the limitations of those achievements. Finally, I discuss the drift of the Labour Party away from radical solutions for tenants as home-ownership rates increased throughout the 1920s.

Chapter Six covers tenant protest from the late 1920s to 1935. In this chapter, I discuss how the Depression affected tenants, and how their worsening circumstances prompted spontaneous protest. Next, I look at how the Unemployed Workers Movement (UWM), associated with the Communist Party, advocated to government on tenant issues, provided practical support to tenants, and encouraged tenants to take part in direct action, such as by resisting their eviction for non-payment of rent. I discuss the relationship between tenant protest and the Labour Party and union movement. I outline challenges to tenant protest: repression by the police or legislation, and the dispersion of key activists to relief camps. I discuss the decline of the UWM partly as a result of the election of the Labour Government in 1935. I note that tenant protest alleviated, at least temporarily, the conditions for the tenants involved, and drew attention to housing issues. Finally, I record the continuing

problems for some private tenants despite the commitment of the Labour Government to address housing issues.

In Chapter Seven, I discuss tenant protest groups that developed in the late 1960s and early 1970s. I first outline the particular housing problems of this era, and situate the development of tenant protest with the rise of the New Left and new social movements. I outline the origins and developments of a number of organisations, their varying foci, and their sometimes cooperative and sometimes oppositional relationship to the Labour Party. Their actions ranged from direct action, to individual support, to lobbying. I subsequently turn to the challenges faced by the tenant protest groups, including a lack of support and funds. Tenant protest groups provided important support to the tenants involved, and may have contributed to legislation in that era, including the Rent Appeal Act 1973 and the Residential Tenancies Act 1986.

Chapter Eight concerns state tenant protests in the 1990s. These protests occurred in response to changes in state housing policy that significantly increased state tenants' rents. I discuss the state tenant population, and outline the reform and its effects on tenants. Next, I cover the key actions of the tenant protest groups: eviction resistance, court cases, and a partial rent strike. I discuss the relationship of the organisation to the government and to other opponents of housing reform. Finally, I assess the success of tenant protest in this era in drawing attention to the issues experienced by state tenants, and contributing to policy changes.

Chapter Nine looks at the actions of protest groups that arose in three state tenant communities in the early 2010s. I first outline a number of key policy changes of this era: the promotion of the community housing sector, the withdrawal of secure tenure in order to ensure that state houses were reserved for those most in need, and the redevelopment of state housing into mixed income communities. I then explain the development of state tenant protest in three communities faced with redevelopment, which also enabled state tenants to voice their opposition to other policy changes. I note the transformation of tenant protest groups in response to the redevelopments, and consider the potential for future tenant protest.

Chapter Ten presents the results of the investigations into individual tenant action. Key

issues facing tenants were insecurity, affordability, and poor quality housing. However, tenants often chose against representing their interests and challenging this situation. Tenants were challenged in addressing this situation due to a lack of knowledge of or confidence in asserting their rights, as well as the high costs of doing so in terms of time and effort, as well as the fear of risking their tenancy.

Chapter Eleven discusses the results, reflects on theoretical implications, assesses the strengths and weaknesses of the study, looks at the implications for policy, and considers future research.

2 Methodology and method

In this chapter, I explain the steps taken to investigate to what extent New Zealand tenants are able to effectively represent their interests in order to improve their housing and their health. I explain the choice of pragmatism as a worldview that allowed me to use a diversity of methods to approach the research question. I outline the methods considered for investigating tenant representation, and explain the motivations for choosing to conduct historical research into tenant protest, and to use a survey and key informant interviews to investigate individual tenant action. Finally, I explain how a pragmatic approach informed my use of theory as a tool to help me navigate the literature as well as my own empirical work.

2.1 Pragmatism as a worldview

Worldview is best understood as “a general philosophical orientation about the world and the nature of research that a researcher brings to a study” (Creswell, 2014, p. 6). According to Creswell (2014, p. 6) worldviews are alternately described as “paradigms” (Lincoln & Guba, 2000), “epistemologies and ontologies” (Crotty, 1998), or “broadly conceived research methodologies” (Neuman, 2003). A researcher’s worldview guides her mode of inquiry, which contributes to the selection of particular methods (Guba, 1990, p. 17). It is important to acknowledge worldview because the methods chosen and questions asked for any project are “a reflection of researchers’ epistemological understanding of the world, even if it is not articulated or made explicit” (Feilzer, 2010, p. 7).

Creswell (2014, pp. 6–11) has described four major worldviews, the last of which, pragmatism, was selected for this study. Positivists study the causes of specific effects. This worldview is associated with the scientific method, in which scholars seek to prove or disprove a theory through a deductive process, using data based on careful observation or controlled experiments. This mode of inquiry is underpinned by the assumption that natural laws govern the world. Social constructivism was in part a response to the shortcomings of the positivist approach to explaining the world. It holds that reality is subjective, and that individuals construct the world through their experiences with others. Constructivist researchers respect a multiplicity of views. Scholars often use in-depth questioning to make sense of people’s meanings about the world. In this process, researchers acknowledge how their position affects the research, and seek to generate a theory inductively. The *advocacy/participatory* worldview responds to what adherents see as deficiencies in both

positivist and constructivist research. It was thought that positivist research did not respond to injustices in society or the issues that marginalised people thought were important. Constructivist research, while it might describe marginalised people's views, does not advocate an agenda for action. Participatory research, in contrast, responds to important issues and seeks to transform society or the lives of the subjects of the research, as well as the researcher.

Pragmatists approach research questions differently. Pragmatism is a school of philosophy first defined by American philosopher Charles Peirce in the early 1870s and subsequently developed by William James and John Dewey in the early 1900s, and, more recently, Richard Rorty (Hookaway, 2013). Rather than considering questions about the nature of reality and whether it exists within or outside the mind, "They would simply like to change the subject" (Rorty, 1983, p. xiv). Their focus is to "provide an accurate account of how things are in themselves" in order "to aim at utility for us" (Rorty, 1983, p. xxvi). Pragmatists share "the idea that all knowledge is provisional and the idea that all propositions should be tested by a community of inquiry" (Kloppenber, 2004, p. 202). Unlike positivism, with its concern for cause and effect, pragmatism "does not expect to find unvarying causal links or truths, but aims to interrogate a particular question, theory, or phenomenon with the most appropriate research method" (Feilzer, 2010, p. 13). Unlike constructivism, with its concern for multiple viewpoints, "The pragmatist clings to facts and concreteness, observes truth at its work in particular cases, and generalises" (James, 1995, p. 28). Unlike those who take a participatory approach, pragmatists do not necessarily use research as a vehicle for change; they simply "emphasize the research problem and use all approaches available to understand the problem" (Creswell, 2014, p. 8).

This willingness to use the method that is most appropriate to investigate a problem leads to a diversity of approaches. While positivists' search for objective truth lends itself to experiments and analysis that form part of a quantitative study, and constructivists' concern for multiple viewpoints lends itself to talking to people as part of a qualitative study, pragmatists see that the two forms of method have a common epistemological approach. This means they are open to using both quantitative and qualitative methods, and may mix methods within the same study (Feilzer, 2010, p. 8). A pragmatic approach to answering a question requires having an open mind as to the most useful method to use to gather data and an open mind in choosing what literature can most usefully be drawn on. This can lead to scholars working across disciplines. As Piketty recently put it:

“To be useful, economists must above all learn to be more pragmatic in their methodological choices, to make use of whatever tools are available, and thus to work more closely with other social science disciplines. Conversely, social scientists in other disciplines should not leave the study of economic facts to economists and must not flee in horror the minute a number rears its head, or content themselves with saying that every statistic is a social construct, which of course is true but insufficient. At bottom, both responses are the same, because they abandon the terrain to others” (Picketty, 2014, p. 575).

A pragmatic approach allows a certain freedom in the selection of methods. There is a concern for applying the research method that is most appropriate for investigating the question at hand. I determined that different methods would be appropriate for investigating the two aspects of my research question: how tenants are able to represent themselves as individuals, and as part of a group.

2.2 Investigating how tenants as a group represent themselves

In determining how best to examine how tenants acting as a group are able to effectively represent their interests in order to improve health, I considered a number of options. One way to investigate the research question would be to observe or take part in a form of tenant protest. Doing so would allow me to conduct action research, which was described by Kurt Lewin, who coined the term, as “comparative research on the conditions and effects of various forms of social action and research leading to social action” that uses “a spiral of steps, each of which is composed of a circle of planning, action and fact-finding about the result of the action” (Lewin, 1948, p. 206). Such work could involve participants in the research in order to progress “the critical effort through which men and women take themselves in hand and become agents of curiosity, become investigators, become subjects in an on-going process of quest for the revelation of the ‘why’ of things, the facts” (Freire, 1994, p. 105).

However, the study of contemporary tenant protest was stymied by the absence of tenant protest. Action research by its nature requires collaboration with others, and requires researchers to work with existing groups that wish to transform. Such a group might choose to found an organisation, but this would be “an offshoot of a process of co-generative learning that has led a group of [existing] stakeholders to decide to create a special-purpose organization as part of their efforts to solve their problems” (Greenwood, 2014, p. 646).

With no existing tenant protest group to work with, I could not design an action research project. A similar problem confronted a fellow New Zealand researcher who studied the absence of left-wing think tanks: “with no organisation of even the loosest nature in existence as a starting point... I could not identify the necessary base of people with whom to design, implement and carry out a PAR [Participatory Action Research] project” (Bradford, 2014, pp. 55–56). Indeed, one of the reasons I was interested in conducting this research was the absence of tenant protest groups. It was not until after I began my research that the tenant protest covered in Chapter 10 occurred.

The difficulties of studying contemporary representation of tenants as a group stimulated my interest in studying tenant protest in New Zealand’s history. Historical research is “a set of methods and concepts by which historians collect evidence of past events, evaluate that evidence, and present a meaningful discussion of the subject” (Shafer, 1980, p. 2). At the beginning of the research period, I thought that it might be useful to conduct comparative historical analysis, a process in which historical events over place or time are compared in order to isolate their causal mechanisms (Haydu, 1998; Mahoney & Rueschemeyer, 2003). This is a process which has been used to compare the development of housing systems (e.g. Bengtsson & Ruonavaara, 2011) and the development of social revolutions (e.g. Skocpol, 1979). Comparing cases of tenant protest over time could give insight into its causes and consequences. However, I realised this method was inappropriate. Comparative historical analyses typically rely on the work of other historians. The lack of historical research on this topic in New Zealand meant that I had to write the history myself. The complex task of assigning causal pathways that meet the exacting standards of comparative historical analysis is a task for future scholars. Nevertheless, I retained an interest, in the words of one comparative historical analyst, in “using information from one historical period to illuminate another” (Haydu, 1998, p. 339).

To conduct historical research is to confront the role of subjectivity in research. As Jacobs (2001) outlines, on the one side, historians are scientists: impartial investigators who use their skills to ascertain what meaning arises from the evidence assembled. On the other side, historians are subject to bias, and can be seen to select texts and emphasise events to generate meaning: “How a given historical situation is to be configured depends on the historian’s subtlety in matching up a specific plot structure with the set of historical events that he wishes to endow with a meaning of a particular kind” (Hayden White, 1971, quoted in Jacobs, 2001, p. 126). In the first view, within the limitations of the available evidence, it is

possible to present a “true” history; in the second, there are as many versions of the course of events as there are historians to relate those events.

Clearly, historical research has an element of bias that is difficult to control for. As one scholar warns, “the facts we find are dependent upon the facts we seek based upon our implicit or explicit theoretical orientation” (Thies, 2002, p. 353). Even if it were possible for a historian to be entirely neutral about the events she relates, and did not seek to use them to justify any particular political or moral belief, she would still have to make choices about what of all human history to write about, and what to emphasise in the evidence she unearths. In my case, for example, choosing to write a history of tenant protest may mean I risk overemphasising its importance.

Historians must acknowledge the possibility of bias, including the possibility of bias in the sources they rely on. In doing so, they must subject themselves, as well as their sources, to criticism. As one historian instructs:

“The safeguard against bias in the writing of history, as in the natural sciences, is not to indulge in useless resolutions to be free of bias but rather to explore one's preconceptions, to make them explicit, to consider their alternatives....” (Cohen, 1947, p. 80).

The pragmatist philosophers have had a particular impact on the practice of historical writing. As Kloppenborg notes, the work of Dewey and James previously discussed has explicitly influenced the work of historians by “opening their eyes to perspectivalism and instrumentalism”, and that historians committed to “the idea that all knowledge is provisional and the idea that all propositions should be tested by a community of inquiry” channel pragmatism’s ideas (Kloppenborg, 2004, p. 202). In the words of the historian Appleby:

“Pragmatism makes a distinction we consider crucial: all knowledge can be provisional, in theory, without eliminating the possibility of some truths prevailing for centuries, perhaps forever. And one of the responsibilities of history is to record both the survival and reformulation of old truths” (Appleby, 1994, quoted in Kloppenborg, 2004, p. 223)

The scholar Klurty, in conversations with an elderly John Dewey, drew three central tenets of history from a pragmatist perspective:

“(a) that historical knowledge is most useful when it gives us perspective, and insight into our present situation, (b) that history is always written from a present point of view, and (c) that all knowledge is contextual” (Kurtz et al, 1951, quoted in Kloppenberg, 2004).

The focus of the pragmatists on history that is “instrumentalist”, or that provides useful insights into contemporary problems, links conceptually to the “new history”. In the early 1900s, historians critical of earlier positivist traditions “adopted more or less explicit pragmatist conceptions of historical truth” (Kloppenber, 2004, p. 204). For example, Mary Beard’s work on the influence of women on politics and the labour movement in the United States was intended to support contemporary progressive reform (Kloppenber, 2004, p. 207). The heirs to this branch of scholarship were the New Left scholars who sought to ally their historical and activist work. This trend began to develop after World War II and sharpened in the late 1960s. For the “New Left”, history writing was aimed

“...not just at recovering the history of those who traditional historical writing had ignored (the poor, the working class, women, homosexuals, minorities, the sick) but at demonstrating that their roles in historical change had been profound, and uncovering the historical circumstances in which they had been able to take control of their lives” (Howell & Prevenier, 2001, p. 113).

Histories of tenant protest fit within this project. Historians have been criticised for presenting housing policy from a top-down perspective which “makes no attempt to fathom the views of tenant perspectives or assess their role in the policy process” (Jacobs, 2001, p. 131). Yet in reality, as the author of a recent investigation of tenant protest suggests, “Housing policy does not develop in a benign process of legislative justice but is forged through the social and economic struggles that are inevitable in unequal and divided societies” (Bradley, 2014b, p. 1). Histories which acknowledge the role of tenants “provide an alternative narrative to the dominant historical interpretation of 20th century housing development that has centred so extensively on state intervention and municipal council housing development” (Jacobs, 2001, p. 131).

Histories of tenant protest share the pragmatists’ focus on utility, aiming, as women’s history did, to inspire modern activists by providing them with precedents and a deeper understanding of the roots of current conditions (Howell & Prevenier, 2001, p. 113). Piven and Cloward (1979, p. xxiii) describe their history, which covers unemployed tenant protest

in the 1930s as well as other movements in the United States, as “a step towards culling the historical wisdom that might inform lower-class political mobilizations in the future.” One historian described her examination of tenant organising in Vancouver, Canada, as “activist history”, that is, history which “takes into account the role of working people and their representatives in obtaining the amelioration of residential conditions” (Wade, 1991, p. 410). A writer described of a history of British tenant protest uses similar terms: “Campaigning tenant organisations have survived the 1980s. This history may help to encourage them to thrive again beyond 2000” (Grayson, 1996, p. 55).

There is a clear need for in-depth work on the history of tenant protest in New Zealand. To date, there have been only general histories of housing: Ferguson’s (1994) work is the only modern comprehensive history of housing policy, followed by Schrader’s (2005) history of state housing. Both took tenant perspectives into account: Ferguson included sections focussing on the effects of policy on Māori, women and the elderly, and Schrader included evidence obtained from tenant interviews. However, the role of tenants in the policy process is not addressed. Only Ferguson mentions instances of tenant collective action (in 1916 and in the 1930s), and then only peripherally. Nevertheless these historians, and other historians besides, were important to providing the context for tenant action.

To begin the process of historical research, I identified cases of tenant protest. The lack of secondary sources on tenant protest in New Zealand meant that it was necessary to turn to primary sources. To identify cases of tenant protest, I searched in several places: the archives, the newspaper archives (“Papers Past”, which covers the years 1839 to 1945, and includes 90 publications from across New Zealand), Te Ara (New Zealand’s online encyclopaedia), and the Internet. Search terms used included combinations of the following: “renter”; “rent”; “rent strike”; “rentpayer”; “tenant”; “tenancy”; “housing”; “eviction”; “protest”; “resistance”; “protection”; “march”; “activist”; “activism”; “rights”; “action”; “association”; “organisation”. I also searched the name of particular organisations as I came across them: “People’s Union”; “Tenants’ Protection Association”; “Rentpayers’ League”; “Rentpayers’ Association”; “Tenants’ Union”; “Anti-Eviction League”; “UWM”; “Unemployed Workers’ Movement”; “State Housing Action Coalition”; “SHAC”. Resource limitations did not allow me to also search the archives of labour organisations and the Labour Party, who, I learned, had particular influence on the first two phases of tenant protest.

The historical method consists of learning the categories of evidence, collecting evidence, and analysing and communicating the evidence. In this process, historians must ensure, as

far as possible, the credibility and authenticity of the sources, by subjecting them to external and internal criticism. They must also analyse and synthesize the evidence in order to make it meaningful, controlling as far as possible for bias, as discussed previously (Shafer, 1980, p. 41). The evidence available for my own historical study depended on the period I was studying, but for the most part consisted of the reports of journalists and of tenant protestors. I will discuss the particular sources within the relevant chapters. For now, I will discuss some of the limitations I imposed, and that were imposed upon me, in the research.

I limited the instances of tenant protest studied to cases where sustained tenant protest occurred on issues of national relevance. This meant I did not cover one-off marches or protests (for example, for increasing the number of state homes, by Occupy Christchurch, South Auckland Social Justice and the Manawatu Tenants Union' in 2012) and campaigns on specifically local issues (such as the campaign against the sale of council housing in Auckland in the 1990s and Hamilton in 2013). I identified five periods of tenant protest: rentpayers' organisations in 1916 and 1920; unemployed action against eviction in the Depression years; tenants' protection groups in the 1970s; state tenant protest against market rents in the 1990s; and state tenant protest against state housing policy changes in the early 2010s.

No tenant collective action was identified before 1916. A search of *Papers Past* on the key word "eviction" does reveal numerous examples of rural settlers "evicting" Māori off their land during the 1800s and 1900s, but this is a separate issue to the tenant-landlord relationship. Māori land rights are an important issue not addressed here. I note that the very places where tenants struggled to assert their right to a quality, secure and affordable home were once communally Māori land, and much of that land was stolen or taken under duress or by trickery. In the identified phases of tenant protest, Māori do not play an important role. This may reflect the fact that until in this period Māori tended to live in rural areas on their own land, and tenant protest has tended to occur in the cities, where most tenants live. It may be that Māori tenants were involved in tenant protest at this time, but I do not have evidence for this. The few names mentioned in early accounts of tenant protest are European, though many Māori had and have European names.

I limited my sources to written sources, created for the most part by journalists and activists. I conducted some scoping interviews near the beginning of the research period with individuals who were part of housing protest in the past – the People's Union and the State Housing Action Coalition. The conversations were useful in that they pointed me to more

resources, confirmed that my history covered the major events of New Zealand tenant protest, and helped me get a better feel for the subject. However, I decided not to use interviews to gather evidence. Oral history is complex: “it is not about the event. It is about the meaning of the event in the places and lives of the tellers” (Portelli, 2005, p. 2). Interviews would have been a rich resource, but the time required to track down and interview individuals representing the many organisations would have taken time away from other tasks in the thesis. Moreover, people who were part of the first two instances of tenant protest were long deceased. Focussing on resources and newspaper articles created by tenant protestors and their observers at the time of the protest over five different type periods had the advantage of enabling me to compare like with like.

Establishing the authenticity of the written sources was not difficult: there is little reason to suspect that journalists or the tenant protestors would falsify evidence. However, it is important to note that even authentic evidence can mislead. For example, in the case of newspaper articles, the political views of the journalist, editor or publisher “will inevitably shape the way a person reports, and what is reported” (Howell & Prevenier, 2001, p. 68). The documents produced by protest groups are also subject to bias, as participants may have exaggerated their successes, or the conditions they worked against, in order to encourage new members to join, or to turn the public mood against the harmful conditions, laws, and landlords that they focussed on. This particular difficulty is well-expressed by a scholar of New York tenant protest: “Distinguishing between matter-of-fact assessments and adversarial boasts remains a continuing headache” (Schwartz, 1986, p. 136). A pragmatic approach to the problem is to make use of both sources, but to subject them to equal scepticism. Just as one scholar of a rent strike in Leeds used the left-wing newspaper that “saw itself as the voice of the rent strikers” to “balance[s] the evidence with the apparent ‘objectivity’ of other newspapers” (Bradley, 1997), I hoped that drawing on evidence from both tenant protestors and from journalists would help create an accurate account.

Having gathered the evidence, the historian is faced with the tasks of analysing the data and communicating the findings. In this process I was guided by the work of two theorists who, like me, looked at instances of protest over a long period of time. As they relate:

“Once protest is acknowledged as a form of political struggle the chief question to be examined must inevitably be the relationship between what the protestors do,

the context in which they do it, and the varying responses of the state” (Piven & Cloward, 1979, p. xx).

The data was divided into three groups: the actions of the protest groups, which also related to their aims and ideology, and which changed over time; the political and economic context which prompted their activities and helped determine their success; and the state response, which varied from satisfaction of tenant demands, to undermining and repression. This formed a narrative which focussed on the key causes, activities, achievements and challenges of tenant protest, and allowed me draw conclusions on the extent to which tenants as a group have managed to affect their housing and their health over New Zealand’s history.

2.3 Investigating how tenants as individuals represent themselves

The other aspect of the research question considers the power of an individual tenant to represent her interests in order to improve her housing situation and her access to health. There are a number of potential methods to go about learning about the power of a tenant. For example, a researcher might conduct ethnographic research on how tenants are able to represent their interests. Ethnographic data collection consists of "prolonged observation of the group, typically through participant observation in which the researcher is immersed in the day to day lives of the people [and] studies the meanings of behaviour, language and interactions of the culture sharing group" (Tedlock, 2000, p. 455). As a Wellington tenant in a house of six, and living in a part of town where I know many tenants, I might have become a participant-observer, asking questions and taking notes on what people thought were in their interests as tenants, and how they chose against or for representing those interests. Yet the people in my circle – most with steady incomes and without children – did not experience the extremes of substandard housing and insecurity that other tenants do. Though it would have been possible to immerse myself in some other world – as Gans (1960) did to study the effects of displacement on Italian-American tenants – it was not clear that the large investment of time would have given deep insight into the question at hand.

Another method through which I might have investigated the tenant-landlord relationship is discourse analysis. Language plays an important role in constructing and transforming social structures and identities, including power relationships (Fairclough, 1995). The relationship between tenants and landlord could be explored through analysing policy documents, newspaper articles, comments on online news articles about tenant issues, the television

show and social networking pages of “Renters” (which follows a property manager checking up on generally disreputable private tenants), or the texts of in-depth interviews with tenants, landlords, or key informants. However, I decided against this route. Such an analysis would provide great insight on the meaning of renting and the workings of power, but it would not necessarily get me closer to answering the question of how renters are and have been able to represent their interests. Discourse analysis has clear utility: as one scholar put it, merely representing “hard facts” does not “provide evidence about the social processes that produce and privilege certain forms of knowledge” (Marston, 2000, p. 350). However, in my case this put the horse before the cart: there was still very little empirical evidence on what those hard facts actually were. It was clear to me that it was necessary to set out clearly and in a straightforward manner how tenants are able or unable to represent their interests.

These factors prompted my choice to conduct a descriptive study: to analyse the ability of tenants to represent their interests based on their thoughts on the matter, and the thoughts of those that worked to help them do so. My study had a qualitative and a quantitative component. In the former, I interviewed tenant advocates about what they had observed in the tenant-landlord relationship. In the latter, I surveyed tenants to assess to what extent they had tried to influence their housing conditions, and to what extent they had been successful. Descriptive studies were appropriate for this purpose because they provide “a comprehensive summary of events in the everyday terms of those events” (Sandelowski, 2000, p. 334).

2.3.1 Qualitative descriptive study

The first part of the study was a qualitative descriptive study based on interviews with key informants about the issues facing tenants and their ability to represent their interests. Data collection for qualitative descriptive studies focuses on “discovering the *who*, *what* and *where* of events and experiences, or their basic nature and shape” (Sandelowski, 2000, p. 336). The focus in qualitative description is on low-inference interpretation; that is, simply what is said – that information that various researchers working from different perspectives could come to agreement on. Researchers “stay close to their data and to the surface of words and events” (Sandelowski, 2000, p. 339). Unlike other forms of qualitative analysis, “language is a vehicle of communication, not itself an interpretive structure that must be read” (Sandelowski, 2000, p. 336). While techniques such as narrative analysis, phenomenology or ethnography add depth to research, qualitative descriptive researchers

maintain that it is also valuable to obtain “straight and largely unadorned (i.e., minimally theorized or otherwise transformed or spun) answers to questions of special relevance to practitioners and policy makers” (Sandelowski, 2000, p. 337).

In order to obtain the descriptive data, I drew on key informants. A key informant is someone “who, by virtue of his particular position in the society, knows a great deal about the subject of the research” (Stacey, 1969, p. 47). They are different from other types of informants because “they have more information to impart, and are more visible” (Payne & Payne, 2004, p. 135). Key informant interviews provide in depth knowledge unavailable from other places. They are an efficient use of a researcher’s energy, allowing access to a great deal of information via what may be a small number of interviewees. In the case of my study, I identified people that work in organisations supporting tenants as a key resource understanding tenant representation. Talking to people who work with tenants on a daily basis is an efficient way of learning about the experience of many tenants. I used minimally structured, open-ended interviews to obtain data. These allow researchers to stay focussed on the research questions while allowing for participants to articulate their perspectives freely (Liamputtong, 2013). Subsequently, I transcribed the interviews and coded the data for themes using template analysis (King, 2004).

The process for selecting the key informants, writing the interview guide, gaining ethics approval, and analysing the results, are set out alongside the results in Chapter 10.

2.3.2 Descriptive survey

The second part of the study analysed tenant responses to survey questions on how they responded to dissatisfaction with the quality of their homes. Survey research is useful for its versatility and efficiency, and for allowing the systematic collection of data from a broad range of people (Schutt, 2011). The tenant survey was developed in conjunction with colleagues and included both open-ended and closed questions. In writing this we were conscious of survey best-practice: writing clear, direct questions which address the research objective at hand; providing frames of reference; and asking questions neutrally to minimise risk of bias (Schutt, 2011).

The questions formed part of a broader survey on tenant and landlord opinions on the process and content of a tool which assessed their homes for quality (Bennett, Chisholm, Hansen, & Howden-Chapman, 2014). The fact that there were multiple research objectives – of which the present study was only one – meant that only three questions were included

on the subject at hand. Landlords had self-selected. This meant that their tenants do not form a representative sample of New Zealand tenants or any particular group of tenants. The selection criteria, limitations of the survey, the question-writing process and ethics approval are set out alongside the results in Chapter 10.

2.4 A pragmatic approach to theory

Pragmatism informed my use of theory. Positivists are said to use deductive reasoning to test particular theories, and constructivists are said to derive theories from the data, through inductive reasoning. In reality, however, experienced researchers of any worldview know that “the actual process of moving between theory and data never operates in one direction” (Morgan, 2007, p. 70). Pragmatists explicitly acknowledge this interaction; they “rely on a version of abductive reasoning that moves back and forth between induction and deduction—first converting observations into theories and then assessing those theories through action” (Morgan, 2007, p. 71). Pragmatists look to theory not to disprove or to create, but to use when it helps answer questions deemed relevant. To quote James once more:

“...No theory is absolutely a transcript of reality, but that any one of them may from some point of view be useful. Their great use is to summarise old facts and to lead to new ones. They are only a manmade language, a conceptual shorthand, as someone calls them, in which we write our reports of nature...” (James, 1995, p. 22).

In my case, I moved between theory and data observed in the literature review and in my empirical work. I was concerned with two topics, and their integration: first, health and housing, and second, power and rental housing. This led me to the literature related to power, which, I found, had been integrated only to a limited extent in to the literature on rental housing. This reflected the observations of one scholar of “the tendency of housing researchers to bury themselves in narrow housing issues... without being able to see their wider theoretical relevance or embed them in their wider societal context” (Jim Kemeny quoted in Allen, 2005, p. 101).

My reading of the literature, and later, the studies I conducted, pointed me towards several theorists in particular who were useful to drawing out themes manifesting in the data. The work of Hirschman and Lukes and social movement theorists provided “a conceptual shorthand” for doing this. In other words, they helped explain “why empirical patterns were

observed or are expected to be observed” (Sutton & Staw, 2007). These theorists, and the existing literature on tenant representation, are the subjects of Chapter 4.

This chapter has explained my approach to the research question, including my selection of methods. In the next chapter I outline firstly the literature on housing and health, and secondly the particular challenge of New Zealand tenants. This background points to the importance of answering the research question.

3 The effects of housing on health

This chapter explains why it is important to ask the question of how tenants are able to represent their interests in order to improve their health. The chapter has two purposes: first, to outline the connections between housing and health, and second, to explain conditions for tenants in New Zealand. The specific details of the current tenant population – numbers, trend, and composition - are considered in Chapter 9 and Chapter 10, as part of the background to the study of state tenant protest in the 2010s, and the study of individual tenant action.

In this chapter's first section, I outline the literature on the connections between housing quality and health. Health is affected by the physical structure of the home, and by the way people use the house, including whether they can afford to heat it. The difficulty of heating the home can also contribute to crowding, which can also impact on health. A significant amount of New Zealand's housing is poor quality, and tenants are more likely than owner-occupiers to live in substandard housing.

In the second section, I consider ontological security, which can positively affect our wellbeing. I explain the concept of secure occupancy, a framework which helps us understand the multiple factors which contribute to security in the home: not just tenancy law, but affordability and cultural norms. Insecure housing can result in high mobility. In New Zealand, tenants are especially subject to insecurity in their homes.

In the final section, I consider issues of housing affordability: how high housing costs can affect not only ability to access quality, secure housing, but also impact on people's ability to satisfy other needs. I subsequently note affordability pressures currently facing New Zealanders, and in particular, tenants.

Understanding the effect of housing on the health of tenants is particularly important because of their increasing numbers. New Zealand has had historically high rates of home-ownership, but recently, the proportion of people who own their own home has dropped - from a high of 73.5% in 1986 and 1991 to 64.8% in 2012. The proportion of New Zealand households that rent their homes has increased, from a low of 23.1% in 1991, to 31.2% in 2013 (Statistics New Zealand, 2015). Most of these households (83.7%) rent from private for-profit landlords (Statistics New Zealand, 2014).

3.1 The effects of housing quality on health

Housing quality has a number of impacts on health. Housing is where people spend much of their time. The people most vulnerable to health problems – the disabled, the very young, and the very old – are more likely to be affected by housing problems, as they are likely to spend more time at home, rather than in work or education settings (Baker, Keall, Au, & Howden-Chapman, 2007).

Most fundamentally, housing is important for health because it can provide shelter from the elements. Even if minimal shelter is provided however, housing may be inadequate because of deficiencies in the physical structure. For example, people can be injured by hazards in the home. Injury in the home is a well-known problem, accounting for approximately a third of all injuries worldwide (Turner et al., 2011). The odds of injury increase with the number of hazards in the home (Keall, Baker, Howden-Chapman, & Cunningham, 2008).

Evidence has shown that cold, damp and mouldy housing has a negative impact on health. Cold, damp air affects respiratory health, stressing the immune system, promoting mould growth, and supporting the survival of viruses. Health is affected where toxins and pollutants are present, for example, in mould growth. A meta-analysis of studies found that mould and damp are associated with 30 to 50% increases in respiratory and asthma-related outcomes (Fisk, Lei-Gomez, & Mendell, 2007). A subsequent review of epidemiologic studies and quantitative meta-analyses showed that indoor dampness and mould is associated with asthma onset or exacerbation, respiratory infections and symptoms, coughing and wheezing, allergic rhinitis, and eczema (Mendell, Mirer, Cheung, Tong, & Douwes, 2011).

Cold, damp and mould are not only affected by the structure of the house – for example, the presence or otherwise of leaks, insulation, and ventilation – but how people use the house. For example, a house may be structurally sound and well insulated, but if people cannot afford to heat it, it may still be cold. This means that housing quality is closely associated with affordability. Studies of children admitted to New Zealand hospitals with respiratory conditions have found that a quarter of their households used no heating in winter (Trenholme et al., 2012), and that half of their parents reported that their homes were colder than they would like (Kelly et al., 2013).

The structure of the house, as well as affordability, contributes to crowding, which has important effects on health. A number of measures establish the minimum number of bedrooms required to keep a house free from crowding. Under the Canadian National

Occupancy Standard, for example, a dwelling is crowded if there are more than two occupants per bedroom, and if adults, pairs of children under the age of five, and cohabiting couples do not have their own bedroom (Goodyear, Fabian, & Hay, 2011). If people cannot access suitable or affordable housing, they may stay with friends or family members, creating a crowded living situation. People may also crowd together in order to make housing costs affordable. Amore et al (2013) consider severe crowding in permanent private dwellings under this measure as a proxy for severe housing deprivation, or homelessness: approximately 34,000 people were considered to be in severe housing deprivation in 2006, including those people living in temporary accommodation or staying with family and friends in crowded circumstances.

This measure, by assessing the number of occupants and the number of bedrooms, measures structural crowding. However, households may also experience functional crowding. This describes a situation where, even if a house is large enough to comfortably fit all the occupants, the occupants crowd together in certain rooms because some rooms are uninhabitable or because they wish to save on heating (Ministry of Health, 2014). Another issue associated with people's use of the house, rather than the structure of the house, is fuel poverty, which people experience when they are cannot afford to heat their home to a liveable standard (Howden-Chapman, Viggers, et al., 2011).

Crowding is associated with a number of negative health effects. For example, the 1958 British Cohort Study, which measured housing inadequacy by assessing the rate of crowding and availability of household amenities, found that it was associated with low birth weights (Bartley, Power, Blane, Smith, & Shipley, 1994), and with lower heights in later life (Li, Manor, & Power, 2004). More immediately, crowding affects health by increasing the spread of infectious disease. Infectious diseases are the largest contributor to acute hospitalisations. A systematic review of the literature on crowding and health showed that over half of the studies found an association between crowding and risk of infectious disease (Baker, McDonald, Zhang, & Howden-Chapman, 2013).

Several New Zealand studies will suffice to illustrate the effects of crowding on health. It is estimated that about 1,343 hospital admissions per year in New Zealand are attributable to crowding - about ten per cent of the total admissions for infectious disease (Baker et al., 2013). One study showed that incidences of acute rheumatic fever were associated with household crowding, after controlling for age, ethnicity, household income, and the density of children in the neighbourhood (Jaine, Baker, & Venugopal, 2011). Another study found a

significant association between tuberculosis rates and household crowding, after adjusting for household income as well as factors such as existing tuberculosis burden and proportion of migrants from countries with high tuberculosis (Baker, Das, Venugopal, & Howden-Chapman, 2008).

There is evidence that inadequate housing is associated with poor mental health. Assessing the effects of housing quality on mental health has methodological issues because self-reported assessments of housing quality may be influenced by psychological wellbeing (Evans, 2003, p. 538). A review of the work undertaken on the connection between mental health and housing quality unearthed nine robust studies, all of which showed that cold and damp is associated with poor mental health because it increases stress. Stress is not only a health concern in itself, but can act to trigger other poor health behaviours such as smoking, drinking alcohol and overeating, and can also impair immune, cardiovascular and hormonal functions. There were a number of different stressors, including stigma and social isolation, worry about energy bills, living in close proximity to keep warm, concern that cold and damp were damaging physical health, and the absence of any solution or a sense of control over the problem (Liddell & Guiney, 2015). One cohort study showed that poor housing quality, along with financial insecurity, was strongly linked to mental health problems, an effect which increased as people aged (Howden-Chapman, Chandola, Stafford, & Marmot, 2011).

Additional evidence on the close association between housing and health is provided by interventions that show that improving housing improves health. Such intervention may improve the physical structure of the house, the ability of the occupants to heat the house, or decrease crowding. Systematic reviews of intervention studies showed that housing improvements lead to improvements in health. The evidence was particularly clear regarding interventions designed to improve warmth (Thomson, Thomas, Sellstrom, & Petticrew, 2009, 2013).

Several New Zealand intervention studies provide examples. One intervention which provided families with children who had been diagnosed with asthma with more effective heating found that the children visited the doctor and pharmacist less and had fewer days off school than the children in the control group after the intervention (Howden-Chapman et al., 2008). Another study showed that retrofitting dwellings of low-income households created a warmer and dryer environment and had a number of health effects, including reductions in self-reported wheezing, days off school and work, visits to doctors, and hospital admissions for respiratory conditions (Howden-Chapman et al., 2007). Making low

cost modifications to homes in order to prevent falls resulted in a 26% reduction in injuries between those who received the intervention and those assigned to the control group, after adjusting for age, incidence of previous falls, sex, and ethnic origin (Keall et al., 2015). Finally, one intervention reduced overcrowding, installed insulation and ventilation in homes, and assessed occupant health, referring people to health or social services if necessary. A case-counterfactual comparison showed that the rate of acute hospitalisations was reduced for those occupants who received the package (Jackson et al., 2011).

The quality of housing in New Zealand

New Zealand has a large amount of poor quality housing. Much of this is concentrated in the rental stock. A survey of over 400 houses, weighted for location and tenure in order to be nationally representative of New Zealand's housing stock, found that 44% of rental housing (social and private) was in poor condition, and only 22% was in good condition. In contrast, 25% of owner-occupied housing was in poor condition, and 42% was in good condition. There was a disparity between the conditions of the home as judged by trained assessors, and as judged by occupants. Occupants of the houses – both tenants and owner-occupiers – tended to overestimate the quality of their dwelling. Tenants especially overrated the quality of their home. Seventy-three per cent of owner-occupiers thought their homes were in good condition, and 80% of tenants thought their homes were in good condition (Buckett et al., 2011, p. 10). The authors noted that tenants were more likely than homeowners to overestimate the quality of their house because they “have higher tolerance for poor conditions, or accept lesser conditions as ‘the norm’” (Buckett et al., 2011, p. 10). Self-reported evidence from other sources supports the fact that rental housing is in poor condition, and in worse condition than owner-occupied housing. Twenty-five per cent of tenants, as opposed to 11% of owner-occupiers, report living in cold houses. Nineteen per cent of tenants, compared with six per cent of owner-occupiers found their homes damp (Statistics New Zealand, 2013, p. 10).

The high quantity of poor quality homes makes it difficult for tenants to ensure that the housing they access is adequate for them. Tenants are encouraged to “ensure there are no existing issues before signing a tenancy agreement” and “to find a property that not only meets their needs and lifestyle, but does not have any existing issues” (Ministry of Business, Innovation and Employment spokesperson quoted in McLeod, 2014). Tenants are advised to “make the [lease] agreement conditional on the [repair] work being completed before you move in” (Ministry of Business, Innovation and Employment spokesperson quoted in

McLeod, 2014). However, a lack of appropriate properties can make it difficult for a tenant to bargain for quality housing. The large numbers of severely housing deprived people (Amore et al., 2013) and anecdotal accounts such as the solo mother with excellent references who applied for 52 homes in two months (Bateson, 2015), suggests that if a tenant were to attempt to bargain for repairs, the landlord may take the simpler option and choose another tenant.

Affordability pressures affect the ability of people to access adequate housing, and heat housing adequately. These pressures are discussed further in a subsequent section.

The high proportion of substandard housing suggests that New Zealand's legislation does not provide for quality housing. While local authorities have the power to enforce quality standards under the Health Act 1956, they rarely do so. Instances of enforcement are limited to situations of urgent public health risk, rather than the more common problems of cold, damp, mouldy or hazardous housing (Bierre, Bennett, & Howden-Chapman, 2014). Similarly, the Chief Executive of the Ministry of Business, Employment and Innovation (MBIE) has power to take over or commence proceedings on substandard rental housing under the Residential Tenancies Act 1986 (RTA) where doing so is clearly in the public interest, yet this power has only been used twice in the past two decades (Cabinet Social Policy Committee, 2015; Rogers, 2013). Changes to the RTA, announced in July 2015 and to be introduced in late 2015, are intended to facilitate MBIE to use these powers. Previously the Chief Executive relied on the tenant or landlord providing evidence in order to take action. In future, MBIE will be able to investigate and take action directly in the case of "severe breaches" of the RTA, where there is "a significant risk to tenant health and safety" (Cabinet Social Policy Committee, 2015). The focus on very extreme cases suggests that these powers are unlikely to affect the majority of substandard housing, which pose long-term rather than immediate health risks (Howden-Chapman et al., 2015).

In practice, the main route to addressing housing quality problems is through accessing Tenancy Services, a branch of government that can advise or mediate between tenants and landlords on the law as established by the RTA, and, if unable to resolve the problem, refer the case to the Tenancy Tribunal to hear the dispute (Bierre et al., 2014). There are a number of barriers to tenants using the Tenancy Tribunal to resolve quality problems, which are discussed in detail in Chapters 4 and 10.

If tenants do take a case to the Tenancy Tribunal, research suggests that the case is unlikely to ensure the house is improved. First, decisions on issues of quality vary substantially between situations and adjudicators, partly because of the subjective nature of the RTA's requirement that housing be "in a reasonable state of repair". Some adjudicators see that cold homes, for example, are to be expected of older houses. In addition, adjudicators fail to apply the RTA's dampness standard. In sum, "the key obligations set out in the Residential Tenancies Act 1986 are unclear, insufficient, and not well enforced" (Bierre et al., 2014, p. 30). The 2015 amendments to the RTA will allow standards for (minimal) insulation and smoke alarms to be set by regulation, and will be accompanied by an education campaign on existing standards (Cabinet Social Policy Committee, 2015). It will be important to monitor whether these measures result in Tribunal judgements on quality that are consistent with the law (Howden-Chapman et al., 2015).

A second problem with existing regulation for quality is that even if an adjudicator finds that the dwelling does not meet the conditions required in the RTA, the house may remain on the market, where future tenants will experience its problems. This is because when a house is below standard, the Tenancy Tribunal orders the landlord to either fix the problem, or compensate the tenant. Rogers (2013) makes the point that it is rational for both landlord and tenant to prefer a pay-out. The landlord will prefer to pay than to commit to the uncertain costs of fixing a house. The tenant will prefer to accept the pay-out rather than a fix: the tenancy might already be over or the house might be uninhabitable due to on-going repairs. Fortunately, the amendments to the RTA proposed in 2015 will remove the option of the Tenancy Tribunal ordering a pay-out rather a work order (Cabinet Social Policy Committee, 2015).

One measure aimed at improving the standard of all New Zealand housing was the Warm Up New Zealand Heat Smart Programme (2009-2013), which provided subsidies for insulation and heating for both rental and owner-occupied homes (Grimes et al., 2012; Telfar-Barnard et al., 2011). Due to the "split incentives" problem – landlords pay for a proportion of the insulation, but tenants benefit from warmer homes – there was low uptake of the scheme by landlords (Barton, 2013; Phillips, 2012). By mid-2011, only 15% of subsidies granted had been for rental homes (Energy Efficiency and Conservation Authority, 2011). This was despite the fact that rental homes were more likely to require insulation. In the Waikato, for example, despite the fact that an estimated 40% of the dwellings eligible for the scheme were private rentals, by mid-2010, 1,700 private rentals and 7,700 owner-occupied

dwellings had received the subsidy (Phillips, 2012). A new iteration of the scheme which requires occupants to fit certain income, age or health criteria -the Warm Up New Zealand Healthy Homes Programme (funded until mid-2016) - has seen higher uptake by landlords, at 33% of total subsidies (Cabinet Social Policy Committee, 2015).

The problems of providing for housing quality in the New Zealand rental market has caused a number of groups to call for regulation to ensure that landlords meet minimum health and safety standards. Under a pass/fail warrant of fitness (WOF) scheme, landlords would be required to prove that their house met minimum standards for health and safety (Barton, 2013; Bierre et al., 2014; Expert Advisory Group on Child Poverty, 2012; Howden-Chapman, Baker, & Bierre, 2013). Such a scheme was trialled by councils, the Green Building Council and the University of Otago on council and private rental housing (Bennett et al., 2014), and by Housing New Zealand on state housing properties (Bosch, 2014). The government commissioned a study into the costs and benefits of a range of different enforcement regimes for such a WOF scheme (Blick & Davies, 2014).

However, the idea of a WOF was rejected in favour of changes to the RTA, announced in July 2015, which, as mentioned, will eventually oblige landlords to install minimal insulation and smoke alarms, and to inform prospective tenants that the dwelling meets requirements (Cabinet Social Policy Committee, 2015). While these changes will assist Tribunal adjudicators to make more consistent and informed decisions on housing quality, they do not address the disincentives to tenants reporting breaches of the law discussed in Chapter 4 (Howden-Chapman et al., 2015). As Auckland Council pointed out in response to the announcement of the new standards, “given the shortage of rental housing in Auckland, [there is] a continuing risk that tenants would be unwilling to complain” (Auckland Council, 2015).

3.2 The effects of security of occupancy on health

I have looked at the importance of the physical structure of the house, and the way people use the house, to health. Another way in which housing affects health is the extent to which secure occupancy is experienced. Secure occupancy refers to “the extent to which households can make a home and stay there for reasonable periods if they wish to do so, provided that they meet their obligations” (Hulse, Milligan, & Easthope, 2011, p. 1). This affects people’s experience of home, which has important impacts on wellbeing. Secure occupancy is affected only partly by tenure security – that, is, the terms of someone’s lease,

and the laws affecting this. It is also affected by “de facto security”: a tenant’s ability to pay their rent. A shortage of suitable housing may mean a tenant takes on a home that is more expensive than she can afford in the long-term. Alternatively, a change in income may make her tenancy insecure. Finally, it is affected by “perceptual security”, that is, the extent to which someone feels she is able to stay in the home, regardless of whether she is likely to have to leave (Hulse et al., 2011; Hulse & Milligan, 2014).

If someone’s occupancy is secure, they are more likely to experience the benefits of ontological security. Ontological security is “the confidence that most human beings have in the continuity of their self-identity and in the constancy of their social and material environments” (Giddens, 1991, p. 92). Home is a key source of ontological security; it can be “where people feel in control of their environment, free from surveillance, free to be themselves and at ease, in the deepest psychological sense” (Saunders, 1990, p. 361). Research has revealed that occupants derive psycho-social benefits from more stability in their home environment. A strong sense of ontological security is associated with mental health benefits (Padgett, 2007).

While security is often associated with homeownership (Dupuis & Thorns, 1998), other forms of tenure can also provide security, indicating that ontological security is related to security of occupancy rather than tenure as such. Public tenants, where their tenancy is secure, have high levels of ontological security (Lewis, 2006). A study of homeless adults who moved into independent housing showed that their sense of ontological security increased as their housing became more secure (Padgett, 2007). A Scottish study found higher degrees of ontological security in homeowners rather than council tenants (whose tenancy is secure), but thought this was explained by other characteristics, such as their wealth, the location of their house, and the quality of their house, rather than their tenure (Hiscock, Kearns, MacIntyre, & Ellaway, 2001). Similarly, a Canadian study found that ontological security correlated with financial security as well as with tenure: while tenants experienced more stress than homeowners in general, homeowners with mortgages were more likely to report stress than freeholders (Cairney & Boyle, 2004).

One indicator of a high proportion of insecure occupancy is residential mobility. This is not a perfect measure. People move for a variety of reasons, including changes in jobs or relationships. They may move because they have found better quality or located housing, or more affordable housing. However, they may also move because their housing is insecure. Their tenancy may have come to end, or their housing may have become unaffordable. In

other words, while in some case residential mobility is associated with choice (Winstanley, Thorns, & Perkins, 2002), it can also be associated with compulsion (Hulse & Saugeres, 2008). Therefore insecure occupancy is associated to some extent with residential mobility.

Moving often has been associated with negative health outcomes. Not only can moving entail high costs, including the financial and time costs of finding a new home, but it can disrupt social ties and routines (Hulse & Saugeres, 2008). A systematic review of twenty-two studies on the effects of high mobility in childhood found that residential mobility was associated with high levels of behavioural problems and mental health issues, a high teenage pregnancy rate, illicit drug usage at a younger age, adolescent depression, and reduced continuity of health care (Jelleyman & Spencer, 2008). For example, a cross-sectional study with parents of children younger than three who visited medical centres in the United States found that people who had moved two or more times in the last year were more likely to report poor health, to be at developmental risk, or have a low weight for their age (Cutts et al., 2011).

High mobility is associated with the absence of a regular healthcare provider. This has important additional health effects, as relationships with health care providers can reduce hospitalisations and use of emergency services. A large scale American study found that families who moved often were less likely to have a relationship with a medical provider, and were more likely to access emergency services (Fowler, Simpson, & Schoendorf, 1993). This has been supported recently by a New Zealand study which found that respondents who had moved recently were less likely to be affiliated to a primary care provider (Jatrana, Richardson, & Crampton, 2013).

High mobility is associated with poor educational outcomes. A review of studies clearly showed that residential and school moves were associated with poor academic performance. Some of this relationship was spurious, as people who move often are subject to other disadvantages, such as having low incomes. However, some of the effect of mobility on education were due to the disruption caused to social relationships as a result of moving (Pribesh & Downey, 1999). A New Zealand study found that high rates of movement in schools in the case study areas - between a quarter and a half of students changed schools every year at non-standard times - had an impact on the school's ability to teach students effectively (Gilbert, 2005).

Residential mobility is also associated with health problems for adults. An Australian study of people who moved often found that a high proportion reported mental or emotional health issues, and addiction problems. Moving often contributed to difficulties holding down jobs, which caused stress and perpetuated housing insecurity. People reported that they found it difficult to put down roots and make plans for the future (Hulse & Saugeres, 2008).

Some moves may occur because of eviction, which has negative health outcomes. Eviction is a risk factor for depression and suicide (Fowler, Gladden, Vagi, Barnes, & Frazier, 2015). One study found that eviction is a key driver of mobility in low-income Milwaukee neighbourhoods. Evicted tenants had difficulty finding replacement housing because subsequent landlords did not want to rent to them. They often had to move to poorer housing and spend money on replacing furniture they could not move, or were not able to store (Desmond, 2012). If there is no alternate accommodation, people may be forced to move to crowded, substandard, temporary circumstances, which have a number of adverse health effects (Amore et al., 2013).

Sudden displacement, which can occur as the result of the demolition of neighbourhoods in favour of new developments, is a particularly traumatic way that people are forced to move. Not only a person's home, but also their community disappears. The loss of an "anchoring community" causes stress and disorientation, and has been linked to physical and mental health problems (Fullilove, 1996). The disruption of "place attachments" has an impact on a person's sense of self (Manzo, 2014). Large-scale displacement of public housing tenants in the United States has been linked with increased social isolation and loss of connection with healthcare providers (Keene & Geronimus, 2011).

Security of occupancy in New Zealand

Tenants in New Zealand experience "de jure security"; tenants who sign a lease agreement with their landlord have rights to their home under the RTA. However, in general these do not provide for long-term secure occupancy. Most tenants are under periodic tenancies, of no fixed length, which can be ended by giving notice. A landlord is required to give a tenant 90 days' notice to end a tenancy. This period reduces to 42 days if the landlord or a member of her family wants to move in or if the house has been sold. A fixed term tenancy, which most often lasts a year, cannot be ended early unless both tenant and landlord agree, but there is no guaranteed right of renewal (Residential Tenancies Act, 1986)

While social housing tenants are also subject to the RTA, they experience a greater degree of secure occupancy than private tenants. Community and council housing providers operate under a number of different policies; Wellington City Council for example carries out annual reviews to check its tenants are still eligible for city housing. Secure occupancy was once assured in Housing New Zealand properties; however, under recent reform tenancy reviews are carried out to ensure tenants are still within income limits to live in state housing (see Chapter 9).

New Zealanders move often: only half the population lived in the same place in 2013 as they did in 2008 (Census, 2013). High mobility is probably associated with tenure. For private tenants, the average tenure is 15 months. Half of tenancies end within ten months and thirteen per cent end within three months (Department of Building and Housing, 2004). This is despite the fact that most tenants are families (63.3%), which might be associated with a greater likelihood of a desire to be stationary (Statistics New Zealand, 2014).

Currently, state tenants are affected by redevelopments that transform state housing neighbourhoods into mixed-income communities. These redevelopments, which are discussed in detail in Chapter 9, have demolished houses in Maranui, Pomare and Glen Innes. Tenants in most cases have moved to other state homes and will not return to the neighbourhood after the redevelopment. While the health impact of this has not yet been assessed, interviews with Māori tenants, service providers and officials suggest that housing displacement has disrupted important community supports and led to poor education, justice, and health outcomes (Waldegrave, Thompson, & Love, 2013). Surveys by Housing New Zealand in contrast argue that tenants who have been displaced report better health and greater satisfaction with their communities (Tamaki Redevelopment Company, 2015).

Some private tenants have particular difficulty accessing secure housing. Under the Human Rights Act 1993, landlords cannot discriminate against tenants on the basis of race, gender, age, sexual orientation, or family status. However, studies have found that Māori and Pacific Islanders are more likely to have difficulty accessing rental accommodation. Māori are 13 times likely than other New Zealanders to report experiencing discrimination when buying or renting housing (Harris et al., 2006). Discrimination by landlords is reported by families, particularly one-parent families, and the unemployed (Ministry of Social Development, 2010). This is supported by a survey of 800 landlords which found that 67.4% of landlords preferred not to rent to large families; 62% preferred not to rent to students; 32.4%

preferred not to rent to sole-parent families; and 30% preferred not to rent to migrants or refugees (Saville-Smith & Fraser, 2004).

Tenants with poor rental histories also find it hard to find homes. A survey of landlords conducted in 2003 found that 72% asked for tenants' references, and 22% ran credit checks (Saville-Smith & Fraser, 2004). The internet now offers further checks; one landlord suggests that landlords "search their names in the [Tenancy] tribunal's online database" in order to choose tenants (Dunn, 2013). This may help landlord avoid tenants who have been taken to court with rent arrears; unfortunately, it may also help landlords avoid tenants who have asserted their rights to reasonable quality, security, and rents at the Tenancy Tribunal.

3.3 The effects of housing affordability on health

In the previous sections, I have looked at the ways poor housing quality and insecure occupancy affect people's health, and in particular, the health of New Zealand tenants. Housing affordability influences both these issues. As outlined earlier, insufficient income may mean someone cannot afford adequate housing, or to heat her housing, and can contribute to housing insecurity. This section looks at the health impact of housing stress, that is, paying a high proportion of income in housing costs. There are a number of ways of measuring housing stress; one typical measure considers an individual or family to be in housing stress if they spend more than thirty per cent of their income on housing costs (Nepal, Tanton, & Harding, 2010; Robinson, Scobie, & Hallinan, 2006).

Housing stress can create or exacerbate health problems as it means people struggle to pay other costs. Financial worries causes stress, and can cause people to make compromises on food quality, health insurance, time off, and, as indicated earlier, capacity to heat the home. One recent study found that the longer people were under housing stress, the greater the impact on health (Rowley & Ong, 2012). A telephone survey of residents of Philadelphia found that people who reported difficulty in paying for housing costs were more likely to rate their health poor (Pollack, Griffin, & Lynch, 2010). A similar Australian study found that people under housing stress were more likely to go without meals or necessary medical or dental care (Burke et al., 2007).

While measures of housing stress are useful, there are shortcomings. Rowley and Ong (2012) observe that measures of housing affordability can fail to accurately measure housing stress if they do not take into account the nature of the household (for example, whether there are children), or ways in which people have "traded down" into overcrowded, poorly

located, or substandard housing in order to avoid paying high housing costs relative to their income. This trade-off may have saved them housing costs, but could also increase their transport, heating or health costs. For example, an increase in travel expenses due to a poorly located home can limit the funds available for other necessities (Witten, Abramhamse, & Stuart, 2011).

Housing affordability in New Zealand

More than a quarter of New Zealand households experience housing stress. That is, 27% of households pay more than 30% of their disposable (after-tax) income in housing costs. In particular, low-income people have high housing costs relative to income. People in the lowest income quintile pay 42% of their income on housing costs, and people in the second lowest income quartile pay 36% of their income in housing costs. "Housing costs" can refer to both mortgage payments and rent payments: over half of homeowners (56.4%) specified that they had made mortgage payments in 2013 (Ministry of Social Development, 2014).

The correlation between poverty and renting suggests that tenants are most likely to experience affordability pressures. Fifty per cent of children living in poverty live in private rental properties. A further 20% live in Housing New Zealand properties (Perry, 2012). People with high housing costs relative to income, whether tenants or homeowners, are entitled to receive the Accommodation Supplement to help them pay this cost (Ministry of Social Development, 2014). However, the evidence suggests that this benefit does not prevent housing stress. The majority (93%) of tenants who receive the accommodation supplement spend more than thirty per cent of their income on housing costs; almost half spent more than fifty per cent of their income on housing costs. Half of the tenants receiving the accommodation supplement receive the maximum payment available, a proportion which has risen from 33% in 2007 (Ministry of Social Development, 2014).

Social housing tenants are less likely than tenants of other landlords to pay high rents, but they may still experience affordability pressures. In Housing New Zealand properties, tenants pay rents set at about 25% of their income. In council housing, rent-setting policies vary, but are often set at a proportion of market rent. For some pensioners, rents charged by councils would still require them to spend more than 25% of their income on rent (Saville-Smith, 2014). In housing provided by the community sector, rents are set in a variety of ways. Typically, rents are set at between 70% and 90% of market rent, although under

recent changes, some tenants pay rents related to their income instead (Saville-Smith, Fraser, & Saville-Smith, 2014).

Tenants have certain rights that relate to affordability under the RTA. Landlords are only able to increase rent every 180 days, and must give at least 60 days' written notice of a rent increase. There is no limit to the amount of the increase. If a tenant thinks she is being overcharged, she can take a case to the Tenancy Tribunal, which will assess the rent against the rents of similar properties in similar areas, and may order a reduction. In the case of a fixed-term tenancy, landlords can only increase the rent if the original agreement allows them to do so (Residential Tenancies Act, 1986).

As already discussed, crowding is often a sign that people cannot afford adequate housing. The high levels of crowding in tenant households suggest that affordability is a major problem for tenants. About nineteen per cent (18.7%) of rented dwellings are crowded. In contrast, 3.5% of freehold homes, and 5.7% of mortgagee homes are crowded. Crowding is also associated with low income: 10% of New Zealanders lived in crowded conditions, but in the lowest income quintile, 15% of households were crowded. Crowding is more likely to be experienced by particular populations. While only four per cent of European New Zealanders live in crowded households, the proportion is far higher for Asian people (18%), Māori (20%), and Pacific people (38%). The Census does not state what proportion of state tenant households are crowded. However, the most crowded quintile of area units (where between 13% and 58% of dwellings are crowded) have a much higher proportion of Housing New Zealand homes (Ministry of Health, 2014).

This chapter has established that the quality, security, and affordability of housing have important effects on health. The lack of one can exacerbate the effect of another. Poor quality housing is associated with respiratory illness and stress, but it can also contribute to affordability pressures, due to the expense of heating inadequate structures. Housing affordability pressures can encourage crowding and contribute to stress and the spread of infectious disease, but they can also mean that people's occupancy in the home is insecure. Insecure occupancy is associated with stressors to mental health, but it can also have an impact on people's ability to assert rights relating to affordability or quality.

The evidence outlined suggests that in New Zealand tenants are more likely than homeowners to live in conditions that are not conducive to health. Tenants are more likely to pay high housing costs relative to income and to live in cold, damp, unsafe housing. High

housing costs as well as tenancy arrangements mean that their housing is less likely to be secure. Current high house prices mean that the number of people who rent rather than own is rising and likely to increase. This means that more and more New Zealanders will experience the health disadvantages of renting.

The close association between the affordability, security and quality of housing, and health, means that if renters were able to represent their interests, to their landlord and to governments, their success would have a profound impact on tenant health. The next chapter looks at the literature on what encourages and discourages tenants to represent their interests, firstly as individuals and secondly as a group.

4 Theory and literature

This chapter reviews the literature on how tenants represent their interests, and draws on theorists to help elucidate the findings. It is in two parts. The first part of the chapter focuses on how individual tenants can represent their interests. I introduce the work of Albert Hirschman (1970), whose exit-voice framework helps us understand what factors contribute to a tenant's decision to react to dissatisfactory conditions by representing her interests (voice), as opposed to simply moving house (exit). I discuss how a number of scholars have drawn on Hirschman's work to help explain these dynamics. In particular, I look at Super's (2011) work on the reasons behind why tenants decided against asserting their legal rights. I go on to look at how the work of Steven Lukes (1974), whose concepts of covert and invisible power deepen Hirschman's idea of "voice", allowing us to recognise that processes within the covert dimensions of power may prevent a tenant from representing her interests. Finally, I review the empirical studies that look at how tenants are able to represent their interests, which span the disciplines of law, public health, energy, and sociology. The work of Hirschman and Lukes allows me to draw out the key themes in this literature.

The second part of this chapter focuses on how tenants can represent themselves as a group. The work of Hirschman and Lukes remains relevant, but is elucidated further with reference to scholars who have focussed specifically on protest. I introduce Mancur Olson's (1965) propositions on the collective action dilemma, which suggests that the potential for free-riding can work against people working together for a common good, unless there are selective incentives for participation. I look at the incentives available for tenant collective action. I go on to introduce the work of a number of scholars who have contributed ideas on how the collective action dilemma is overcome in social movements, with a particular focus on how these have been applied to tenant protest groups. Structural approaches, such as the resource mobilisation and political opportunity approaches, point to the importance of context to determining whether a tenant protest group emerges and is sustained. Actor-centred approaches, such as the collective identity and framing approaches, emphasise the importance of individual tenant values and emotions in determining whether and how a tenant protest group develops. Finally, I return to Hirschman, suggesting that his work can be usefully applied to group representation. This section draws on Kemeny's (1992, 2006) typology of housing systems, suggesting that housing policies play an important role in determining whether tenant protest emerges.

4.1 How a tenant represents her interests

4.1.1 The exit-voice mechanism and covert power

Hirschman's "Exit, Voice and Loyalty"

In this section, I consider the exit-voice framework and its relevance to my research question.

Albert Hirschman's 1970 book *Exit, Voice and Loyalty* is a work both of political science and of economics, and was premised on the idea that a common framework could be usefully applied to both disciplines. Hirschman's focus is how people – whether they are consumers of a product, citizens of a country, or members of an organisation – respond to issues that they are unhappy about. These are variously described as “objectionable states of affairs” (Hirschman, 1970, p. 30), “deterioration in quality” or “repairable lapses of economic actors” (Hirschman, 1970, p. 1). Hirschman notes that economists are primarily interested in market mechanisms. They assume that if product quality declines or its prices increase, consumers will show their unhappiness by buying a different product, or, as Hirschman describes it, by exiting. In response to a consumer exiting, a company might try to improve the quality or price of the product; “any recovery on the part of the declining firm comes by courtesy of the Invisible Hand” (Hirschman, 1970, p. 16). Political scientists, in contrast, are interested in “voice”, or how people respond to dissatisfaction through taking action. Hirschman noted that both exit and voice function in both the market and political spheres: dissatisfied citizens or members may leave their country or organisation, and dissatisfied customers may “kick up a fuss” and “force improved quality or service upon delinquent management”, or, indeed, governments (Hirschman, 1970, p. 30).

“Voice” is at the heart of the research question; it describes how tenants represent their interests. Hirschman defines voice as “any attempt at all to change, rather than to escape from, an objectionable state of affairs through individual or collective petition... appeal to a higher authority ... or through various types of actions and protests” (Hirschman, 1970, p. 30). Hirschman's definition of voice, which is applicable to both political and economic settings, is particularly relevant to the subject at hand because it recognises that there are many ways a tenant can represent her interests. She can do so in what is primarily a market

relationship, by petitioning her landlord, or she can do so as a political actor, by petitioning the government or another political actor.

In many cases, as Hirschman relates, exit is the easiest option. This is particularly the case in market settings: it is easier for a consumer to switch brands of toothpaste than to write a letter to the toothpaste company complaining about the decline in flavour. It may also be the case in political setting. For example, it might be easier to stop participating in a lobby group than work against bullying members. However in some cases, the odds favour voice. These circumstances are of particular interest to Hirschman: *Exit, Voice and Loyalty* is, as he later reflected, “an essay in persuasion on behalf of voice” (Hirschman, 1981, p. 214). Unlike exit, voice is “rich and detailed” (Hirschman, 1981, p. 220) in that it can provide information that can be usefully applied to improving a product or service, a democracy, or, indeed, a house or tenancy. Voice can play an important role in ensuring housing provides for health.

The likelihood that voice occurs is affected by at least four things. First, the more difficult it is to exit, the more likely it is that a consumer will turn to voice (Hirschman, 1970, p. 34). If there are no other bakeries nearby, a person who buys bread will be more motivated to ask her baker to improve the bread. If leaving an organisation will result in a fine, a member will be more likely to express her dissatisfaction than simply leave.

Secondly, the more somebody thinks voice will be successful, the greater the likelihood that she will exhibit voice. For example, a person who has queried the quality of the bread and seen it improve is more likely to give feedback in the future. Or a person whose protest led to a change in policy is more likely to protest again. A belief that voice will work will lead a consumer to postpone exit in order to exercise voice (Hirschman, 1970, p. 39). In this case, exit becomes “a reaction of *last resort* after voice has failed” – if the bread – or policy – does not improve (Hirschman, 1970, p. 37).

Third, voice is more likely to occur if the person is loyal, or committed, to the organisation (or product, or country). Hirschman explains that “loyalty holds exit at bay and activates voice” (Hirschman, 1970, p. 78). Loyalty counters the bias towards exit by raising its cost. A person who has a long-term commitment to the founding ideals of the political party is more likely to defend those than simply abandon the party when it appears to lose its way. Thus commitment to the organisation in some circumstances “pushes men into the alternative,

creativity-requiring course of action from which they would normally recoil" (Hirschman, 1970, p. 77). Voice is particularly likely where loyalty is present and exit is not a simple process. Hirschman uses the example of a political party, where "members may be locked into their organisations a little longer and thus use the voice option with greater determination than would otherwise be the case" (Hirschman, 1970, p. 82).

Fourth, and linked to the idea of loyalty, is that people are more likely to use voice if they are doing so in order to advance something they believe in. Hirschman proposes that the existence of marches and protests shows that "in certain situations the use of voice can suddenly become a most sought after, fulfilling activity, in fact, the ultimate justification for human existence" (Hirschman, 1981, p. 215). Voice has an "occasional edge" when it affects "public happiness"; it "mutates" into "a highly desired end in itself" (Hirschman, 1981, pp. 217, 215). Voice might work for a reversal of the deterioration in quality, or an overturning of an objectionable state of affairs, but it does not require success for its continued existence. Working towards a new reality may be the next best thing to living in that new reality: "striving for the public happiness will often be felt not so much as a cost, but as the closest available substitute for it" (Hirschman, 1981, p. 216).

After *Exit, Voice and Loyalty*'s publication, the latter concept – loyalty – was subject to particular misunderstanding. Perhaps because of the title, readers thought of loyalty as a third option to either exit or voice. In reality, loyalty is a factor that moderates or determines action. Hirschman (1970, p. 88) said that "the strength of grip that loyalty has on the customer or member" is measured by the difference between exit in the absence of loyalty and exit with loyalty. He notes that quality could decline and leave people unaware ("unconscious loyalty") or aware but tolerant ("passive loyalty"). Because his interest was exploring action (exit or voice) and its determinants, he focussed on "reformist loyalty" which indicates that people are aware of the decline and interested in responding (Graham & Keeley, 1992, p. 194). Hirschman does not suggest that inaction is a form of loyalty: inaction was simply not his object of study.

Despite this, some commentators based criticism on his work on a different understanding of loyalty: theirs was a "suffer in silence" loyalty as "an independent course of action between exit and voice" (Farrell, 1983), or "a disposition to accept rather than a disposition to criticize" (Birch, 1975). To better account for inaction, scholars added concepts to Hirschman's framework. For example Tung (1981) describes "autism" as when a person

accepts she cannot change a dissatisfactory situation and adjusts her behaviour to suit the circumstances. While such additions help described observed behaviour, they do not further elucidate Hirschman's central concern, that is, the exit-voice dynamic.

Hirschman recognises that there are situations where both exit and voice are difficult or impossible, and that this was often the case for the least privileged. It is precisely in those cases – where neither exit nor voice would result in an improvement of conditions – that intervention was required. As Hirschman put it:

“Some form of public intervention or self-policing on behalf of the producers or sellers seems to be the answer to those situations inasmuch as the consumers are assumed to be in an inferior and impotent position in which neither exit or voice on their part if likely to perform as an adequate protection of their interests” (Hirschman, 1974, p.12).

Scholars who consider Hirschman's framework suggest that, despite Hirschman's ideas on contributory factors towards voice, he does not pay sufficient attention to the difficulties of voice formation (Barry, 1974). O'Donnell (1986) suggests that it is useful to distinguish between horizontal voice - communications or complaints between citizens or members - and vertical voice - petitions to the authority itself. In response, Hirschman notes that "Horizontal voice is a necessary precondition for the mobilization of vertical voice" (Hirschman, 1986, p. 82). While not necessarily the case for individual voice, this is certainly the case for collective voice. If people are able to gather together to discuss and complain, they are able to “forge a tie among themselves and to create an organization that will agitate for their demands” (Hirschman, 1986, p. 83).

Voice may be rewarding in some circumstances, but it is also clearly has costs. It can take time, money and energy to exercise voice, which, as I noted before, can make exit the easier option. Another potential cost of voice is that it can result in retaliation. Hirschman observes two possible reactions to voice. These are primarily relevant to members of an organisation, employees or citizens, rather than consumers. First, the organisation might treat the individual badly, attempting to silence her by any means possible: threatening her, imprisoning her, firing her, embarrassing her. Second, the organisation might treat the individual particularly well: “he who voices is singled out for *special favours*” (Hirschman, 1981, p. 241, italics in the original). This might be considered a form of co-option to silence voice. One example might be the promotion of an individual in an attempt to buy his support for management, or, in Hirschman's example, special treatment given to a union

leader to reduce militancy (Hirschman, 1981, p. 244).

Hirschman suggests that there are a number of factors that make voice particularly likely to bring about change. Voice is strengthened by the threat of exit. For example, a key worker knows she can easily quit – to the loss of the company - unless the organisation does not change in a way that suits her. This fact gives her leverage. The threat of exit is effective “whether it is made openly or whether the possibility of exit is merely well understood to be an element in the situation by all concerned” (Hirschman, 1970, p. 82). The threat of exit is particularly strong when it comes to members who have a particular loyalty to an organisation. To take an example previously given: if a founding member of a political party is unhappy with its new direction, not only is she more likely to work to improve the organisation, but her exit would make a statement – one which might negatively affect the fortunes of the political party. Therefore, the powers-that-be are more likely to listen to her petitions for change.

As stated previously, exit is often the easiest option. If exit is easy, and comes with the guarantee of a better product or service, a person will not voice. This perpetuates the priority of exit over voice, because, as discussed, people will ordinarily base their decision on their past experiences with voice, “even though the possible *discovery* of lower cost and greater effectiveness is the very essence of voice” (Hirschman, 1970, p. 43, italics in the original). This is because “while exit requires nothing but a clear-cut either-or decision, voice is essentially an *art* constantly evolving in new directions” (Hirschman, 1970, p. 43, italics in the original). It is this that leads Hirschman to conclude that, “The presence of the exit alternative can therefore tend to *atrophy the development of the art of voice*” (Hirschman, 1970, p. 43, italics in the original).

This leads us to consider the question of whether the absence of this voice matters. It is easy to imagine a situation where the absence of voice due to the presence of exit does not matter. For example, if the baker of poor quality bread goes out of business when his customers leave for the baker of good bread, the exit option has worked as an invisible hand arranging efficient outcomes, which promote good bakers and satisfy bread customers. However, such situations are not Hirschman’s focus.

Hirschman's exemplar case of where exit atrophied the development of voice was the Nigerian public railway. Indeed, so the story goes, it was on a poorly maintained train as a development economist in Nigeria that the exit, voice and loyalty framework first struck him. The state-operated, securely-funded railway service was expensive, poorly maintained, and unreliable. Most Nigerians chose instead to travel by truck, exiting the railways. Hirschman notes that economic thinking would have it that the presence of competition in the form of trucks would act to improve the railway services; however, this did not occur. Hirschman suggests that "the presence of a ready and satisfactory substitute for the services public enterprise offers merely deprives it of a precious feedback mechanism that operates at its best when the customers are securely locked in" (1970, p.44). He argues that management would have responded to "the protests of an aroused public that has a vital stake in the service, has no alternative, and will therefore "raise hell"", by improving the service (Hirschman, 1970, p. 45).

Furthermore, Hirschman argues that it was those who had the most stakes in the matter, and who therefore would do the best job at using voice to change the situation, that exit first. He illustrates this with reference to the deterioration of public schools, and specifically, the proposal that parents are able to "buy" education services from private enterprises with vouchers (Friedman, 1955). Hirschman notes that if the quality of education in the public school deteriorates, the parents who are most concerned by this may respond by moving their children to private schools. This means that "those customers who care *most* about the quality of the product and who... would be the most active, reliable and creative agents of voice are for that very reason also those who are apparently likely to exit first in case of deterioration" (Hirschman, 1970, p. 47, italics in the original). Thus exit of "highly quality-conscious customers... paralyses voice by depriving it of its principal agents" (Hirschman, 1970, p. 47).

If dissatisfied parents exit rather than voice, the school – and public education as a whole - is bereft of people that might have helped it. If there were no other option for educating their child, those same parents might petition the school for improvements, for example, by becoming involved in the Board of Trustees or organising a group to protest for better teaching standards on the lawns of Parliament. Such actions have the potential to benefit all the children at the school. This leads Hirschman to argue that a situation where there is no possibility of exit is superior to a situation where "exit is ineffective as a recuperation

mechanism, but does succeed in draining from the firm or organization its more quality-conscious, alert, and potentially activist customers or members" (Hirschman, 1970, p. 55). An additional problem that this observation calls attention to is the fact that it is easier for the privileged to exit, just as it is easier for them to voice (Hirschman, 1981, p. 243).

Hirschman muses that the idea of exit working against voice could be applied to social mobility. He suggests that the United States, his adopted home, celebrates the idea of success as exit out of a lower income or status. Success is personified as "an individual who starts out at a low rung of the social ladder [and] necessarily leaves his own group behind as he rises" (Hirschman, 1970, p. 108). This rise is "symbolized and consecrated by a succession of physical moves out of the poor quarters in which he was brought up in to ever better neighbourhoods" (Hirschman, 1970, p. 108). Hirschman (1970, p. 109) points out that this version of events, like all national myths, is not entirely true: history shows that different groups achieved improvements in their status because of voice: "they formed interest groups, turning into outright majorities in some political subdivisions, and became pivotal in national politics". Applying his ideas, Hirschman suggests that the exit of individuals from marginalised groups might actually compound their disadvantages by depriving them of actors that might otherwise work for the betterment of the whole group. He notes that this idea had recently been touched on by the black power movement, who scorned integration which, "in plucking many of the most promising members from a group while failing to alter the lot of the group as a whole, weakens the collective thrust which the group might otherwise muster" (Nathan Hare quoted in Hirschman, 1970, p. 109).

Hirschman connects the idea of exit weakening voice to the concept of a safety valve. Such a valve releases pressure from being built up that could lead to a dangerous explosion. In the same way, exit may prevent political pressure building up. The theory was adhered to by British officials, who advised the British government to promote emigration in order to stave off protest by discontented and unemployed returned soldiers after World War I (Schultz, 1983). Hirschman (1970, p. 108) suggests that the United States, a country of immigrants looking for a better way of life, was a country "founded on exit". He describes the mass emigration from Europe to the New World as "an avenue of self-defence for the voiceless" (Hirschman, 1981, p. 243). This exit may have affected the development of voice. Hirschman cites some evidence from Italy (MacDonald, 1963) for this theory: regions which recorded high levels of union density or strike activity, recorded less emigration, indicating that emigration provided an "outlet for excess voice" (Hirschman, 1981, p. 226). Similarly,

Turner's (1921) "frontier thesis" suggests that government-promoted emigration to the West from the discontented East of the United States helped explain the lack of militancy in the working class.

A number of authors, especially in the fields of economics, political science, and sociology, have applied Hirschman's theory to real-life situations (see Dowding, John, Mergoupis, & Van Vugt, 2000 for summary). One area where Hirschman's ideas prompted particular interest was the interaction of emigration and protest. The opening of Cuba's borders led to mass emigration to the United States, which Hirschman (1981) suggests may have decreased the likelihood of internal protest developing. However, this is not always the case. In Berlin in 1989, the emigration of East Germans prompted protest against the regime in those that stayed, as it made people realise the system was cracking (Pfaff & Kim, 2003).

Another area where Hirschman's ideas were taken up with great interest was in urban studies. In one testing of Hirschman's hypothesis, African-Americans were more likely to voice because they found it hard to exit their community due to the existence of housing segregation (cited in Hirschman, 1981, p. 232). In a recent update of these ideas as they relate to neighbourhood decline, Land and Doff (2010) suggest that some residents do not voice, and are unable to move, but may exercise a form of exit by simply withdrawing from their neighbours and from public places in their community. In the next section, I look at how Hirschman's ideas have been applied to the tenant-landlord relationship.

Applying the exit-voice framework to tenant dissatisfaction

This section considers how scholars have applied Hirschman's exit-voice framework to tenant actions. I look at how Lister (2004), Stewart (1994), and Bradley (2008), use the framework to illustrate observed concepts, and consider the relevance of Pickvance (2001) and Cadstedt (2006)'s critical analyses. The remainder of the section is devoted to exploring Super's (2011) observations on the interaction of the exit-voice mechanism in response to one particular law, which are of broad applicability.

A number of authors reference Hirschman in their assessment of the tenant-landlord relationship. Lister (2004, p. 324) notes that tenants tend to stay to the end of fixed-term tenancies, which she describes as a "natural exit", thereby negating the effectiveness of exit as a means of providing market messages about housing quality to the landlord. In the context of social housing, Stewart (1994, p. 277) suggests that council tenants who were

offered the “right-to-buy” their council home were “empowered to use their potential to exit as a bargaining tool [in order] to be consulted or balloted on potential transfers [of council housing to housing associations].” Elsewhere, Bradley (2008, p. 6) proposes that the relative difficulty of council tenants exiting into alternative housing (due to higher rents in the private sector) means that voice, in the form of tenant participation, is “a blunt and harmless weapon”.

As outlined earlier, the concept of loyalty is easily misinterpreted, in studies of tenants as much as other studies. For example, Pickvance (2001, p. 183) says that Hirschman describes “those who are dissatisfied or silent...as showing loyalty”. This misunderstanding causes him to propose that Hirschman uses the positive term loyalty because “to have used the labels 'fatalistic', 'resigned' or 'trapped' instead would have hinted at a stratum of people whose 'negative feedback' was not being heeded” (Pickvance, 2001, p. 183). Pickvance’s paper uses survey results to show that large proportions of people of all tenures in Budapest and Moscow “wanted to improve their housing situation but did not expect to do so” and therefore “appeared trapped in their housing situations” (Pickvance, 2001, p. 198). Pickvance (2001, p. 198) imagines that “Hirschman would describe them as showing loyalty but this label seems quite inappropriate.”

In reality, Hirschman would not describe such people as loyal: he was interested loyalty only as it influenced exit or voice. His focus is how people *respond* to objectionable circumstances. Pickvance’s observation - that many people who are dissatisfied with their situation do not act on that dissatisfaction - is quite consistent with Hirschman’s observation that both exit and voice are sometimes unavailable. Pickvance’s conclusion that “those in the weakest positions were scarcely more likely to be dissatisfied with their housing than those in stronger positions but they were more likely to be inactive” (Pickvance, 2001, p. 203) is quite consistent with Hirschman’s observation that voice (and exit) has greater costs and is less available to the poor (Hirschman, 1981, p. 220).

Cadstedt draws on Hirschman’s language to name concepts that came to light in her interviews with 18 tenants in Mwanza City, Tanzania. She notes that high-income tenants are more likely to become homeowners and notes that, following Hirschman, “It is reasonable to assume that those who do not have to devote all their time to surviving would be in a better position to raise their voices” (Cadstedt, 2006, p. 179). However, she finds no

evidence that tenants, high-income or not, attempt to use voice to change their housing situation: “the house is owned by the landlord so it is not possible to protest” (Cadstedt, 2006, p. 180). Somewhat inconsistently, Cadstedt cites a tenant who does not protest a rent rise because she knows her landlord has become a widow as an example of how loyalty might suppress voice; however, this is an understanding of loyalty in layman’s terms and is not consistent with Hirschman’s definition, which, like Pickvance, the author confuses with inaction: “It is not because of loyalty that tenants do not leave renting for ownership but because of the lack of financial resources” (Cadstedt, 2006, p. 180).

The studies discussed so far have all drawn on concepts of exit, voice or loyalty, to help explain aspects of the tenant-landlord relationship. However, they are incomplete. Lister, Bradley, and Stewart reference exit and voice to describe processes they observe, but fall short of considering how exit and voice interact. Pickvance and Cadstedt’s analyses go deeper into Hirschman’s ideas, but they inaccurately interpret the concept of loyalty as describing friendship ties which could cause tenants to choose against voice, or as describing people who are not in the position of choosing exit or voice. This analysis obscures, rather than assists, the application of the exit-voice framework to the issue of tenants’ response to objectionable circumstances.

The mechanisms of exit and voice are most usefully applied to tenants by Super (2011). Super does not reference Hirschman or his language, but his conclusions on exit and voice follow those proposed by Hirschman. In the present discussion of Super’s ideas, I use Hirschman’s language. The investigation is into a tenant’s likelihood of asserting her rights under the implied warranty of habitability, a law applicable in a number of jurisdictions in the United States. Nevertheless, the same mechanisms apply to a tenant considering whether to move or to assert her rights (to a landlord or the courts) in any situation. Under the implied warranty a tenant can withhold rent if the premises are substandard, and point the courts to defects in the premises to justify being in arrears. Despite these rights, the study suggests that moving, rather than asserting rights under the implied warrantee, is in most cases the “smarter option” (Super, 2011, p. 389).

Whether a tenant exercises voice under the implied warrantee depends on a number of factors. To exercise voice under any law, the tenant must know about the law, understand how to assert her rights under the law, be capable of effectively representing her case under

the law, and decide that doing so is in her interests. Many tenants do not know about their rights, partly due to a lack of community legal education. They are unlikely to learn of their right via other tenants, due to the rarity of cases (about 3%) that find in favour of the tenant. Super's (2011, p. 406) observation that "the likelihood that tenants aware of the warranty will pass that information along likely depends on how useful the warranty has seemed to them" echoes Hirschman's (1970) observation that people will ordinarily base their choice between exit or voice on past experience. Furthermore, if tenants know about their rights, and choose to assert them, it is not certain that they will be able to exercise them effectively. Tenants have limited access to advocates, and may be up against landlords or lawyers who have more knowledge of the law and more experience than them (Super, 2011).

Even if a tenant knows about her rights, and is confident she can assert them, she must weigh up the likelihood of her success against expected costs. There are a number of costs to asserting legal rights. Exercising voice in this case may take time away from work or other activities. There can also be a financial cost to gain legal advice or go through litigation. In addition, even if the tenant is successful in gaining redress as a result of exercising voice, in the form of compensation or repairs, she may have damaged the relationship with her landlord in the process. This may encourage the landlord to end or fail to renew her lease, raise the rent, or make the tenant uncomfortable, all of which may mean she has to move. Finding a new place to live, and moving is costly in terms of time, money and energy (Super, 2011).

The presence of such risks and costs can cause a tenant to decide against voice, and in favour of moving house, thereby exiting the situation. Moving house, while it is associated with costs, may be more likely to improve the housing situation of the tenant than exercising voice. A tenant could move to a new, better quality dwelling, which will resolve her problem, while the courts might find against her if she asserts her rights under the implied warranty. Super posits that a rational tenant would only assert voice when "*both* the expected value of doing so is positive *and* that expected value is greater than that of moving" (Super, 2011, p. 408, italics in the original). In other words, the likelihood of voice being successful must be greater than the costs of voice (i.e. time and effort), the risks of voice (i.e. being forced to move due to damaging the relationship with landlord) and the costs of exit (i.e. moving costs). The decision on whether to exercise voice or exit is mediated by at least two factors: the income of the tenant and the vacancy rates in the city.

The vacancy rates in the local rental market can affect tenants' choice between exit and voice. In a market with high vacancy rates, a tenant is more likely to be able to find alternative accommodation. Exit in response to a housing quality problem is relatively easy, and likely to result in the tenant living in a more suitable home. As Hirschman observed, and as can be applied here, a situation of easy exit can also strengthen the power of voice: the implicit or explicit threat of exit may cause a landlord concerned about having a vacant unit to take action to resolve the situation to the tenant's satisfaction (Hirschman, 1970, p. 82). In contrast, in a market of low vacancy rates, tenants may prefer not to exit because it is difficult to find a unit, let alone one in superior condition (Super, 2011, p. 409). Drawing on Hirschman again offers an extension to this: if it is difficult to exit, the risks of voice are higher. If a tenant uses voice, but her case fails, she may have to move and experience difficulty finding a home. In such a market, Super observes, a tenant will only voice if the chances of voice being successful, the amount of compensation offered, and the chance of avoiding retaliation are all high (2011, p. 409).

The choice between exit and voice is also affected by the income of the tenants. All tenants who have to move are subject to costs such as the disruption of social ties, and the difficulty of finding and adapting to a new home. Nevertheless tenants with high disposable incomes have a greater range of accommodation to move to, and the financial costs of moving are less prohibitive. While there may be costs associated with moving, exit is less onerous for a high-income tenant. Financial security also increases the likelihood that a tenant will exercise voice. In the case of the implied warranty, a high-income tenant can withhold rent with more confidence that she can exit to a superior place if she loses the case. A high income tenant is rewarded financially by her ability to risk more (Super, 2011, p. 409).

The link of tenant security to economic realities – the tightness of the rental market, and their ability to participate in it – rather than legal status, has recently been made in the housing literature in relation to secure occupancy. Hulse & Milligan (2014) point out that a tenant's occupancy is insecure if a tight rental market forces a tenant to commit to rent she cannot afford, or if she has an insecure income. Secure housing has important effects on health, as Hulse and Milligan highlight. However, it is also clear that it has an effect on power. Tenants must be in a secure position – in their housing, or in the knowledge that other housing is available to them – to assert voice. This security is not just determined by the law, but by the market and by a tenant's financial position.

Super concludes that the implied warranty has not improved the quality of housing due to the fact that it relies on tenant action to enforce it when there are disincentives to tenants taking that action. Super's ideas are useful in explaining the factors that influence whether a tenant chooses to stay put, to complain about her housing situation, or to move to another house – or any mix of these two factors. His findings show the relevance of Hirschman's ideas to the tenant-landlord relationship.

The hidden dimensions of power

Exit, Voice and Loyalty is useful in explaining the interaction between the various courses of action people choose in response to objectionable circumstances. I have shown that this framework can be usefully applied to the idea of tenant representation: if a dissatisfied tenant moves home in response to a housing problem, she may not represent her interests to the landlord. However, the exit-voice framework does not address what processes occur in cases where people find circumstances objectionable but do not act in response, and what processes occur in cases where people seem to be experiencing objectionable circumstances, but do not see these as objectionable. Such circumstances were not Hirschman's focus. However, they are relevant because recognising that circumstances are objectionable and entail a response is an important precondition to taking action via exit or voice.

Steven Lukes' work on power helps explain these preconditions. In *Power: A Radical View* (1974), Lukes proposes that there are three dimensions of power. He explains that scholars of power are interested in both the first dimension of power, which is highly visible, and the second dimension of power, in which it is recognised that power is at work even when there is no discernable dispute. Lukes' contribution is the third dimension of power, where people's very preferences are shaped. In this section, I discuss the three dimensions and their applicability to tenants' representation of their interests.

The first dimension of power is clearly visible in decision-making processes in a number of circumstances, such as conflicts or negotiations between or within families, businesses, or political parties. Scholarship of this realm "involves a focus on behaviour in the making of decisions on issues over which there is an observable conflict of (subjective) interests" (Lukes, 2005, p. 19). For example, Robert Dahl's (1961) work "Who Governs?" looks at who makes decisions affecting the community of New Haven, Connecticut, and how the outcomes of those decisions affects different groups differently.

The second dimension of power is invisible and notes the absence of certain groups from the first dimension of power, and the absence of certain processes from its analysis. Bachrach and Baratz (1970, p. 44) recognise that some concerns are “suffocated before they were even voiced; or kept covert; or killed before they gain access to the relevant decision-making arena”. This understanding of power acknowledges the importance of dominant groups in creating political conditions that disadvantaged groups do not participate in. It “allows for consideration of the ways in which decisions are prevented from being taken on potential issues over which there is an observable conflict of (subjective) interests” (Lukes, 2005, p. 25).

In the third dimension of power, power is understood to not only prevent grievances being voiced, but to prevent grievances being experienced as grievances. Power is expressed where there is “a contradiction between the interests of those exercising power and the *real interests* of those they exclude” (Lukes, 2006, p. 28). The latter “may not express or even be conscious of their interests, but...the identification of those interests ultimately always rests on empirically supportable and refutable hypotheses” (Lukes, 2006, p. 29). This form of power is fundamental, because by works by “shaping their perceptions, cognitions and experiences in such a way that they accept their role in the existing order of things” (Lukes, 2006, p. 28), and thereby prevents action being taken to challenge the existing order. In this manner, inequality is perpetuated by “processes of socialisation, culture and ideology” (Gaventa, 2006, p. 29).

Lukes’ three dimensions of power can be usefully labelled as visible power (observable decision-making), hidden power (setting the agenda of what is to be discussed or challenged) and invisible power (shaping meaning and what is acceptable) (Gaventa, 2006, p. 29). These dimensions were explored empirically by John Gaventa (1980) in his study of Appalachian miners. The personal and historical memory of previous failures of protest to effect change (as a result of the mining companies’ repressive actions, and the existence of a coalition between the local elite and the mining company) led to an acceptance of the impossibility of change. Far from thinking about voicing complaints as individuals or as a collective through a union, they accepted their situation as natural, rather than the injustice it appeared to be to Gaventa, an outsider. The sense of powerlessness resulted not in anger, but in support for the system that maintained the miners in a subordinate condition.

A number of scholars have commented on how covert power might impact on tenants. Cairncross, Clapham and Goodlad (1994) point out the difficulties inherent in determining what is in the “real interests” of tenants in order to understand how tenants’ action or inaction might work against the realisation of those interests. For example, it is not necessarily true that low rents are best for tenants, if low rents also result in poor service and other inefficiencies created by underfunding. This observation fits within a broader critique of the empirical difficulties in assessing Lukes’ claims about “real interests”. Indeed, aside from Gaventa’s study, there has been little empirical research on the matter (Shapiro, 2006).

Nevertheless, Lukes’ ideas have played a useful role in encouraging researchers to consider the limitations of their research into issues on power. Fitzpatrick and Pawson’s (2013, p. 7) observation, in their study of tenants, that power “‘exists’ whether it is acted upon in practice or not” coheres with the notion of invisible power. For example, the perceived ability of a landlord to evict tenants at any time affects how tenants behave, regardless of whether the law allows this or landlords act on it. In a broader context, power can shape policy by removing particular policy options from the political agenda. Bengtsson references Lukes in his observation of how “earlier more ‘contingent’ events at point A may at point B have an effect on either decision-making, agenda-setting or perceptions” (Bengtsson, 2012, p. 222). This issue is particularly relevant to housing policy, where, as “path-dependency” ideas have emphasised, policy options can be limited by policy decisions of the past (Bengtsson & Ruonavaara, 2010; Malpass, 2011). The workings of covert power may mean other housing policy options, such as large-scale public housing, have been “organised out” of politics (Bachrach & Baratz, 1970, p. 8).

The three dimensions of power are clearly manifested in the tenant-landlord relationship. Any conflict between a tenant and a landlord is an example of visible power, and may lead a tenant to respond to the situation through exit or voice. It is also possible to discern hidden power in the tenant-landlord relationship. In this case, a tenant might be unhappy about her housing conditions, but choose not to tell her landlord about this. There is a clear conflict of interests, but for a number of reasons (perhaps the costs and risks of action, as previously discussed), the conflict is invisible to the outsider. Invisible power may also be at play, if a tenant lives in poor housing conditions, but, like Gaventa’s miners, she thinks that this is a natural or acceptable circumstance. An acknowledgement of the hidden aspects of power

prompts scholars to acknowledge that the absence of an overt conflict of interests, made visible by voice or exit, does not imply an absence of objectionable circumstances.

The next section reviews the empirical work on how tenants represent their interests, drawing on Lukes' and Hirschman's concepts to identify key themes.

4.1.2 Literature review

The work of Lukes and Hirschman contributes ideas that help explore some of the possibilities and limitations for tenants representing their interests. Hirschman's exit-voice framework suggests that the likelihood of a tenant representing her interests in the form of voice depends in part on the availability of exit, in the form of moving house. Lukes' observations on covert power point to the fact that for a tenant to defend her interests in the face of a unsatisfactory situation, she must be aware that the situation is unsatisfactory, and acting on a unsatisfactory situation must be a realistic possibility to her.

This section looks at what empirical research can contribute to understanding of the power of tenants to represent their interests. I first outline, in a chronological order, key findings of empirical work on tenant representation, looking first at the international literature, and then at the New Zealand literature. I then discuss the studies in light of the theoretical work already presented.

Articles and studies were deemed relevant for this review if they were based on empirical work that investigated how tenants represent their interests as individuals. For ease of analysis and in order to limit the results to a manageable number of studies, I focussed only on studies concerning English-speaking countries. This means that I excluded those articles that considered the general dissatisfaction tenants had with renting, often associated with a preference for homeownership (e.g. Dupuis & Thorns, 1998; Holdsworth, 2011). I also excluded articles outlining the disadvantages of tenants in the legal system, which are generally not empirical studies. Key search terms were combinations of the words: "tenant/renter", "eviction", "power", "complaint", "voice". The primary way of finding relevant resources however was through exploring the references of identified studies.

The international literature on how tenants represent their interests

The earliest article identified as relevant to the topic at hand draws attention to tenants' lack of action in the face of poor housing. This is a participant-observation study conducted

by Vaughan (1968) in a low-income area in Columbus, Ohio. The study finds that there is an imbalance of power in the tenant-landlord relationship. This is because tenants depend on particular landlords (for a home) to a greater extent than landlords depend on particular tenants (for rental income). The tenants in the study experienced high rents relative to income, and lack of maintenance, both of which, as outlined in the previous chapter, can negatively affect health. Despite this, for the tenants, housing issues were “conditions that call for adjustment, not comment or action” (Vaughan, 1968, p. 216). Some tenants were especially unlikely to express grievances because they had personal relationships with their landlords, accepting their aid through loans, groceries, paying bills, and being allowed to pay late rent. The effect is to “bind the tenant to the landlord in terms of non-economic ties of personal dependence” (Vaughan, 1968, p. 217). Vaughan reflects that “the tenant has one power leverage – the threat to move” (1968, p. 214). However, this threat lacks force because both tenant and landlord know that “with their limited resources, they cannot hope to do appreciably better” (Vaughan, 1968, p. 214). This study is important in drawing our attention to widespread inaction in the face of poor conditions. It also notes that poverty can limit a tenant’s ability to complain about housing problems. This is because she is more likely to be in a situation of financial dependence on the landlord, meaning she is less able to threaten moving out.

Popplestone’s (1972) study builds off Vaughan’s and is based on participant-observation of low-income tenants of 42 flats that share the same landlord in Glasgow. While the focus of the study is the initiation of protest by two student tenants, Popplestone makes a number of observations on the limited ability of tenants to represent themselves as individuals. Similarly to Vaughan, Popplestone observes that although the tenants in the study are subject to poor conditions, they had not previously tried to challenge this situation. One of the contributing factors towards this was that the landlord had a personal relationship with many tenants, lending them food, and expecting them to do repairs, and allowing rent arrears to be paid gradually. This means that “they felt inhibited in taking any action against her because of her apparent friendliness and informal relationships” (Popplestone, 1972, p. 373).

In Popplestone’s study, the tenants eventually decided to represent themselves by acting together as a group to appeal their rent. This led to retaliation when one tenant is evicted. Other tenants are threatened with eviction. Tenants had been accustomed to receiving prompt notification that they were behind in rent; however, after their protest they did not

receive notice until they were already seriously in arrears. This fact prompted them to leave the group in order to keep the landlord's favour. In addition, ostensibly in response to the rent appeal and associated actions, the landlord put the properties up for sale. Popplestone sees this as an achievement and argues that the militant action would put off buyers. However, it seems clear that the eventual sale would risk the tenancies. This would not affect the student tenants who had initiated the action, who were living there only temporarily. This study draws attention to limits of action by tenants in the face of poor housing conditions. While tenants can be motivated to represent themselves, this can lead to negative repercussions, particularly for low-income tenants.

The next identified study investigated how people, including tenants, make decisions relevant to housing. Pickvance and Pickvance's (1994) large-scale survey of British people, including tenants, leads them to argue that people make housing decisions based on a number of factors, including their material resources, their household structure, and the housing available to them. In making those decisions, the authors suggest that there are two types of strategy at play: conscious strategies, which can be applied to "behaviour involving choice which is rational, coherent and long-term", and unconscious strategies, which may be "culturally transmitted rather than consciously chosen" (Pickvance & Pickvance, 1994, p. 661). This study draws our attention to the fact that there are a number of factors that might influence whether tenants represent their interests. These factors may be rational, in that they decide what risks and costs representation contains, as Hirschman suggested. These factors may also be "unconscious", reminding us on the hidden dimensions of power that influence decisions.

A subsequent study looks at the different ways that British tenants responded to rent increases. Rent increases can negatively impact on health if housing becomes unaffordable. McLaverty and Kemp (1998) look at the effects of a new rule which stipulated that housing benefit could only be received by tenants in dwellings that were below a "reasonable market rent level". Tenants who lived in homes with higher rents responded to this situation differently depending on their circumstances. While tenants could in theory ask their landlord to decrease the rent, they did not see this as a realistic option. Some tenants, generally those with supportive family members, chose to make up the shortfall themselves. Some tenants appealed the rent officer's decision, but this was a time-consuming process with no guarantee of success. Another option was to move to other accommodation. This was an undesirable option because previous experience had shown participants the

difficulty of finding a place that was appropriate and that was willing to accept a tenant on a housing benefit, or because of the expense required to pay a deposit and rent in advance. The authors conclude that tenants "were acting rationally given their knowledge, their social position, and the resources that were available to them" (McLavery & Kemp, 1998, p. 364). This study points to the multiple factors that contribute to a tenant's decision on how to respond to a difficult situation. Notably, for some tenants in the study, neither moving to another home, nor representing their interests through application to the landlord or rent officer, was likely to lead to a satisfactory outcome.

Lister's (2006, 2004) interviews with young tenants in a northern city in England also investigate the potential courses of action available to tenants in situations of poor housing quality. Some tenants told interviewers the problems they experienced were "normal for rented property" and that there was little they could do to force change (Lister, 2006, p. 151). Others reported that landlords often ignored requests for repairs. Tenants said that when they had previously asked for repairs, the process was time-consuming and stressful, and did not lead to repairs being made. This caused them to decide against asking for repairs in the future. Some tenants responded by implementing makeshift solutions to the problem. Other tenants reported that they did not complain because they did not want to damage the relationship with the landlord, which might mean their bond would be withheld. In one case, a tenant reported that he dropped his complaint when the landlord reminded him about arrears.

The tenant's choice of action depended partly on their market position. Low-income tenants were more likely to remain in their tenancies because they could not afford to move. Lister observes that this fact "appeared to modify or lower their expectations about standards in the property and the levels of service provided by the landlord" (Lister, 2004, p. 326). The strategy for tenants in a stronger market position was to wait out the end of their lease, and then move. Of the fifteen people interviewed, eight tenants wanted to leave when their tenancy ended. Six of those were moving out of "frustration, having exhausted their available resources to restructure relationships" (Lister, 2004, p. 323). The study's findings support those previously discussed, and emphasise the importance of financial advantages in determining expectations and decisions.

The particular problems of low-income tenants have in representing their interests to improve health are addressed by Grineski and Hernandez's (2010) study. This is based on in-depth interviews with 19 low-income tenants in Phoenix, Arizona, who were mothers of

children with asthma. Tenants knew that their children's asthma would improve by modifying the home, but had limited ability to carry this out. Tenants "were resistant to report problems" due to fear of eviction, and, in some cases, deportation (Grineski & Hernández, 2010, p. 206). One tenant reported that when she complained about leaks from the kitchen plumbing, the landlord told her "Well, if you don't really like it here, then leave" (Grineski & Hernández, 2010, p. 208). Another tenant had reported vermin, roaches, and mould to her landlord, and had been given notice for this at the time of the interview. Other landlords had simply refused to carry out repairs, or asked tenants to pay for the modifications, which few could manage. Tenants were unhappy with their housing conditions, but could not afford to move. This study emphasises the limit of exit and voice options for low-income tenants, and the negative health impacts of an inability to represent their interests.

The extent to which a tenant can represent her interests has been investigated in the context of energy use. Dillahun, Mankoff and Paulos' (2010) interviewed 25 low-income tenants in a small town in the southern United States and a metropolitan area in the northern United States. Seven of the respondents described unsatisfactory housing conditions, or situations that they had not reported to the landlord. The reasons behind this are not investigated. However, the authors suggest that this is "primarily because of their expectations as a result of their income and status" (Dillahun et al., 2010, p. 3). Tenants in similar circumstances responded differently to issues depending on their previous experience. One tenant explained that she would not complain about a quality issue because "they're not going to do anything about it [because] it's public housing" (Dillahun et al., 2010, p. 3); another tenant who successfully negotiated improvements did so because her previous experience in a superior public housing unit made her confident she could do so. The authors state that "In many cases, residents of low-income communities do not have experience living outside of low-income housing to compare to" (Dillahun et al., 2010, p. 3). This study notes the low levels of tenant representation despite high levels of grievances, and draws attention to the importance of past experiences.

Another study with similar concerns, this time in Newcastle, Australia, look at the ability of tenants to improve the energy efficiency of their home (Instone, Mee, Palmer, Williams, & Vaughan, 2013). Focus group interviews with tenants determined that tenants were concerned about energy efficiency, but were reluctant to ask their landlord to implement energy efficiency measures. Tenants reported that they didn't want to "upset" or "push" the

landlord, and that they were “trying not to be a demanding renter” because this might damage the relationship, or, in one case, prompt the landlord to raise the rent simply because his attention had been drawn to the house (Instone et al., 2013, p. 112). The authors posit that vacancy rates help determine tenants’ decisions. As the vacancy rate in the area is low (at 1.3%), “the market pressure tenants can apply to landlords for sustainability changes to dwellings is limited” (Instone et al., 2013, p. 108). This means that tenants cannot exit to superior housing, and they have “a reduced ability to pressure landlords for improvements, for fear of eviction” (Instone et al., 2013, p. 111). While other studies have pointed to the lack of options available to low-income tenants, this study makes the point that even high-income tenants may be subject to constraints that help determine whether or not to represent their interests to the landlord.

Surveys have shown that in many cases, tenants choose against representing their interests. The Survey of English Housing found that though 21% of private tenants were dissatisfied with the landlords’ maintenance of their property, just a quarter of those tenants said they had “tried to enforce their right” because they “didn’t think it was worth the effort”, wanted to avoid trouble, and feared putting their tenancy at risk (Department for Transport Local Government and the Regions, 2001). Similarly, in a representative survey of 4544 renting adults in England, 12% of tenants had not asked for repairs, or challenged a rent increase in the past year, because they feared eviction. One in thirty-three tenants who complained about a problem in the rental home or tenancy in the past five years had been either evicted, served notice, or threatened with eviction (Shelter, 2014).

The New Zealand literature on how tenants represent their interests

The limited ability of New Zealand tenants to represent their interests has been discussed in a number of recent studies. New Zealand tenants are protected under the Residential Tenancies Act 1986 (RTA) from retaliatory notice, which describes a situation where the landlord ends the tenancy in response to a tenant’s request for repairs or improvements. Proposed changes to the RTA, announced mid-2015, will extend the period during which a tenant can apply to the Tribunal on the grounds of retaliatory notice from 14 to 28 days, and increase the maximum penalty given to landlords for retaliatory notice (Cabinet Social Policy Committee, 2015). However, protection from retaliatory notice – regardless of landlord penalties or notice periods – fails to account for a number of other disincentives to tenants representing their interests.

Bierre's (2007) interviews with community and government workers on understandings of housing quality issues give insight into some of the factors determining tenant representation. Key informants suggested that tenants were deterred from complaining about their housing because "it is not always the most comfortable situation to be in, to be living in a property when you are in dispute with your landlord" (Bierre, 2007, p. 206). Because of this, Bierre suggests that tenants may prefer to move than complain; however, moving was costly particularly for low-income people. In another study, Smith (2010) interviewed low-income people on issues related to energy affordability, including the accessibility of a scheme to partially subsidise insulation. Tenants reported that they had asked their landlord to install insulation but been turned down. Others reported that doing so would be a "waste of time": tenants were accustomed to the landlord refusing to fix basic problems, or taking a long time to fix problems, which led them to believe that she would be unlikely to act on a larger request such as for insulation (Smith, 2010, p. 43).

Nurses involved in a pilot study for a housing intervention in the Hutt Valley, New Zealand reported that "the willingness (and perceived willingness) of landlords to pay for housing improvements" was a key barrier to improving housing (McDonald, 2014, p. 27). Some examples provide useful context for this statement. One landlord refused to act on the leaking roof, rodents and carpet, but had agreed to install insulation. This however had been followed by a proposal to increase the rent – despite the provision under that programme that landlords who accessed the subsidy were not able to increase the rent during the six months that followed. Another household reported that the landlord had previously paid no regard to the mould problem. However, when the tenant called the landlord and said the "health department" (referring to the nurse) had visited, he had provided materials for her husband to fix the wall, which had fixed the mould problem. In two of the households, the landlord was a personal friend. This meant that "tenants did not want to...make any requests that might be seen as unreasonable, reportedly because of concern about the landlord's own financial situation" (McDonald, 2014, p. 25).

Tenant conceptions of landlord willingness to improve housing were drawn on in another local study (Sherlaw, 2014). In a Wellington survey, of eighty tenants interviewed, thirty-seven per cent said that their landlord was a barrier to their improving their housing environment. While this finding does not shed insight on whether the tenant had tried to improve her housing situation, or what the implications of doing so were, it does suggest

that either landlords are unwilling to improve housing, or that tenants are unwilling to ask landlords to improve housing.

To conclude this part of the review, I turn now to how the literature on the way in which individual tenants are able to represent their interests is illuminated by the theorists already introduced.

Key themes in the literature

The literature reviewed reveals a number of key themes already brought to our attention by Lukes and Hirschman.

A number of studies report that despite experiencing conditions that the researchers thought of as sub-standard, tenants expected those conditions, or appeared not to mind the poor conditions. It was suggested that this was because they have low expectations of their housing quality, had not experienced superior housing, or knew this type of housing to be standard for their price-range (Buckett et al., 2011; Lister, 2006; Popplestone, 1972; Vaughan, 1968). This is an example of the workings of invisible power as described by Lukes: where people do not recognise an objectionable circumstance as such, they will “accept their role in the existing order of things” (Lukes, 2006, p. 28). In contrast, tenants who had previously experienced superior housing were able to recognize a grievance as such and to act on this objection (Dillahunty et al., 2010). This was also the case if the tenants were encouraged to act by fellow tenants (Popplestone, 1972).

Other studies reported that even if tenants were dissatisfied with the conditions of their homes, they tended not to complain to the landlord about their conditions (Crew, 2007; Dillahunty et al., 2010; Instone et al., 2013; Shelter, 2014). This is an example of hidden power as described by Lukes: there is a clear conflict of interests, but the conflict remains unarticulated. It also may serve as an example of what Hirschman called “horizontal voice”: perhaps tenants talk about the conditions among themselves, but have yet to address their concerns to the landlord.

The choice against voice was made for a variety of reasons. Some scholars cited the low expectations of tenants, as discussed previously (Dillahunty et al., 2010; Instone et al., 2013). Various authors cited the perceived unwillingness of the landlord to make repairs as a key barrier (Dillahunty et al., 2010; McDonald, 2014; Sherlaw, 2014). This perception may have been created by prior experience. Many tenants did not complain about housing conditions

because they had previously complained to no avail (Crew, 2007; Instone et al., 2013; Lister, 2006; Smith, 2010). Speaking to the landlord about concerns in the housing situation was described as stressful and time consuming (Lister, 2006). This theme speaks to Hirschman's observations on how successful voice perpetuates voice, and the potential costs of voice in terms of time and energy.

The decision not to express voice was sometimes linked to the particular relationship the tenant had with the landlord. A number of studies reported that those tenants who knew their landlords personally, felt inhibited from making requests because they were aware of their financial situation, or because the landlord had been generous with them in the past, or because they owed rent (Grineski & Hernández, 2010; Instone et al., 2013; McDonald, 2014; Popplestone, 1972). This was observed to be more likely the case for low-income tenants (Instone et al., 2013; Lister, 2006). This can be associated with what Hirschman described as the co-option of voice, in a pre-emptive form. In contrast, one study found that tenants in long-term tenancies had built trust with the landlord and were more able to ask for repairs (Lister, 2004).

For the most part, the decision not to voice was due to a fear of adverse consequences, such as damaging the relationship with the landlord, eviction, or a rent increase (Crew, 2007; Grineski & Hernández, 2010; Instone et al., 2013; Shelter, 2014). These fears were justified: asking for repairs or for rent reduction had resulted in eviction or rent increases in a number of cases (Grineski & Hernández, 2010; McDonald, 2014; Popplestone, 1972; Shelter, 2014). Previous experience of the negative consequences of complaining prevented tenants from complaining in the future (Lister, 2004). This theme speaks to the potential costs of voice that Hirschman noted: tenants may experience retaliation.

Hirschman notes that the availability of exit increases its strength as a threat, and thereby strengthens voice. For the most part, however, the tenants in the studies could not easily find alternative accommodation, or finance a move (Grineski & Hernández, 2010; Instone et al., 2013; Vaughan, 1968). This was noted to be the case especially in a market with low vacancy rates (Instone et al., 2013) or for tenants on low incomes (Grineski & Hernández, 2010; Lister, 2006). This meant that exit was not available, and voice was risky, because it might result in eviction.

In some instances, advocacy from an outsider could strengthen the voice of a tenant and increase the likelihood of repairs (McDonald, 2014). In other instances, uniting with other tenants could carry out this purpose (Poppelstone, 1972).

This section has shown the relevance of the work of Hirschman and Lukes in drawing out key themes in the literature of how tenants represent their interests. For some tenants, both exit and voice are difficult or impossible. It is in those cases – where “consumers are assumed to be in an inferior and impotent position in which neither exit or voice on their part is likely to perform as an adequate protection of their interests” (Hirschman, 1981, p. 220) – where, Hirschman argues, some form of public intervention is required.

In the next section, I will look at the literature on what determines tenant protest.

4.2 How tenants as a group represent their interests

The focus of this section is to look at what insight the literature can give us on the capacity of tenants to act as a group in order to represent their interests to promote health. As explained in Chapter 1, I use the terms “tenant protest” and “tenant protest groups” to describe these actors and actions. When explaining a particular contribution to the literature, I have used the term employed by the author.

There is a large literature on tenant protest especially in the British and American contexts. This includes studies about a particular event (such as a rent strike, or a response to housing demolition), studies that look at particular tenant organisations, and studies that seek key themes applicable to a broad literature. Understanding this literature requires understanding the historical context, housing policies, and other political events. It was not feasible to summarise this literature for the purposes of this thesis. Instead, I look at what insight particular theoretical approaches can give to the study of tenant protest. In this section, I introduce Olson’s theory of collective action, and how this interacts with the theorists that have already been introduced. Subsequently, I turn to how the theory of collective action has been applied to tenant action. I then introduce a number of social movement theories that help explain why protest develops, and illustrate these with literature on tenant protest.

The collective action dilemma

As some of the examples in *Exit, Voice and Loyalty* make clear, Hirschman is interested in the power of collective voice to make change. He notes that collective voice had led to progress

for disadvantaged groups, and that it has great potential to provide for public happiness. It is this observation that makes him particularly concerned about the effect of exit on voice: if those that are most outraged about poor conditions are also those who can easily exit because of their greater privileges, there is less chance for voice to develop, and it is more likely that the objectionable circumstances remain for those who cannot escape. In having this interest in collective voice, Hirschman necessarily engaged with the work of Mancur Olson. His important work *The Logic of Collective Action* (1965) was published several years prior to *Exit, Voice and Loyalty*.

Olson's theory, underpinned by rational choice theory, considers a group of individuals who have a common interest in achieving a collective or public good. A public good is "any good such that, if any person X, in group X... consumes it, it cannot feasibly be withheld from others in that group" (Olson, 2002, p. 14). One example is clean air: if a number of activists managed to control pollution in their community, clean air could not feasibly be withheld from anyone in that community. The fact that nobody can be excluded from the good creates the possibility of "free riders": people that enjoy the achievement of the goal – clean air – even though they did not contribute towards achieving that goal. This constitutes the collective action dilemma: if an individual can enjoy the attainment of the goal without having to contribute to that goal, it would be irrational to put effort into attaining the goal.

Olson investigates under what circumstances individuals work together to provide public goods – in other words, under what circumstances the collective action dilemma is resolved. He argues that for an individual to participate in collective action, the action must provide selective incentives to individuals – special benefits that they receive as a result of participating. These may be material, such as the provision of lawyers to union members, or social, "soft incentives" that satisfy "a desire to win prestige, respect, friendship and other social and psychological objectives" (Olson, 2002, p. 60). Olson proposes a number of factors that determine whether people participate. First, people are more likely to participate the stronger the positive selective incentives. Second, the lower the costs of participation (i.e. time and effort), the more likely somebody will contribute. Third, if the public good is particularly important to the participant (i.e. she has asthma affected by polluted air), she is more likely to participate. Fourth, soft incentives will matter less in a large group where an individual's lack of contribution may pass unnoticed.

Hirschman criticises some of the assumptions behind any analysis of a “rational” individual. Indeed, *Exit, Voice and Loyalty* aims to challenge the assumptions economists can make about why people act. Rational choice theory assumes that individuals’ behaviour is determined by self-interest: “when faced with several courses of action, people usually do what they believe to have the best overall outcome” for themselves (Elster, 1989, p. 22). Hirschman challenges the assumption of “either fully and undeviating rational behaviour, or, at the very least, an *unchanging level* of rationality” (Hirschman, 1970, p. 2). He points out that preferences - or an individual’s calculation of cost and benefits - can change over time, which indicates that motivation for action goes beyond self-interest (Hirschman, 1984, p. 89, 1986, p. 36). Something like voice, which might be experienced as a “cost” by one person, can be experienced by a second person as a benefit, indeed, the highest form of existence (Hirschman, 1981, p. 215). In this context, not acting, rather than acting, was a cost. This is the “cost of disloyalty” (Hirschman, 1970, p. 36). Individuals could not be conceived of “without a history”; in fact, individuals were “efficient and often ingenious and devious” (Hirschman, 2002, p. 79).

This nuanced understanding of the rational individual leads Hirschman to point out some specific limitations to Olson’s analysis. The first limitation is that the free rider argument only applied to vertical voice, or collective action that sought to challenge an existing circumstance. Horizontal voice – complaints between members of a group against a dominating power - in fact is an important precondition to voice, and can have an effect, through influencing leaders, without ever becoming vertical:

“Horizontal voice is not subject to the strictures of the free-ride argument: it is free, spontaneous activity of men and women in society, akin to breathing, and extraordinary violence must be deployed to suppress it” (Hirschman, 1986, p. 83).

Second, Hirschman points out that sometimes “the benefit of collective action for an individual is not the difference between the hoped-for result and the effort furnished by him and her, but the sum of these two magnitudes” (Hirschman, 2002, p. 86). This was because, as seen before, voice can be experienced not as a cost, but as a benefit – an enjoyable, rewarding activity. As Hirschman describes, “the very act of going after public happiness is often the next best thing to actually having that happiness” (Hirschman, 2002, p. 86). This means that it may become rational for an individual to become involved in as much collective action as he possibly can:

“...Since the output and objective of a collective are ordinarily a public good available to all, the only way in which an individual can raise the benefit accruing to him from the collective action is by stepping up his own input, his effort on behalf of the public policy he espouses. Far from shirking and attempting to free ride, a truly maximising individual will attempt to be as activist as he can manage, within the limits set by his other essential activities and objectives” (Hirschman, 2002, p. 86).

In other words, Hirschman encourages an extension in the understanding of what has been called the “soft” selective incentives of collective action. The life-giving effects of working to contribute to the public happiness might be considered under what Olson called “social and psychological objectives” (Olson, 2002, p. 60).

Scholars were interested in applying Olson’s work on collective action – or what Hirschman saw as examples of working towards the public happiness – to social movements. Although social movement scholars often critiqued Olson’s work, their ideas that factors such as how the social movement is framed, how social movement participants’ identity contributes to the work they do, and how the opportunities and resources available to them affect their emergence and sustenance, are not inconsistent with Olson’s general theory if one considers the incentives for collective action as including a wide-ranging variety of social and psychological factors (Opp, 2009, 2013). I will now outline social movement scholarship with reference to how different approaches have been applied to tenant protest.

Collective action in social movement theory

Olson’s idea that soft incentives motivate collective action has been drawn on to explain why people protest, what resources are mobilised, and how authorities respond. Theorists identify noneconomic, or soft, incentives that motivated collective action in protest groups which included social rewards, solidarity, urgency, norms against free riding, loyalty and responsibility and a belief that collective action is important. For protest to be initiated, the relative costs and benefits of inaction and action have to change. This is described in the literature as a “suddenly imposed grievance” or “a critical event” (Opp, 2009). An example of this decline in quality, or new grievance can be seen in a study of collective action against mining in a Spanish village. Linares (2004) notes that after years of dissatisfaction with the mining company’s activities, the residents of the village were spurred to action when they realised that a proposed mine expansion would bring it alarmingly close to the village. This

changed the incentives for collective action: not acting would mean not being able to live a good life. The small size of the village meant that there was a major social incentive to cooperate, because not participating would have meant becoming a social pariah.

The relative costs and benefits of collective action depend on the context. At one extreme, in a repressive state, protest can lead to imprisonment. Steven Pfaff, who applied Hirschman's framework to the collapse of East Germany, notes "significant costs to effective collective action, not least the high costs that individuals risked by standing up to a repressive state, the small likelihood that anyone's individual voice would achieve the desired end, and the obstacles to communication and coordination that citizens faced" (Pfaff, 2006, p. 22). Even in democratic states, protest groups face risks. For example, tenants who protest may be evicted (Poppo, 1972). There are also other potential costs, in terms of the time, energy, money, and sometimes reputation.

Bengtsson (1998) has applied the theory of collective action to try to explain how the free-rider problem is overcome in housing. He is specifically interested in co-operation in co-operatives, or tenant-owned estates, in Sweden. He notes that institutions promote or inhibit collective action. He finds more instances of collective action in tenant-ownership estates than in private rental housing. In these estates, tenants jointly own the housing estate, and all decisions concerning its management are made collectively.

Bengtsson notes that there are obvious selective incentives that accrue to those who co-operate. People who co-operate are rewarded with feelings of power and responsibility. They also may be financially rewarded, if for example, tenants elect a board that they pay to make decisions for them. In both cases, they may experience the reward of development of trust and mutual understanding.

In reviewing the evidence on collective action in housing in Sweden, Bengtsson sees no significant correlation between collective action in housing and variables like gender, class, income and family type. However, estates that see high rates of mobility are less likely to see high rates of participation. He proposes that "the less tenants are attached to their housing area, the less likely they are to make the necessary short-term sacrifices" required by collective action (Bengtsson, 1998, p. 116). Collective action in housing is encouraged by spatial aspects that encourage the development of such bonds. He notes that "potential co-operators meet regularly and spontaneously on the very arena where the collective action is

expected to take place” (Bengtsson, 1998, p. 106). Extending upon this, collective action may be more likely if there are place where tenants frequently meet, such as a lobby where mail is collected. Second, smaller groups are more likely to encourage collective action as each person’s contribution is more noticeable. Therefore, estates that are of a size where all tenants know each other are more likely to see cooperation take place. Finally, certain types of housing enable people to live there long-term. People who are living long-term in a place are more likely to co-operate; “Of course, you may remain in the housing area without taking part in collective action, but in that case you must always be prepared to live with the social pressure from facing more active co-operators” (Bengtsson, 1998, p. 107).

Noting the relative strength of tenant organisations in Sweden, which is a highly regulated market, as opposed to Great Britain, which has a market-oriented housing policy, Bengtsson (1995, p. 235) suggests that “collective action [is] pointless if not supported by some form of state intervention, e.g. by legislation on individual security of tenure”. While the Swedish tenants that are the object of his study may experience costs including in time and energy expended on collective action, they do not risk the much higher cost of moving or being forced to move. Bengtsson (1995, p. 235) suggests that in market-oriented societies, “transaction costs and attachment costs of a sitting tenant in a free rental market may well be prohibitive against rent strikes, boycotts and other forceful forms of collective tenant activity”. This means that potentially “the market arena does not offer a mechanism that could solve the free-rider dilemma...[as] the costs may still be too high in an unregulated market” (Bengtsson, 1995, p. 235).

Nonetheless, collective action does occur in societies with market-oriented housing systems, as this thesis demonstrates. Bengtsson observes that the likelihood of co-operation increases where co-operation is promoted by institutions – in his example, in tenant-ownership estates rather than the private rental market – but this does not mean co-operation does not exist in private rental housing. In the same way, the likelihood of co-operation may increase in countries or situations where tenancy is secure, but in some circumstances, the benefits of co-operation can overcome its risks.

Scholars of social movements are concerned with the question of what makes people co-operate. They study how social movements manage to overcome the collective action dilemma, and what determines their likelihood of success or failure in mobilising people and

bringing about change. Social movements theorists approach their subject from different perspectives. Structural approaches look at the influence of the environment – the political context, and available resources - on the social movement. Agent-centred approaches such as the collective identity approach look at what motivates individuals to become involved in collective action. These approaches, and the extent to which they have been applied to tenants, are the subject of the next sections.

4.2.1 Structural approaches to social movements

This section looks at what two approaches to social movements – resource mobilisation and political opportunity structure - contribute to understanding how tenant protest groups develop and to what extent they succeed. These approaches focus on how protest groups respond to constraints and possibilities present in their environment. As a result, they fit conceptually with the exit-voice framework already discussed. Just as an individual tenant's choice is determined partly by the constraints and possibilities of her environment – including the likely efficacy of voice, and the relative ease of finding alternate accommodation – whether a group forms is partly determined by structural factors (Segura & Bowler, 2011).

The resource mobilisation approach

Resource mobilisation was first articulated in those terms by Zald and McCarthy (1977), who argue that the emergence, growth, effectiveness and decline of social movement organisations (in their terms) all depend on the flow of resources to these organisations. Resources refer to material and non-material things: integration into existing social networks; connections such as to the media or influential groups; support from sympathisers or third party groups; availability of spaces for meetings or work; the time, money and commitment of members; the knowledge and abilities of those involved. Groups that are able to mobilise resources have a greater chance of emerging, carrying out protest activities, growing and becoming influential. Resources matter and groups with fewer resources are less able to act. A number of studies demonstrate the importance of different types of resources – such as networks, leadership, and finances – to different social movements. These studies are reviewed by Edwards and McCarthy (2004).

The relevance of this body of work can be seen in its application to tenant protest. Lind and Stepan-Norris (2011) examine the role of resources in determining tenant mobilisation in Los Angeles from 1976 to 1979. Tenant protest emerged in Los Angeles in the 1970s in response

to rising rents, poor conditions, a tight rental market, and perceptions of rent gouging by landlords. Tenants mobilised to support rent controls and achieved partial success through the passing of rent stabilisation laws. The movement was supported by a number of diverse organisations, but participants were mainly low-income as it was they who were affected by rent control. A counter-movement of landlords and their allies worked against rent control.

The authors use data from a survey carried out by Heskin (1983) (subsequently discussed), archival records, and census data, to compare mobilisation in different neighbourhoods. They find a number of advantages that the landlord counter-movement had over the pro-tenant movement. Landlords possessed a pre-existing mobilisation infrastructure that had previously pushed for the passage of legislation. In contrast, the pro-tenant side was made up of a diversity of groups with varied interests, which made it difficult to organise. Landlords shared an occupation (landlording) and their organisation was modelled along the lines of a business-oriented civic organisation, with the accompanying efficiency and resourcing. Linked to this, some of the participation strategies - such as meeting with officials or becoming elected to office – were more available to professional landlords than a typical tenant, who was low income and less likely to have such connections. Finally, landlords had the advantage of lasting ties to their investment, whereas tenants were more mobile. On this final point, Stepan & Norris (2011, p. 1600) note that “Lacking these ties, tenants are relatively free to move between apartments and neighbourhoods or become homeowners should their personal finances allow”. In Hirschman’s terms, exit to homeownership, another house, or another neighbourhood affected the likelihood a tenant would become involved in collective action.

Resources were important to determining mobilisation. Neighbourhoods with high proportions of union members and university graduates were more likely to mobilise. Stepan and Norris conclude that access to human resources (union members who were more likely to be experienced in political work, and university graduates, who were more likely to have broad-based knowledge) lowered the cost of mobilisation. This was more important than material resources (finances) and showed the importance of local leadership. Geography was also important: neighbourhoods close to places with high levels of mobilisation were more likely to also have high degrees of mobilisation.

Other authors, while not working explicitly from a resource mobilisation approach, also

drew attention to the importance of resources in the development and success of protest. For example, Melling's (1983) discussion of the 1915 Glasgow Rent Strike credits its emergence and success to the movement's support from the Independent Labour Party and the trade union movement. He notes that a rent strike which involved the same number of tenants eight years later, but that did not involve the unions, failed to bring about change.

The case of tenant activism in Los Angeles in this period was useful to study because there was a large amount of data as well as "a relatively constant set of opportunities (political openings and constraints) but great variation in the mix of resources, infrastructure, and leadership characteristics", allowing the authors to isolate what resources mattered, separate from political context (Lind & Stepan-Norris, 2011, p. 1566). However, and as the founders of this body of work acknowledge, there are a number of other factors apart from resources that are also important to understanding the development of social movements (Zald & McCarthy, 2002). These are the focus of following sections.

The political opportunity approach

The political opportunity approach attempts to explain how social movements respond to events around them. Eisinger (1973) proposes that social movements arise in response to "openings" in the political system:

"Elements in the environment impose certain constraints on political activity or open avenues for it. The manner in which individuals and groups in the political system behave, then, is not simply a function of the resources they command but of the openings, weak spots, barriers, and resources of the political system itself" (Eisinger, 1973, pp. 11–12).

Eisinger proposes that protest is most likely where opportunities are part open, and part closed. If there is an absence of opportunities – such as in a repressive regime – there is less chance of protest, due to what Hirschman called "the costs of voice": repression and retaliation. If on the other hand there is a proliferation of opportunities, it is more likely that citizens' needs are being met or that citizens participate through formal channels, rather than through self-organisation. Political opportunity theorists identify a number of types of opportunities, or "changes in either the institutional features or informal political alignments of a given political system that significantly reduce the power disparity between a given

challenging group and the state” (McAdam, 1996, p. 224). For example, Tarrow (1998, Chapter 5) lists five: new access to participation, political realignment, new influential allies, splits among the elite, and a decline in state repression.

Wood and Baer (2006) take a political opportunity approach to their investigation of rent strikes and eviction resistance in cities across Latin America and in New York City in the early twentieth century. They note the importance of human resources, such as neighbourhood networks, trade unions, and in some places, communist, socialist or anarchist support. In addition, and in line with Bengtsson’s (1998) observations on how spatial design affects tenant protest, Wood and Baer noted that the urban structure promoted protest, as tenants gathered together at communal spaces such as markets and courtyards, and organised by building against specific landlords. However, they argue that whereas such resources were more or less constant in this era, particular circumstances ensured that protest action erupted in this era and in those particular places.

Surveying the histories amassed, Wood and Baer (2006, p. 863) conclude that “the question of whether tenants joined in sustained collective action ultimately did not depend on poor housing conditions or the vitality of local social networks, but rather on whether there existed sufficient political opportunity”. Such opportunities for grassroots protests were created by a confluence of factors: as economies changed and people flocked to the cities, new commercial elites sought to appeal to and satisfy the demands of organised workers. Tenants became a key resource for new political leaders. Intense political competition transformed the nature of politics and helped the possibility for tenants to make great changes become more real.

Other authors, while not working explicitly from a political opportunity approach, also draw attention to the importance of political context in the development and success of protest. Englander’s (1981) account of rent strikes in Great Britain in World War I notes that the war itself represented a political opening. The government met tenants’ demands partly in order to quell turmoil while its attention was needed elsewhere – and while, moreover, tenant-workers were required to keep producing for the war effort. In Glasgow, the site of a rent strike involving 20,000 people, many people were employed in munitions production. The timing also enabled what might be understood as a framing of the issue in terms of patriotism: “the outcry against profiteering landlords and the continued eviction of servicemen’s dependents fused ‘moral’ economic principles with patriotic sentiment in an

explosive compound” (Englander, 1981, p. 126). This fusion was important for gaining sympathy for the tenants. As one sign put it, “While my father is a prisoner in Germany the landlord is attacking our home” (Melling, 1983, p. 84).

Political opportunities and available resources increase the likelihood that social movements will emerge and be successful. However, these approaches can be criticised for failing to take account of how the social movement participant – the actor – understood and interpreted their involvement in the social movement. This scholarly interest in the actor’s interpretation coincided with the development of the so-called “new social movements” of the 1970s and 1980s which “demanded recognition for new identities” (Goldberg, 2003, p. 727). These included the women’s, gay, peace, and environmental movements. In focussing on issues of human or ecological rights rather than material concerns, they were seen as analytically distinct from previous labour-based movements (Habermas, 1981). New approaches to social movements emphasised the importance of identity and values to the emergence and sustenance of social movements. These are the focus of the next section.

4.2.2 Actor-centred approaches to social movements

This section looks at approaches that emphasise the actor in social movements. Firstly, however, it is important to note that in drawing attention to individual participants, actor-centred approaches to social movements interact with the ideas contributed by Lukes and discussed in the first half of this chapter; indeed one author has described Lukes’ works as an often-overlooked “bridge” between structural and actor-centred approaches to social movements (Young, 1996, p. 152). Lukes proposed that power existed in multiple dimensions. Its first dimension - visible power - is the focus of the approaches to collective action discussed so far: contributory factors to the presence or absence of protest that can be seen, discussed and analysed. To use the examples from the previous section: Bengtsson observed that collective action was more likely in small estates or when it involved tenants with secure tenure; Wood and Baer noted that urbanisation and elite competition in the early twentieth century presented an opportunity for tenant protest; and Lind and Stepan-Norris found that tenants in some neighbourhoods had more resources than tenants in other neighbourhoods, which increased the likelihood of tenant protest.

Luke thought that power also existed, and held great sway, where it was hidden or invisible. Hidden power is exercised over people whether or not they know it and can shape their ability to take action: “agents can have power that they never exercise, and they can have

power the effects of which they do not intend” (Lukes in Hayward & Lukes, 2008, p. 7). Importantly, and in contrast to other theorists, Lukes conceived of power as located in actors, rather than institutional structures. This understanding meant that he thought it was possible to design structures that restrict the ability of actors to exercise power over others. As Lukes notes, “Human agents, whether individuals or collectivities, have power or are powerful within structural limits, which enable and constrain their power” (Hayward & Lukes, 2008, p. 12).

Luke’s work, and Gaventa’s operationalisation of his concepts in the case of the mining community, show how the different dimensions of power can reinforce each other, preventing the powerless from developing “a political consciousness” which might enable them to improve their circumstances (Gaventa, 1980, p. 117). The importance of consciousness, or identity, is picked up by the theorists subsequently discussed. Like Lukes and Gaventa, they emphasise the importance of understanding how people understand their situation – and their capacity to change it – in informing the emergence or otherwise of social movements.

I will now discuss some of the key ideas in this body of work and how they have been applied to tenant protest.

Frame analysis, collective identity, and social identity approaches

One way in which scholars draw attention to the primacy of the actor, or the agent, in considering social movements, is through applying frame analysis to the study of social movements. Frames were defined by Goffman (1974, p. 464) as “schemata of interpretation” that “render... events or occurrences meaningful” and enable individuals to “organize experience and guide action, whether individual or collective”. The use of frames for social movement analysis was first investigated by Snow, Rochford, Warden and Benford (1986). They posit that the way social movements articulate their argument determines whether people will join them. Frames can be used to identify a problem and assign blame, suggest solutions, and mobilise people to support the action. Individuals are motivated to participate in protest if the arguments put forward by social movements align with their existing frames. This means that producing frames that resonate is key to the success of social movements.

Another important early work was Melucci's *Nomads of the Present* (1989), which posits that social movements occur partly as a result of the construction of collective identities. Common beliefs and goals, social bonds and emotional ties connect movement participants. Melucci (1989, p. 332) thought that "the actors 'produce' the collective action... by interaction, negotiation and the opposition of different orientations". The construction of collective identity occurs in three dimensions – in the formation of cognitive frameworks on the purpose of collective action, the development of a group relationship, and the emotional commitment of the members (Melucci, 1989, p. 35). A strong collective identity suggests a greater likelihood that people will act collectively.

These concepts have been drawn on recently by Quintin Bradley (2012a, 2012b, 2014a) in his research into the British council tenant movement. Bradley argues that "the painstaking process of identity work in which a shared understanding of unity is assembled" enables us "to understand the process whereby disparate individuals are drawn into collective action and the means by which the barriers to mobilisation are overcome" (Bradley, 2014b, p. 38). Bradley looks at tenant involvement in participation schemes. Council tenant protest in the 1970s demanded that council tenants have more influence in the running of their estates. This helped bring about tenant participation schemes. However, these have been criticised for "domesticating" or co-opting activist groups through incorporating them into management structures (McKee & Cooper, 2008). Bradley (2014b, p. 157) agrees that tenant participation in its current form cannot be considered "a contentious movement" because it is not a "practical mobilising." However, his interviews with tenants reveal that council tenants share a common identity. They share an understanding (a "collective frame") that social rental housing is important, that social tenants should speak for themselves, and that tenants can work together from the grassroots (Bradley, 2014b, pp. 74–92). This common identity means that the barriers to collective action can be overcome, and the stage is set for collective action.

Bradley's work connects with previous scholarship that considers not whether tenants shared an identity as such, but the extent to which they were "class conscious". This work connected with the work of Marxist scholars on whether urban movements in the 1960s and 1970s could contribute to revolutionary change, and linked to this, how tenure fits in with class for analytical purposes (Castells, 1983; Pratt, 1982; Rex & Moore, 1967; Saunders, 1979, 1984; Thorns, 1984). One survey of council tenant rent strikers found no general

explanation for why some went on strike and some did not, and no evidence of “a clearly articulated class consciousness” (Moorhouse, Wilson, & Chamberlain, 1970, p. 149). Yet the authors noted a general lack of faith in the political system and the tenants’ ability to bring about change, which they thought might indicate a “muted, defensive 'counter-ideology' of the working class, which is the basis of the development of class consciousness in the classical sense” (Moorhouse et al., 1970, p. 153). Dreier, writing in the United States, comes to a similarly hopeful conclusion. He posits that a changed rental market which resulted in an increase both in the total number of tenants, and the number of tenants that shared the same landlord, “creates the potential for the emergence of a critical mass of tenants who share grievances” and “enhance[s] the potential for the development of tenant consciousness and activism” (Dreier, 1984, p. 263).

However, other work disproves these ideas. Heskin (1983) sought to measure “tenant consciousness” - whether Californian tenants recognised their collective interest and the importance of government intervention in the housing market to assist tenants. He found that only a quarter of tenants were conscious, and that establishing control over landlord and speculator power would require more widespread tenant consciousness. In a British study, authors interviewed council tenants on their attitudes towards protest and council housing. Discrepancies in responses between different estates contribute to their conclusion that “there is not one dominant ideology shared by council tenants, but many different views of what council housing is which reflect differences in subjective perceptions of material positions within the sector” (Cairncross, Clapham, & Goodlad, 1993, p. 190).

Such work attempts to discern collective identity and its potential to lower the costs of involvement in tenant collective action. A related approach focuses on the effect of how a collective identity is perceived by those of that identity. This posits that people tend to categorise themselves in to groups. If the group to which one belongs does not have a satisfactory identity, the individual may choose to try “either to leave their existing group and join some more positively distinct group and/or make their group more positively distinct” (Tajfel & Turner, 1986, p. 16). As applied to social movements, a negative social identity would be considered a cost which would constitute a barrier to collective action (Opp, 2013, p. 8).

Surveys of populations often reveal that a large proportion of people in certain countries,

including New Zealand, aspire to own their own home (Burke et al., 2007; DTZ Research, 2005). Home-ownership is connected to success and achievement of achieving a “dream”. Homeownership is described as the dream in countries such as New Zealand (Bell, 1996; Ferguson, 1994), Australia (Kemeny, 1983), the United Kingdom (Islam, 2013), Canada (Vancouver City Savings Credit Union, 2015) and the United States (Heskin, 1983; Rohe & Watson, 2007). The corollary to the aspiration to be a homeowner is a preference to no longer rent. As one historian notes, in New Zealand, where homeownership is the common aspiration, “a deserving tenant works hard to save a deposit on a house and join the mainstream”(Schrader, 2006, p. 166).

The implication is that even if being a tenant is an identity, it is an identity that the majority of tenants wish to renounce. This negative social identity may act as a barrier to the group acting collectively, particularly if, as Tajfel and Turner suggested, they are encouraged to seek a more positive identity by leaving that group. This suggestion also connects with Hirschman’s ideas on exit: for example, his suggestion that social mobility may impact on a group’s power to exhibit voice. If people work towards or aspire towards exit – regardless of whether they are able to eventually exit or not – they are less likely to use voice. The question of how homeownership as an exit option may affect the development of tenant collective voice is the focus of the next section.

4.2.3 Applying the exit/voice framework to tenant protest

The final section of this chapter introduces the idea that Hirschman’s exit-voice mechanism might apply not only to how tenants respond to a problem in their house, as suggested earlier, but also to how tenants respond to problems in the rental sector in general. The ability of tenants to exit, either from a particular house or from the rental sector itself, might affect the likelihood that they will voice as a group. I investigate this idea by looking at ways tenants can exit the private rental sector, and how different housing systems promote exit as a solution to the rental sector problems. I then look at different forms of tenant voice that develop in different housing systems.

Varieties of tenant exit

There has been debate on to what extent the homeownership aspiration is innate (as suggested by Saunders, 1990), and to what extent it is a product of cultural norms produced by decades of policies which promote home-ownership (as suggested by Kemeny, 1992). I

am convinced by the latter argument: as Vassenden (2014, p. 778) puts it based on Norwegian research, “non-home owning becomes associated with reduced moral worth and symbolic exclusion [where there is a] lack of realistic alternatives”. Qualitative interviews in Australia showed that “in the context of the provisions and operation of the rental sector, households see owning their own home as the only way that they can obtain an increased sense of security, heightened levels of control over their housing and lives in general, and increased housing stability, particularly if they have children” (Hulse et al., 2011, p. 14). In New Zealand, researchers note a similar theme in interviews: “Key motivating factors for purchase [of a house] were the establishment of a family, lifestyle or a desire to leave poor quality rental accommodation” (DTZ Research, 2005). Interview participants do not see renting as a “realistic alternative” that provides for quality, security or control.

The idea that the desire to own a home is in large part a result of context is supported by the fact that where renting is an affordable, secure, desirable alternative, the preference for homeownership is less marked than in countries where renting exposes people to poor quality and insecure housing. How people perceive renting is a result of the rental housing and conditions available to them, and the housing system that produces those conditions. In other words, our conditions determine our preferences.

The theory of divergent rental markets suggested by Kemeny (1983, 1992, 1995, 2006) explains how different housing systems produce different outcomes for tenants – and in turn, different degrees of preference for homeownership. Kemeny’s ideas, which only look at European and Anglophone countries, suggest that there are two types of rental system. In integrated rental markets – in Germany, Sweden, Denmark, the Netherlands, Switzerland and Austria - home-ownership rates are low, and both non-profit and profit landlords operate in the same rental market, offering housing to people of all incomes. Non-profit landlords offer security and quality. They are able to charge low rents, as the rent from older dwellings subsidises the rent from newer dwellings. The presence of a large proportion of non-profit rentals in the market acts as a dampener on rents for all rental housing, and encourages for-profit landlords to offer comparable conditions. There is some evidence that countries with integrated rental systems have better outcomes for tenants (Hoekstra, 2009). While Kemeny focuses on why housing systems are different, and why they continue to diverge, he suggests that the integrated system is less strongly entrenched (Kemeny, 1995, p. 145).

In dual rental countries - New Zealand, Australia, the United Kingdom, the United States, Canada, Ireland, Norway, Finland and Iceland - there are two types of rental sector which operate quite separately. The private rental sector is characterised by high rent, weak rights, and poor quality. The social rental sector houses only poor people at subsidised rates, and does not compete with private rentals. Homeownership rates in such countries are high because of a number of financial advantages to owning homes (including tax exemptions, income-tax deductions, low-interest loans, and the absence of imputed rents) and a lack of attractive alternatives. If social housing is only available to the very poorest, and the private rental sector offers only poor conditions, owner-occupation is the rational choice for those able to afford it. As Kemeny explains:

“...[T]he alternatives to owner occupation are effectively structured out of choice. If open access to public renting is denied as a realistic alternative to middle-income households, while the profit-dominated rental market only offers housing at high rents and with insecurity of tenure, the only alternative remaining will be owner occupation. It is therefore unsurprising that countries with dualist rental sectors have high rates of owner occupation” (Kemeny, 2001, p. 67).

More vividly, Kemeny described the “dream” of homeownership in Australia as a “national ideology” which encourages people to “escape the exploitation of the landlord by becoming a homeowner” (Kemeny, 1983, p. 1). In Hirschman’s terms, Kemeny conceives of homeownership partly as a choice, encouraged by government policy, made in order to exit the poor conditions of the private rental sector. This is the case for public as well as private tenants: in New Zealand, for example, state tenants have been able to purchase their dwelling, under varying conditions, for most of the period since 1949 (Ferguson, 1994; Fox, 2013; Schrader, 2005). Hirschman’s point that exit is most available to the wealthy is relevant here: people of higher incomes are more likely to be able to save for a deposit on a home, and more easily take advantage of government incentives to buy homes.

Although Hirschman does not investigate home-ownership, he does refer to the post-war American exit to the suburbs, which is certainly associated with home-ownership. He observes that “the privileged have in recent times compounded their traditional superiority in voice with a remarkable prowess in exit – witness the flight to the suburbs” (Hirschman, 1981, p. 243). Another author, in the American context, notes that the suburbs can be considered a type of exit not just from the inner city, but from the difficulties he sees as

inherent in the tenant-landlord relationship:

“If we conceive of suburban migration at least in part as an effort to avert the landlord-tenant relationship, and if we regard those who remain as powerless to escape the relationship, then we can direct attention to the structure of this basic relationship as a contributor to the origin and maintenance of the problematic situation” (Vaughan, 1968, p. 209).

Similarly, Mackenzie (1973, pp. 74–77), in the American context, posits that workers aspire to homeownership to free themselves from the restrictions they were subjected to as tenants.

Mackenzie and Vaughan point out that poor rental conditions encourage a tenant to exit the tenure and become homeowners – an option particularly available to people with higher incomes. If people hope to leave, or indeed do leave, the private rental sector, this may have implications on the development of voice. The exit of “highly quality-conscious customers... paralyzes voice by depriving it of its principal agents” (Hirschman, 1970, p. 47). In this context, a country that promotes homeownership actively atrophies the development of “the art of voice” in the tenant population. This is true on the population level, but can also be observed on the individual level. For example, in New York, Schwartz noted that “tenant consciousness encountered the ironic perils of upward mobility” (Schwartz, 1986, section 2, paragraph 24). Tenant activists living in public or subsidised housing moved into homeownership of their own accord or as they were offered the chance to buy their unit.

The fact that the easy availability of the exit option of homeownership affects the development of voice is noted (though not in these terms) by the American urban theorist Peter Marcuse:

“The pursuit of home ownership as a means of solving housing problems on an individual basis, supported by long-standing and widely-shared ideological positions (whose content however changed significantly over time), often resulting in organized action, sometimes supporting but more often weakening more collectively-oriented efforts at housing change... It is important here not so much because there is a “home ownership movement”, but because the quest for home ownership is a factor limiting the organizing potential of housing as an issue and dividing those with a stake in its resolution” (Marcuse, 1999, p. 70).

If aggrieved tenants buy homes, in other words, they will not personally benefit from improvements to rental housing. A new homeowner might still feel passionate about tenants' rights; indeed, many people support causes that do not immediately affect them. However, while there may still be incentives for her to participate in collective action – such as bonding with her tenant neighbours – fewer benefits will accrue to her if the collective action is successful. In addition, as a homeowner acting in solidarity with tenants, some of the methods of tenant protest – such as rent strikes – are no longer available to her. Finally, she may begin to focus her attention on other issues that affect her as a homeowner that are distinct from the interests of tenants, and indeed, may be quite oppositional. For example, a homeowner may work against rent control or the building of public housing (which tenants who could access lower rents or public housing would support) because these measures could lower property prices in the area.

Homeownership is available as an option in all countries, but homeownership is particularly promoted and aspired to in dual rental countries. If Hirschman's thesis has relevance to the idea of homeownership as exit, we might expect dual rental countries (where homeownership is actively promoted) to have less strong a tenant voice than countries with integrated rental systems (where homeownership is not actively promoted). In the following section I note that an initial survey suggests this is the case.

First, however, it is important to note that there are other types of exit that can affect the development or sustenance of tenant voice. Exit is not limited to moving to homeownership. It may include moving to co-operative housing, or tenant-managed housing, or public housing, or rent controlled housing. In each case, people who have moved to another type of tenure will not personally benefit from tenant protest to improve conditions in the private rental housing or the non-regulated private sector. This would be the case for example for the tenants involved in the Los Angeles tenant movement previously discussed, which worked towards rent control. If tenants moved into subsidised housing, they would no longer have a stake in the resolution of the issue of high rents, to put it in Marcuse's terms. In some cases, it is the very thing that some tenant protest groups fight for – public housing – that contributes to the decline of protest. The individual tenants benefit from access to housing, but in the process, they cease to be tenants and cease to work for the cause of tenants as a whole. Exit has deprived the movement of participants – sometimes including those who may have most actively exercised voice.

This process is observed in a number of the studies on tenant protest. Schwartz (1986, section 2, paragraph 28) describes public housing as an “enormous safety valve on tenant discontent”. New York congressmen who might otherwise have had to answer to tenants’ calls to action on substandard housing instead won votes by fast-tracking public housing applications. Efforts to organise against the displacement of black tenants in Manhattantown (later renamed Park West) in 1951 were stymied when the state housing commissioner offered public housing to all activists who co-operated with the demolitions. These accounts might be considered a version of what Hirschman described as the co-optation of voice.

Tenant activists may also experience the repression of their voice: in New York in the 1940s and again in the 1960s key tenant activists were evicted from public housing, ostensibly for other reasons such as anti-social behaviour (Jackson, 2006; Schwartz, 1986). Voice can be repressed for reasons other than political activity. One scholar notes that American public housing tenants are evicted if a family member has a drug conviction, and asks, “How can such people fight gentrification if they have been displaced?” (Slater, 2008, p. 220).

Another way that government assisted tenants to exit the rental sector was through allowing tenants to run through own estates. In the United Kingdom, scholars note that “the most militant anti-gentrification groups of the 1980s morph[ed] into housing service providers” (Hackworth & Smith, 2001, p. 468). In the United States, public housing authorities responded to tenant demands and lack of funds (these two were sometimes linked; for example, in the St Louis rent strike of 1969 which bankrupted the housing authority) by establishing Tenant Managed Corporations in the late 1980s. However, this meant tenant activists were unable to work on campaigns to support tenants as a whole. According to Vakili-Zad (2002, p. 136), in Boston this meant that “public housing tenants’ limited energies were channelled into fighting among themselves over diminishing governmental resources and struggling to manage their physically and socially troubled communities, leaving little time to think about larger national issues”.

In New York, where the city allowed tenants to manage tax-foreclosed buildings during the 1980s, as well as elsewhere, experiments in “self-help initiatives” are a response to tenant demands for housing and control. However, as Marcuse (1999, p. 80) has observed “self-help efforts to provide and maintain and manage housing are as likely to drain energies that might go towards collective movements aimed at changing policies as they are to contribute directly to them.” The authors suggest that in some case, where tenants achieved their

demands of having a greater say in their housing, their voice dropped away. They were no longer tenants who were working for broad-based change, and in addition, their time and energy was taken up managing their estate rather than engaging in tenant protest.

A comparable process has occurred in the United Kingdom. Hague (1990) relates that tenant participation schemes were implemented on council estates partly as a response to the demands of tenant protest groups in the 1960s and 1970s, which had in turn come about in response to rent rises. Tenant participation was thought to be a way of reducing management costs, and from the late 1980s, a way to justify the transfer of council housing to housing associations, as tenants were encouraged to “pick a landlord” (Hague, 1990, p. 250). Tenant participation required tenants to go through electoral processes and subsequently work closely with their council and housing association landlords to manage their estates. However, tenant participation – which had appeared to satisfy tenant demands for more power – has been seen as limiting the potential of an independent, contentious tenant movement, because former tenant protest leaders became solely focussed on their estate rather than the lot of council tenants as a whole. In this way tenant participation managed to “incorporate potential sources of resistance and limit debate” (Glynn, 2010, p. 54). Tenant protest led to an institutionalisation of tenant voice that critics argue disables authentic voice. Involvement in tenant participation therefore can be conceived of as a way that public tenants exit from protest.

A comparable process in Australia, whereby public tenants are invited to consult about redevelopment, and community builders are hired to assist in the process, was similarly criticised. It “obviate[d] the self-organising efforts of tenants”; the authors argued that “only tenant self-organising, as a collective political project, can counteract the individualisation and responsabilisation of tenants’ experiences that is implicit to neoliberal community building” (Darcy & Rogers, 2014, p. 253).

The transformation of private tenant protest groups has been analysed in a similar manner. New laws which aimed to protect tenants, which tenant protest groups had pushed for, created more work for the protest groups, which had to work to try to ensure tenants accessed their new rights. This created new problems as tenant groups became either overwhelmed by work, or reliant on government funding. In the former case, this limited the energy available to organise and advocate. In the latter case, groups risked losing their funding if they became too political.

These processes have been observed in a variety of situations. For example, Englander, in reflecting on tenant groups in Birmingham in the 1920s, observes that “success is a wasting asset” (1983, p. 130): having achieved rent controls, the tenant movement “henceforth was in danger of becoming little more than an efficient conduit for the convenience of the overseers”. In the time formerly spent protesting, tenant groups litigated. Similarly, Jackson (2006, p. 63) argues that the Mayor’s response to striking Harlem tenants’ demands in the 1960s— improving access to legal assistance - “effectively directed tenants’ energies at the courts and distracted the movement from both more disruptive means of direct protest and from other types of tenant grievance.” The passage of the warrant of habitability in New York in 1975 effectively legalised the rent strike strategy which had been put to use by tenant protest groups: however, Lawson (1986, section 5, paragraph 23) observes that this “rendered [rent strikes] less radical and more predictable, while miring it in the labyrinthine corridors of the housing court.” Taking a case was an individual process limited to one tenancy, and required support from highly-skilled and professional staff. A tenant now went through an individual process, rather than a collective action, and former protest groups became service organisations.

This process is old; however, changes in the relationship between civil society and state mean it is increasingly common. As Slater’s review of gentrification resistance – often associated with the tenant movement because of the effect of gentrification on rents - points out, “the growing tendency of city governments to contract with non-profits, charities and community development corporations, means that more and more community activists are doing the work of the local state, and cannot therefore risk protesting as much as in previous decade” (Slater, 2008, p. 220).

In this section I have outlined a number of the ways that tenants in dual rental systems exit the tenure. Governments may assist in this exit through policies to assist homeownership, or through moving tenants into public housing, co-operative housing, or tenant-managed housing. State action is not a cynical exercise, and indeed is often a response to tenant demands, yet it may contribute to a decline in tenant voice. In some cases, it is more likely that tenant activists than other tenants are assisted to exit their tenure.

The examples of tenant exit from their tenure are all from United State and the United Kingdom. This is where the vast majority of the research is from. This is appropriate because

these countries share certain features with New Zealand, which is the focus of my thesis. Indeed, it is our shared housing system that has produced comparable tenant voice. The association between tenant voice and housing systems is the focus of the next section.

Varieties of tenant voice

I have already noted the significance of housing systems for the development of tenant voice. Kemeny has suggested that some countries promote homeownership, which has important effects on the rental sector. Countries that promote homeownership are more likely to have poor conditions in the private rental sector, and a small social rental sector that is only available to the most vulnerable, and tenants are more likely to want to become homeowners. Applying Hirschman's ideas to Kemeny's typology suggested that countries where exit into homeownership is promoted by government, tenants will have a weaker voice. A review of tenant voice in integrated and dual rental systems suggests this is the case.

Tenant voice in integrated rental systems is typified by membership organisations with real power. Germany and Sweden are examples of integrated rental systems. The German Tenants' Association (Deutscher-Mieterbund) has 320 branches, works in 500 towns and cities, and has almost three million members. In Germany, rent increases are limited by the "mietspiegel": a reference rent based on the quality and the location of the house. The organisation provides a lease agreement based on high court rulings on cases brought about by the Mieterbund. The Mieterbund employees then work to support the tenant in any dispute. At the government level, the organisation provides input into legislation (Easthope, 2014; Haffner, Elsinga, & Hoekstra, 2008; Hulse et al., 2011; Lah, 2009).

In Sweden, initial rents and rent increases are set in a process of collective bargaining between the local tenants' union and the representative of the local housing companies. This rent is the upper limit for rents of dwellings in that area that are of similar quality and belong to for-profit companies. The local tenants' union can also set rents directly in negotiation with for-profit landlords. Tenants' unions negotiate about 90% of Sweden's rents. In 2002, the tenants' union had 550,000 members – about half of Sweden's total renters - 25,000 of which were elected representatives, and 900 employees, including professional recruiters. At a local level, the tenants' union negotiates on quality issues, including ensuring dwellings have regular checks for mould, air-quality, damp, temperature

and light. At a national level, the tenants' union lobbies government on tenancy issues and takes part in urban planning (Hyresgästföreningen, 2002; Lennartz, 2010).

The strength of tenant voice in integrated rental systems is commonly acknowledged in the literature. As Lennartz (2010, p. 11) says with reference to Sweden, "tenants and their interests groups get a far more explicit role in the implementation of housing policies". Ruonavaara (2008, p. 11) agrees that among the Nordic countries, countries with "universal" policies (that do not favour one tenure over another), are characterised by "strong organisations that have been among the driving forces of the national housing policy". Bengtsson (2004, p. 6) agrees that "strong popular movement organizations have played a leading role in housing provision", with the Swedish tenant movement having a particularly strong influence.

Kemeny considers the link between housing and interest group representation more explicitly. He notes that countries with integrated rental markets tend to have high degrees of corporatist relations: interest groups are formally incorporated into policy formation and implementation (Kemeny, 2006; Lijphart, Krepoz, & Crepoz, 1991). He suggests that this is because integrated rental markets put several rental tenures (profit and non-profit) on an equal footing, creating the possibility for the existence of different pressure groups that favour different kinds of tenure (Kemeny, 2006). This is quite different to the situation in dual rental countries, where homeownership was favoured over other forms of housing. On this point O'Connell (2007) suggests that tenant voice in Ireland is much weaker than in Sweden "not because such a voice is not required but because it is not in the interest of... the political and vested interests who have benefited most from the priority given to private provision in Irish housing" (O'Connell, 2007, p. 99).

While tenant voice does exist in dual rental countries, it is less institutionalised and less powerful. Tenant organisations in dual rental countries do not have large memberships, and do not influence rents. Advocacy groups support tenants through providing them with services or advocating to government on their behalf, and they may also work to include tenants in their membership. In Australia, these include Shelter and the tenant unions of each state (Mowbray, 2013; National Shelter, 2010; Tenants' Union of Victoria, n.d.). In the United Kingdom, these include Generation Rent and Shelter (Generation Rent, 2015; Shelter, 2014). In the United States, there are a number of community or citywide organisations that work for tenants' rights. Some of these groups are united under the Right to the City Coalition (Right to the City Alliance, 2010). These large bodies may also represent or support

the work of tenant protest groups, which are groups of tenants which form in response to grievances such as lack of repairs, or high rents, and lobby landlords or government for change. New Zealand tenant protest groups of this sort, in the context of comparable groups overseas, are one of the two foci of this thesis. In addition, in social housing in dual rental countries, tenants may be represented through tenant participation schemes. Tenant participation is well established in Australia, the United States and the United Kingdom. Tenant participation is alternately seen as a way of democratising social housing estates and improving services, or a way of defusing the development of truly representative tenant voice (in the United Kingdom see Glynn, 2010; in Australia, see Rogers, 2010; in the United States see Vakili-Zad, 2002). There have been calls to implement tenant participation schemes in New Zealand (Cadman, 2014; Clements, 2001).

Kemeny points out that the rights of tenants in integrated rental systems – in other words, the ability of a tenant to represent her interests – are stronger in integrated rental systems than in dual rental systems. The survey above suggests that in integrated rental systems, tenants are also more likely to be strongly represented as a group. This suggests that the answer to the research question – to what extent tenants are able to represent their interests – will depend strongly on the housing system of their country.

This brief exploration into different housing systems and their possible effects on tenant voice has a number of implications for this study. First, I have shown the importance of the housing system in influencing both health and power. In integrated rental systems, a social housing sector that supplies housing for the general population acts to raise quality, increase security, and decrease rents in the private sector. Tenants in such systems may be supported by a powerful tenants' organisation that advocates for their interests at the individual and at the policy level. This means that the tenants' experiences, in terms of the issues they face and the power they have to address those issues, is very different between housing systems. As Bengtsson (1998) puts it, "tenure forms often define the institutional conditions of collective action in housing". This supports my decision to limit this literature review of individual and group representation of tenant interests to majority English-speaking countries, which are all dual rental systems.

Second, by contrasting tenant voice in integrated and dual rental systems, I have supported the point raised by Marcuse that countries which favour home-ownership present particular challenges to tenant organisation. Making use of Kemeny's typology suggests that tenant

voice – both individual and group – depends on the housing system. And the housing system, in Kemeny’s view, depends on the extent to which homeownership is promoted and supported by government. Bringing Hirschman and Kemeny together, we might suggest that exit to homeownership atrophies tenant voice. This idea will be further explored in the results of this thesis by investigating the history of New Zealand housing policy and tenant voice with an eye to potential effects of the promotion of the “exit to homeownership” option by governments.

4.3 Conclusion

This chapter has considered the literature on how tenants are able to represent their interests in order to improve health. I have also presented the work of a number of key theorists that are useful to understanding and explaining the concepts explored in this thesis. These concepts will be drawn on throughout the subsequent chapters in explaining the literature and the results. The work of Lukes is important to explaining the role covert power can play in influencing whether a tenant chooses to represent her interests. The work of Hirschman helps explain how a tenant chooses to represent her interest through voice or exit, and the implications of exit and voice.

Tenants may also choose to represent their interests as part of a group. The social movement literature suggests that there are a number of factors that may influence whether people choose to involve themselves in collective action: what is in it for them, even if this means the joys and social rewards of participation (one form of selective incentives); the extent to which they identify with the collective the protest group seeks to represent (for example, tenants); and the degree to which the protest group frames its cause in a way that aligns with their existing values and beliefs. They also suggest that there are a number of factors which help determine whether a protest group develops and is successful, including the political opportunities presented to them, and the resources available to them – not just financial or physical resources, but also skills, allies, and connections. Finally, the presence of the exit option of homeownership may affect the development of tenant voice.

The chapters that follow consider five eras of New Zealand tenant protest. After describing the context of tenant protest, and the important actions, challenges and effects of tenant protest, I will draw on the theories and literature covered in the current chapter to provide additional insight to the discussion.

5 Early tenant protest (1916-1922)

The first recorded tenant organisations in New Zealand's history were in Wellington – in 1916, and again from 1920 to 1922. High rents and a housing shortage in Wellington in the late 1910s and early 1920s prompted crowding which had negative health effects. This exacerbated the effects of the influenza epidemic. Tenants embarked on protest action in order to challenge high rents. In doing so, they represented their interests in order to bring about policy change that could promote health.

In this chapter, I first discuss the conditions for tenants in this era. Second, I discuss government intervention into the housing market, which created a precedent for the state taking action, and gave tenants a target for their demands. Third, I look at how the labour movement increasingly viewed the state as having a role in ensuring appropriate housing for people. It also saw that organising tenants could be beneficial for increasing Labour's vote. Fourth, I cover the achievements of the first tenant organisation, of which relatively little is known. Fifth, I study the varying concerns of those who met to form the second tenant organisation. I then go on to look at what the organisation worked on and achieved. In the concluding section, I note factors that may have contributed to the organisation's decline.

There is little information available on these two early organisations. The 1916 organisation is briefly mentioned in Ferguson's (1994) history, but in no other history, either general or of the labour movement. No organisational archives remain. For the most part this chapter relies on newspaper sources. Journalists reported on the organisations' activities, quoted their spokesperson, and attended their meetings. Newspapers also published pieces by the organisation's spokespeople. As outlined in Chapter Two, relevant articles were identified by searching the Papers Past database for mentions of tenant protest activities.

Tenant protest in New Zealand at this time coincides with tenant agitation in English-speaking countries during the war and immediately after. Wartime was important to creating the conditions for tenant protest. Not only did it contribute to housing shortages, it increased sympathy for evicted tenants who had fought in the war, and the political palatability of state involvement in the housing market. In New York, major rent strikes from 1917 on contributed to the introduction of rent controls by the state legislature in 1920 (Lawson, 1983; Spencer, 1986). In the United Kingdom, there were a number of small rent strikes, such as in Birmingham or Leeds, as well as a major rent strike in Glasgow which

precipitated the implementation of rent control in 1915 (Bradley, 1997; Englander, 1981; Melling, 1983).

5.1 Conditions for tenants

Tenant protest in 1916 and 1920 occurred partly in response to substandard conditions, high rents and overcrowding in the cities. These issues were not new. As I shall set out in the next section, the government had responded to issues of poor housing and high rents, and fears for the impact on wellbeing, since the late 1800s. However, there were particular issues facing tenants in this era. There was a significant housing shortage throughout the 1910s due to the fact that construction could not keep up with an increasing population. The Housing Superintendent's report judged this shortfall to be 4,100 in 1916 (Department of Labour, 1920). Three years later, the Royal Commission of Industries found that there continued to be "an unprecedented shortage of suitable houses" (Industries Committee, 1919, p. xxxi).

There was rapid urbanisation throughout this period in response to structural changes in the economy as well as the end of the war in 1918. The proportion of New Zealanders who lived in urban areas increased quickly, from 43 per cent in 1901 to 57 per cent in 1921 (Rogerson, 1976). Though they made up just a third of New Zealand's population in 1916, tenants were concentrated in the cities: about half of the houses in urban areas were rented. Tenants outnumbered owner-occupiers in various urban areas, including Auckland, Gisborne, Napier, Palmerston North and Wanganui (where they made up between 22 and 53 per cent of the population), but most especially in Wellington, where they were 64 per cent of the population (Hargreaves, Hearn, & Little, 1985). Tenants were generally in the inner, older parts of the city, where they did not need to pay transport costs; in 1925, in Te Aro, in inner city Wellington, about 80% of houses were let or sublet (Ferguson, 1994).

The ability to build to meet demand was hampered by wartime shortages in labour and materials. There was a particular lack of low-income rental housing. It was more profitable for builders to cater for middle-class housing. This was due to the rise in middle class incomes, the generous loans for homeownership offered by the state, and the desire of the middle class to own their own home and exit the insecurity of the rental market (Hargreaves et al., 1985; Royal Commission on Cost of Living in New Zealand, 1912).

Rents rose rapidly in this period. In 1912, a Commission of Inquiry into the Cost of Living found that rents had increased by 20 per cent since the mid-1890s, and others costs had

risen by 16 per cent (Ferguson, 1994, p. 46). Real wages rose far more slowly, at least until 1918 (Hargreaves et al., 1985, p. 52). As one land agent put it, “There used to be a sort of unwritten law that a man should give a day’s pay for a week’s rent, but that cannot be done now” (Royal Commission on Cost of Living in New Zealand, 1912, p. 27).

The problems of a lack of housing, high rents, substandard housing and crowding were all linked to poor health. When sixty-four per cent of the adult male population were rejected as war recruits by Army Medical Boards, MPs decried “the weakly consumptive products of our city streets” (Rogerson, 1976, p. 7). The problems of poor housing became a particular focus following the influenza epidemic of 1919. The government’s housing committee found that 32,000, or 13.5% of all dwellings and tenements were overcrowded, a measure defined as ‘more than 1.5 people per room’ (Ferguson, 1994, p. 80). The Report of the Influenza Commission blamed the rapid spread of the epidemic on the poor housing conditions, high rents, and a lack of housing, that is:

“the continued inhabitation of old, dilapidated, worm-eaten, vermin-infested and in some cases really rotten structures; the economic factors of short supply of houses; and excessively high rents” (Influenza Epidemic Commission, 1919, p. 31).

The problems of poor housing led to a number of government attempts to intervene in the housing market. These are the focus of the next section.

5.2 State interventions into housing

The government tried to manage the problem of the housing shortage, overcrowding, and poor quality housing, in a number of ways. These reflect efforts in other countries, and were particularly inspired by the British experience (Hargreaves et al., 1985).

The government first attempted to respond to issues of poor conditions, overcrowding, and housing shortages, through empowering councils to act. Under a number of Acts of Parliament, the government empowered councils: to declare buildings unfit for habitation (under the Public Health Act 1876); to demolish buildings not fit for purpose (under the Municipal Corporations Act 1886); and to acquire and demolish insanitary areas (under the Municipal Corporations Amendment Act 1900). The Acts mentioned also empowered local government to enact bylaws on crowding and quality standards (Ferguson, 1994, p. 53). However, these laws did not ameliorate the problem of poor housing. In part, this was

because councils failed to implement bylaws or to enforce them. In addition, councils failed to build. The Wellington mayor told critics that a housing development in the Wellington suburb of Northland was discontinued because tenants could not pay the rent: “the cost of building had made an economic rent prohibitive to the homeless class of citizen” (Tucker, 1921). As some councils had demolished housing, their actions under these laws may have actually increased crowding (see Ferguson, 1994; Schrader, 2005 for full discussion of these laws and their consequences).

The government took more direct action to tackle the problems of poor housing by implementing the Workers Dwelling Act 1905, which enabled the state to build housing to rent. This was a response to concerns about the high cost of living, which threatened well-being and worker productivity. It was predicted that the influx of quality state housing on to the market would increase the overall quality of the housing stock (Ferguson, 1994), and cause private rents to fall (Ward, 1977, p. 152). However this was not to be the case: by 1919 just 700 homes had been built, despite the original intention to build 5,000 - not nearly enough to influence the market (Rogerson, 1976, p. 30). Provisions of the Act to ensure that houses would be built to high standards, and rents would cover the costs of building, were to contribute to its failure. Many tenants could not afford the high rents, and, because some of the housing was distant from the city, the costs of commuting. People in insecure work were unable to commit to the long-term leases offered by the government (Schrader, 2005, p. 26). From 1910, the purpose of the Act was changed to a “rent-to-buy” arrangement (Hargreaves et al., 1985, p. 50; Schrader, 2013, p. 29).

The government also took action on housing issues in this period through encouraging people to buy homes. This occurred under the Government Advances to Workers Act 1906, which was an extension of similar legislation to encourage rural settlement in 1896. The loans, while generous, were out of reach of those on the lowest incomes. Those who were able to access the loans, however, did so in numbers: by 1913, 9,000 loans had been extended (Bassett, 1998, p. 104). As one land agent put it, “Any man with 10 pounds can own his own house under the Advances to Workers Act” (Royal Commission on Cost of Living in New Zealand, 1912, p. 27). From 1915, discharged soldiers were assisted in settlement by government loans on long-term mortgages at favourable rates (Rogerson, 1976, p. 35). The Housing Act 1919, a response to the influenza epidemic, legislated for more generous loans for workers to build their own homes (Ferguson, 1994, pp. 85–86). The state advances policy was a success: the proportion of people who owned their own home

rose from 52% in 1916 to 61% in 1926, which may have been the highest rate of home-ownership in the world at the time (Ministry for Culture and Heritage, 2012).

Other provisions of the Housing Act 1919 – the empowerment of approved organisations to build homes, and the empowerment of the state to build under the Workers Dwelling Act – were less successful. There is no record of an example of the former. As for the latter, the Housing Superintendent's reports on plans for large housing schemes did not come to pass due to the government's lack of financial commitment to the scheme: by 1923 only 430 houses had been built (Ferguson, 1994, pp. 85–86).

Another important government intervention in this period – the implementation of rent controls – was a key demand of tenant protest groups, and will be discussed subsequently in connection with their activities.

In large part, government actions in this period were a response to public health concerns. For example, the Municipal Corporations Act 1900 was a response to fears of disease prompted by the outbreak of bubonic plague in Sydney. In 1905, the Workers Dwelling Act was introduced in part due to fears that wellbeing gains brought about by progressive legislation were being lost due to high rents and substandard conditions. In 1919, the Housing Act received broad support in part due to the attention that had been brought to poor housing conditions in the inner city as a result of the influenza epidemic. Reports by the Board of Health, the Housing Superintendent, the Royal Commission of Industries, and the Epidemic Commission had all drawn attention to the lack of housing standards, the fragmentation between local and central government jurisdiction in regard to housing (Ferguson, 1994, pp. 73–74; Rogerson, 1976, p. 24).

While the government sought to respond to problems in housing conditions, aspects of this response also contributed to housing problems. In particular, state advances loans, while enabling many people to own their own home, have been connected to negative impacts on the housing system as a whole. State advances loans encouraged the re-orientation of the construction industry, as it became more profitable to build owner-occupied housing for the middle class. While the aggregate and average value of state advances loans for building increased over this time period, these largely went towards the construction of middle class, owner-occupied housing (Hargreaves et al., 1985, p. 53). While the total number of dwellings did rise in this period, partly due to state advances, it did not rise to match the rise

in population, particularly in the areas where tenants lived. For example, in Petone, an industrial suburb of Wellington where 88.3% of the workforce were wage-earners, the population increased by 12.13% from 1916 to 1921, while the total number of inhabited dwellings increased by only 6.87% (Hargreaves et al., 1985, p. 52).

Despite this, government subsidisation of home-ownership did not appear to garner criticism. One interesting article from the era provides an exception. It described a “vicious circle”, where house prices rise, landlords sell, and tenants are evicted and faced with homelessness, and the new homeowners are left with a “thumping mortgage”. The article proposed that this circle begins with the government policy of advances for home loans - “the Government gave the ex-soldier enough money to buy a house and turn a family out” – and would inevitably end with a crash (“The vicious circle,” 1920).

Government interventions in the housing market in this era were prompted by obvious problems of housing shortages and poor quality housing. The government’s efforts to build housing or ensure quality housing were largely unsuccessful. Its most enduring policy, the state advances loans for home-ownership, assisted many people to buy homes, but may have contributed to rising prices and a lack of low-income housing. Nevertheless, and similarly to Wood and Baer’s observation of the same era in American cities, “growing state intervention offered renters a political infrastructure through which they could articulate their grievances” (Wood & Baer, 2006, p. 879). The next section looks at how New Zealand tenants articulated their grievances.

5.3 Tenants and the labour movement prior to 1916

The key concerns of urban workers in the early twentieth century regarding housing were its quality, cost and location. The need to earn, and the circumstances that enabled this, were prioritised over any home-ownership goal (Ferguson, 1994, p. 69). Tenants had the option of annual tenancies, which offered a measure of security, or weekly or fortnightly tenancies. The latter had obvious advantages for workers: they could move quickly to follow work opportunities, and “tailor the quality of the housing to fit often uncertain incomes” (Ferguson, 1994, p. 47). Indeed, the Workers’ Dwelling Act, which provided state housing, was seen as satisfying the requirements of the large group of relatively mobile urban workers with families who required reasonable housing at low rents but “did not necessarily want to *own* a house” (Davidson, 1994, p. 28).

Despite the importance of housing to workers, unions did not become active on housing issues until the turn of the century, a fact acknowledged by the Trades and Labour Councils at their 1905 conference (Ferguson, 1994, p. 45). Rather than call attention to high rents or poor housing, unions focussed on working for higher wages. In the 1890s wage increases were won through the arbitration system, which set wages in disputes between workers via their unions, and employers (Burdon, 1965, p. 22). However, from the early 1900s, wage increases won through arbitration were insufficient to deal with the rising cost of living. Even relatively well-paid workers had difficulty accessing good quality rental housing. This meant that the union movement broadened its focus to housing issues (Ferguson, 1994, p. 45).

Unions pushed for government interventions into housing. The 1901 conference of the Trades and Labour Councils demanded the state construction of workmen's dwellings in the four main centres. The following year they called on the government to acquire land in the centres of cities for this purpose (Hargreaves et al., 1985, p. 48). This was also partly a response to the poor results of the Lands for Settlement Scheme, under which workers could build on leased suburban land. As a unionist explained in 1902, "the urban toiler preferred to live in the immediate vicinity of his world, and resorted to overcrowding when suitable dwellings were not available" (Ferguson, 1994, p. 48). The Government response to these and to other public health concerns, such as bubonic plague, led to the passage of the Workers Dwelling Act 1905; as explained earlier, this did little to address the massive housing shortage.

Unions also called for changes to the private rental system. In 1908, a motion was passed at the annual conference of the Trades and Labour Councils "that in the opinion of this conference it is time the Government took into consideration the housing problem and bring down a Fair Rent Bill", so that "the robbery of the workers in regard to rent could be stopped" (quoted in Ferguson, 1994, p. 71). In addition to this, there was a recognition of the determinants of the housing conditions affecting workers; worker advocates had begun, in the words of Ferguson, "to view the housing market as inherently imperfect and no longer accepted that high rents were just the result of the greed of a few immoral landlords" (Ferguson, 1994, p. 47). Reflecting the fact that the cultural preference for home-ownership had not been established, unions pushed for public housing rather than access to mortgage finance (Ferguson, 1994, p. 47).

Unions now had an ally in Parliament to support such measures: the Labour Party. Groups representing labour interests won four of eighty seats in the 1911 election. Together, Labour and the Social Democratic Party won 6 seats in 1914. These parties combined in 1916 as the New Zealand Labour Party (Bassett & King, 2000, p. 56). Labour members pushed for the interests of urban workers, many of which were tenants. They advocated for laws to protect tenants, more public housing, and rent controls. A 1911 election advertisement for the Labour candidate for Parnell portrayed a “worker” and a “landlord” in dispute, and declared: “We Want a Fair Rent Bill” (Ferguson, 1994, p.70).

5.4 The first tenant protest group (1916)

A number of meetings in 1916 indicated increasing labour concern for the issues facing tenants, as well as a desire to get the public involved in advocacy on the issue. In May, the Wellington branch of the Social Democratic Party (which, as mentioned, was to merge with the Labour Party in July) held a meeting in May 1916 “to protest against the great increase in house rents, and to urge the City Council to cope with the pressing need for more houses for workers”. Reported participants included Social Democratic Members of Parliament (Fraser, Holland, and Brindle), as well as representatives from the Labour Representation Committee, the Bootmakers' Federation, the Housewives Union and the Social Democratic Party (“Housing questions - Protest against high rents,” 1916). Meeting participants drew attention to “whole families being housed in one or two rooms”, and noted that “the sanitary arrangements of these high-rented ‘shacks’ were disgraceful”. They called for a Bill fixing rents at pre-war levels, and unanimously passed a motion that “to secure fair treatment for occupiers a Rentpayers’ Association should be formed” (“Housing questions - Protest against high rents,” 1916).

The foundation of such an organisation is reported in July. The links to the labour movement are clear, both in the venue of the Trades Hall and in the identity of the chairperson, M.J. Reardon, who was associated with the Workers’ Educational Association. The meeting discussed examples of high rents, the need for protecting tenants’ interests, and the attitude taken by a meeting of property owners the previous night. It was decided that “if necessary, a deputation should wait on the Prime Minister and bring under his notice data in possession of the association” (“Local and general,” 1916).

Ferguson asserts that the Rentpayers’ Association, along with debates spurred by Labour Party Members’ Bills, were responsible for the introduction of rent controls under the Fair

Rents Act that same year: rents were fixed at their pre-war level or up to eight per cent of the capital value of a dwelling per year. The legislation also restricted landlords' power of ejection: tenants under particular hardship could plead the case against their eviction before a magistrate. The fact that there was little resistance to the venture reflects the wartime circumstances, where, Ferguson writes "the charging of high rents seemed positively unpatriotic, and politicians were now prepared to allow some fettering of private property rights" (Ferguson, 1994, p. 71). A deputation of landlords also had a win, to limit the houses covered by rent restriction to those built or bought after 1914. Recognising the continued challenges for tenants even after the war, rent controls were extended on almost an annual basis (Ferguson, 1994, p. 102).

The "Rentpayers' Association" disappears from the historical record after 1916. The association may have stopped operating because its central demand – rent restrictions – had been met. Another insight into its disappearance may be found in the recollection of one Mr L. A. Monteath, attendee of a 1920 meeting on the same issue. Referring to a tenants' association founded in 1915, he said "the lesson learnt from that association was that if any success were to be met with the members must be willing to put their hands in their pockets and give the league their backing" ("Tenants to unite," 1920).

Despite the success of the group in achieving rent controls, it was quickly clear that implementation of the controls did not solve tenants' problems. The fact that controls only applied to newly bought or built rental houses limited their effectiveness (Bassett, 1998, p. 159). Hargreaves reports that "landlords devised various means, including bonuses and premiums, of circumventing the regulations and passing on [to tenants] increased Government charges and the land and income taxes imposed during the war" (Hargreaves et al., 1985, p. 52). In addition, the Department of Labour inspectors, whose responsibility it was to monitor rents, claimed that the housing shortage made the controls unworkable in practice. Tenants were so desperate for housing that they did not challenge their rents (Ferguson, 1994, p. 102).

The housing situation worsened for tenants in this period. The Housing Superintendent's report judged that the housing shortfall increased by 30 per cent in three years, to 7,400 by 1919 (Department of Labour, 1920, p. 3). The number of overcrowded households in Wellington increased from ten per cent in 1916 to 13.62% in 1921 (Hargreaves et al., 1985, p. 52). Rents continued to increase - by 15 per cent from 1914 to 1920 (Chapman & Malone,

1969). Rent controls did not in fact control rent, and may have contributed to housing shortages. The number of rented dwellings declined sharply from 1916 to 1921. The lack of housing for tenants in this period contributed to rent increases, and is attributed to the slowing of rental housing construction. The slowing of rental housing construction was due to a number of factors, including: the general slow-down in the construction industry as a result of land and labour shortages, and funding directed to war loans; the state advances policy, which encouraged the building of owner-occupied housing; rent restrictions, which, by limiting landlord profit, discouraged investment; and stricter municipal structural and sanitary requirements on housing (Hargreaves et al., 1985, p. 53).

As the issues faced by tenants remained, the Labour Party and labour movement continued to advocate for tenants.

5.5 Tenants and the labour movement, 1916-1919

Those in the labour movement in Wellington continued to discuss the need for action to support tenants. For example, a deputation of women's societies including the Housewives' Union asked the council to deal with some key issues: rent rises, a lack of housing, and housing insecurity. One journalist summarised their point of view: "as women of the working class they were the ones who were feeling the lack of houses the most and who were having the unpleasant experience of having houses sold over their heads" ("The house famine," 1919). The Labour Representation Committee supported the deputation by sending a letter alerting central and local government to a lack of housing, insanitary conditions, and the "shameful and heartrending eviction of women and children" ("The house famine," 1919).

At a subsequent meeting, Labour MP Bob Semple described Wellington's large population of tenants as "victims of the landlord" ("Housing problem - Labour demonstration," 1919). Mr Glover, of the Wellington Watersiders' Union, linked the rise of rents to the hot property market, claiming that "the landlord class" managed to raise rents each time houses were sold. Labour MP Harry Holland described the unfairness of the lack of "guarantee of permanency of tenure" and the ineffectiveness of rent controls in keeping down rents. Wellington Labour MP Peter Fraser proposed specific measures to correct the situation, such as the building of housing by the state, and the extension of protection against the eviction of returned servicemen and their families to all tenants. He concluded that "the working class shall be treated no more as goods and chattels" ("Housing problem - Labour

demonstration," 1919). Fraser noted that he and fellow Labour MP Bob Semple, as tenants, were also "in the position of possibly having to make a shift" and joked that they "may have to make application to the Speaker for a permit to erect tents in Parliament grounds" ("Housing problem - Labour demonstration," 1919).

In a particularly relevant connection to the concerns of this thesis, the participants of the meeting linked the absence of action on tenants' issues with tenants' lack of politicisation. Glover "did not altogether blame the Government for the acuteness of the housing problem. It was for the people to bestir themselves and see that the problem was solved effectively" ("Housing problem - Labour demonstration," 1919). Mr Ward, the chairman of the meeting, noted that housing discontent indicated a mood for change:

"The housing problem was causing unrest, not only in New Zealand, but in all parts of the world. The people were demanding better conditions than existed at present, and would not be content with what was good enough five or six years ago. It was hoped by all concerned in the Labour movement that much good would come from the unrest that was going on in regard to the housing question" ("Housing problem - Labour demonstration," 1919).

The good that might come of tenant agitation was not only relevant to housing, but to Labour party success. A Mrs Beck said that "the people must tackle the difficulty for themselves, and the only way in which that could be done was by returning a Labour Government at the next elections". Holland promised that if voters returned Labour MPs to Parliament, he and his colleagues "would make it their business to solve the problem" ("Housing problem - Labour demonstration," 1919).

The problem of housing conditions came to particular attention during the Town Planning Conference of 1919, which took place amid concern about the substandard conditions blamed in part for the spread of the 1918 influenza epidemic. Government representatives saw acting on housing issues not only as a way of improving health, but as a way of dampening agitation that was particularly present in mining communities. The Miners Union was a militant union attached to the Alliance of Labour, which, unlike the more moderate unions represented by the Trades and Labour Council and the Labour Party, supported strike action ahead of the arbitration system and remained cynical about the possibility for workers to influence their conditions by Parliamentary means (McDonald Brown, 1966).

The Minister of Internal Affairs G. W. Russell opened the conference by noting that

“Revolution and anarchy are not bred in the houses of men who have healthy homes and delightful gardens. Its spawn come from the crowded tenements, the squalid environment, and the slum” (G.W. Russel quoted in “Official volume of proceedings of the first New Zealand town-planning conference and exhibition,” 1919, p. 38).

The Minister of Mines, W.D.S. McDonald, similarly noted the lack of sanitation, poor conditions, and overcrowding and concluded that “much of the industrial unrest and dissatisfaction of the miners may be attributed to the sordidness of their housing-conditions and the monotony of their home life” (quoted in “Official volume of proceedings of the first New Zealand town-planning conference and exhibition,” 1919, p. 126). Therefore, “Nothing will tend to allay the present industrial and general unrest more than the provision of attractive homes for the people” (quoted in “Official volume of proceedings of the first New Zealand town-planning conference and exhibition,” 1919, p. 126).

While Labour MPs at the conference agreed about the need to take action on housing problems, they disputed the idea that better homes would quell unrest, or should be used for this purpose. To Wellington Labour MP Peter Fraser, “It was quite Utopian to imagine that the unrest would vanish because people had good houses.” He “hoped the Conference would not disperse with the idea, that they were going to give homes to the people to keep them quiet and make them submit to all sorts of social injustice” (quoted in “Official volume of proceedings of the first New Zealand town-planning conference and exhibition,” 1919, p. 230).

In the opinion of one scholar, the existence of unrest in working communities helped convince government of the need to take greater action on housing through extensions to State Advances legislation:

“The two periods of massive state interaction in housing can be seen to stem from the strength of the working class, whether as a threat in 1919 or as the Government in 1935” (Ward, 1977, p. 199).

Meanwhile, in Wellington, union and Labour Party members met with others to found the second organisation to advance tenants’ interests. This can be seen as a logical outcome to discussions reported on the previous year, which posited that harnessing tenant

dissatisfaction could help address the housing crisis, while also assisting the labour movement.

5.6 The second tenant protest group (1920-1922)

5.6.1 Foundation, May-June 1920

In May 1920, the idea of a tenants' organisation was raised. At a housing demonstration organised by trade unions at the Town Hall, Mr Glover of the Waterside Workers' Union proposed "a rather novel plan to overcome high rents". He suggested that a "rent-payer's union" should value dwellings, fixing the rent, and tenants who were members of the union would refuse to rent the dwelling at any higher rate. In addition, if tenants were evicted, "the union could see to it that the house would not be tenanted if the rent was increased". If the landlord were to evict the tenants, the house could be declared "black", with tradesmen's carriers refusing to leave goods there ("To fight high rents," 1920).

Subsequently, on 10 June 1920, a meeting was held in Wellington to discuss the foundation of such an organisation ("Tenants organise," 1920, "Tenants to unite," 1920). The first meeting attracted 30 people. The following meeting was attended by 50 people, including a large proportion of women ("Rentpayers' league - Information bureau proposed," 1920). The group agreed on the name New Zealand Rentpayers' Association (NZRA), although they were subsequently also referred to by a number of other names, including "Rentpayers' League" and "Rentpayers' Protection League" ("Rentpayers' league - Information bureau proposed," 1920).

The speakers at the early meetings included Labour MPs and leaders in the trade union movement. While all participants agreed on the pressing issues facing tenants, and the need for an organisation to represent them, participants emphasised different roles and functions such an organisation should play. The idea of a tenants' organisation that had power to negotiate rents, rather similar to a union that negotiated wages collectively, has already been raised. Other speakers suggested related ideas. Mr Packer thought that rents should be paid to the League, which could then pay the landlord a proportion, and keep the balance "to renovate the old shacks" ("Rentpayers' league - Information bureau proposed," 1920). Similarly, Mr Roberts suggested that the NZRA negotiate rents between tenants and landlords. Peter Fraser suggested a rent strike, whereby tenants in substandard housing would pay their rent to the League, who would hold it until repairs were effected ("Rentpayers' league - Information bureau proposed," 1920).

There were in addition three different visions of the main purpose of the NZRA. First, some participants argued that its primary purpose should be to advocate for political change that would advance tenants' interests. Mr Read believed "that rentpayers would have much greater influence as an organised body than as individuals", becoming "a political force of some importance" ("Tenants organise," 1920). Mr Glover, the chair, thought that in this way they could "exercise an effective check upon landlords extracting exorbitant rents from tenants" ("Tenants to unite," 1920). The NZRA could also work "to protect tenants, to curb the autocratic power of landlords, and to impress local bodies and the Government with the necessity of building more houses" ("Tenants organise," 1920). Membership was key; as Mr Roberts said "All the legislation required would be passed by Parliament if the league had enough members" ("Rentpayers' league - Information bureau proposed," 1920).

Some speakers had particular legislative change in mind. Mr Sproule thought that the War Regulations should be amended to allow magistrates to deal with cases of higher rents than the legislation allowed at that time. He also thought that tenants should have the right of appealing cases ("Tenants to unite," 1920).

Second, participants advocated for the NZRA to provide support for tenants. Mr McKeen suggested that "the league would serve a valuable service if it did nothing more than advise tenants". It would be unable to "dictate" to landlords or government, but its experience would allow it to publicise tenant issues. Mr Dyson reported that there was a great need for such a service, given that every day the staff at the Trades Hall fielded requests from tenants for assistance and support. Mr Howitt had personal experience as a tenant at the courts, and thought that a key problem at present was "the inability of tenants to fight their own cases." As such, the NZRA could play an important role in giving them "courage as well as expert direction" ("Tenants organise," 1920). Mr Sproule thought that taking action for trespass against house purchasers who entered homes without tenant permission could contribute towards the reduction of rents ("Direct action," 1920).

Third, a section of the meeting called for the organisation to support direct action. In a comment which seems based on experience of the arbitration system, Mr Packer pointed out that "The workers of the world were finding that if they fought, they got what they wanted; if they went to any tribunal set up by the capitalist class, they got very little" ("Rentpayers' league - Information bureau proposed," 1920). Mr Brindle argued that "the League had something more to do than to interpret laws, or pass resolutions, or hold

meetings – it should endeavour to install into tenants something of the fighting spirit, something of the courage that would enable tenants to sit tight when notices were served to quit” (“Tenants to unite,” 1920). He suggested that “when members of the League heard of threatened evictions, they must gather round and put the fear of the people into the landlords’ hearts” (“Tenants organise,” 1920). Wellington Labour MP Peter Fraser agreed, announcing that two pickets had been organised to prevent an eviction occurring at Kilbirnie that afternoon, and suggested the League support events like this:

“Unless the league did something big and dramatic, it would not get the housing problem solved. Three or four hundred league members should attend an intended eviction and dare the representatives of the landlords to come on” (“Rentpayers’ league - Information bureau proposed,” 1920).

The resolution on the purpose of the NZRA, passed at the second meeting on 17 June 1920, while not specifically mentioning direct action, does allow for that option. The resolution was:

“to organise all rentpayers and tenants; to establish a bureau of information where members may receive advice regarding any action contemplated against them as tenants; to take such action for the benefit of members as may be decided by resolution or meeting from time to time” (“Direct action,” 1920).

The NZRA next made the news by marching on Parliament.

5.6.2 March on Parliament and extension of rent controls, July 1920

The first major action by the new organisation occurred on 7 July 1920. Between eight hundred and a thousand people attended a meeting at the Wellington Town Hall to discuss action to push for the extension of rent controls. Mr Dyson announced that the NZRA had 600 members, and that in the past ten days, 187 people had sought the organisation’s advice (“Rent and houses - Deputation follows meeting,” 1920, “Tribulations of the tenant,” 1920). During the meeting, the NZRA received a letter from the Prime Minister announcing the extension of rent control legislation to August 1921. The protestors had won the concession they were demanding prior to actually confronting the government. One journalist described this as a “cute” move of the Prime Minister’s, which “took the wind out of the sails of those present”:

“[Mr Massey] knew that the association was organising a formidable demonstration to Parliament to secure redress, he knew that these marches on Parliament are inclined to be rather troublesome, and so at the eleventh hour he send a letter to the association...” (“Tribulations of the tenant,” 1920).

The journalist reports on the conversation that subsequently took place between a deputation from the NZRA and the Prime Minister in his “palatial office”, where Massey “smiled triumphantly”, because “the letter had quietened the people” (“Tribulations of the tenant,” 1920).

Nevertheless, two to three thousand people marched on Parliament, and the aforementioned deputation met with the Prime Minister and the Minister of Labour. They demanded the retention of rent controls, the prevention of evictions, the inclusion of landlords and property agents under the anti-profiteering law, and the building of houses. Peter Fraser MP also drew the government’s attention to landlords advertising “no children”, and landlords demanding bonuses of tenants in order to secure properties. In response, the government said that future legislation might consider such issues. Mr Massey promised the building of 700 houses, gave details of the houses it was building (under the Workers’ Dwellings legislation, as previously noted), and, as per his letter, assured the deputation that rent controls would be extended until August 1921 (“Rentpayers’ protest,” 1920). The leaders of the march conveyed the information to the crowd outside, and Fraser concluded:

“Let them all join the association and watch matters closely. If Mr Massey did not come to light with relief then let them organise another deputation” (“Tribulations of the tenant,” 1920).

No other major march is reported. Nor is any instance of direct action. The eviction resistance in Kilbirnie which Fraser advocated attending – reported as occurring in Petone by the Dominion (“Rentpayers’ league - Information bureau proposed,” 1920) – was not attended by large numbers. A subsequent article on a resisted eviction in Kilbirnie tells the story of the Stirling family – composed of an elderly man, his wife, and three adult daughters, two of those in “delicate health”. They had lived in the property 12 years when the house was sold and they were given notice to quit. The family could not find another house before their notice expired and locked themselves in the home. The landlord and

some friends attempted to eject the family, whereby “the inmates resisted and there was a lively quarter of an hour” during which one of the women fainted. Finally “the attackers withdrew at last, informing the protesting neighbours that ‘if they did not mind they would be bought up and put out too’” (“Hubbub about a house - Queer capers at Kilbirnie,” 1920). There is no mention of the NZRA, or of Labour Party support, and it is not clear what happened to the Stirling family.

5.6.3 Political advocacy and service provision

In the months following the founding of the NZRA, members arranged an “information bureau” for tenants. A year after the founding of the organisation, in July 1921, its President reported that in the past ten days the association had assisted with 43 cases where tenants had been threatened with eviction or rent increase (“The housing problem,” 1921).

In addition, after their early success in retaining rent control legislation, the NZRA advocated for political change. They wrote letters and sent deputations to the government, held meetings on key issues, and encouraged tenants to advocate to their MPs. They emphasised the unfairness of the current situation and its effects on health. For example, they stated that crowding was “not only demoralising but is absolutely injurious to public health” (Sproule & Dyson, 1920). They demanded state action on a number of fronts: government investigation into the issues, an increase in supply, limits to capital gain, retention of and changes to rent restrictions, and changes to these and other laws in order to protect against evictions and substandard housing. Key actions they promoted were as follows:

- *Government investigation into housing issues.* The NZRA called for the establishment of a Housing Commission to report on conditions and make recommendations. Until that event, they suggested that no evictions be carried out unless the landlord provided or arranged alternate accommodation (Sproule & Dyson, 1920).
- *Increase in rental housing supply.* The NZRA proposed that the Trentham Military Camp be used to house people, and that returned servicemen be put to work constructing houses (“Tribulations of the tenant,” 1920). They also suggested that the Government could take a “census” of empty houses and rent them out at prices

agreed by arbitration. They condemned the council for the ending the Northland housing scheme ("NZ Rentpayers' Protection League," 1921).

- *Retention of rent restrictions.* As rent controls reached their new expiry date, at the end of the extension announced at the July 1920 demonstration, the NZRA called for another extension. They threatened another "monster demonstration" if this did not occur ("NZ Rentpayers' Protection League," 1921). They also urged tenants to write to their representative encouraging the extension of rent restrictions ("NZ Rentpayers' Protection League," 1921, "The housing problem," 1921).
- *Amendments to rent restrictions.* The NZRA noted that despite the stipulation that landlords were not allowed to receive a net rental of more than 7% on the value of their house, many landlords received four or five times that amount. They therefore proposed increasing the net rental allowed to landlords in an attempt to make the law more practical and enforceable ("Housing deputation to Minister," 1922, "The housing problem," 1921).
- *Legislation to protect tenants.* The NZRA called for the government to require licensing of tenement houses ("Housing deputation to Minister," 1922). They also called for regulation of the practice of landlords requiring tenants to pay extra money to secure a home (Dyson, 1920). They proposed that the option that allowed tenants in particular hardship to defend their right to remain in the home before a magistrate be extended to more tenants, and suggested that tenants who wished to contest the magistrate's decisions should be entitled to financial assistance for appeals ("Housing deputation to Minister," 1922, "The housing problem," 1921).
- *Limits to capital gains.* The NZRA blamed the high eviction rate, and the distress this caused, on the "trading" of property. They suggested that this could be resolved if housing were brought under the Anti-Profiteering Act, whereby the percentage of profit that could be made on property would be limited (Sproule & Dyson, 1920).

The Massey-led Reform Government was concerned about housing issues. As noted earlier, a number of laws were passed in an attempt to ameliorate the housing shortage. However, the Government did not support the NZRA's proposals to improve conditions in the rental

market. The Prime Minister thought that by increasing supply his government was taking care of the issue. In one speech at the opening of a YMCA hostel, Massey recommended that all who were able take advantage of state advances loans. Young men should start saving in order “to make provision for the future” because “it was better to be a landlord than a rentpayer” (“The housing shortage,” 1920).

It is perhaps unsurprising then, that the Secretary of the NZRA “stated that the housing conditions in New Zealand were worse than when the league was first formed nearly two years ago” (“NZ Rentpayers’ Protection League,” 1921). In January 1922, the organisation was mentioned for the last time in the newspapers (“Housing deputation to Minister,” 1922). While there is no record of why the organisation ended, in the following section I argue that the shifting priorities of the Labour party and union movement may have been a contributing factor.

5.7 Tenants and the labour movement after 1919

The two tenant groups existing in 1916, and again in the early 1920s, were closely associated with the Labour Party and union movement. Meetings were held at the Trades Hall and speakers were Labour MPs and union representatives. The issues of substandard rental housing and high rents were key concerns of workers, and housing-related unrest was acknowledged as a way of building the Labour movement. Perhaps forming a separate organisation to speak for tenants was also a way of gaining support for tenants’ issues outside the Labour movement. The groups could certainly make some claim to speak for tenants, especially in view of the fact that at one time the NZRA claimed 600 members and marched on Parliament with a crowd of two to three thousand people. In Wellington, where the groups were based, the majority of workers and inner-city residents at the time were tenants – even MPs and NZRA supporters Semple and Holland rented.

However, this situation changed somewhat in the 1920s as the number of tenants declined. Ferguson attributes the changes in workers’ affections from renting to buying on their need to reduce the cost of living. The arbitration court increasingly favoured the employer during wage disputes, rent controls were largely ineffective at keeping rents down, and the government’s interest in public housing had stalled. However, mortgage finance for housing was increasingly available. Focussing on buying home was the logical option (Ferguson, 1994, p. 60). As a result of state advances loans, home-ownership surged. Workers were the

key beneficiaries of these loans. The proportion of wage and salary heads of household who owned their own home increased from 36% in 1916 to 49% in 1926. In the same era, the proportion of heads of households who were self-employed or employers, and who owned their own home, remained constant (Fairburn, 1985, p. 120).

The ease of taking advantage of homeownership, and its obvious benefits compared to renting, are aptly summed up in one property developer's advertisement:

"The cost of living makes it difficult to save, but it can be done by buying on our terms, for less outlay than the rent of a slum tenement... If you cannot manage a deposit of £50, come along and let us reason together. Finance will be arranged until the Government loan comes through" ("An Englishman's home is his castle (Advertisement)," 1927).

Exiting the rental tenure was a good solution for many households. One Mrs Agnes Riddle wrote to the Housing Superintendent in 1925 to thank him for her government loan. She compares her previous life in a dilapidated house, from which she was evicted, to her "tip-top" new home, for which her mortgage repayments were less than her previous rent (quoted in Ferguson, 1994, p. 91).

Unfortunately for those who remained tenants, the state advances policy contributed to the reorientation of the construction industry away from the provision of rental housing. One letter to the editor made this point in criticism of its support for rent restrictions: "I would like to ask the Rentpayers' League how many houses are being built in Wellington for anybody else but the owners themselves to live in? Certainly not many (if any at all), for capital can get juster and better returns in other lines of business..." (Richardson, 1920).

Ferguson notes that it is in this period that the Labour party stopped pushing for the rights of tenants specifically. The shift can be seen in Labour's 1925 election pamphlet, which calls for "homes for all", a sharp contrast to its 1911 and 1919 election pamphlets, which specifically challenge private landlordism. As Ferguson observes, "The emphasis on fair rents has gone, replaced by a policy of providing improved housing 'for all'" (Ferguson, 1994, p. 85). Although Labour retained its support for rent restrictions throughout the 1920s and entered government in 1935 with a promise to reintroduce rent restrictions, it is true that rental policies were less of a focus as the 1920s progressed. Labour's statements in support

for rent restrictions were far less radical than their MPs' directives to resist eviction and take mass action during the early meetings of the NZRA.

Labour's change in approach to rental issues may be related to a shift in tactics and in policies. On the issue of tactics, the historian Robert Chapman has argued that in the 1910s, the radical statements of the militant Alliance of Labour, which opposed Parliamentary action and the arbitration system, "caused Labour MPs to speak as radically as possible in an attempt to avoid being outflanked on their left" (Chapman, 1969, p.10) by the Alliance as well as the Marxian Association, founded in 1918. However, the threat dissipated: the Marxian Association had collapsed by 1922, and a "mood of caution" overtook the union movement (Olssen, 2012). From 1920 to 1922, Fraser and Holland, who had called for eviction resistance in the early meetings of the NZRA, "ceased contemplating any but gradualist and Parliamentary methods" (Chapman, 1969, p. 10). Labour abandoned a number of radical policies over the 1920s, including its "use-hold" policy, under which the government would buy any land for sale and then lease it out. Political scientists have linked this shift to Labour's realisation that growing its vote in the rural and suburban areas was impossible with policies that were "regarded as threats to insurance policies, bank accounts and businesses, houses, properties and mortgages, indeed, the very principle of private ownership itself" (Chapman, 1969, p. 14).

Labour's change in approach to rental housing issues can also be considered as reflective of the fact that many of the workers it represented were no longer tenants. The desire of the New Zealand working class to own property has alternately been considered as innate, a result of their frontier roots (Fairburn, 1985; McLeay, 1984) or a more recent phenomenon which is a response to government policies which put homeownership within their reach (Ferguson, 1994). Either way, Labour sought to represent workers, and, as a result of the state advances policy, workers increasingly owned or wished to own their own home. Representing workers mean, more and more, representing homeowners, and only a minority of tenants.

On a related note, Fairburn (1985) has suggested that it was precisely the New Zealand government's success in increasing working class homeownership over the 1920s which caused the stagnation in Labour support, in contrast to Labour parties in Australia and the United Kingdom. It was only when the Coalition government's spending on state advance

loans dropped in 1933 that Labour – by now a party committed to supporting homeowners - increased its support. The implication is that electoral success relies on support for homeownership.

It is impossible to know for certain why the tenants' organisations of 1916 and 1920-22 disappeared. Their disappearance might be linked to the achievement (in the first case) and the retention (in the second case) of one of their key demands - rent control legislation. It could also be a result of a lack of membership or financial resources. This may in turn be associated with the shift of Labour's priorities towards supporting "houses for all" rather than specifically promoting the cause of tenants. The shift in Labour's priorities is partly the result of the increasing number of workers who owned or aspired to own homes as a result of state advances loans.

5.8 Discussion

In this section, I have looked at tenant protest in New Zealand in 1916, and again from 1920 to early 1922. The conditions that led to the development of tenant protest in countries like the United States and the United Kingdom also contributed to the development of tenant protest in New Zealand (for the United Kingdom, see Englander, 1981 and Melling, 1983; for the United States, see: Marcuse, 1999; Spencer, 1986; Wood & Baer, 2006). Like in those countries, the growth of cities, shortage of suitable housing, and circumstances of war constituted a political opportunity which contributed to tenant grievances, as did the commitment of left-wing activists – in New Zealand's case, the Labour Party – to assist in giving voice to those concerns. As noted in the literature review, overseas scholars of tenant protest in this era have drawn attention to the "resources" of tenants living in close quarters and sharing buildings, with many opportunities to meet. It would be interesting to investigate further how New Zealand's urban form (the standalone dwelling in New Zealand as opposed to row or apartment housing) affected potential for collective action. On a related point, one historian has recently noted that the question of what has constituted "neighbourliness" in New Zealand over time – providing support or ensuring privacy – "has not received much historiographical attention in New Zealand" (Millar, 2013, p. 68). The data on this era of tenant protest were limited, which may be partly in due to the small size of tenant protest. I found no indication of tenant protest beyond Wellington, and some

reports on meetings indicate as few as 30 attendees. However, tenant protest seemed to garner wide sympathy: two to three thousand people attended one march on Parliament. The tenant protest group established a service that supported tenants and assisted tenants in the legal process. In addition, and despite its small size, tenant protest contributed to legislation. Both the existence of tenant protest, and the advocacy of the Labour Party in Parliament can be credited with the instigation of rent control in 1916, and its continuance in subsequent years – most obviously in 1920, when organisers of the large meeting prior to the march on Parliament received a letter from the Prime Minister promising the extension of rent restrictions.

The establishment of rent controls was an important achievement because it set a precedent for government intervention in the private rental market. In this sense, the development of tenant protest holds a similar significance to that proposed by scholars of tenant protest in other countries. Marcuse notes that in this era in the United States tenants transformed from “passive bystanders” to people with a stake in their fate (Marcuse, 1999, p. 74). Similarly, Wood and Baer’s account of tenant protest in several cities across the Americas in this era concludes that tenant activists “changed the role of state officials by making them arbiters in tenant and landlord relations” (Wood & Baer, 2006, p. 879). In the United Kingdom, Englander concludes that tenant protest changed the relationship between landlord and tenant in that it “upheld the (then novel) belief that, rent control or no rent control, tenants had rights that should be upheld” (1981, p. 136). Likewise, Moorhouse and colleagues suggest that rent strikes in this era were significant because they “forced the government to intervene in the private sphere of housing” (Moorhouse et al., 1970, p. 136).

The rent restrictions implemented in New Zealand, achieved partly due to tenant protest, aimed to protect tenants from high rents. Despite this, the private rental market in this period failed to ensure that exit or voice provided for affordability or quality. A shortage of rental housing, and an expanding rental population, made it difficult to find a home: hence, it was impossible for tenants simply to move house - to exit - in order to improve their housing conditions. These conditions also worked against tenant voice: tenants were too afraid of losing their home, and not being able to find another, to ask take their landlords to court over high rents, as the rent restriction legislation permitted. The failure of both exit and voice to provide for adequate rental housing conditions indicates a market failure and a need, as pointed out by Hirschman and discussed in Chapter 4, for alternate regulation.

Hirschman's exit-voice framework also gives insight into the rise and decline of tenant collective voice. His framework states that a lack of exit opportunities works to promote voice as a response to dissatisfaction. Just as tenants could not move house to resolve their problems of high rent and poor quality housing, there was little possibility to exit the private rental tenure: there were few state homes, and buying a home was out of reach for most workers. The extent of dissatisfaction and the lack of exit opportunities worked to encourage collective voice. The Labour/union movement were crucial in providing human and material resources to help collective voice emerge.

Tenant collective voice declined, as predicted by the exit-voice framework, as exit possibilities increased. Over the 1920s, government support for homeownership increased. Workers were the key beneficiaries of state advance loans. It was cheaper to pay a mortgage than to pay rent, and the owner-occupier market provided newer homes of superior quality. The proportion of workers who owned homes increased substantially. For those workers that remained renting, homeownership was much more in reach than in previous eras, contributing to a sense that renting was a temporary state, and there was less need to mobilise for the private rental sector's improvement. While exiting the tenure was a solution for many tenants, it was not accessible to those on very low incomes. The exit of many tenants into homeownership from the early 1920s may have atrophied the further development of tenant collective voice. Enabling some people to exit the tenure released some of the pressure to act on the problems of the rental market. Exit, as Hirschman observed, is most available to the wealthy. Middle and upper-income tenants were those with potentially most power and resources to exercise voice and improve the conditions of the rental sector, but were also those who were most easily able to take advantage of state advances loans and exit the tenure.

The reorientation of workers towards homeownership also impacted on the resource that had been crucial to initiating and maintaining tenant collective voice: the Labour party and its affiliated unions. As the workers that the Labour Party represented took on state advances loans and bought homes, it was increasingly important for Labour MPs to speak to and for worker homeowners, and worker tenants who aspired to become homeowners. After 1920, Labour MPs no longer feature in reports on tenants' organisation. Government policies to promote homeownership shifted Labour Party priorities from specific tenant issues to more general housing issues. It can be argued that working for homeowners actually constituted working against tenants. After all, state advances were a financial

support to homeowners, with no equivalent benefit to tenants, and which worked to increase land prices and reorient the construction industry away from rental housing.

The shift in worker affections towards homeownership may also have impacted on the extent to which tenants identified as tenants. Collective identity is one of the factors that can assist in a group working together effectively. The influence of unions and Labour MPs make it probable that the people involved in tenant protests were united by similar work conditions and understanding of work. However it is difficult to assess to what extent the tenants involved shared an identity as tenants, and felt, as Labour MP Bob Semple put it, that they were treated as “mere goods and chattels” (“Housing problem - Labour demonstration,” 1919). Certainly, Fraser’s admission that he was a tenant in an insecure housing situation implies a degree of common feeling with others involved in tenant protest (“Housing problem - Labour demonstration,” 1919). Historians debate to what extent the desire for homeownership in the working class was established in New Zealand’s foundation, or created by the state advances policy. Regardless, it is clear that as homeownership rates increased, less and less people would identify as tenants, if they ever had, which may have impacted on the ability of the tenants’ organisation to promote collective activity.

The tenants’ organisations may have suffered from a lack of resources. I have already noted the importance of the human resources of Labour MPs and union delegates to the tenant organisations’ initial activities. The last recorded missive from the second organisation reflected on how busy it was in providing services, and a founding member recalled that the first organisation had foundered because of lack of funds. Perhaps the second organisation collapsed for the same reasons. In addition, as already discussed, the fundamental resource – its members – also may have diminished as more entered home ownership.

To conclude: tenant voice helped individual tenants, and helped bring about legislation intended to help tenants, but failed to fix problems for tenants. It is possible to piece together an idea of what happened from the archives. Ideas of exit-voice, collective identity, political opportunity, and resource mobilisation help us understand some of the reasons behind the rise and decline of tenant protest. Tenant protest can be understood as caused by or responding to a variety of factors, including poor housing conditions, urbanisation, war and its aftermath, Labour Party and union organisation, the inadequacies of legislation, a sense of identity as tenants. The decline of tenant protest can be understood as a response

to many changes: the achievement of rent controls, the withdrawal of Labour and union support, improving conditions, a decline of tenant identity or tenant numbers as homeownership rates increased. Tenant voice may have declined as more workers exited the tenure, and also as Labour withdrew its emphasis on tenants partly in response to the changes in its membership.

This chapter contributes a number of ideas to the research question. It relates events that were the first examples of New Zealand tenants attempting to represent their interests as a group. These were important events because they led to the government for the first time recognising its role in providing for fairness in the rental market. While tenants undoubtedly effectively represented their interests – supporting individual tenants in relation to landlords, and advocating to government – these did not lead to sustained improvements. The failure of rent controls to address housing problems in the rental market meant issues of housing affordability – and flow-on effects on health – remained.

6 Tenant protest during the Depression (1929-1935)

Tenants' difficulty in paying rent during the Great Depression exacerbated health problems associated with housing by contributing to crowding, insecure occupancy, lack of maintenance, and increasing stress. In response to these issues, tenants worked as a group to represent their interests to the landlord, and the government, by demanding lower rents and protection against eviction.

Tenants responded to hardship by gathering in crowds to resist eviction. At times this was spontaneous. At other times it was initiated or amplified by the Unemployed Workers Movement (UWM). The UWM aimed to influence government, support tenants, and carry out direct action. In this chapter I outline the key actors involved in tenant protest in this period, as well as its demands, successes and challenges. Subsequently, I discuss how tenant protest assisted tenants to access healthy housing. I draw on the literature on power, exit-voice, collective action, and social movements to draw out key themes on the possibilities and limitations of tenant protest.

Protest on tenant issues in the 1930s occurred as part of unemployment protest. As such, I was able to draw on a number of theses, articles, and books on unemployed organisations in this era (Edwards, 1974; Harris, 1976; Locke, 2000, 2001; Morris, 1949; O'Malley, 2008; Robertson, 1979; Scott, 1950). I accessed the archives of the Unemployed Workers' Movement held by the Auckland University Library. I also checked copies of the *Unemployed Leader*, the Communist Party newspaper, which is held at the Red Kiwi library in Onehunga. In addition, I searched the records of newspapers catalogued in *Papers Past* - all major newspapers plus several regional newspapers and the newspaper of the Federation of Labour - under key words such as "rent", "eviction", "unemployed", "demonstration", "tenant", "rentpayer", and "landlord".

The protest events in New Zealand coincide with unemployed agitation on tenancy issues in the Depression in comparable countries. In Marcuse's words, in the extreme crisis, "housing became one of a number of conflict areas" (Marcuse, 1999, p. 69). Economic depression was important to creating the conditions for protest. It put paying rent out of reach, exacerbated housing shortages, increased sympathy for tenants, and created a large number of unemployed people who were frustrated with government inaction and willing to involve themselves in political causes and sometimes radical action. In the USA in most major cities,

the unemployed resisted eviction for rent arrears and occupied relief stations to obtain more funds, supported by the Communist Party (Dreier, 1984; Marcuse, 1999; Naison, 1986; Piven & Cloward, 1979). In Australia and Britain, as in New Zealand, the Unemployed Workers Movement, an organisation founded in Britain in 1921, played an important role. In Australia, dozens of resistances against eviction occurred in at least Melbourne and Sydney: moderates would dump the belongings of the evicted outside the mayor's office (Fox & Scates, 1988, p. 148), whereas radicals such as those in the UWM would resist the eviction or ransack the house (McIntyre, 2008; Wheatley & Cottle, 1999; Wheatley, 1980). Stories of eviction resistance in other countries were common in New Zealand's newspapers (e.g. "Newtown communists - Proceedings dropped," 1931) and so may have been an inspiration to New Zealand activists. This, at least, was the view of one writer in the Communist Party newspaper. Preventing the "authorities" from entering the home has been "an effective reply to evictions" in Australia and England and could be similarly useful in New Zealand (Communist Party of New Zealand, 1934).

6.1 Conditions for tenants

New Zealand in the late 1920s, after years of inflation, experienced an alarming drop of wages and a slump in industry. A cartoon from February 1928 shows Prime Minister Coates attempting to pull an unemployed man out of a swamp labelled "depression" (Lloyd, 1928). However, hardship rapidly accelerated from 1930. In response to the Wall Street Crash in October 1929, export prices fell sharply – by 45% from 1930 to 1933. Farmers were unable to sell their goods at the prices they needed, and increased production, forcing prices even lower. As the rural economy crashed, demand fell for goods and services produced by urban businesses and manufacturers. The government – the United Party from 1928 to 1931, and from 1931 a Reform/United coalition – responded to the crisis by restricting government spending, devaluing the currency, cutting nominal wages, and reducing interest rates and the value of mortgages (Easton, 2011). The question of whether wage cuts resulted in the reduction of living standards, or whether their effects were offset by falls in consumer prices, such as rents, is a subject of debate (Belich, 2001; Easton, 2011; Wright, 2009).

There was little support for people struggling with the loss of income. The Hospital and Charitable Aid boards had previously provided assistance to the poor, but the increase in demand placed them under great strain: by 1931, over half were overspending on their budgets. Boards made different decisions as to whether mortgage and rent payments were

eligible for support. They advocated for government to take on more responsibility for the unemployed (Ferguson, 1994, pp. 106–108). From 1931, the Unemployment Board managed public work schemes, hiring workers for minimal pay, or “relief”. This was financed by a levy on all employed males and a flat-rate tax. Many workers lived in poor conditions in camps. Relief work was not accessible by Māori, women, or men aged under 20. Relief pay was at such a rate that the New Zealand branch of the British Medical Association did not consider it adequate to provide for health (Simpson, 1974). Until 1932, relief workers suffered under the stand-down requirement, which left them without work or pay every fourth week (Ferguson, 1994, p. 105). From late 1933, the Unemployed Board provided sustenance payments to the unemployed (Ferguson, 1994, p. 106). A peak of 80,000 people accessed the fund in 1933 - about 12.5 % of the registered workforce. The number of actual unemployed is estimated to be higher – up to 20% of the working population (O’Malley, 2008).

The Depression affected tenure. The state could no longer afford to subsidise home ownership to such a large extent. State lending fell, and the building industry contracted in response. The drop in wages meant that many people could not afford to pay the mortgages they had taken on. The state attempted to relieve mortgagees’ obligations by making mortgage payments weekly rather than half yearly, and introducing a number of relief measures from 1931, which were consolidated in the Mortgage and Tenants Relief Act 1934 (Easton, 2011). Still, by 1936, the State Advances Corporation had foreclosed on 3,904 properties (Ferguson, 1994, pp. 103–104). Homeowners became tenants once more. Tenants occupied 30.3% of dwellings in 1926, and 38.2% of dwellings in 1936. Urban areas were particularly affected by foreclosures; the proportion of tenants in Mt Albert and Mt Eden doubled from about a quarter to about half from 1921 to 1936, largely due to mortgagee sales (Rogerson, 1976, p. 179).

Due to a lack of materials, as well as a decline in incomes (wages as well as income from rent), housing conditions worsened as homeowners and landlords alike could not afford to maintain houses. Some idea of the conditions in the 1930s can be gauged from the comprehensive survey of housing that occurred from 1936 to 1939. A quarter of houses were below standard due to their physical condition or lack of basic services (Ferguson, 1994, p. 119). The lack of finance and rent, as well as the building industry crash, also caused the rate of new builds to drop, which had long-term consequences for the housing stock. As

one public servant recalled, “we didn’t build enough houses because there weren’t people to pay the rent” (Simpson, 1974, p. 57).

Rent fell alongside incomes - by 30% between the census of 1926 and 1936. In 1931 alone, Auckland rents fell by 15-20% (Ashton-Peach, 1971, p. 18). Despite this, people struggled to pay rent. Rates of pay for relief workers did not provide enough for rent. A letter to the editor of the Auckland Star explains the difficulties of paying rent and the logical result - eviction:

“I am a married relief worker receiving 27 pounds six shillings for three weeks and a stand-down week for which I receive sustenance from the Hospital Board amounting to 16 pounds rations. I pay rent 16 pounds a week, leaving 11 pounds 6 shillings to provide for four of a family. Deducting the sum total rent of four weeks, three pounds four shillings, from wages, and taking into consideration the board grant, leaves £ 1 14/6 for food over a period of four weeks. It is impossible judging from the above, for a relief worker to pay rent at such a rate while wages are falling; the result is a debt owing and increasing. A threat of eviction is then made” (Relief Worker, 1932).

As a result, tenants tried to negotiate lower rents. Reducing rents, however, could put landlords with mortgages into difficulties. A letter to the editor from a landlord explained that he had reduced the rent by 10% “on the understanding that I was getting a good tenant”. Since then, wages had been cut by 10%, leading the tenant to ask for another reduction. The landlord explained that this was not possible: “Rents of houses built with all modern conveniences cannot come down and continue to give a little return to the owner” (“Rents and returns (Letter to the editor),” 1931). One oral informant recalled that her father, a landlord, would not collect rent, saying, ““The poor buggers can’t pay, so why try and make them. At least it’s a roof over their head and even if I evicted them where would I find anyone who could pay the rent.”” She reported that this left him “unable to meet his commitments” and he “lost out in the end” (underline in the original, quoted in Simpson, 1974, p. 59). The anecdote shows both the flexibility of some landlords in responding to changed circumstances, as well as the impact on their own finances. This flexibility extended to the courts. One oral informant recalled that upon being sued for back rent, “an understanding magistrate, on examining our position, refused to make an eviction order”, with the understanding that it would be paid “if ever we got financial again” (quoted in Simpson, 1974, p. 39).

Other landlords responded to rent arrears by evicting people. The numbers of evictions that occurred is not recorded. Anecdotes – such as those reported by unemployed organisations in the following section – suggest it was common. Inability to pay rent caused many to become homeless. In rural areas men tramped the roads looking for work or food; one farmer recalled giving out 42 meals to swaggers in one winter month in Canterbury (Burdon, 1965, p. 140). In urban areas, an oral informant recalled “many men, middle aged and older, who had nowhere to live, no ability to pay rent, would make a little nest for themselves just as a rat makes a nest, or a bird makes a nest, in the hills around Wellington... They would sleep out at night and then come in to one of the soup kitchens and get a bowl of soup and gradually live through the years” (quoted in Simpson, 1974, p. 56). Charitable organisations were overwhelmed by the problem. The Auckland City Mission provided 37,000 beds and 102,080 meals over a seven month period in 1932 (Burdon, 1965, p. 140).

The most common way to deal with an inability to pay rent was to crowd together to save on costs: adult children moving in with parents, or delaying moving out, for example. As one oral informant explained, “by this method, the rent was halved and it gave a little more to spend on food”(quoted in Simpson, 1974, p. 25). Another oral informant recalls the “terrible” effects on home life: “young men and women who should have gone ahead making their own homes were crowding in with their parents and their parents being unemployed were in turn trying to crowd back into their parents’ place” (Simpson, 1974, p. 56). A report to the Wellington City Council in 1932 describes a house where 12 people lived in three small rooms (Bassett, 1967, p. 9). A national housing survey, conducted from 1936 to 1939, found that a large proportion of urban populations lived in overcrowded conditions (more than two people per bedroom): 13.1 % of Auckland, 6.7% of Wellington, and 9.8% in Dunedin (Ferguson, 1994, p. 119).

The difficulties experienced by many tenants meant that neighbours’ were often sympathetic to tenants’ problems. This is evidenced in one event near Eden Park in 1926. The house was deemed unsanitary and the tenant had been given notice. She refused to leave despite repeated requests. Finally, a demolition order was issued. The woman and her husband remained “on the footpath surrounded by what was left of her home” into the night. A large crowd that had gathered took up a hat and collected money for the pair (“Evicting a tenant,” 1926). Several years prior to the emergence of tenant protest, the event indicates the sympathies evictions aroused.

Similarly, an oral informant recollected a “war cripple” tenant and relief worker who responded to an eviction by gathering a crowd to help him stay put:

“Well, he was working one day and someone came and told him that the bailiffs were into his house loading all his furniture onto a truck. He said he wasn’t going to stand for that so he hobbled off home with all his mates from the relief gang and when they got there they just started unloading all the furniture again and putting it back in the house. So pretty soon there was this mad game of chasing going on with people climbing in windows and the bailiffs fighting a losing battle, and when somebody slammed down a window and broke a bailiff’s fingers they decided they’d had enough and they just got into the truck and drove away and all they got was one sewing machine” (quoted in Simpson, 1974, p. 53).

People’s support for their struggling neighbours could also manifest itself in resentment of those who were better off. One oral informant recalls resentment against a homeowner neighbour: “The rest of us were all on rent, when we could pay the rent, and the railway worker was regarded as a kind of obscenity in our neighbourhood, a kind of member of the oppressing classes” (quoted in Simpson, 1974, p. 136). Such accounts indicate a degree of collective identity that may have contributed to collective action on housing issues.

Reflecting this, protest increased as the numbers of unemployed – frustrated people with time on their hands – increased. As one informant recalled, “All this radicalised an enormous number of people. All the influences were in the one direction; there were no counter influences, there were no conservative influences” (Simpson, 1974, p. 156). Protest on tenant issues occurred as part of protest on a number of issues. This is made clear in the recollection of one oral informant:

“For we young ones, politics was the name of our game in the 1930s. Few of us had regular jobs, but our lives were full of drama. We worked with anti-eviction committees barricading homes against police with eviction orders, marching in protests weekly, it seemed, up Queen Street against slave relief camps, for equal pay relief for women and girls, against war and fascism, and in protest against invasions of China, Ethiopia and Spain” (Constance Purdue, *Women in the Labour Cause*, pp.49-50).

The following section looks at how people tried to organise the unemployed on the issue of eviction.

6.2 Tenant protest by the unemployed

As is evident in the aforementioned examples, on occasion, tenants engaged in spontaneous collective action, without the involvement of organisations. However, organisations played an important role in further mobilising tenants and the unemployed.

The Labour Party and the union movement kept up their voice for the urban worker throughout the Depression. On the issue of evictions, they made deputations to government, proposed legislation, and supported and advocated for tenants. However, it was a new organisation – the Unemployed Workers Movement (UWM) – that took the most extreme measures to bring the issues of evictions to the forefront of the public’s minds. The UWM found new ways of organising the unemployed. In John Mulgan’s novel *Man Alone*, a cynical Johnson makes fun of his UWM organiser: “And a hell of a lot you can stand together for. What are you going to do? Go on strike? That’s a good one” (Mulgan, 1990, p. 47). In fact, the UWM found a number of ways to organise the unemployed, including by arranging eviction resistances to support tenants and send a message to government.

The UWM began on a “job basis” as men, unemployed and unattached to unions, met through temporary work and decided to organise together (Simpson, 1974, p. 148). A national organisation, the National Unemployed Workers Movement (NUWM), was formed in 1931, and the various unemployed organisations were invited to affiliate. Some decided not to, some on the advice of the Labour movement, as will later be discussed (Robertson, 1979, p. 36). The NUWM by 1931 had branches in Auckland, Christchurch, Hamilton, Ohakune, Palmerston North and Wellington; these were later joined by organisations in Dunedin and Lower Hutt. The NUWM 1932 conference also included UWN delegates from Wanganui, Petone, Poverty Bay, King Country and the West Coast (Robertson, 1979, p. 53).

While the UWM was a non-political organisation, some of its leaders were associated with the Communist Party (CPNZ). In 1932, in response to accusations to the contrary, the leader of the Wellington UWM said that five of those that recently were part of a deputation to the Minister were not members of CPNZ (“Unemployed deputation,” 1931). Sid Scott, a NUWM leader and later CPNZ secretary commented that though the CPNZ had founded the NUWM “most of [the members] were Labour Party supporters or attached to no particular political

theory” (quoted in O’Malley, 2008, p. 161). The leader of the Gisborne unemployed for example was “strong Labour” (quoted in Simpson, 1974, p. 157). Despite perceptions, the CPNZ never controlled the UWM. It lamented the fact that the UWM overshadowed the organisation (Noonan, 1969, p. 64), and criticised the UWM, for example for its failure to organise effectively in the relief camps (Harris, 1976, p. 134). It was the UWM that managed to get a large membership and large support. The CPNZ remained small, with a maximum of eighty members at its height in 1932 (O’Malley, 2008).

Due to the fact that some of the key members were indeed Communists, a further note should be made of the CPNZ at this time. The CPNZ was founded in 1918. By the mid-1920s, some of its members were involved in unemployed organisations. Members reflected on the 1930s as a time of great hope, as it was thought that the crisis meant that radical change was possible (Taylor, 1996, p. 121). It has been argued that increased support for the CPNZ and the UWM was a result of the inability of Labour and the trade unions to alleviate the situation for the unemployed (Noonan, 1969, p. 55). The unemployed may also have been attracted by the willingness of the CPNZ and the UWM to engage in direct action (O’Malley, 2008, p. 150).

The NUWM saw housing action as a key way of gaining the support of the unemployed:

“Greater attention should be paid to winning the unemployed to struggle through smaller issues, such as better job conditions, i.e. shelters, travelling time etc., against evictions victimisation. The success of these smaller struggles will smooth the road for larger struggles” (National Executive of the National Unemployed Workers’ Movement, 1934, p. 5).

These ideas were interpreted by the conservative organisation the New Zealand Welfare League as being a means through which Communists set out “to exploit the unemployed”, by organising them under the NUWM banner for nefarious purposes (New Zealand Welfare League, 1932; see also New Zealand Welfare League, 1931). In response, the Wellington branch of the NUWM asserted its apolitical nature and noted that “It would certainly be appreciated by this movement if the Welfare League took as much interest in as many eviction cases as the movement has, and endeavour to assist in the way they profess to” (E.G.Neel, quoted in “Unemployed deputation,” 1931).

The NUWM advocated for action to deal with the problems facing the unemployed: namely, the lack of jobs, the lack of sufficient relief, and the difficulty paying rent. Freda Cooke of Wellington set out the problems of rental housing conditions in an article in the NUWM newspaper the *Unemployed Leader*:

“Middle-aged folk are humiliated by the insults of the landlord or landlady if they ask for repairs to leaks or replacements of worn out fittings. Overcrowding, squalor, lack of sanitation are an abiding feature today in the lives of thousands in this city. Rents are exorbitantly high. The only chance for people on relief to obtain clean living conditions is for them to rent a room for a few shillings from some decent worker who supplements his wage by taking lodgers. Goodbye then to privacy, and to the natural joys of a home of one’s own. Yet the alternative, the house at a rental not exceeding 15 shillings... is almost invariably mean beyond description, rusty, grimy, leaky, and often riddled with rat-holes. Everywhere in the slum areas the same story is told” (Cooke, 1935).

These conditions prompted the NUWM to make a variety of demands. They called for the withdrawal of legislation that allowed tenants to be evicted: specifically working-class tenants (National Executive of the National Unemployed Workers’ Movement, 1933, p. 4) and relief workers (Canterbury Unemployed Workers Association, n.d., quoted in Simpson, 1974, p. 153). They called for reform of the Distress and Replevin Act which resulted in “prowling ghouls intimidating [workers’] wives and children while they are at work” (National Unemployed Workers’ Movement, 1935a). They demanded the reduction of rents (Canterbury Unemployed Workers Association, n.d., quoted in Simpson, 1974, p. 153). They argued for “No disconnection of the electric lighting or gas supplies in the homes of the unemployed”(Unemployed Workers Movement, 1932). They pushed for a mass state house building programme which would “honour workers” (Cooke, 1935).

Like previous organisations that worked on tenant issues, the UWM advocated to governments, supported individual tenants, and undertook direct action in order to support tenants and push for change.

6.2.1 Advocacy to government

The UWM organised various marches, deputations, and public meetings on issues relevant to unemployed tenants. UWM organisations would meet with local or central government. One oral informant recalls:

“The Unemployed Workers’ Movement would organise processions and on their day off (and there were plenty of them) they might march through the town with banners, very orderly...These processions would bring to the attention of the public the thousands of unemployed, their slogans were very reasonable. They might wait up in Parliament grounds, they might send a deputation to see the Minister. They might talk on the street corner... about their grievances, which were very real” (quoted in Simpson, 1974, p. 150).

Perhaps the most well known deputation to Parliament was organised by the Gisborne UWM with other local unemployed groups. Known as “the hunger march”, the participants protested against the latest cuts in relief rates of pay. In January 1934, after a week of demonstrations in Gisborne, they travelled by foot and truck to Wellington. In the final stage of their journey, the Wellington unemployed joined them. As one hunger march participant recalled, “We wouldn’t let [Prime Minister] Forbes go until he promised us something” (quoted in Simpson, 1974, p. 157). Several months later rates of pay for Gisborne relief workers increased (Locke, 2000, p. 121).

NUWM deputations to Parliament often discussed the eviction problem. For example, in a 1931 deputation to the Minister of Labour, Mr Turner, secretary of the Wellington UWM, outlined the terrible consequences of eviction, and proposed that tenants who could not afford rent be allowed to remain in the home. Turner warned that “if something was not done to deal with evictions, he and his fellow workers would do all in their power to prevent them from taking place” (“Demands to Ministers - Relief for workless,” 1931). In response the Minister of Labour said that the Department intervened to prevent evictions in “dozens” of cases. In addition, he suggested that while threats of eviction were frequent, the number of actual evictions was not large. He concluded that “There were two sides to the eviction question, which was under consideration. No one with any Christian feelings would agree to the eviction of people who were in distress” (“Demands to Ministers - Relief for workless,” 1931).

In another example, in May 1933, a deputation from the Central UWM informed the City Council that 27 eviction orders had recently been made. Representatives gave the example of a relief worker with seven children who earned just 27 shillings a week being evicted for being five pounds in arrears. They requested that the Government take action to relieve the situation for tenants, including by preventing evictions in winter, and by allowing empty council-owned houses to be occupied (“Evictions - Assemblage rights,” 1933). Another 1933

UWM deputation, this time to the Minister of Unemployment Adam Hamilton, relayed the “deep resentment of the evictions of relief workers and their families”. While the deputation acknowledged that some landlords were accepting less rent, it was “almost impossible” for a relief worker to rent a house (“Relief workers’ homes,” 1933).

The UWM frequently called on government to take action on tenancy issues in their own media. The activists pointed out that government action intended at assisting tenants actually often made things worse. For example, the *Unemployed Leader* reported on a Wellington landlord who took advantage of an Unemployment Board subsidy to renovate a house, and then increased the rent, which the tenants were then unable to pay (National Unemployed Workers’ Movement, 1935d).

6.2.2 Support to tenants

The NUWM envisioned that anti-eviction committees could provide general support for tenants. The purpose of these local committees was set on in its 1932 policy:

“to prevent evictions, to find homes for the destitute unemployed, and the transfer of the unemployed from slum dwellings to more habitable quarters” (Unemployed Workers Movement, 1932, p. 2).

The NUWM newspaper, the *Unemployed Leader*, instructed readers faced with eviction to contact their local UWM (National Unemployed Workers’ Movement, 1935b). Attempts to prevent evictions were usually organised by UWM branches. The Wellington UWM declared that “any person who is to be evicted can place his case in the hands of the UWM” and instructed that “all cases must be in three days before the eviction date” (quoted in Robertson, 1979, p. 38).

The eviction response that the UWM is most remembered for is direct action to prevent evictions occurring. But the UWM could also support and advocate for the unemployed on tenancy issues. For example, one Albert Williamson of Wellington was unable to pay his rent. He sought advice from the local Labour MP, and was passed on to an independent MP, and then the Hospital Board, and finally, having received no help, to Freda Cooke of UWM. She supported him to visit officials, an act which prevented his eviction (National Unemployed Workers’ Movement, 1935b).

One of the reasons advocacy was required was because some people could not cope with the attention an eviction resistance inevitably created. Freda Cooke described to the Minister of Health the situation of an unemployed husband, his wife and their seven children who lived in a substandard house and could often not afford rent after they had provided food for their children. As she explained, “Mr A would not allow the anti-eviction committee of the relief workers to help him as he was sensitive about publicity for his wife and children” (quoted in Bierre, 2007, p. 126).

Another way that the UWM supported tenants, at least in Gisborne, a particularly active branch of the UWM was to work with landlords in order to protect tenants and rental properties:

“We had a policy on evictions too. We showed owners that it was futile to put people out when there was no one to take over the place, or the next possible tenant would be unemployed too so they wouldn’t gain anything; better to have people in there under the jurisdiction of the unemployed organisations so these places would be carefully looked after, and they’d be responsible to the owners of the houses for any damage or repairs, disciplinary action would be taken if necessary against tenants for wilful damage or destruction, although there was surprisingly little” (quoted in Simpson, 1974, p. 159).

6.2.3 Direct action

The UWM, unlike the Labour Party and union movement, was committed to direct action – primarily eviction resistance - as a means of supporting tenants and sending a message to government. There are a number of instances of eviction resistance recorded from 1930 to 1934. These instances of eviction resistance are collected from the newspapers reviewed as well as the UWM archives. The media accounts of eviction resistance often do not report what, if any organisation, is involved in the eviction resistance, referring to simply “the unemployed” or “the militant section of the unemployed”. As such, it is not certain that the UWM was part of all the instances of eviction resistance gathered. It may be that they organised some, joined spontaneous ones and attempted to speak at them, or were absent from some. However, it is safe to say they supported them.

1930

- **December:** During a meeting of the unemployed, an unemployed man explained that he was about to be evicted. A collection was taken up to pay for his legal expenses.

About 150 of those assembled marched to his home at Bealey Avenue, Christchurch ("Eviction episode - Demonstration at house," 1930). About a thousand people in total gathered to witness an eviction resistance ("Desperate distress," 1930). The presence of 17 policemen enabled the eviction to take place "without hindrance" ("Eviction of tenant - Unemployed and police," 1930).

1931

- **January:** At 21a Union Street, Newton, Auckland, Mr Little (unemployed), his wife and his three children complained to the local UWM that they had only been given a day and a half to vacate their house. A crowd of 200 gathered to prevent the eviction. The bailiff, upon trying to enter the house, "was met at the door by a body of men, who told him they were there at the invitation of the house", and was allowed to take no action. Ten policemen arrived to the same message. The bailiff agreed to delay the eviction by several days. This led to "much elation in the ranks of the men". The men said they would be back again when the extension was up ("Resisted - Eviction of tenant," 1931). Another report said the landlord said he was prepared to wipe the arrears but would need to have possession of the house ("Eviction of tenant - Unemployed intervene," 1931).
- **June:** At Riordans Lane, Auckland, at the home of a relief worker, his wife, and two children, several hundred people resisted eviction. The landlord wiped off arrears and gave tenants another two weeks to find a new home. The UWM rejected the offer of Mr Parry, Labour MP for Auckland Central, to pay the arrears. This event is further discussed below ("Eviction opposed," 1931).
- **June:** During a UWM deputation to the Minister, Mr Sanford reported on an eviction resistance that morning at an unspecified location in Wellington ("Demands to Ministers - Relief for workless," 1931).
- **June:** At 25 Nelson Street, Auckland, a four-bedroom house, 25 unemployed men resisted the eviction of a relief worker. Policemen also arrived. After a discussion, the bailiff said he would return in five days. The unemployed said they would also be there ("Eviction resisted - House in Nelson St," 1931).

- **September:** At Hardinge Street, Auckland, two men painted “Stop the eviction. No work, no rent” on a house. Two weeks later, they were charged with damaging the home and encouraging lawlessness. They had to pay the costs of repainting the house (“Eviction sequel,” 1931). The report does not have any details on the eviction that the sign implies was resisted.
- **October:** This eviction resistance, at 21 Norfolk Street, Ponsonby, drew much attention. Mrs Martinovich and her five children were given notice of their eviction when they were 11 weeks in arrears. Mrs Martinovich could not afford to pay the rent of 22 pounds 6 shillings per week. The local UWM attempted to negotiate with the landlord, offering a rent of 14/10 which they claimed had been recommended by a judgement at the arbitration court. This offer was refused. Subsequently, UWM members - up to forty people at a time – “swarmed” the house for the five days prior to the eviction date. Members hoisted a red flag from the roof and hung banners saying “Anti-Eviction Vigilance Committee”, “Stop the eviction” and “No work, no rent” from the veranda. When the bailiffs arrived to carry out the eviction, policemen supported them. Fifteen men barricaded the door and refused to admit the bailiffs and policemen. However, the door was broken down and the occupants arrested. A crowd of about 500 had gathered, cheering the tenant as she left the home. The crowd donated money for the family and a temporary home was offered to the woman. Fifteen people, included Jim Edwards and Alexander Drennan, were convicted of “procuring lawlessness” and imprisoned for between one and three months. This case is discussed in a subsequent section (“Evicted - Ponsonby woman,” 1931).
- Jim Edwards, a UWM leader who drew particular attention around this time, also recalls two additional instances of eviction resistance. At Wellington Street, Auckland, demonstrators marched to and occupied a house where tenants were being evicted following an unemployed demonstration at the town hall. The landlord agreed that the eviction would not take place until other accommodation was found. At Eden Terrace, Auckland, Jim Edwards’ family were threatened with eviction. Their resistance, accompanied by supporters, prompted bailiffs to leave (Edwards, 1974).

1932

- **January:** At Vivian Street, Wellington, tenants (supported by the UWM) prevented a bailiff from carrying out distraint (seizure of possessions) for rent. They chalked signs on the house such as "UWM" and "No eviction of unemployed. Defend workers homes." UWM leaders addressed the crowd outside. The doors were locked and the bailiff left ("Bailiff resisted," 1932).
- **April:** At the trial of Mr Budd in relation to the 1932 Auckland riots, the police witness states he arrested Budd at an eviction at Vincent Street three days subsequent to the riot ("Riot sequel - Fourteen charged," 1932).
- **May:** At Abel Smith Street, Wellington, an eviction was carried out without resistance, and the house emptied of the tenants' belongings. However, following the event the table was spread and the bed made on the street, "presumably by the lodgers and their sympathisers". The tenant, a "prominent member" of the UWM addressed a crowd that had gathered. In the journalist's view, "his protests received no support". A number of policemen subsequently dispersed the crowd ("An eviction," 1932)

1933

- **November:** At Frederick Street, Wellington, a single mother with children was threatened with eviction. She ran to the UWM office on Vivian Street shouting "Come quickly! The bailiffs are in!". UWM worker Comrade Blance and supporters went to the woman's house and found the landlord, the bailiff and his assistants removing furniture to a cart. The UWM locked the door and prevented further removal of furniture. As a result the bailiff agreed to allow the family three more days in the house (National Unemployed Workers' Movement, 1935c).

1935

- **October:** In Auckland, at a flower shop with dwelling attached, a family with four children were threatened with eviction, as they were two weeks behind in rent. On the advice of the UWM, they opened up the shop for business, with the UWM present to support the eviction resistance. On that day, the bailiff did not come. The UWM negotiated with the landlord and his solicitor. It was agreed that if one week's rent were

received the eviction would not go ahead. The UWM accessed this sum from “public men” and the eviction was prevented (National Unemployed Workers’ Movement, 1935b). (Note, while this was reported on in October 1935 the article does not make clear when the eviction resistance occurred).

This review identifies fourteen cases of eviction resistance. This work, alongside the advocacy mentioned above, led the NUWM to boast that the organisation “in the past achieved victories and still continues to record successes in unemployed struggles, against slave camps, over-the-fence schemes, job conditions, evictions etc” (National Executive of the National Unemployed Workers’ Movement, 1933, p. 1). The *Unemployed Leader* reported that in the first six months of 1935, unemployed workers asked for UWM assistance for eviction from the homes an average of once a week (National Unemployed Workers’ Movement, 1935a). During one month in 1931, the Wellington UWM reported the prevention of nine evictions (O’Reilly, 2010, p. 68). The following year they claimed to prevent another 119 evictions (Unemployed Workers’ Movement, 1932).

It is notable that the reported instances of eviction resistance peaked in 1931 and the start of 1932. Riots occurred in Dunedin, Wellington and Auckland in May and June 1932. These were followed by anti-gathering legislation and increased police presence (see section 8.4). This may have had an effect on whether people elected to gather in an eviction resistance.

The UWM also thought that rent strikes could be a useful method of supporting tenants. The United Front conference in Wellington in 1932, which represented all factions of the unemployed, including the UWM, made a number of recommendations. One recommendation was that the unemployed undertake a rent strike, and pay a maximum of 5/- per week (Robertson, 1979, p. 54). However, this does not appear to have been carried out, though the UWM did attempt to negotiate reduced rents, as in the case of the Norfolk Street eviction discussed above.

6.3 The Labour Party, the union movement, and the unemployed

Since the period covered in the last chapter, Labour’s support in Parliament had increased. It became the major opposition party when the Reform and Liberal parties formed a coalition government from 1931. Labour kept up its voice for the urban worker. On unemployment, every year from 1920, Fraser introduced a bill which proposed a system of insurance for the

unemployed (Burdon, 1965, p. 124). On evictions, one bill attempted to reform the Distress and Replevin Act, under which, if possession was not gained within five days of a landlord giving notice, the landlord through his bailiff could enter the premises, seize all chattels, and remain until possession was gained ("Fairness to owners," 1931). The bill also proposed to extend the relief granted to mortgagors to tenants. The bill passed with only some of its provisions, the main one being that landlords in certain circumstances were compelled to gain an eviction order from the magistrate ("Tenants in distress," 1931). Locally, there is some indication that where Labour's power was greater, some impact was made. The easier situation for the unemployed in Christchurch has been linked to its Labour mayor and Labour councillors (Noonan, 1969). Conditions for the unemployed in Dunedin improved after local body elections in 1935 when Labour won a small majority (Robertson, 1978).

Nevertheless, Labour's limited seats in councils or in Parliament meant that its impact was limited to raising issues, rather than providing solutions. As one letter to the editor reported:

"I reported cases of eviction to the leader of the Labour Party to induce him to bring about legislation, but his reply was that our hope lay at the ballot box" (Relief Worker, 1932).

Mass unemployment creates difficulties for the labour movement. As noted in the previous chapter, the union movement in this period was divided into the radical Alliance of Labour, which favoured strike action, and the moderate Trades and Labour Council, which was aligned to the Labour Party and favoured the arbitration system. Both tactics – strikes and arbitration – suffered blows. A series of strikes against wage cuts failed. For example, in response to a government announcement of public servant and relief worker wage cuts, the Alliance of Labour convened a "No Wages Reduction Conference" in 1931, where it was agreed that men would respond to wage cuts by paying less rent and striking. Despite the bravado, government successfully followed through on the cuts (Burdon, 1965, p. 141). Strikes were difficult when there was a large pool of unemployed eager for any work. Furthermore, compulsory referral of disputes to the Arbitration Court was abolished after strong advocacy from farmers and employers (O'Malley, 2008, p. 148). As unemployment increased, union membership declined – from 103,980 in 1928 to 71,888 in 1933. This affected the union movement's financial resources (O'Malley, 2008, p. 148).

The large number of unemployed meant that unions were unable to support the unemployed as they had. One oral informant recalled that in the "old days" of the 1920s,

“each trade union tried to look after its own members by giving them some kind of little payment when they were unemployed, keeping a list of them and trying to relate them to any jobs that might be coming” (quoted in Simpson, 1974, p. 148). The large number of unemployed made it impossible to continue to do this (Simpson, 1974, p. 148). Despite the inability for unions to provide for their members, it was argued that workers –whether employed or not – should not be divided, and that the unemployed should work within and be represented by existing unions. Unemployed committees were formed by unions in Christchurch in 1925, and Auckland and Wellington in 1926, but they subsequently voted to hand leadership to the union movement (O’Malley, 2008, p. 150; Robertson, 1979, p. 10).

The establishment of the UWM, an organisation that sought to organise unemployed workers of every type, threatened the union movement. At the NUWM’s first conference in 1931, the General Labourer Union complained that many of its members were defecting to the UWM (Robertson, 1979, p. 39). In order to see off the threat, various new unemployed organisations were set up which were affiliated to the labour movement. For example, the Trades and Labour Council, the Alliance of Labour and affiliated unemployed associations marched together in Auckland (“Unemployed workers - Procession to domain,” 1932). In 1933, the National Unemployed Union (NUU), which gathered together a number of labour-affiliated groups, was set up by trade unionists opposed to the NUWM, some of them former members (Locke, 2000, p. 166). Despite having almost identical policies to the NUWM, the NUU refused to support their actions, such as the Gisborne Hunger March (O’Malley, 2008, p. 160).

The labour movement, and its aligned Party, was opposed to the UWM because it saw it as divisive, radical, and associated with the CPNZ. The author Robyn Hyde described the speeches of UWM leader Jim Edwards as “far redder in quality than the official Labour Party...would be likely to stomach” (quoted in Locke, 2001, p. 72). The Labour party refused to support large demonstrations organised by the NUWM in Wellington against unemployment and evictions. Fraser warned one meeting that if the unemployed supported Communist-organised events they would no longer “have the strength of the whole organised Labour movement behind them” (quoted in Robertson, 1979, p. 26). In a meeting attended by a group of unemployed highly critical of Labour inaction, Fraser affirmed his commitment to “fight the Communist Party, and work for the unemployed according to his own principles” (“A rowdy meeting,” 1931).

For their part, representatives of the UWM described Labour as “the third capitalistic party” (A.F Marshall quoted in O’Malley, 2008, p. 151). At one point the UWM (presumably – the report only says “the unemployed”) “resolved to ignore the Labour members’ formal delegation to the Minister” on the issues of the unemployed, including evictions, and made their own delegation (“Noisy deputation,” 1930). An unnamed faction of the unemployed, probably associated with the UWM, accused the Labour party of doing too little to help the unemployed. They viewed Labour as having been “sold to the boss” and thought that they were no longer trade unionists who had the interests of the workers at heart (“Noisy deputation,” 1930).

In response to such accusations, Labour MP Bob Semple argued that the Depression was a worldwide problem for which Labour had the solutions, but its influence was limited while in Opposition. Semple said that he “wanted the rational minded of the working class to realise that the Labour Party in Parliament was in a very difficult position... I want you to understand that men have only a certain amount of power, and that there are only certain things that they can do” (“Noisy deputation,” 1930). He noted that the Trades and Labour Council and Labour MPs tried to relieve the situation for the unemployed through advocating to Government and through personal advocacy, including obtaining employment for hundreds of people, and getting seven eviction orders lifted “only last Friday” (“Noisy deputation,” 1930).

In this period both the union movement and Labour Party and the UWM worked for unemployed tenants by advocating for tenancy law change and increasing relief, as well as personally advocating for tenants. However, they were unable to work together on these issues. One difference between the two factions was that Labour did not advocate for eviction resistance. The UWM and the labour movement both wanted to support tenants, but elected different means.

The different approaches are clearly set out in a newspaper article concerning the eviction resistance at O’Riordan’s Lane in Auckland (“Eviction opposed,” 1931). The Auckland UWM committee, with several hundred supporters, defended the tenants from the eviction. Local Labour MP Bill Parry happened upon the scene and said he would pay the arrears on the tenant’s behalf. Parry’s offer was not sufficient for the UWM, who sought to negotiate directly with the landlord. Eventually the landlord emerged and agreed to wipe the arrears and allow the tenants two weeks to find a new property. At the end of the event, a round of cheers was given to Parry, and then to the UWM. A journalist interviewed both the UWM

and Parry on their views of the situation. The UWM simply stated that “they weren’t there to create a disturbance, but to shield a fellow unemployed man from being deprived of a roof over his head”. Parry, for his part, said he recognised that the landlord had a right to get rent for the property and to meet his mortgage obligations, and suggested that the landlord bring his case to the courts under the recently passed Mortgagors’ Relief Bill, to gain compensation for the fact that he had not received rent. The different responses reveal equal concern for the tenant, but different routes to find a solution: Parry advocates legal remedies (the courts) and charity (offering to pay rent), while the UWM advocates direct action in order to keep a roof over someone’s head and to encourage more radical state action.

The UWM encouraged the union movement to support eviction resistance. A UWM leader, Jim Edwards, used his trial for inciting lawlessness at the Norfolk Street eviction (discussed further below) to make a point about co-operation between the UWM and the trade unions. The central witness in the case was Police Detective Nalder, who took notes at a meeting in which he said that Edwards encouraged the crowd to attend the eviction. Edwards’ lawyer asks the witness:

“Did he [Edwards] not say something like this...? ‘A lot of you people will go there to be amused, to seek sensation by seeing and hearing the thud of the batons... If you people do your duty and act as ambassadors on our behalf, you will bring the matter up in your trade unions. You will influence your trade unions to do their duty, which is that you be at No. 21, Norfolk Street on Monday in your thousands. This is the only way to prevent force and brutality... See that the trade union movement in New Zealand is not disgraced by allowing a destitute woman and five innocent girls to be thrown out on the streets of Auckland’” (“‘Red’ charged - Incitement alleged,” 1931).

Detective Nalder responds that he heard Edwards say no such thing. The lawyer’s questioning appears to be designed to make a political point about the need for trade union support for tenants taking direct action against evictions.

6.4 Challenges to tenant protest

In this section, I discuss the response of the state to unemployed protest, with a particular interest in its response to eviction resistance. The state responded to unemployed protest through prosecution of those involved in one eviction resistance. Prosecutions of those

involved in other types of unemployed protest, anti-riot legislation, the removal of activists to rural relief camps, their eviction from shelters, and their procurement of employment posed further challenges to protest.

The most obvious response by the state to eviction resistance was the arrest of fifteen men involved in the Norfolk Street eviction. Though police are reported to have attended a number of the instances of eviction resistance, this was the only one in which police were required to assist bailiffs to carry out the eviction. As noted previously, the UWM and supporters prepared for the eviction for several days, barricading doors and windows. Though no violence occurred during the eviction, batons were found inside the house. William John Budd, described as the leader, received a prison sentence of three months, and fourteen other men, including UWM leader, Jim Edwards, received sentences of one month ("Lawless men - Fifteen get gaol," 1931). The media was particularly interested in the case of Edwards as a well-known leader, and more details of his case were reported. He was accused of encouraging people attending a meeting to also attend the eviction of Mrs Martinovich. His charge, based on observations of the police witness Detective Nalder, was as follows:

"On October 11, did encourage lawlessness at a meeting on the old railway site, by saying 'Go to 21, Norfolk Street, on Monday morning in thousands and prevent the eviction, by force, if necessary, and prevent brutality and bludgeoning of the working class by the tools of Capitalism. Prevent force by force and no matter by what means, the eviction of this woman and children'" ("Red' charged - Incitement alleged," 1931).

In answering the charge, Edwards' lawyer, Mr Dickson, claimed that Edwards had actually encouraged the unemployed to attend the eviction in order to witness and prevent violence by police towards the tenants. In Edwards' defence, his counsel said that in his speech at the old railway site, "he expressed the desire to protect the woman and obtain better terms, and something better in the law between landlord and tenant" ("Red' charged - Incitement alleged," 1931). He suggested that "the whole thing was more or less in the nature of a political agitation" ("War with authority," 1931).

The judge, Mr Hunt, disagreed with the points made: "This is not a case of a political gesture but of premeditated armed resistance against law and order, and I am going to put that sort of thing down" ("Lawless men - Fifteen get gaol," 1931). He went on to say "As it happens

there was no trouble at the eviction. But there might have been serious trouble, a riot, and someone might have been killed or injured, had not a large body of police gone to the house" ("Communist gaoled - encouraging lawlessness," 1931).

The fear of rioting by the unemployed was lived out the following year. In Dunedin, in January, rioting began when a crowd of people demanded and were denied relief by the Otago Hospital Board. The crowd smashed the windows of a grocery store. The riot subsided after food parcels were arranged. Disorder returned in April when the board again denied aid. Soon afterwards, rioting occurred in Auckland after a crowd of unemployed, marching under the UWM banner, were refused admittance to the Town Hall. The angry crowd attacked the police and looted stores. Hundreds of injuries resulted. Riots occurred in Wellington in May after a demonstration at parliament and an unsuccessful unemployed delegation to government (Bassett, 1967; Noonan, 1969).

The riots resulted in prosecutions of people involved, including leaders of the UWM such as Budd and Edwards, who had both been involved in the Norfolk St eviction. In another trial, the judge tried to establish a link between the accused and that same eviction resistance. In response, his lawyer said "I don't know what the eviction of his half-sister in Norfolk Street has to do with the case", to which the judge responded "It may have a lot to do with it" ("Riot trial - Defence continued," 1932). Eviction resistance, or the agitating that led to it, posed clear risks to activists. It is clear that both police and the courts associated eviction resistance with the potential for violence.

Imprisonment was not the only risk facing unemployed activists. In 1931, several months after the riots, fourteen men "regarded as the ringleaders of the discontented section of the unemployed" were evicted without warning from the City Mission shelter on Hobson St Auckland, and it was agreed another four men were to be refused entry. Those evicted argued that they had nowhere to go and that they had not been behind recent (undefined) disturbances. Nevertheless, they were told that "the authorities had decided not to tolerate the trouble they had created" ("Drastic step," 1931). The following year, this time in Wellington, another fourteen people were evicted from a shelter. The shelter announced that this was because they had refused to enter a relief camp ("Unemployed protest," 1932).

The government responded to the riots by employing special constables and introducing the Public Safety Conservation Act, which gave government the power to proclaim a state of emergency and make regulations to prohibit acts that may infringe on public safety. Bassett

claims that this law, while never used, was responsible for protest receding around the country (Bassett, 1967, p. 17). Morris suggests that the UWM's popularity fell in this period due to perceptions of its involvement with the riots (Morris, 1949, p. 51). This was despite the fact that the UWM had in fact condemned the riots (O'Malley, 2008). The decline in unemployed protest may also have been a reaction against the violence of the riots, or a response to the fact that rates of relief increased after 1932 – in itself seen as a response to the riots.

While there are a number of cases of eviction resistance cited above after this period, it is true that there are fewer recorded instances of eviction resistance. Certainly, the UWM was troubled by limits to its rights to assemble. In a deputation to the City Council in May 1933 on evictions, the Central UWM requested permission to speak in public in order to “ventilate the issue”, warning that “suppression of free speech and assemblage would make secret organisations possible” (“Evictions - Assemblage rights,” 1933).

The establishment of relief worker camps have also been viewed as a response to the riots, and partly responsible for the decline in protest. These provided relief work in rural areas, but also kept young people and social unrest out of the cities (Bassett, 1967, p. 137). Conditions were poor: relief workers complained of leaking tents, inadequate bedding, and poor sanitation. The UWM described them as “slave camps”; as Labour MP Mr Atmore described, “the men were practically prisoners, for they had not the money to bring them into town thirty miles away” (quoted in Burdon, 1965, p. 139). Rumours persisted that certain people were sent to the camps because “when in town they had been too outspoken on political questions” (Burdon, 1965, p. 139).

A similar manner by which the state was accused of dampening tenant protest was through co-optation. During a deputation to government, one man, a secretary of the unemployed, said that officials gave activists jobs in order to silence them: one local man “had become prominent, so he was being given a job which would put him out of the way” (“Noisy deputation,” 1930).

The NUWM was also challenged by lack of resources. A letter from the National Executive to local branches clearly stated the case:

“National Ex. needs funds to carry on the struggle. Funds for agitation and propaganda work. Funds to enable us to penetrate every corner of the country....

The concessions already gained total nearly £400,00 for the unemployed, yet National Ex. is fighting for pennies to pay postage. This definitely handicaps us. We urgently appeal to all organisations to pay capitation fees and ask that a special approach to the workers be made on this occasion to enable us to throw our full weight into the fight for more relief" (National Secretary on behalf of the National Executive of the National Unemployed Workers' Movement, 1935).

For a number of reasons - state repression, the reaction against the riots, the improvement of the economy – the UWM faded in numbers and in influence. The UWM declined especially after the election of a Labour government in 1935. Following the election, the UWM declared its intention to remain in existence in order to ensure that the government remained attendant to the rights of the unemployed and subsidised workers. Its key demands regarded pay for relief workers and the unemployed, and did not mention housing rights. Objections from the General Labourers Union, who considered subsidised workers their jurisdiction, meant that the UWM was granted the right to make representations to government but not to gain financial members (Locke, 2000, p. 135). In early 1936, when the Government increased sustenance payments only marginally, the UWM chose to express its dissatisfaction in protest resolutions rather than in demonstrations. In 1938, a NUWM with a much-reduced membership agreed that branches would work through their local trade union. However the Federation of Labour (formed from the Council of Trades and Labour and the Alliance of Labour) rejected the proposal that the NUWM be given legal status to represent rotational workers not represented by a union. The NUWM, and its anti-eviction leagues, ceased to exist formally in April 1939 (Locke, 2000, p. 137).

6.5 The influence of tenant protest

Locke makes a strong case that the decline in UWM membership "was because the unemployed had faith in the Labour Government to improve their living conditions without their having to resort to protest organisation" (Locke, 2000, p. 136). As she also points out, the decline of the UWM does not indicate their failure. Unemployed activists saw Labour's victory as their own. As one oral informant reflects on the UWM hunger march, "Indirectly it had quite a big result because the Labour government came in largely through the efforts of the unemployed organisations" (quoted in Simpson, 1974, p. 158). Similarly, a CPNZ party leader thought that the UWM work on tenant issues contributed to the new government's swift action on housing issues:

“the efforts of the anti-eviction movement did contribute to the passing of legislation which gave a larger measure of protection to unfortunate people” (Scott, 1950, p. 63).

Ward makes a similar argument that the mass foreclosures and high unemployment rate “created very real poverty for large numbers of New Zealanders, and political expression of that in the demonstrations and occasional riot.” This meant “social cohesion was threatened and the need for state action [on housing was] apparent” (Ward, 1977, p. 168). Wright, while not placing importance on the lack of social cohesion, points to the experience of foreclosures in the depression leading the government to make secure homeownership a key part of its policies (Wright, 2009).

The experience of insecure homeownership and tenancies during the Depression, plus to some extent, the threat to social cohesion presented by the unemployed in their large demonstrations, eviction resistance, and riots, may have contributed to strengthening political conviction to improve access to secure housing. This conviction was apparent even before Labour entered government, when Prime Minister Coates’ reformed the mortgage market and planned a survey on housing (which Labour carried out from 1936 to 1939) (Ferguson, 1994; Schrader, 2015).

The Labour Government (1935-1949) changed the housing market radically. It set up the State Advances Corporation, which provided low interest mortgages for first homeowners, built state houses in partnership with private enterprise, and introduced fair rents legislation. Thirty-two thousand state homes were built in Labour’s fourteen years of government, and the proportion of homeowners increased from 50.2% in 1936 to 61.2% in 1951 (Ferguson, 1994; Schrader, 2015).

Each of these measures was intended to help tenants. Many tenants would move into state homes or their own homes. It was thought that those that remained in the private rental sector would also benefit, as the increase in supply would encourage better housing standards and more competitive rents. The Fair Rents Act 1936 consolidated previous rent control legislation, which had been re-introduced from 1932. Under the Act, if a tenant and landlord could not agree on the rent, a magistrate set a rent which was not allowed to exceed “basic rent”: a maximum annual return allowed to the landlord on the basis of the capital value of the property. In addition, tenants would benefit from other social policies, such as social security and policies to promote full employment (Ferguson, 1994).

However, the new policies did not help all tenants. The Fair Rents Act was subject to criticism that the rents were too high to help the poorest tenants (Ferguson, 1994, p. 153). Home loans from the Housing Corporation were reserved for people on moderate incomes, so homeownership could not be the answer for everyone. From 1936, two kinds of loan were available. Ordinary loans were provided up to two-thirds of the value of the security, and special loans were available beyond this limit in certain situations. From 1938, the government removed those limitations, but the Housing Corporation would not lend beyond 85% of the value of the house. Interest rates were set at the low rate of 4 1/8%. Despite these generous provisions, the capital required placed home ownership out of the reach of the poorest (Ferguson, 1994, p. 121). Finally, state houses were generally reserved for families on moderate incomes. Some people could not access state homes because they could not afford the relatively high rents, which were related to the costs of construction. Others that were excluded were people who were not “respectable”, single people, single parent families, and, initially, Māori (Ferguson, 1994, pp. 158, 169).

6.6 Discussion

The 1930s were an unusual time of extreme hardship and frustration with lack of government support. The private rental market in the 1930s failed to provide satisfactory conditions for tenants. The slowing of the construction industry, and mass unemployment, meant that there was little housing available, and that people could not afford to pay the rent. Rents dropped, and landlords were less able to afford basic maintenance. Eviction for non-payment of rent became a common experience that, as this chapter has shown, encouraged a sense of common identity, solidarity, and collective voice. Hardship particularly affected tenants, and tenants were a growing population due to foreclosures.

Like tenant protest in other countries, tenant protest in New Zealand in this period can be seen as part of unemployed peoples’ discontent in response to crisis. Direct action was a way the unemployed could make tangible gains and influence a public mood for change. Unemployed protest was directed at the obvious face of deprivation – the landlord who demanded rent, the relief office that could not provide sufficient work or pay. Large numbers of people became politicised and willing to take part in direct action, as encouraged by the UWM. Eviction resistance developed spontaneously and with the support of the UWM. The UWM used a combination of advocacy, lobbying and direct action, which often brought evicted tenants at least a few days extra in the home and funds to support them. The UWM also lobbied the government to provide assistance to tenants who were

unable to pay rent.

Tenant protest in this era, as overseas, can be credited with contributing to the public mood which brought about government improvements to relief during the Depression, and investment into housing following Labour's entry into government. From 1935, the government instigated rent control, commenced a state house building programme, and assisted people into homeownership through a number of measures. Social security and minimum wage legislation assisted with affordability issues.

Hirschman's exit-voice framework offers insight into the eruption of eviction resistance. Low-income tenants who were evicted for non-payment of rent had no place else to go. Exit was not an option available to them. They had no other option but to voice, in the form of eviction resistance. Eviction resistance sometimes allowed tenants to stay in the home, even if only by a few days, and sometimes gained them funds for another home. The costs of voice were high as well. Voice could bring about retaliation, in the form of imprisonment, eviction or a place at a relief camp. Hirschman's exit-voice framework offers insight not only into the interaction of exit and voice as regards individual tenants, but also into the reasons behind the rise of unemployed/ tenant protest as a whole in this period. As outlined in Chapter 5, tenant collective voice in the 1920s declined as workers were increasingly able to exit the problems of the private rental sector by becoming homeowners. The Labour party and union movement, which has been important in fomenting this voice, saw many of its members become homeowners, and accordingly moved away from specifically supporting tenants and towards promoting homeownership. As New Zealand entered economic depression, as related in the current chapter, the situation changed. The number of homeowners dropped and the number of tenants rose. This was the result partly of foreclosures, as people were unable to pay their mortgages, and partly because the Government could not afford to provide state advances – cheap loans – for ownership. To use Hirschman's terms, access to exit - homeownership - reduced. As predicted by Hirschman's framework, as exit possibilities declined in this way, voice increased.

A number of social movement theories also contribute to our understanding of tenant protest in this era. The Depression constituted a political opportunity for unemployed protest. There was widespread frustration with the government, and for the Labour party, which from Opposition was unable to do much to help the situation of the unemployed. This created an opportunity for new organisations using new tactics – the UWM and direct action. Unemployed men met at job sites or demonstrations with little to do but try to

improve their conditions. Although tenant protest could occur without the involvement of organisations, resources helped amplify tenant protest. The organisation skills and networks of the UWM were important, helping them draw attention to tenant protest and to arrange meetings with government officials. However, the UWM was unable to draw on the resources of the Labour Party and union movement, who disagreed with the UWM's tactics. Oral informants recall feelings of solidarity with evicted tenants and a sense of frustration with the "other" – homeowners – which may indicated the development of a tenant identity which can assist in collective action. This can be related to the observation of American scholars of the Depression: as hardship became widespread, the unemployed "began to define their personal hardship not just as their own individual misfortune but as a misfortune they shared with many of their own kind" (Piven & Cloward, 1979, p. 49). However there is limited evidence on this factor. Being a tenant – like being unemployed – was a temporary status for many, which would last only the duration of the Depression.

As New Zealand left the Depression years behind, tenant protest declined. People had less reason to protest: quality of life improved, after Depression and especially after World War II, due to changing economic conditions and policies of social security, full employment, and high wages. In addition, people were increasingly able to exit the problems of the private rental sector into homeownership or state housing. Yet both these exits were only available for people who had the type of steady jobs that qualified them for a state advances loan or for a state house. Those who were most able to exit private rental were also those who were most equipped to work for the improvement of rental housing. In this way, as predicted by Hirschman, the exit offered by homeownership and state housing contributed to the absence of a collective voice that worked for the improvement of the private rental housing sector.

The experience of tenants during the Depression contributes further understanding to the question of how tenants are able to effectively represent their interests in order to improve health. By opposing high rents and evictions, tenants were demanding security of occupancy and housing affordability, which have a number of beneficial effects on health. Tenants' ability to represent their interests effectively through direct action and lobbying was limited in certain ways, including a lack of resources; nonetheless, this representation helped contribute to the post-Depression focus on housing (primarily owner-occupied and state housing) which relieved many tenants of the deleterious health effects of insecurity and unaffordability.

7 Tenants' protection (1969-1986)

Tenant protest groups in the 1970s responded to issues of high rent, substandard housing, and evictions, which they saw as having negative impacts on the health of individuals, families and communities. Their work, by assisting tenants to represent their interests, tried to relieve the situation for individual tenants while lobbying for broader policy change.

In this era, tenant protest was organised by a number of groups, with student activists playing an important role. While tenant protest groups were independent, they co-operated to some extent, and counted some methods, aims, and origins in common. In this chapter, I set out what is known about the spread and origins of these organisations. I investigate the relationship with the Labour Party, which varied over the years. I also outline the major activities of the organisations, and investigate the reasons for their decline. Finally, I assess their effects on housing and health and reflect on themes in common with previous eras. These are illuminated by the theory and literature previously introduced.

For this chapter, I drew on a number of sources. There were only two accounts of tenant protest in the 1970s (Bradley & Levett, 1975; Carlyon & Morrow, 1998). Post 1945, newspapers are not catalogued and could not be efficiently searched. Fortunately, several organisations involved in tenant protest (the Ponsonby People's Union, the Progressive Youth Movement, Resistance, and Wellington Tenants' Protection Association / Union) left records, which are found in the Alexander Turnbull Library in Wellington. The files included letters to and from other tenant protest groups that gave some idea of the activities of other groups. They also included newspaper clippings collected by the organisations, and newspapers produced by them. Because some Victoria University students were very involved in tenant protest, I also went through all the issues of the student magazine *Salient* over the period 1969 to 1975. In addition, I interviewed some of the people involved in tenant protest. While I decided not to use this as a resource (see Chapter 2), this enabled me to check that I was aware of all available resources. Several organisations founded in this era still exist as service providers and may have useful archives pertaining to their phase as tenant protest groups; however, time and resource limitations prevented me from investigating this avenue further.

Tenant protest in New Zealand in this era can be compared to tenant protest in other countries. Unlike previous eras, the labour movement played a minimal role. In the case of the United States in the 1960s and 1970s, "housing again loomed large as an issue, but in

conjunction with, and to some extent symbolic of, broader issues of economic, political and social justice" (Marcuse, 1999, p. 69). In the United Kingdom in this era there were struggles around council rent rises, campaigns for redevelopment of slum housing, and a major squatting campaign (Glynn, 2005). In Australia, the issues of tenants' rights and displacement also came to the fore: the first of a number of tenant organisations, the Victoria Tenants' Union, was formed in 1974 after a group of private tenants at Royal Court united against their landlord (Tenants' Union of Victoria, n.d.).

7.1 Conditions for tenants

In New Zealand, conditions had changed significantly since 1935 – the close of the previous chapter. The first Labour Government, in power until 1949, had remained committed to the state housing building programme, as well as to assisting people into homeownership through a number of measures, including generous loan provisions. Following the election of the National Government in 1949, support for homeownership had continued: in addition, state tenants, who could afford to, were encouraged to buy their state home. By the 1960s, state housing became a residual tenure for those who could not afford to buy or to rent on the private market (Ferguson, 1994; Schrader, 2005). In 1971, 26.7% of dwellings were owned freehold, and another 41.4% were under mortgage. Twenty-six per cent of houses were rented (Census, 1971).

A flurry of protest from the late 1960s (which I will go on to discuss) contributed to the establishment of the Commission of Inquiry into Housing, which published its report on the state of New Zealand's housing in 1971. While it concluded there was no shortage of houses, it did indicate a number of problems. In regard to renting, it cited one witness, Mr Porter, who pointed to "an area of neglect in the private ownership field between those who are eligible for State housing and those who can finance their own homes" (Commission of Inquiry, 1971, p. 65). Pacific and Māori families had a particular difficulty paying rents. Concerns about "the landlord's market in Wellington" and "the likelihood of continuing escalation in rents" led the Commission of Inquiry to call for local authorities to fill that gap by building "for the general public at moderate rents" (Commission of Inquiry, 1971, p. 66).

The evidence submitted to the Commission of Inquiry by local authorities reveals a number of housing problems. Auckland City Council pointed out that "Many areas of Auckland are physically old and show obvious signs of dilapidation" (Commission of Inquiry, 1971, p. 90). The Christchurch City Council said that a third of the 1,600 premises defined as apartment

buildings or boarding houses were substandard (Commission of Inquiry, 1971, p. 91). Wellington City Council described "hundreds of old people.... living in substandard conditions, well below anything considered acceptable in New Zealand" and noted that only 4.7% of dwellings were in good condition, 88.6% were in average condition, and 6.7% were in poor condition (Commission of Inquiry, 1971, p. 91). Despite this evidence, the Commission of Inquiry thought that councils already had sufficient powers to act on these problems and merely proposed that the legislation on substandard housing (described as the Health Act 1956 and the Urban Renewal and Housing Improvement Act 1945) be "revised and consolidated" (Commission of Inquiry, 1971, p. 95)

Surveys from civil society provide further evidence of the issues facing tenants. A survey at a Christchurch night shelter in 1974 revealed that half of the 113 people who stayed there over the course of a month were looking for rental or boarding house accommodation; many used the shelter for this reason (Ferguson, 1994, p. 243). Students in Wellington conducted a survey of 577 people, 321 of whom were tenants, in inner-city housing. The report found that 11% of houses surveyed were overcrowded (considered as more than two inhabitants per bedroom), and 23% did not have at least one basic household amenity (either a cooker, a sink, hot water, a toilet, a bath or shower, hand basins, and laundry facilities). The report noted that owner-occupied houses were in better condition than rented homes. Forty-eight per cent of tenants were unsatisfied with the condition of their home. Of those, 91.6% reported disrepair, structural problems, vermin, and missing or broken facilities. Tenants reported that landlords were not willing to repair faults (Bradley, 1972).

Tenants' problems were magnified as costs rose in the mid-1970s in response to the oil shocks and the entry of the United Kingdom into the European Union. Rents rose 19.7% from December 1974 to March 1976, and the costs of home purchase by 15.5% (McClure, 1998, pp. 286–287). In 1974, and in sharp contrast to the findings of the Commission of Inquiry, and perhaps indicating the difficulties of measurement, there was an estimated shortage of 15,000 houses (Department of Statistics, 1974, p. 514).

The number of Māori and Pacific people living in the cities grew rapidly in this time. The Māori drift to the cities was driven by the decline in the rural economy, and the attraction of urban life, including jobs. The Māori urban population increased from 62% in 1966 to nearly 80% in 1986. Immigration from the Pacific Islands increased from the 1960s as a result of

growing populations and increased demand for workers New Zealand's secondary industries. The Pacific population expanded from less than 2,200 in 1945 to 65,700 in 1976 – 2.1% of the total population – with most living in the cities (Statistics New Zealand, 2006).

Māori and Pacific people were affected by poor quality and discrimination in their housing. A scholar noted that “most of those who telephoned a prospective landlord have been asked forthrightly or covertly, about the colour of their skin” (Lawson, 1973). The newly formed Office of the Race Relations Conciliator noted that “Pacific Islanders, and to a lesser degree, Māori were regarded as unsuitable tenants by a large proportion of landlords” (Office of the Race Relations Conciliator, 1975, p. 17). The National Council of Churches reported in 1972 that 21% of houses rented by Māori or Pacific people had no piped water supply, 17% had no hand basins, and 50% had no safe for food storage or fridge (cited in Mitchell, 2003, p. 162). Media articles described a Tokelauan “family of ten with inadequate clothing, furniture and heating, broken windows and flour alone for food” (Williams, 1975); twenty two Tongans renting a home without hot water; a two bedroom home housing 16 people; a three bedroom state home housing 27 people; and hundreds more Pacific Island homes with “no carpet, exposed wiring and sleeping bags on the floor” (quoted in Mitchell, 2003, p. 164).

The conditions of one rented house, and the link between quality and functional crowding, are reported by a member of one of the tenant protest groups that is the focus of this chapter:

“The only opening window in the bedroom is rusted off its hinges so it can't be opened. The walls of the living room and bedroom are covered with water stains. The fibrous plaster walls have acted as a sponge and absorbed a water leak and consequently the walls are covered with green mould. The bedroom carpet has rotted away with mould. Woodlice crawl through the house. The ceilings are mouldy. The family's food turns mouldy, their clothes and shoes are ruined with mould. Even the baby's mattress is mouldy. About a fortnight ago the mother could no longer bear to sleep in the bedroom so she and her baby sleep in the living room” (Russell, 1974).

The writer additionally notes the problems of affordability and discrimination facing the tenants: “The mother is Indian so it is more difficult for the family to find a decent flat at a rent they can afford” (Russell, 1974).

Clearly, tenants had reason to feel aggrieved. However, it was changes in political context that saw these conditions lead to tenant protest.

7.2 Tenant protest groups

The late 1960s and early 1970s were a period of change for New Zealand. In the 1950s and early 1960s, the country enjoyed broad prosperity, which influenced society and politics (Sinclair, 1980). This was an era of the 'historic compromise' between capital and labour where, for the most part, workers enjoyed full employment and a welfare state, and business accepted regulation in exchange for a secure business environment (Jesson, 1989). However, from the late 1960s, new protest groups developed worldwide as a new generation came of age. Much of this protest activity was centred on university campuses as the tertiary education system expanded (Tennant, O'Brien, & Sanders, 2008, p. 24). Activists rejected conformity and many did not identify with existing progressive options, seeing potential for radical change not in the working class, but in "third world peasants, students, ethnic minorities and other groups marginalised by 'the system'" (Boraman, 2002, p. 119).

Scholars identify two different but connected eras of protest in this time, in both of which we can identify elements of tenant protest. One scholar describes New Zealand's New Left as "a loose 'scene' of young people who participated in protest activity together" from the late 1960s to the early to mid-1970s (Boraman, 2002, p. 123). Many of those involved were in groupings or causes such as the Socialist Forum, the Progressive Youth Movement, the Resistance bookstores, unions, the Labour Party, the workers' education movement, and anti-racism, anti-Vietnam war, and anti-nuclear organisations. As the New Left passed from the scene - especially after Labour entered government in 1972 and delivered on some of its key demands, such as the withdrawal of troops from Vietnam - many of its participants joined what has been labelled "new social movements" around key causes such as peace, anti-racism, Māori land rights, and protection of local environments (Tennant et al., 2008, p. 24).

Tenant protest also followed this trajectory: New Left organisations were involved in tenancy-related activities, and as they receded a number of protest groups working specifically on tenant issues were established. Two examples, of the development of tenant protest groups in Auckland and Wellington, will suffice. Due to the availability of records, these groups are the focus of this chapter.

In Wellington, tenant protest in this era occurred within the Progressive Youth Movement (PYM). This organisation was first established in Auckland in 1965, where it was closely associated with the Communist Party. By 1970, there were about nine independent PYM groups throughout New Zealand. PYM favoured direct action and conflict with the authorities to make points about a variety of issues, which drew it much attention. Both Labour and National politicians opposed the PYM: in 1969 Labour Party MP and Leader of the Opposition Norman Kirk described their actions as “a fertile seed-bed for disorder and one that should be firmly controlled by the authorities” (quoted in Boraman, 2002, p. 124). The Wellington PYM existed from 1969 to 1971 with about twenty core members. In contrast to Auckland, Wellington PYM was not Communist dominated, but was made up of radicals with different ideologies, or no ideology at all (Boraman, 2002, p. 125).

Most of Wellington PYM’s protest work was against apartheid and the Vietnam War; however they saw high rents as one of a number of important issues that faced New Zealand. One recruitment pamphlet outlined the plethora of issues that PYM sought to address:

“If you are tired of: low wages and high profits, high rents and high prices, apprenticeships, unequal pay for women, low social security benefits, hypocritical politicians, the NZ education. If you object to: NZ intervention in the Vietnam war, the existence of US military bases in NZ, the police ‘overkill’ at the Agnew demonstration in Auckland, the proposed All Black tour of South Africa, the uncontrolled exploitation of NZ’s natural resources, the existence of a secret police in NZ, compulsory military, training. Then join PYM” (Wellington Progressive Youth Movement, n.d.).

To draw attention to the issues facing tenants, from 1969 to 1970, PYM members conducted a survey of tenants that showed that tenants experienced high rents, poor conditions, and neglectful landlords. Members sought to publicise this issue with the media and council. Two scholars at Victoria University at the time credit these activities with raising interest in tenant issues (Bradley & Levett, 1975, p. 202).

As PYM declined, interest in the issues facing tenants led to the establishment of two different groups. The Wellington Citizens’ Committee on Accommodation (WCCA) was formed in 1971, after a meeting about housing issues called by Victoria University history lecturer Tim Dyce, who had noted the difficulty students experienced in finding housing.

WCCA organised several public meetings, which were attended by MPs and councillors, and led MPs on tours of dilapidated housing in the lead-up to the 1972 election. They set up a variety of projects: an accommodation hotline, a daycentre for the elderly, a student accommodation trust, a drop-in youth centre, and a day-care centre. WCCA were supported in this by the council, which had noted the problems of substandard housing in Wellington in their submission to the Commission of Inquiry into Housing in 1971 (Bradley & Levett, 1973, 1975).

Soon after the formation of WCCA, another organisation was founded in order to take different actions on similar issues: the Wellington Tenants Protection' Association (WTPA). The WCCA supported the WTPA but did not participate in its radical activities: the WCCA "did not want to contaminate its public image through close association with groups whose actions might be interpreted in the public arena as unreasonable" (Bradley & Levett, 1975, p. 204). One of the founders of the WTPA was also the founder of an equivalent organisation, the Auckland Tenants' Protection Association, Paul O'Halloran. Some of the Wellington members had previously been associated with the Wellington PYM, such as Roger Cruickshank and George Rosenberg (Boraman, 2002). The issues facing Pacific and Māori tenants in the inner city became a key focus (Bradley & Levett, 1973, p. 52).

The WTPA, which subsequently became known as the Wellington Tenants' Union (WTU), lobbied government, supported tenants, and sought to organise tenants in direct action. The name was changed in 1976 because "we felt that the name Tenants' Protection was a bit misleading; because what we want to do is help tenants fight their own battles, not do the work entirely for them" (Wellington Tenants' Union, 1976a, p. 1). Whereas the WCCA was an advocacy group and service provider, WTPA/WTU identified as a protest group founded by tenants, which sought to represent and organise tenants. As the WTU explained:

"The WTU is an organisation run by and for tenants. Its functions are to defend tenants from landlord ripoffs and harassment, to increase public awareness of housing and tenancy issues, and to fight for the changes necessary to ensure low-cost housing for all" (Wellington Tenants' Union, n.d.-f).

Tenant organisations tended to be founded by educated young people. A number of years later, one member recalled its founders as "basically a group of university radicals who were confronted with the glaring excesses of tenant housing in places like Newtown [in Wellington]" (Wellington Tenants' Union, n.d.-d). However, the activists wished to broaden

the membership. After the Rama rent strike, discussed subsequently, one activist reflected with excitement that “a bond has been established which had cut across class and race differences. The TPA is no longer a small group of privileged middle-class Pakehas” (Russell, 1973). However, subsequent difficulties retaining membership indicate that it was difficult to maintain membership. For example, the WTU noted that its own organisation had at times been kept going by one individual to a great extent (Wellington Tenants’ Union, 1976b, p. 1).

The WTPA worked with a tenant protest group in the neighbouring Hutt Valley. Both groups discussed the need for a tenant protest group in the third city of the Wellington region, Porirua. The absence of such organisation among state tenants in Porirua had been noted by the Commission of Inquiry: there was “a lack of leadership and mutual organisation in such areas” (Commission of Inquiry, 1971). Porirua had a large proportion of state tenants, and it was thought that an organisation would be useful to represent and advocate for the tenant to the Housing Corporation; it could be a “‘public watchdog’ and pressure group suggesting beneficial changes to Housing Corporation policy towards state tenants” (Wellington Tenants’ Union, 1973). While it appears such an organisation did not come into existence, a separate organisation operated in that area at the neighbourhood level - the Hampshire Street Tenants’ Union. This group accused the government of racism in its allocation of state houses and treatment of state tenants, leading the government to agree to hire Māori staff and improve the quality of houses (Hubbard, 1976). Subsequently, and referencing this incident, a paper was published on the issue of racism in state housing allocation (Borrie, 1978).

At least two organisations were formed to protect tenants in Auckland in the early 1970s: the Ponsonby People’s Union for Survival and Freedom (People’s Union) and the Auckland Tenants’ Protection Association (ATPA). The backgrounds of the founders of both of the organisations provide some indication of the context for tenant protest as well as the different methods each organisation chose.

The Ponsonby People’s Union was founded in the early 1970s. One of the founding members was Roger Fowler, who was also involved in Auckland’s Resistance bookstore, which was a key part of Auckland’s New Left scene until its closure in 1974 (Boraman, 2002). According to Fowler, activists involved in the People’s Union had become politicised by demonstrations against the Vietnam War, and wanted “to bring the war back home and deal with issues in our own neighbourhood” (quoted in Carlyon & Morrow, 1998, p. 263). Members included

Pakeha students, working people and some Māori. The People's Union ran an information service and carried out community activities. They ran a food co-op, distributing produce bought in bulk at a local market to members. They worked with the Polynesian Panthers to run a weekly visitors' bus to local prisons (Carlyon & Morrow, 1998, p. 263). On tenant issues, the People's Union encouraged and supported rent strikes and eviction resistance.

The People's Union worked on tenant issues alongside the Auckland Tenants' Protection Association (ATPA). The founders of the ATPA included Paul O'Halloran and Betty Wark. Betty Wark was a Māori woman from the East Coast who became active in politics when living in Freemans Bay in the late 1960s, as it underwent urban renewal. She was politicised by the council demolition of houses (including her own) without compensation. As part of the Freeman's Bay Advisory Committee, she saw her role as "to represent the interests of Auckland City tenants in negotiations, overall rental policies and housing policies generally" (Connor, 2006, p. 213). Advocacy in the early 1970s, which drew attention to the plight of residents, succeeded in lifting the Freeman's Bay clearance order, which had left many houses in disrepair; however, new problems replaced old ones. The success of the clearance order, combined with the new loans available for renovations from 1972 started a renovation boom: rents rose rapidly, and flats of Māori and Pacific people were replaced by white owner-occupiers (Carlyon & Morrow, 1998, p. 222). As Wark observed, "the whole area changed... I'm talking about university students, different groups, and they were gradually having a look in the Ponsonby and Freemans Bay area saying, 'I don't mind that it's run down but it's going to be a good place to live because it's handy to town'" (quoted in Connor, 2006, p. 224). University students, despite contributing to housing pressures, were to be key to the founding of organisations that sought to protect tenants. One of those students was Paul O'Halloran, who Wark describes as "an angry, political young man [who] got a lot of things moving" (quoted in Connor, 2006, p. 224). O'Halloran, Wark, and the ATPA worked to lobby councillors and MPs on issues affected tenants. By 1972, ATPA ran six emergency houses and provided legal advice and support to tenants (O'Halloran, 1972).

In addition to the tenant protest groups founded in Auckland and Wellington, there were a number of other organisations for which records were inaccessible for this study. In 1976 a National Tenancy Conference was held which included representatives from Ponsonby People's Union, Hamilton TPA, the Porirua State Tenants' Union, Christchurch People's Union and Wellington Tenants' Union (Wellington Tenants' Union, 1976b, p. 2). Another conference, in 1979, included the Auckland TPA, the Tauranga TPA, Waikato TPA, the

Manawatu Tenants' Union, the Christchurch Tenants' Union, the Dunedin TPA, the Wellington TPA, and Roger Steele (formerly of the WTPA) representing Rotorua (Wellington Tenants' Union, 1979). This showed that tenant organisations assisted tenants across the country. The archives indicate several attempts for the various tenant organisations to form a national organisation.

One such attempt was in January 1972, when Paul Halloran of the Auckland TPA wrote to the Minister of Social Welfare to propose that the government grant the ATPA \$100,000. As well as providing for the provision and extension of ATPA's services, this sum would allow for the establishment of a national TPA Trust which would "act independently of any government department and allow it to follow its own policy as may be laid down from the board from time to time" (O'Halloran, 1972). The ATPA claimed to be well placed to do this, having branches in Wellington, Christchurch and Dunedin. As no other records exist of such an organisation, it can be assumed the funding request was denied.

Further discussion on the idea of a national body was carried out at the 1979 conference. As one participant proposed:

"The main idea behind a National Body is to give a look of unity to the various groups scattered around the country and to use its seemingly powerful authority to fullest extent in some of our more ambitious schemes and to lend a helping hand to smaller tenancy groups that are suffering. In theory this should increase our bargaining power (underline in the original, O'Dea, 1979).

However, it was decided that the organisations did not have the capacity to form an umbrella organisation.

7.3 Methods of tenant protest groups

Tenant protest groups in this era worked to improve conditions for tenants in three ways: lobbying government, supporting individual tenants, and participating in direct action in order to make political points while improving conditions. Different groups – and different people within groups – varied in the extent to which they focussed on each method.

7.3.1 Lobbying

Tenant protest groups thought that by working together tenants could exercise their collective power and improve their situation. As one organiser argued, "tenants need to

recognise that they constitute one quarter of the New Zealand population – they are a force to be reckoned with” (J. Brown, 1979). Similarly, another member opined that tenants could improve their conditions through organising together:

“The only way tenants are going to protect, and possibly extend, their rights is to fight for them. Tenants’ unions are a necessary part of this process – well informed, principled, active and militant – fighting for the real interest of tenants” (Waikato Tenants’ Protection Association, 1979).

While, as we shall see, many of the tenant protest groups supported individual tenants through advocacy or direct action, they also saw, in the words of one tenant protest group, that this work could only “scratch the surface of the problem” (Auckland Tenants’ Protection Association, 1972). Therefore “the major aim of the organisation has been to put pressure on the City Council and Government to implement policies which will eliminate the housing shortage and bring about an equitable rental situation” (Auckland Tenants’ Protection Association, 1972). In carrying out their “social work” of supporting individual tenants, the view of the tenant protest group was that “the responsibility for [housing] must ultimately be Government’s” (Auckland Tenants’ Protection Association, 1972). Similarly, as an activist wrote in his organisation’s newspaper, “Direct action can and will solve the immediate problems, but may not stop them happening to another tenant. Only legislative change or revolution can do this” (Steele, 1975a).

However, in the view of an activist in another tenant protest group, no existing laws or potential law change could support tenants in a market systems. Instead, direct action should be prioritised: “to make the law, or law reform, the prime focus of our activities is to cast tenants into the clutches of their greatest opponents, and to ignore the real cause of the problem” (Waikato Tenants’ Protection Association, 1979).

A key way of influencing public opinion on tenants and their rights was through publishing flyers, and, in the case of the People’s Union and the WTPA, newspapers. These typically describe poor housing conditions and treatment of tenants. They summarise recent protest success stories and encourage tenants to involve themselves in the protest group. They inform tenants of their rights, outline any legislative changes, and criticise the law. They often included photos, and sometimes names and home and work addresses of disputing landlords and tenants. One typical article, describing the landlord as “a wild and unpredictable man by the name of Toehill”, asks “How would you feel if you returned

home...to find all your belongings had been thrown out of your house and lay strewn about outside, fully exposed to the hazards of the Wellington general public and weather?" (Wellington Tenants' Union, n.d.-b).

This was not without controversy, as an excerpt from one tenant protest group newspaper makes clear:

"Some of our readers (including [deleted]) objected to the personalised approach of the article. We accept this criticism, that the problem is caused by the capitalist system and not be individuals, and in most of our articles we omit names because of this" ("Editorial note," 1975).

Other types of political advocacy including meeting Ministers, writing to the City Council to request the inspection of houses, and asking the Labour Department to investigate specific events. For example, one newsletter reported a landlord harassing his tenant by demanding an illegal bond and advance rent and filing an illegal eviction notice. It noted that the Labour Department had proved unwilling to investigate. The note concludes that "It is important that TPA force the Labour Government into prosecuting this landlord if tenants' rights are to mean anything in reality" (Wellington Tenants' Union, 1974).

Tenant protest groups were credited with helping convince the incoming Labour Government to implement changes to the law regarding rents in 1972. Under the Rent Appeal Act, tenants could have their rent assessed for fairness by Rent Appeal Boards. However, upon enactment, one tenant group argued that government was not playing its part in educating tenants on their rights to rent appeal. As the WTPA wrote to the chairman of the Rent Appeals Board, "Today for the ten thousandth time (no exaggeration) the TPA was approached by a person who was being charged an exorbitant rent and who knew nothing about the Rent Appeal Act ... Quite frankly we are sick and tired of doing the Labour Department's job for them" (Steele, 1975b).

The tenant protest groups quickly drew attention to flaws in the rent appeal legislation which they had become aware of through their service activities: for example, the board took into account the landlord's income, but not the tenants'; rents could only be assessed once per tenancy, meaning that if housing conditions worsened rents would not take this into account; after a year had passed, tenants might be evicted or rents raised (Gager, 1973). One organisation reported that in Christchurch, rents were raised in 70% of cases -

sometimes to prices higher than the landlord demanded - as house prices rose or if tenants had improved the house. The article concluded that the rent board “does not safeguard fair rents for tenants – it safeguards the already excessive profits of wealthy landlords and property speculators” (Resistance Bookshop and Christchurch Tenants’ Protection Association, 1975). The WPTA called the Act “a betrayal of every election promise the Labour Party made to take firm action against landlords” (Gager, 1973).

The tenant protest groups also argued that a tenant was not able to assert her rights to quality housing under the law. Under the Property Law Amendment Act 1975, tenants had the right to take landlords to court if they did not carry out repairs within a month. However, tenant protest groups pointed out that a tenant’s insecurity made it unlikely that she would assert those rights:

“What tenant is going to go to all the trouble of protracted Court battles, when he knows he can be put on to the street for any reason...?” (Gager, 1973).

As another tenant activist described it, “where a tenant knows he can be evicted at short notice, he may be disinclined to stand up for any rights which he may have under his tenancy agreement or which are guaranteed him by law” (Alston, 1982, p. 440). This insecurity meant that a tenant was not able to assert the rights she was obliged to enforce.

The council failed to enforce bylaws on housing quality. The Wellington TPA reported:

“Many tenants are living in slum houses that contravene city council bylaws. Every week TPA caseworkers visit houses where there are no fire escapes, no washing facilities, rotten floorboards, walls which are covered with mould, houses which are structurally unsound, houses crowded with too many people – the list is endless. We used to report these houses to the city council but now rarely do because no effective action is ever taken by the city council to enforce their bylaws. Why does the city council allow landlords to operate these slums?” (Wellington Tenants’ Protection Association, 1973c).

The same author observed that existing standards were very minimal, only one inspector investigated substandard housing, and that getting an inspector in was rare and hindered by red tape. Furthermore, the \$40 fine that a prosecuted landlord would receive was not sufficient to incentivise better landlord behaviour (Wellington Tenants’ Protection Association, 1973c).

Even if the authorities did enforce standards, it could lead to negative results for the tenants. Calling in the Health Department, argued one tenant organisation, would mean they “will probably condemn the whole flat, and stop you living there” (Gager, 1973). In one example, Wellington tenants contacted WPTA, who sought to take their case to the Rent Appeal Board, as well as the council. The house was condemned. The landlord said that “TPA had done the tenants a disservice in bringing the flat to the authorities’ notice as the tenants would now have to leave” (Russell, 1974).

In addition to publicising issues in their publications, and gaining attention through advocacy or direct action activities, tenant groups protested to put their points across. For example, in 1972 the ATPA organised “Squatters World”, a weekend tent town on council land that was to be sold, in order to draw attention to the housing shortage. They also gathered signatures for a petition, later presented to Parliament on 6 June, for: a rent freeze; an enquiry into house and flat letting, and implementation of the recommendations of the 1971 Housing Commission’s report (Auckland Tenants Protection Association, 1972). In 1974, the People’s Union won tenants media attention by picketing the foundation meeting of the Landlords’ Association; one tenant activist was arrested for getting into a scuffle with guest, National Party MP, and soon to be Prime Minister Muldoon (Collins, 2010).

7.3.2 Advocacy

Despite the flaws in existing legislation, tenant protest groups helped tenants access what rights they had. In 1975, the WPTA reported that it received 70 to 80 calls per week, and worked on preventing up to 50 evictions a week (“Wellington evictions increase along with rates, says Tenants’ Protection Association,” 1975). An article in the organisation newspaper described a leaky Newtown house – “when it rains the house becomes like Noah’s Ark” – and went on to relate that “When tenants asked for repairs [the landlord] always shouted ‘No complaints! No complaints!’” (Wellington Tenants’ Protection Association, 1973d). WTPA supported them to appeal their rent when it was raised. They were successful, but due to a language barrier, did not understand their right to pay less rent. The landlord continued to accept the higher rent despite the authority’s ruling (Wellington Tenants’ Protection Association, 1973d).

There were other means of assisting tenants without going through the legal process. A more direct form of advocacy than legal means was simply for the tenant protest group to put its weight behind the tenant’s cause in negotiations with landlords. Tenant protest

groups had offices and telephone lines, usually staffed by volunteers on a roster. Workers met with tenants to advise them. In some cases, they accompanied the tenant to meet the landlord, or called the landlord in order to negotiate. The People's Union explained that having the support of the group made it more likely that tenants would see positive results:

"Many people have come to us with landlord problems. Their landlord usually tries to frighten them with threats of eviction, knowing there are many people on the street needing any sort of roof over their heads. When we go to speak to the landlord with the tenants they usually change their tune" (People's Union, 1972).

WTPA also reported that their support increased the likelihood of positive outcomes:

"Their landlord won't let them park their car in the driveway or objects to them having a member of the opposite sex or sends some of his friends to crash in 'his' pad for a night. When a tenant rings TPA about that it's a simple enough thing to fix - all it takes is a phone call. When the little landlord recognises there is power greater than his he will usually step down" ("Trouble with your landlord?," 1973).

Tenant organisations also took on a negotiating role. Betty Wark reflected that "Tenants' Protection worked well when it was able to make peace between a landlord and a tenant...Sometimes we fought against the landlord if we thought the landlord was unreasonable. Okay, if we thought the tenants were unreasonable, we'd stand by the landlord" (Connor, 2006, pp. 224–225).

Tenant protest groups reported a number of examples of successful advocacy in their publications. In one example, three flats in one house in Marama Crescent, Wellington, all suffered from different quality problems. The tenants and TPA met the landlord and he agreed to their demands, including reducing the rent. A TPA member concluded that "This demonstrates that tenants, by uniting and taking direct action have power to improve their conditions." Several months later, when the house was sold and the tenants were evicted, TPA continued to negotiate alongside them ("Tenant told 'undress in dark,'" 1973).

The media work of tenant protest groups could also strengthen tenants' cases. For example, after the WTPA told the Truth newspaper about the city housing council chairman whose firm had a client who owned a "slum house" on Hankey St, fire escapes were promptly installed in the building (Wellington Tenants' Protection Association, 1973c). After the

People's Union reported on a Dickens St house without water, hot water was reconnected (People's Union, 1974c).

Other negotiations were not so successful. One tenant newspaper includes a photo of the landlord and WTPA worker interaction, accompanied by the following caption:

“‘Get out of here or I’ll kick you up the arse’ was Wellington landlord Michael Flieger’s threat to Tenants’ Protection workers who called on him at his home and attempted to recover bond money kept from a tenant by his wife” (Wellington Tenants’ Protection Association, 1973d).

Tenant protest groups hoped that providing this service would encourage tenants to join the group. Tenant protest could be an empowering process. As one group explained, “It’s best if the tenant can feel that they have sorted the issue out themselves, with us in an advisory role. They learn they can take on landlords and win. They even get a taste for it and join the union roster” (Wellington Tenants’ Union, n.d.-c).

However, there were disadvantages to the groups taking on this service role. Assisting tenants with legal remedies was time-consuming and took up much of activists’ time:

“[Legal remedies] encourage the tenant to believe that the law will solve his problems. We know it cannot. Legal remedies absorb the punch and energy of TU [Tenant Union] workers and angry tenants like a punch bag. An angry tenant wants an immediate solution. By the time the wheel of bureaucracy has turned, the tenants have lost their enthusiasm (and often moved on) and the TU worker is drowned in paperwork” (Wellington Tenants’ Union, 1977b).

The implementation of the Rent Appeal Act changed the nature of the work the tenant groups carried out. One author reflected that it had meant they required extra resources in order to protect tenants:

...“The actual running of our office has become more complicated and expensive. When we first started our activities we were concerned mainly with direct action. Now with the Rent Appeals Board we are subsequently having to make written submissions and to keep extensive files and records” (Wellington Tenants’ Protection Association, 1975).

For such reasons, many members of the tenant groups, especially in their early years, prioritised direct action.

7.3.3 Direct action

Direct action techniques targeted specific landlords. These were a way of forcing a landlord to negotiate. To some tenant protest groups, direct action was connected to political goals: any action that made being a landlord “less lucrative...[places] pressure on capitalist institutions while at the same time assisting in the politicisation of those people who will eventually take part in the revolutionary overthrow of capitalism” (Wellington Tenants’ Union, n.d.-d). In another point of view, direct action was a path to legislative change; it was “the only way the government will be forced to change the rotten tenancy laws” (Wellington Tenants’ Protection Association, n.d.) For another organisation, direct action was only about achieving results for tenants: “Neither reliance on the politicians, nor just individual arguments with landlords – but rather staunch united tenant action and rent strikes is clearly the way to end housing problems and bring power to the people” (People’s Union, 1973). Methods of direct action undertaken by protest groups in this era included rent strikes, eviction resistance, picketing of landlords’ homes or workplaces, blacklisting of rental homes, and squatting.

Rent strikes

Tenant protest groups supported tenants who wished to go on rent strike. They encouraged people to withhold rent until repairs were made, or use those funds to make repairs themselves. When landlords threatened to evict tenants, they might occupy the house and negotiate with the landlord. For example, the People’s Union reported on a household in Freeman’s Bay that went on rent strike when their washing machine broke and the landlord refused to fix it. The landlord provided a new machine (People’s Union, 1974b).

One tenant protest group reflected that going on a rent strike was preferable to going to the Rent Board to reduce rent. In doing so, it was important to point out the advantages accrued to landlords, to help strengthen the tenant’s will:

“There are risks in this sort of action so it is important that the tenant is angry and strong enough to carry this right through... The TU worker can play a big role in getting the tenant angry enough to rent strike by pointing out the extent of the rip-

off (e.g.: explaining huge landlord profit from property appreciation etc)” (underline in the original, Wellington Tenants’ Union, 1977b).

The longest rent strike occurred in Lower Hutt. Unlike most of the activities by tenant protest groups, this received widespread attention in the mainstream media. It appears that this was the first major action of a new tenant protest group. WTPA had its first meeting in July 1972. After opening up a telephone service, the group gathered frequent complaints about the behaviour of a particular landlord, Madhav Rama. In September WTPA members visited all known Rama flats to collate information. In a meeting on 8 October, the tenants decided to withhold half of their rents in order to persuade Rama to negotiate on several issues: “fair rents; tenancy agreements fair to tenants; receipt for bonds and guarantee of their return; and an end to ‘administration fees’” (“The strike goes on,” 1973). The WTPA reported that the tenants “simply want to pay rents they could afford,” “that their flats would be brought up to a decent standard”, and that rents would be collected at “a decent hour” (Wellington Tenants’ Protection Association, 1973e).

The rent strike began on 12 October 1972. Forty-two houses participated in the strikes; five of those households that originally met decided against striking. “Chairmen” in each block were elected to collect and hold rents. Demonstrations and public meetings were held, and the activists met Matiu Rata, the Minister of Māori Affairs (Russell, 1973). There were several confrontations between the bailiffs and WTPA. At one point, WTPA “liberated” tenant property that had been seized by Rama, and stored it in Victoria University’s student union building (“The strike goes on,” 1973). An editor of the Victoria University student newspaper *Salient* at this time was a key WTPA member. He reported that *Salient*’s resources were useful in the tenancy work:

“We had a *Salient* van and a *Salient* car, and we forever tearing off to demonstrations and pickets and to fight evictions. When Rama seized the tenant’s goods we would liberate them, and hold them in the *Salient* office under semi-armed guard... While it was social justice stuff it was also of direct use to students, because students were being exploited by landlords. We figured that everyone would benefit if we took it on” (Roger Steele quoted in Wood, 2008).

During the rent strike, tenants picketed houses that were being rented out in the hope of putting off prospective tenants. New tenants were invited to join the strike (Russell, 1973).

Unions and the Labour Party also put their support behind the rent strike. Sixteen Wellington branches of the Labour Party, and two city councillors, called on the Government to compulsorily purchase the houses owned by Rama and other exploitative landlords. At a similar time the Federation of Labour conference discussed a remit calling on the government to protect tenants faced with eviction ("Government must take Rama's houses," 1973). The WTPA warned that "if the Government fails to take action it can expect rent strikes up and down the country" (Franks & Steele, 1973).

Eventually, one by one, the rent strikers left Rama's houses, or began paying renegotiated rents. Some may have moved to state houses: WTPA workers claimed the Government was trying "to buy tenants off with state houses" (Franks & Steele, 1973). A meeting between tenants, the WTPA, the Landlords Association and Rama resulted in the lowering of rents in one block by an average of 20% ("An end to the Rama dispute?," 1973). Many of the flats were re-let at lower rents or redecorated after tenants moved out (Wellington Tenants' Protection Association, 1973e).

Sixty-five weeks after the rent strike began, only the Nicholsons, a couple, remained on strike. They had set aside the \$35 per week they normally paid for rent during the course of strike. They settled on paying Rama \$1600 for rent for the duration of the strike (just under \$25 per week) and a new weekly rent of \$28 from 23 December 1974. The Nicholsons agreed to vacate the flat by mid-1975, and had recourse to an independent arbitrator, a local councillor, to act in case of a dispute over the return of bond at the end of their tenancy (Cruickshank, 1974). The WTPA saw this as at least a partial success:

"Although it can be argued that these concessions by Rama in the single case of the last striking tenants represent no real victory, it is true that only in this one case did the tenants consistently put money aside and remain in their flat despite incredible pressure, thus forcing Rama in the end to give in to every one of the original demands" (Cruickshank, 1974).

Eviction resistance

Another way tenant protest groups engaged in direct action was by encouraging tenants to stay in their homes after eviction notices. When Sutton and Steve's Land Agents evicted the five flats at 44 Queen St, Mt Victoria, the WTPA distributed a leaflet that criticised "vacant possession" as "just landlords' jargon for uprooting families for their own profit." They argued that eviction without cause was unjust: "The only way this rotten law will be changed

is for tenants to unite and refuse to leave when unjust attempts are made to evict them” WTPA encouraged tenants who faced eviction to “sit tight and fight!” (Wellington Tenants’ Protection Association, 1976).

The People’s Union described similar rallies to prevent eviction. On Norfolk Street, the site of a famous eviction forty years earlier (see Chapter 6), the Vasau family, who had lived in their house for five years, were told to leave after the house was sold. The People’s Union reported that “With nowhere to go the Vasau family had no choice but to stay and fight” (People’s Union, 1974a). In response, the landlord removed their belongings. Later that day, the family and their possessions returned to the house, assisted by the People’s Union and their supporters. After a confrontation with the landlord and the police, the Vasau family were able to stay another six months, until they were removed with a court order and police assistance (People’s Union, 1974a). On another occasion, a landlord who sought to evict a mother and her two children removed the corrugated iron roof from her house. One member recalled that the People’s Union saw the iron stacked in the property “so we came along and picked it all up and put it back up again” (quoted in Carlyon & Morrow, 1998, p. 263)

The papers available do not always make clear what the results of such resistances were. It is probable however that they would have publicised successful examples in their newspapers, as they did for the Vasau family case. Another report of an eviction resistance for which we do know the result occurred at the Blytheswood Flats in Wellington. Although most New Zealand rental housing was then standalone accommodation, these tenants lived in an apartment building and shared a landlord, which may have helped inform their decision to act collectively as a large group. After being given their notice, due to the landlord’s wish to refurbish the flats and rent them out to people with higher incomes, the tenants decided to refuse to leave, and advocate for compensation and alternative accommodation. However, as one activist recalled, “as the time [of eviction] grew nearer, the number of tenants [attending meetings] grew less.” He blamed this on the fact that “Tenants have been bought and sold so many times that many accept the right of the landlord to throw them out for no reason at all.” He reflected on why those who voted decided to leave: “some because they couldn’t stand the strain of waiting, others because they felt their careers might be affected by their participation, but most because they found somewhere suitable they could afford, and took it” (Wellington Tenants’ Protection Association, 1973f).

Picketing

A third method of direct action was picketing. Tenant protest groups picketed landlords or land agents' workplaces in an attempt to shame landlords or agents into acceding to their demands. They would gather at their workplace with details of poor treatment of tenants on banners and leaflets "usually to [the landlord's] extreme embarrassment" (Wellington Tenants' Union, 1976a). A People's Union activist recalled a successful example of a workplace picked outside a large shoe shop on Queen St where tenants and activists "set up right out front with all big signs and flyers saying "would you buy shoes from a bond-snatching landlord?" Within twenty minutes, the tenants had their bond back (Roger Fowler, personal communication, June 2012).

In another example, WTU supporters picketed the workplace of a landlord who had given his tenants notice after they applied for a reassessment of their rent at the Rent Board. As retaliatory eviction was an offence under the Rent Appeal Act, the landlord claimed that the notice was because the women had got a new flatmate without his permission, even though he had known about the fact previously. TPA supporters gathered outside his workplace and handed the following flyer to passers-by:

"One of Wellington's most unpleasant and greedy landlords works here in the IBM building. His name is Mr K. Wala, and he works as a clerk for Caltex... Wellington Tenants' Union condemns Mr Wala's attacks on his tenants' basic rights. We are holding this picket and pledge our support for the struggle of these tenants to force Wala to renew their tenancy" (Wellington Tenants' Union, n.d.-e).

While the flyers remain, it is unclear what the result of this particular picket was. The WTU newsletter reflected that such pickets – against Wala, a landlord, as well as land agents, were "a highly effective way of enforcing tenants' rights" (Wellington Tenants' Union, 1976b, p. 2).

Blacklisting

A fourth method of direct action was "blacklisting". Sometimes tenant protest groups threatened to blacklist certain properties, or the properties of landlords who had treated their tenants badly. The idea was that tenants would not rent a blacklisted dwelling, and the landlord's income would suffer. One tenant protest group argued that the threat of blacklisting made their work more powerful; landlords were "afraid that with a united

community their house could be declared 'black' and they have no income. So instead they are forced to make the necessary repairs and keep rents to a fair level" (People's Union, 1972).

One Wellington house was declared "black" by the Wellington Tenants Union. The WTU announced its blacklisting with a flag from its roof and a placard next to its front door. The WTU informed the landlord that new tenants would be considered "scab tenants".

"The ban will remain indefinitely on this flat regardless of whether a scab tenancy is formed or not. The ban will be lifted only when your client notifies the Union in writing that he will in future observe tenants' rights of privacy and rights of proper notice to quit, and makes adequate compensation to [the tenant] Mr Meltzer.... I would suggest to you that the demand is more than reasonable and the Union's action to date has been very modest considering that other properties of your clients could have been blacklisted too" (Thackery, 1979).

A journalist who followed some prospective tenants to the property observed that the blacklisting seemed to be working, at least for some tenants:

"The couple, who did not wish to be identified, said they would be 'giving this one a miss' because of the 'blacklisting', and returned the key to the agency" ("Claims of unlawful eviction result in blacklisting of flat," 1979).

However, given the small size of tenant protest groups and their resources, it seems unlikely that they would have been able to reach all potential tenants or indeed convince them that punishing a landlord was more important than having somewhere to live. Nevertheless, through their publications and flyers tenant protest groups were able to warn tenants against certain landlords or property agents. For example, one flyer told the story of a landlord and her land agent who had refused to return a tenant's bond money. The flyer noted that "tenants would be advised to steer well clear of them" (Wellington Tenants' Protection Association, 1973a).

Squatting

Finally, tenant protest groups engaged in direct action by squatting in empty government-owned houses. With this action they aimed to draw attention to the housing shortage and to settle families that could not find houses or lived in poor quality rental accommodation. Tenant protest groups shared information on the best and most effective ways to squat

("Squatting here and there," n.d.). They called for information from members, requesting that "If you know of any empty state houses tell us" (Wellington Tenants' Protection Association, 1973b). At one point the WTPA warned the government via the media that "unless 20 state houses [are] occupied in 48 hours [we] will occupy them" ("Squatter threat to state houses," 1974). As the activists explained:

"Many tenants are on the... waiting list [for a state home] and TPA is prepared to help families "squat" these houses. We think that four weeks is long enough for the State Advances to re-let, redecorate or repair a home. If they can't do it within a month, when there is a housing shortage, then they deserve to have their houses taken over. If nothing else, a few squats in their houses may make them speed up the red tape" (Wellington Tenants' Protection Association, 1973b).

In one example of a squatting action, Donald Glasgow, an unemployed invalid, his wife and four children contacted WTPA in regards to the poor conditions and unaffordability of their rental home. According to Mrs Glasgow, this "had no hot water, the electricity was not connected properly, the youngest child had to sleep in our room while another kiddie was in a sleeping bag on the floor" ("Kirk helps family of six to squat in Govt house," 1972). WTPA moved them into a vacant Ministry of Works house that they cleaned up. This was a successful move: Prime Minister Kirk said they could stay until the matter was further investigated. They were later placed in a state house ("Kirk helps family of six to squat in Govt house," 1972). The WTPA also squatted other Ministry of Works that year which had been unoccupied for five years as they were designated for motorway redevelopment. Eventually, according to that organisation, "the flats were renovated and let at reasonable rates to those in greatest need" ("Squatting here and there," n.d.).

Tenant protest groups were joined by other, looser arrangements. One activist, Tim Shadbolt, recalled that the poet James K. Baxter responded to the eviction of tenants from houses earmarked for development in Wellington by organising a group of "Slum Stormers" to reconnect empty houses with electricity, sewage and water. He claims to have moved in 50 families. Though the group prepared to prevent their eviction, eight years later the houses were still occupied (Shadbolt, 2012).

As local academics observed at the time, the fact that government owned the squatted homes "with the feeling in the city at the time... proved embarrassing." They noted that "it could be said that squatting, although illegal, became almost a legitimate mode of action"

(Bradley & Levett, 1973, p. 50). One student journalist concluded, contrasting those actors with politicians and academics, that “The squatters... have been the only people to produce an immediate solution to the housing shortage all year” (Franks, 1972).

7.4 Challenges to tenant protest

Some of the key challenges to tenant protest groups’ existence have already been signalled. Tenant protest groups were overwhelmed by the support work required of them. This had several effects. Firstly, it exhausted volunteers, absorbing their energy “like a punch bag” (Wellington Tenants’ Union, 1977b). One letter to a government official states that the organisation was tired of doing what should be the government’s work for no money:

“This organisation exists on unpaid volunteer labour, workers who because of the magnitude and urgency of the work are forced to subsist on bread and jam bought out of the donations that some of our ‘clients’ are able to pay. We do not charge anything for our services because (1) is it not something that people should have to pay for and (2) we know that people would be reluctant to seek help if they knew they had to pay for it” (Steele, 1975b).

Tenant protest groups sought funds from members, from unions, and from government. The WTU thought that unions could work effectively with tenant protest groups. One activist noted that “Housing is a legitimate area of interest for unions and our activity could assist in the process by which unionists will recognize the connection between wages, government policy and the housing set-up” (Wellington Tenants’ Union, n.d.-a). It also noted that working with unions could connect the group with “people who have more political potential than many of our present cases” allowing them “to link the tenancy struggle with other broader struggles which works to our own and the unions’ advantage” (Wellington Tenants’ Union, n.d.-a). In a letter to unions asking for funding, the TPA argued that “[Wellington] TPA can demonstrate the effective principles and reasons for unionism literally on a person’s doorstep” (Wellington Tenants’ Protection Association, 1975). In a letter to the Wellington Trades Council in 1977, the WTU explained that in a recent AGM they had decided to work within the structures of the union movement and laid out a proposal for how this might work (Wellington Tenants’ Union, 1977a).

Such overtures to the union movement did not result in coordinated activities. However, some records show that unions occasionally donated to individual protest groups (e.g. Wellington Tenants’ Protection Association, 1973g). In addition, the Wellington Drivers

Union passed a resolution that would prevent “one of its members assist[ing] any landlord or his agents in evictions” (Wellington Tenants’ Protection Association, n.d.).

Some tenant protest groups received government funding through indirect means. This led to controversy. A local organisation called Community Volunteers had received a grant from the Department of Social Welfare to fund the living costs of volunteers giving their time to community organisations. Under this scheme, one volunteer, Denis O’Reilly volunteered for WTPA, as well as Black Power. When Black Power damaged two Wellington flats, Denis O’Reilly’s work for WTPA also came under scrutiny. In a newspaper article, Prime Minister Kirk accused the TPA of exploiting tenants:

“I would like to warn prospective tenants, who may have been used to more responsible bodies in other cities, that the Wellington TPA does not have as its prime purpose the protection of tenants... Instead, it has as its purpose the exploitation of the tenant’s need for the publicity purposes of the Wellington tenants’ association” (“Kirk orders inquiry into tenant leader’s pay,” 1974).

Kirk ordered an enquiry into O’Reilly’s pay, warning, “If it is found that Mr O’Reilly is being paid from funds made available by Government, we shall want to know why and with what justification... It if it coming from other sources available to Community Volunteers, the Government will still want to know what is taking place” (“Kirk orders inquiry into tenant leader’s pay,” 1974).

The newsletters and publications frequently called for people to donate their time or money to the organisation. Tenant protest groups had to rely on volunteer labour to carry out their advocacy work. They were often unable to get tenants they helped to join the organisation or help with their political activities. One reflected that “Tenants are not becoming united, nor politicized, landlords are not withering under our assault, and we are for most purposes, not more effective than we were a year ago” (Wellington Tenants’ Union, n.d.-a). They speculated that there was a key problem in mobilising tenants: “Because of his temporary status of being a tenant he has never been particularly interested in trying to improve his conditions” (Wellington Tenants’ Union, 1978).

There were indications that, far from achieving a success and “joining the roster” as previously suggested, tenants did not become activists, or even appreciate the work of the tenant protest groups. Somewhat sadly, one tenant protest group concludes:

“It is difficult to run an organisation with so little feedback from those whose rights we are trying to protect. It requires a commitment to the belief that tenants are treated unfairly and that gratitude is not necessarily the reward we should be seeking” (“Christchurch report,” 1975).

Their opponents noticed the small size of the tenant protest groups, and argued that it signified that tenants had few problems. One landlords’ association argued that the low attendance of TPA meetings showed that “there is little demand from the 4-500,000 people renting in New Zealand for tenancy reform” (Canterbury Property Investors’ Association, 1983). A Housing Corporation employee who went along to a sparsely-attended TPA meeting “maintained that the depth of public interest [in the meeting] probably reflected the depth of the so-called housing crisis” (Bellamore, 1983).

Protest groups that had once sought to mobilise tenants had now become service providers. One internal document makes the transformation from protest group to service provider explicit. It was time to accept, the writer argued, that despite its radical origins and its history as a pressure group, it had now become a consumer protection organisation:

“WTU has traditionally had a somewhat radical policy with its aims of ultimately removing the landlord system and replacing it with a state-owned system of accommodation. The Union has been controversial in the past and has built a reputation of being a vigorous pressure group. Although many battles have been won, there has been little impact on achieving its ultimate aims. With WTU’s current size and facilities it has been felt a more moderate policy should be taken at least for the meantime. WTU’s practical role has in fact predominantly been that of consumer protection and it was time that we officially recognised this especially as no major political moves have been attempted for a considerable period of time (Wellington Tenants’ Union, 1978).

The People’s Union came to an end, announcing in its newspapers that the initiatives it had established – such as the bus service to Arohata prison – were able to stand on their own. The notice also acknowledged the discrepancy in its original intentions and what it had become: “We have tended to be seen as ‘supermen’ to be called at any time to handle any problems, whereas our aim is to encourage people to get together to fight their own battles” (People’s Union, 1979). Years later, a founding member recalled that the group had “become a big thing in itself – like an institution – which was really the opposite of what we

intended" (quoted in Carlyon & Morrow, 1998, p. 269). The food co-op was now a store that required a co-ordinator, quite different from the original vision of neighbours helping each other. The closure of the People Union was also a response to gentrification and generational change. One of the founders recollected that "The people moved out to South Auckland," he said. "So did we. We were having our first baby ... and we moved to Mangere East," where they bought a home (Collins, 2010).

The organisations that remained were no longer characterised by direct action or radical change. The Christchurch TPA, for example, by 1982 described just two functions: one to advise tenants, sometimes also providing advocacy, and the other to inform and educate tenants on their rights (Alston, 1982, p. 237). Funding was obtained for a number of employees (Horton, 2006). The professionalization of protest groups, and the shift in function towards service provisions, is part of a broader pattern of changing state-civil society relations. This trend has been investigated in the context of New Zealand by Larner and Craig (2005).

Nevertheless, the organisations that remained played an important role. Not only did they support tenants to access their rights, but they advised the government on improvements to tenancy law. In 1982 the Property Law and Equity Reform Committee reviewed the law relating to residential tenancies and recommend reforms. The report consulted with tenants organisations and noted that consideration of the law had been "strongly urged" by them (Property Law and Equity Reform Committee, 1985, p. 45). Indeed, their recommendations were in line with those set out by a worker at the Christchurch TPA (Alston, 1982).

In this period, rents received increased attention. The National Government (1975-1984) responded to the oil shocks and increasing inflation with interventionist policies, including a price freeze. Rents were frozen under the Economic Stabilisation (Rent) Regulations of May 1976, which required Rent Appeal Boards to also consider matters of "economic stability" in setting rents. These were in operation from August to December 1976, and again from June 1982. However, it was thought that the rent freeze did not control rents. In addition, the rent freeze was blamed for causing 12% of landlords leaving the rental market by 1985 (Bassett, 2008, p. 133). Nevertheless, tenant organisations feared that their lifting, announced by the new Labour Government in 1984, would lead to sudden rent increases (Ferguson, 1994, pp. 280–281).

The lifting of the rent freeze was also controversial within the Government. Therefore the end of the Rent Limitations Regulations (in March 1986) was accompanied by several measures to assist tenants. A member of that Government recalled that the main tactic was “to edge a significant amount of renters into the property market with Special Home Ownership Assistance Loans”, introduced in April 1985 (Bassett, 2008, p. 134). In addition, the government introduced rent supplements for beneficiaries and prepared to pass the Residential Tenancies Act, which, as indicated previously, had been in preparation for several years.

The Residential Tenancies Act 1986 (RTA) was similar to Acts recently passed by Australian states. This Act clarified the law governing the relationship between landlord and tenant by bringing together different pieces of relevant legislation. It set out the rights and responsibilities of tenants and landlords, including Housing New Zealand, the landlord of state tenants. It directly addressed concerns about affordability, security and quality, for example (and as outlined in Chapter 3), by requiring landlords to keep the property in a reasonable state of repair, by limiting the frequency that landlords could raise rents, and by setting out the amount of notice required for ending a tenancy. It also set up a scheme under which tenant bonds would be lodged with the government, rather than the landlord. Some of the interest from bonds went towards funding the administration of tenancy legislation. This included providing information about tenancy law, and providing mediation and courts (Tenancy Tribunals) to settle disputes between tenants and landlords (Ferguson, 1994, p. 282).

The RTA was passed by a Labour government which transformed “what had probably been the most protected, regulated and state-dominated system of any capitalist democracy to an extreme position at the open, competitive, free-market end of the spectrum” (Nagel, 1998, p. 223). These measures included including: corporatisation and privatisation of state-owned enterprises, floating the New Zealand dollar, removing controls on foreign exchange, introducing a Goods and Service Tax, reducing income and company tax, reducing import tariffs and farming subsidies. Ferguson has pointed out that at first glance, the RTA seems to go against the prevailing economic philosophy, as it provides for more government intervention, and clearly sets out how the rental market is regulated. However, she argues that the RTA “signalled a shift to the idea of controlling the activities of the private market without the need for a public housing stock to protect tenants” (Ferguson, 1994, p. 282). Another scholar, a housing worker during the 1990s, similarly noted that “While many

tenants' advocates celebrated greater legal protection, from the Government's point of view this protection for private renters also lessened the need for public housing" (Campbell, 1999, p. 9).

Tenant organisations saw a solution to their funding difficulties in the RTA. As mentioned, the interest from tenants' bonds went towards the administration of the new legislation. Tenant organisations were "strongly critical of the setting up of a public utility that is funded by one sector of the community" (Chamberlain, 1987a). Instead, they argued that, as in Australia, the interest earned from the new bond scheme should be used to support tenants' advocacy. As one stated, "the interest earned should be spent for the benefit of tenants, for example: by making grants available to tenants' protection bodies, by encouraging research into tenancy law and publication of resource materials for tenants, by undertaking a public campaign of education about tenants' rights and obligations, and by ordering monetary compensation to tenants where appropriate" (Porirua Community Law Centre, 1983).

The government, at least at first, appeared to agree. On introducing that Bill to Parliament, Housing Minister Phil Goff said that once the bond scheme was established, "further consideration will be given to the return of any profit to tenants" (Goff, 1986, p. 6897). Reporting on a meeting with the Housing Corporation's Ron Kelly, the WTPA told the ATPA that "he gave us an assurance that when Tenancy Bond is financial, he estimates in about two years, that it was his intention and the intention of the current minister to hand over money to use, in the way that Australia does" (Chamberlain, 1987b). With this in mind, "the general feeling that we came out with was that the new bill could mean not an end to [tenant organisations] but as a revitalising influence to shift us into more effective areas of action-education, research and lobbying rather than being bogged down in casework" (Wellington Tenants' Union, 1986). Disappointingly however, while some funding was provided for tenant education, it lasted for only a short time after the establishment of the RTA. Thus, the RTA was not the "revitalising influence" that the tenant organisations had hoped for. In subsequent decades, they continued to note the importance of advocacy services and to call for more funding for advocacy (Gibson, 2008).

The tenant protest groups that had met in 1979, aware of the arrival of the legislation, has noted that it would not solve many of the problems that tenants faced. The minutes noted that it was

“Generally agreed that the creation of a bond trust and of more small claims courts were not worthwhile goals of the movement nor would they solve the problems that tenants face” (Waikato Tenants’ Protection Association, 1979).

While tenant advocates were pleased that the law regarding tenants and landlords had become clearer, they perceived that requiring tenants to enforce its provisions was problematic. As the WTU put it on viewing the draft bill, “the problems connected with all legal proceedings will remain in that it is unlikely that low-income Pacific families, those who really need protection, would use the service” (Wellington Tenants’ Union, 1985). Tenant organisations would not have been surprised to see that problems remained after the RTA was passed. The issues that tenant protest groups lobbied government on in the 1970s – lack of enforcement of regulation, and insecure occupancy which meant reporting issues endangered tenants’ homes – continued, and continue up to this day, as discussed in Chapter 10.

7.5 Discussion

The passing of the RTA is an appropriate time to close this chapter. Tenant protest in this era passed through several phases. In the late 1960s, New Left activists, many of them students, responded to issues at home and abroad by organising together. Housing conditions and rents were one of many issues that came to the fore. In the early 1970s, a number of protest groups were established to work on tenant issues. Although never as large as some of the other identity-based social movements of the era, tenant activists were interested in the potential of tenants to mobilise together to represent their interests. As students, they were tenants themselves, and they sought to work together with tenants of low incomes, many of them Māori and Pacific.

In this phase of tenant protest, the groups gave different priority variously to direct action, the provision of advocacy services to tenants, and political lobbying. Each of these tranches nevertheless contributed to the others. Helping tenants (through direct action or advocacy) was thought of as a way of mobilising tenants, and a process through which tenants could become an important political force. Political change could bring about better circumstances for all tenants. Direct action could bring attention to the issues facing tenants and thereby increase the likelihood of political change. Finally, direct action and advocacy were a way to bring about concrete improvements in the lives of tenants. As direct action declined in the late 1970s, some of the groups folded and some groups acknowledged that they no longer

represented tenants but rather provided tenants with services. As noted in the literature review, this is an experience they shared with tenant protest groups in other times and places, from Birmingham in the 1920s to New York City in the 1970s.

The social movement literature provides insights into some of the events related. The intentions of those involved – some of whom, while tenants, were not necessarily affected by poor conditions – make it clear that activists were motivated by working towards what Hirschman called “the public happiness”, rather than a necessarily material reward. As one activist recalled, people politicised by anti-war protests wished to also work against injustice at home. The fact that people who worked on tenant protest were closely connected with other social movements at the time emphasises the importance of a more general commitment to progressive causes expressed in an “activist identity” which brought people together (Flacks, 1990).

Activists working together on tenant issues were interested in the idea of mobilising the tenant population, which they thought could bring about improvements to their conditions. To some extent, they saw their role as making tenants aware of injustices and their capacity to challenge them. As one tenant activist explained, they could “play a big role in getting the tenant angry enough to rent strike by pointing out the extent of the rip-off” (Wellington Tenants’ Union, 1977b). In this situation, and to reference Lukes, the activist saw his or her role as making the invisible influence of power visible, and bringing the conflict of interests out into the open. However, tenant activists were disappointed in the results of their efforts: their movement remained small, and many tenants they worked with did not get involved in tenant protest. There was no indication of tenants developing a collective identity and, through militant action, becoming “a force to be reckoned with” (Brown, 1979), in the words of one activist.

An additional reason for the lack of growth of the tenant movement may also be its lack of resources. Tenant protest groups were small, and some became overwhelmed by the extent of the demand for their services. They were not able to retain the volunteers necessary for this work. Tenant protest groups sought financial resources from unions and from government, but were not successful.

Contrary to the previous chapters, a decline of opportunities to exit into homeownership does not closely relate to the initiation of tenant voice. This period was not characterised by a decline in home-ownership. Rather, as noted, the entry of activist students to the cause of

tenants seems to be the most important factor. Nevertheless, Hirschman's exit-voice framework offers insight into some of the difficulties experienced by tenant protest groups. The reports on the Rama rent strike and Blythewood Flats eviction resistance both note that they ended when tenants moved to alternative accommodation. While tenants were willing to exercise voice, there was a point where exit became a better option for them. When tenants exited, voice – tenant protest – ended. While presumably this was a better result for the tenants than remaining in conflict with the landlord, in both situations the tenants that replaced them paid increased rents. Exit failed to improve the lot of tenants as a whole.

The end of tenant protest, and the transformation of protest groups into service organisations, can also be understood with reference to Hirschman's framework. The importance of the student protestors of the early 1970s to tenant protest may have meant that tenant protest suffered when their cohort moved into homeownership. Many of the key activists were students at the time the organisations were founded, in the early 1970s. It is possible that a decade later, they were in a different stage of life. An American study of people active in progressive causes in the late 1960s and early 1970s found that many had become less involved in those causes by the 1980s:

“For many, activist commitment declined at about age 30 as marriage, childrearing and career orientations took priority. This shift may have much to do with life-cycle factors - but also has to do with a changing political and economic climate in the eighties that reduced opportunities for effective political work of the kind these people had been pursuing” (Flacks, 1990, p. 289).

Many activists remained involved in other types of political work. It is possible that, alongside shifting their concerns to other responsibilities (such as family), tenant protestors ended their tenant work because they were no longer tenants. For a student who began participating in tenant protest in the early 1970s, moving into a home in the late 1970s would have coincided with the “housing career” – albeit the idealised version - of the time, where people moved into their own home in their late 20s, in time for childrearing (Thorns, 2009). The number of homeowners hovered around the 68 to 72% mark from 1961 to 1991 (Schrader, 2015). In Hirschman's words, collective voice might have suffered with the exit from the tenure of key tenant leaders – who, as former university students, were probably able to buy their own homes.

Tenant protest contributed to the achievement of legislation. The actions of the protest groups in the early seventies has been linked to the introduction by the 1972 Labour government of rent appeal boards and increased funding for state houses and home loans (Bradley and Levett, 1973). Subsequently, the advocacy of the groups that remained in the early 1980s contributed to the passing of the Residential Tenancies Act in 1986 (Property Law and Equity Reform Committee, 1985). These pieces of legislation strengthened and clarified the rights of tenants, offering them improved recourse.

However, both pieces of legislation failed to address key problems in the rental sector. Tenant protest groups pointed out that the regulation of the 1970s was ineffective because the council could not be relied on to investigate breaches to its bylaws, and because the Rent Appeal legislation relied on tenant enforcement. Sometimes, tenants did not know about their rights. If they did know about their rights, asserting them was difficult because of the administration involved, and most importantly, because it risked their tenancy. Voice might result in eviction, or in condemnation of the house. In both situations, the tenant would be worse off than had they not spoken out. This made it more rational to exit. The problems of the 1986 legislation, as foreseen by tenant protest groups, are comparable, because they also rely on tenant voice. The legislation only protects those who are in secure enough position to use voice. It is in such cases of market failure – where “consumers are assumed to be in an inferior and impotent position in which neither exit or voice on their part is likely to perform as an adequate protection of their interests” that “some form of public intervention or self-policing...seems to be the answer” (Hirschman 1974, 12).

Despite the problems that remained in rental housing – and which, as Chapter 9 covers, remain today – the impact of tenant protest groups in this era should not be underestimated. Tenant protest groups recorded that their advocacy, service, and direct action work improved circumstances for many tenants. They helped some tenants to access improved housing and lower rents, both of which contribute to improved health outcomes. These activities also contributed to their lobbying work, which helped contribute to legislation that made the rights of tenants clearer.

8 State tenant protest against housing reform (1991-1999)

In 1991, the Government announced that the New Zealand housing system would be radically reformed. One aspect of the reform was the introduction of market rents to state house tenancies. This chapter chronicles the state tenant protest that responded to the reform. From 1991 to 1999 a number of protest groups, including the State Housing Action Coalition (SHAC), drew attention to the negative effects of the reforms. Many tenants paid more than they could afford in rent. Crowding and residential mobility increased. Each of these factors has an impact on the health of state tenants. By working for the return of income-related rents, and for the expansion in state housing stock, protest groups sought to improve the housing circumstances, and the health, of state tenants.

To date, scholars have for the most part focussed on the housing reforms themselves, rather than the tenant response. However, where tenant protest has been considered, there is disagreement over the extent and importance of protest. One scholar argues that “apart from a few exceptions, the public showed itself unwilling to defend the existing housing policy”, which was “in contrast to health and education, where the momentum of influential workers and consumers generated additional public support” (Campbell, 1999, p. 156). In another perspective, while the reforms themselves were implemented with “little effective opposition... in contrast to other areas of welfare reform, the Government’s housing policies encountered significant resistance in terms of several legal challenges and a partial rent strike” (Murphy, 2004, p. 124).

In this chapter, I first consider the state tenant population prior to reform. This also provides an update on housing policy since the last chapter. In the second section I look at the housing reforms announced in 1991, the adjustments made to them in following years, and how the reform affected the state tenant population. In the third section, I turn to state tenant protest in this period, which consists of a rent strike, eviction resistance, and legal challenges. In the fourth section, I consider the relationship between the state tenant protest group and other opponents of housing reform, such as the Labour Party and organisations in the voluntary sector. Finally, I analyse the effects of state tenant protest in this period, and discuss its relevance to the research question.

Tenant protest in the 1990s took place in the context of the broad restructuring of welfare state provision in advanced capitalist economies. Tenant protest in New Zealand should be seen, as previous scholars have (Hamed, 2011), in the context of other movements of the

1980s and 1990s that responded to drastic shifts in New Zealand's economy and society (Locke, 2007). Worldwide, housing was but one of many areas of dissent (Della Porta & Diani, 1999, p. 46). In the United Kingdom, council tenants mobilised against the transfer of council housing to housing associations (Mooney & Poole, 2005). As Bradley (2009, 19) describes it, "[council] tenant collective action was one strand in a proliferation of social movements characterised by campaigns of service users against the bureaucracy of the welfare state". Marcuse (1999, p. 69) describes tenant protest in the US at the time in similar terms: "largely defensive and fragmented actions" by people increasingly excluded from housing as economies changed. Both descriptions seem to apply to the state tenant collective action in New Zealand: the users of housing protesting against changes in its provision.

I drew on a number of sources in the process of this research. While there are a number of articles looking at housing policy changes in this era, only one mentions state tenant protest (Murphy, 2004). Two theses cover aspects of state tenant protest, both of which drew on interviews with those involved in tenant protest (Campbell, 1999; Hamed, 2011).

Additionally, I relied on media accounts from mainstream newspapers as well as newspapers produced by the Communist Party, which was closely associated with SHAC, the principal tenant protest group. The latter were accessed at the organisational archives in Onehunga, Auckland.

8.1 The state tenant population prior to housing reform

In 1986, just prior to the major reforms which would prompt state tenant protest, the Housing Corporation owned 70,000 dwellings - approximately 5.3% of New Zealand's total housing stock (Murphy & Kearns, 1994, p. 627). The majority of this population was low-income. Like other dual rental markets, New Zealand's state housing had become increasingly residualised – limited to only the poor and vulnerable. Although at its establishment in 1937, state housing was envisioned as providing accommodation at cost price for working families, governments had increasingly reserved state housing for groups with particular needs who could not afford to own homes and who were not easily accommodated in the private rental market (Ferguson, 1994).

The right to buy state homes had also contributed to the residualisation of state housing. Many tenants with high incomes had bought their homes, which meant that those that remained were those too poor to buy. The right to buy state homes was introduced by the

National government in 1950. State houses were sold at high rates from 1951-1957. Tenants were offered generous terms to buy their homes: 40-year mortgages on a 5% deposit at 4% interest, or 3% if the tenant agreed to continuously own and occupy the property. Sales dropped under the Labour government 1957-1960. Sales rose when National returned to power in 1960 and allowed tenants to capitalise on their family benefit in order to buy homes. They jumped again in 1968 and 1972 in response to state rent increases and a booming property market. Most state house sales were curtailed under a Labour government in 1975. Sales rose again from 1980, when the National government reduced the minimum deposit required to buy a state home from 20% to 5% or 10% of its value. State house sales were halted from 1984 to 1986 under a Labour government. As it was only those with sufficient funds who were able to purchase the home, the right to buy meant that higher-income tenants had steadily left the sector (Schrader, 2005).

Once in state housing, people were relatively secure. In 1990, for example, the Housing Corporation's terms of references were "to ensure that all New Zealanders, particularly those with serious housing needs, have access to housing with secure tenure, which they can afford and which suits their needs" (quoted in Murphy & Kearns, 1994, p. 627).

In 1988, reflecting their low incomes, Māori, women, single parents, and low-income people were disproportionately represented in the state tenant population. Twenty six per cent of state tenants were Māori. One third of state tenants were aged between 16 and 34. A high proportion of these were lone parents – there were almost twice as many females as males in this age group. Twenty eight per cent of state tenants were aged over 60, and 57% per cent of state tenant households had incomes of less than \$20,000 (Bathgate, 1988, cited in Murphy & Kearns, 1994, p. 628).

The fact that most people in state housing were poor affected the status of state housing. Schrader has argued that the increasingly negative stereotypes of state tenants were a result of a longstanding "prejudice against the poor"; state housing came to have "a low public image because some of New Zealand's poorest people live in state houses" (2006, p. 162). Similarly, and citing Murie's work in the British context (1982, 1991, 1991), Murphy and Kearns point out that the residualisation of state housing is linked to its policy marginalisation. Governments are less likely to prioritise state housing, and people that are in state housing are those least able to assert political will in its defence (1994, p. 628).

As I go on to discuss, the housing reforms that were announced in 1991, and implemented from 1993, would have devastating effects on the state tenant population. First, however, it is worth noting that state tenants were also struck in this period by a number of other measures that particularly affected beneficiaries and low-income workers. Economic restructuring sought to reduce the role of the state in the economy and enable New Zealand to participate in the global economy. This began under the Labour Government (1984-1990) and continued under the National Government (1990-1999). The reduction of personal taxes in order to encourage entrepreneurship and consumption, and the introduction of a Goods and Services Tax (GST), increased the tax burden of low-income people. Other key changes included the deregulation of the financial market, the privatisation of key industries, and the removals of subsidies and tariffs. These changes, combined with a global recession, contributed to a rise in unemployment – from four per cent in 1986 to 11% in 1992. Māori, who were disproportionately employed in government-managed industries, particularly suffered in the economic restructuring. Māori unemployment increased from 4% in 1986 to 26% in 1992 (Pollock, 2015). Economic restructuring also contributed to a decline in wages. Real median hourly earnings for wage and salary earners fell by eight per cent from 1984 to 1994 (Dixon, 1996). The Employments Contracts Act increased job insecurity and reduced the power of unions to negotiate wages (McClure, 1998, p. 243). Benefit reforms from 1990 meant that the disposable income of beneficiaries fell from 72% of the average disposable income in 1990 to 58% in 1993 (Kelsey, 1997, p. 277).

Despite radically reforming other parts of government, the Labour Government made no major changes to state housing policy, aside from of course, the Residential Tenancies Act 1986, which applied to both private and state tenants and was discussed in Chapter 7. However, one policy shift under Labour prompted a response in state tenants. Since 1961, state tenant rents had been related to income, but had a somewhat arbitrary ceiling. The fact that incomes were related to rent meant that some tenants on high incomes paid well below market rates. The Labour government sought to change this in June 1987 by introducing graded rents, which introduced an upper limit of rents based on the market rent (McTaggart, 2005). This reduced the net cost of subsidies because it meant that tenants who could afford to paid market rents or close to it (Dodson, 2007, p. 104).

For some tenants, this represented a rise in rent that contributed to hardship. In Porirua, state tenants went on rent strike in response to the introduction of the new rents in 1987 (Ferguson, 1994, p. 249). The rent strike was a failure, with state tenants subsequently

having to pay back their arrears (Campbell, 1999). Tenants were to organise again in response to a far larger policy shift under the next government.

8.2 State housing reform and its effects

In the 1991 Budget, the new National Government announced major reforms to housing policy, which were legislated for under the Housing Restructuring Act 1992. The Housing Corporation, which had previously held mortgage portfolios, managed tenancy legislation, provided policy advice, and rented out homes to state tenants, was massively restructured into a number of organisations. Most relevant to state tenants was the fact that their landlord became Housing New Zealand, a crown-owned enterprise that was required to return a profit. Housing New Zealand's legislative objective was to "operate as a successful business that will assist in meeting the Crown's social objectives" (Housing Restructuring Act 1991, s4).

As part of these changes, state tenants were to pay market rents, rather than rents related to their income. Their rents would increase to market level over a period of several years. In order to assist them to pay market rents, all people (state tenants, private tenants, mortgage holders) with high housing costs relative to their income were eligible for an additional benefit, the Accommodation Supplement. People who paid more than 25% of their income on rent (or 30% of their income on a mortgage) qualified for this benefit. The government thought that income supplements were a fairer way of providing housing assistance. Prior to the reform, private tenants received less assistance from government than state tenants, even though some private tenants had lower incomes. It was also thought that by attaching housing assistance to individuals, rather than houses, tenants would be encouraged to move into houses that better fit their needs and their capacity to pay. In this way the market would provide the solution to the problem of "mismatch", where some single tenants lived in large houses, and some families crowded into houses that were too small for them. The reforms, its proponents claimed, would encourage independence, choice and responsibility for state tenants (for more discussion of the housing reforms, see Kuila, 1993; Luxton, 1991; Murphy, 1997, 1999; Thorns, 2000).

The government implemented the reform more or less as envisioned. However, in response to public pressures, which are discussed later, three adjustments were made. First, in 1992, the government introduced some tenure protection for the elderly. The elderly were among those most affected by the policy to ameliorate 'mismatch'. The theory that the reform

would enable single people on low incomes to move on from their large state homes, freeing them up from others, proved to be unfounded. There were insufficient numbers of small units, and as they had no place to move to, this group were forced to pay rent beyond their means (Thorns, 2006, p. 22). From 1992, these tenants were protected somewhat. The Tenure Protection Allowance provided extra funds to state tenants over the age of 65 who had been tenants prior to 1999, which made it easier for them to pay their rent (Murphy, 1997, p. 271).

Second, the government responded to public pressure by slowing down the planned rent increases. After the 1993 election, in which the National Party was re-elected, the new Housing Minister Murray McCully froze the fourth round of rent increases (Campbell, 1999, p. 139). In the 1996 election (the first under the new electoral system of proportional representation) the small populist party New Zealand First, which had a high level of support from the elderly, formed a coalition government with the National Party. After that election, a rent freeze for state tenants was instituted while the government reassessed its policies. While the government did not adjust the thrust of the reforms the Accommodation Supplement was increased and Housing New Zealand's statement of intent was reworded to more strongly emphasise its social role (Murphy, 2004, p. 124).

Finally, there had been a decline in state-owned houses after large numbers were sold off in order for Housing New Zealand to meet its commercial objectives. From 1992 to 1999 the number of state homes reduced from 69,928 to 58,866 (Thorns, 2006, p. 22). Responding to criticism of the fact that many of the initial sales were to private investors, the government began to place more emphasis on the Home Buy scheme, which enabled state tenants to buy homes. The Housing Corporation offered a suspensory loan worth 10% of the purchase price (up to a maximum of \$15,000) (Murphy, 1999).

The changes partially responded to the negative effects of the reform as reported on by the media, academics and social service organisations, as well as the advocacy by the groups that are the focus of this chapter. In spite of the Accommodation Supplement, a large proportion of people experienced increased affordability pressures. This was partly because many of the people entitled to the Accommodation Supplement did not receive it. For example, in 1997, only 65% of those eligible received the supplement (Murphy, 1997, p. 277). In addition, the introduction of market rents to state tenancies, and the additional income of the Accommodation Supplement for private tenants, contributed to a general

increase in rents. In the Auckland region, the proportion of houses that were rented out in the range of \$200-\$299 increased by 20% from 1995 to 1996 (Thorns, 2000, p. 135).

State tenant rents obviously increased rapidly, as for most people the market rent, even with the additional income from the Accommodation Supplement, was higher than their old rent, which had been limited to 25% of their income. Department of Social Welfare figures predicted that with the changes in rent, more than a third of state tenants would pay more than half their incomes in rent ("Luxton disputes rent ratio claim," 1993). This was borne out: in a 1996 survey of 99 Māori people who had all lived in state housing in 1991 (paying 25% of their income), 80% paid more than 30% of their after-tax income in rent. Thirty per cent paid more than 50% of their income in rent (Waldegrave, Love, & Stuart, 2000). From 1992 to 1999, rents for people in state housing increased by 106%, while rents for other tenants increased by 23% (Murphy, 2004, p. 122).

The reforms had a number of effects on state tenants. First, high rents forced people into inappropriate housing. The Family Centre produced a report calculating that there were 15,700 single people and 33,100 families in serious housing need (Waldegrave & Sawrey, 1993, p. 6). This was backed up by a leaked Ministry of Housing Report which calculated that there were between twenty and thirty thousand people living in substandard, overcrowded, temporary, or unaffordable dwellings (Boy 1995, quoted in Dodson, 2007, p. 155). Anecdotal accounts revealed that people had family to stay for long periods, or remained in housing smaller than their needs because of high housing costs (Waldegrave et al., 2000). Second, people moved more often. In 1999, 60% of state tenants had lived in state homes for less than five years, and a quarter had lived in state homes for less than a year. As one scholar pointed out, such high turnover is "likely to have had significant deleterious effects on community cohesion within Housing New Zealand neighbourhoods" (Murphy, 2004, p. 121).

In some communities, however, state tenants gathered together to protest the reforms. This is the subject of the next section.

8.3 State tenant protest

This was a difficult time to organise. As outlined in the previous section, housing reforms affected tenants after a series of other reforms had reshaped New Zealand society. Murphy and Kearns noted at the time that "with all social classes being hit with health, education and tax reforms, the problems of state tenants attract few defenders" (1994, p. 634).

Despite the difficulties, non-governmental organisations (NGOs) and opposition parties

strongly advocated against the reforms. These will be discussed in a subsequent section. In this section, I look at how state tenants themselves became involved in actions against the reforms.

There were a number of phases of state tenant protest in this era. First, I look at the 1991-1992 period, where various Auckland groups sought to organise tenants against housing reform. Second, I discuss the Sue Morrison court case. Third, I explain the beginning of the six-year rent strike, and Housing New Zealand's response to this. Fourth, I discuss the instances of direct action from the period of 1993 to 1996: the on-going rent strike, eviction resistance, and state house sale disruption. Fifth, I look at the case brought by one group along with Joan Lawson against Housing New Zealand, which coincided with a decline in direct action. Sixth, I discuss the final, high profile eviction resistance, which took place just prior to the 1999 election.

8.3.1 Early direct action by various groups

There were a number of direct actions undertaken soon after the reforms were announced. In September 1991, there was a protest at the eviction of a state tenant at Orakei. Members of the Poverty Action Coalition (PAC) and neighbours attended the protest (Communist Party of New Zealand, 1991). In May 1992, when another Orakei family with rent arrears of \$5,000 was threatened with eviction, the State Housing Action Coalition (SHAC), the Orakei Community Action Group and PAC organised a "defence picket" against the eviction (Communist Party of New Zealand, 1992b). Later that month, 70 people picketed the Otahuhu Tenancy Tribunal as Housing New Zealand took a case against the Samani family because they were not New Zealand residents (Communist Party of New Zealand, 1992b). The Samani case went to the district court. On 9 June about a hundred people, including striking Pacific Steel workers, rallied at the Otahuhu Court House, and the eviction order was adjourned (Communist Party of New Zealand, 1992c).

In November 1992, the Combined Beneficiaries' Union (CBU) and PAC called a public meeting to discuss the idea of a rent strike against the next rent increase for state tenants, of up to \$20, the following month. Twenty-seven organisations were represented at the meeting, indicating the breadth of concern. They included: the Superannuitants' Association, Anglican, Methodist, Catholic, Baptist and Salvation Army organisations, the People's Centre, the Public Service Association (PSA), the Auckland Tenants' Protection Association (ATPA), and SHAC. An unidentified Housing New Zealand employee, speaking as a PSA delegate,

urged people to be careful in their advice to state tenants: "Please remember how vulnerable they are... A lot of them will have nowhere to go" (Young, 1992). While recognising that state tenants were suffering, she believed that the focus should be advocating for increases to the Accommodation Supplement (Young, 1992).

Most people at the meeting agreed that while they could not encourage a rent strike, they could support people who made this choice. Others at the meeting strongly supported the idea of a rent strike. Where those organisations differed was in their timing. Peter Hughes, speaking on behalf of SHAC, said his organisation has been organising a partial rent strike for the last nine months, and that he did not believe one should begin until at least 2,000 people were taking part. This would encourage people, as they would understand they were part of a large action. The CBU and PAC agreed to work together with SHAC (Young, 1992).

SHAC had been founded in early 1992 by Communist party activists. They distributed pamphlets detailing the reforms to state housing communities and organised a series of meetings for state tenants and supportive groups (Hamed, 2011, p. 38). The membership included members of the Communist Party, the Socialist Workers' Organisation, the CBU, the ATPA, and about 150 state tenants (Jago 1995, 156). They agreed on three key aims: to prevent the sale of state houses; to oppose market rents in state houses; and to increase the supply of state houses. They had a plan for how this would work, which was never borne out in reality:

"To conduct a successful rent strike and anti-eviction struggles, SHAC will help to establish street committees and area organisations linked by a representative central body" (Communist Party of New Zealand, 1992a).

SHAC subsequently became a key spokesperson for the issues facing state tenants, and organised a number of events. Their association with the Communist Party would cause concern for some. A journalist said that "In SHAC's battle with government [state tenants] became cannon fodder" (Corbett, 1993, p. 85). A Housing New Zealand official described it as "classic Little Red Book stuff" (Corbett, 1993, p. 84). Certainly, political ideals motivated some of the key activists. One SHAC member said, "I think it really inspires you, when you see yourself as a revolutionary socialist all your life, and you are actually in a grassroots campaign..." (quoted in Hamed, 2011, p. 45). Nevertheless, many people involved in SHAC actions were simply upset with the rent increase, rather than committed Communists. A tenant could be seen as a "political pawn" (Corbett, 1993, p. 82), but she or he could also be

seen as simply wanting to work against market rents and state house sales. SHAC tried to emphasise the latter: as one journalist reported of Len Parker's resistance to his eviction, those involved "deny it is a political move by the Socialist Workers' Organisation. They say [they]...are merely supporting Mr Parker" (Collie, 1999).

The tenant protesters drew inspiration from the events discussed in Chapter 6, as had unemployed activists in the 1980s (Locke, 2001). One piece, in the Communist Party newspaper, argued that "The working class also needs to organise mass actions, like those of the Anti-Eviction League, and promote their own class politics and organisation" (Parker & Morgan, 1999). Similarly to their predecessors in the Communist Party of the 1930s, 1990s activists thought that rent strikes could pave the way for people's involvement in more radical struggles. One reflected that

"Whether it's state tenants on a partial rent strike, students protesting tertiary fees or nurses striking over pay and staffing, struggle is on the agenda. And small struggles can create the conditions for big ones. A minority of people are sick of what's going on and are ready to fight to change things" (Cross, 1999).

While SHAC and its supporters continued to work on organising state tenants, state tenants took the government to court over the legality of their rent increases.

8.3.2 First legal challenge: Morrison v. Housing Corporation

During its restructuring into a number of new organisations, the Housing Corporation began the transition to market rent for state tenants by introducing the first round of rent increases. However, a technicality invalidated the rent increase procedures. A Wellington tenant successfully challenged the rent increase in the Tenancy Tribunal. Subsequently, the CBU supported Sue Morrison and 245 other tenants to challenge their rent increase at the Auckland Tenancy Tribunal. The court ruled in the tenants' favour, awarding them \$60,000 in rent refunds. The Housing Corporation appealed the decision at the district and high courts, but lost their cases. It was found that most rent rise notices issued since April 1987 (when the RTA was introduced) were invalid. If a class action were taken against the Housing Corporation, the Government would be liable to compensate state tenants \$290 million (Campbell, 1999; Murphy, 2004). To prevent this, the government quickly introduced retrospective legislation (in the form of the Housing Amendment Act 1992) to make all post-1987 rent notices legal. This action was roundly condemned. Several representatives of the voluntary sector complained that the law breached the Bill of Rights (Young, 1993).

While the retrospective legislation prevented a mass payout to tenants, the case had effectively drawn attention to the issues facing state tenants. It may have also influenced the government's decision to limit the third round of rent increases soon afterwards (Campbell, 1999).

8.3.3 Partial rent strike

The next major action undertaken by state tenants against the housing reforms was a partial rent strike. SHAC called for state housing tenants to cut their rental payments to 25% of their incomes from September 1993. The Government responded to announcements of the rent strike with cynicism. Not long before the rent strike was set to begin, Housing Minister John Luxton noted the lack of attendance at SHAC meetings in Napier and Christchurch, and said he "doubt[ed] that the rent strike will take place" (Luxton, 1993).

It is unclear how many people participated in the partial rent strike (Murphy, 2004, p. 124). There is a range of different figures. In 1993, a SHAC spokesperson said that 139 SHAC members were on rent strike (Moxon, 1999). SHAC's spokesperson, Peter Hughes, recalled that the rent strike began with fifty participants (Campbell, 1999, p. 130). Another SHAC member claims that the rent strike involved, at its peak, "untold hundreds, it could have been thousands" (quoted in Hamed, 2011, p. 40). In July 1999, Housing New Zealand said that fourteen people had begun the rent strike in 1993, of which nine had remained on strike (Housing New Zealand, 1999).

The discrepancies in numbers might be the result of different interpretations of a rent strike. Some people may have paid partial rent as a political action, while others simply fell behind on their new rents. One SHAC member said that numbers were unclear partly because tenants did not always publicise the fact that they were on strike: "a lot of people informed us that they were on it, a lot of people just went on it anyway, on the basis there was this movement there that they could fall back on if they got into trouble" (quoted in Hamed, 2011, p. 40).

Regardless of whether a tenant chose against paying rent as a political action or simply could not pay rent, one SHAC member recalled that publicising the non-payment of rent was an important action that could be taken against the policy reforms:

“If the tenant’s rent was unaffordable, the eviction was inevitable anyway and the rent strike would assist in publicising resistance to the new regime” (quoted in Dodson, 2007, p. 156).

Luxton said that in calling for tenants to refuse to pay rent, SHAC was behaving irresponsibly:

“I hope that the organisation called the State Housing Action Coalition, which claims that it has the best interests of state housing tenants at heart, will give the same degree of publicity to the negative consequences of joining a rent strike as it has done to promoting the strike” (Luxton, 1993).

The Minister noted that “there are no provisions in the tenancy agreement into which tenants entered with Housing New Zealand to alter unilaterally the amount of rent they pay” (Luxton, 1993). He warned that striking tenants must prepare for eviction; they “must take responsibility for their actions under the Residential Tenancies Act, which sets out the procedures for the non-payment of rent” (Luxton, 1993). The eviction of tenants for non-payment of rent constituted another opportunity for SHAC to draw attention to their opposition of the housing reforms through resisting eviction.

8.3.4 Direct action against state house sales and evictions, 1993-1996

SHAC organised pickets to support tenants as they were evicted for non-payment of rent. According to the Communist Party newspaper, at least, these had some success. In March 1993, SHAC organised 80 people to successfully defend Janine Langley of Orakei against eviction. However, Housing New Zealand denied they had plans to evict Langley (Communist Party of New Zealand, 1993a). That same month, in SHAC’s only reported instance of action for a homeowner, SHAC activists rallied to prevent a Housing New Zealand mortgagee sale of a Mangere family who had lived there for 25 years (Communist Party of New Zealand, 1993d). In April 1993, 100 SHAC supporters prevented the eviction of the Tuala family of Mt Roskill. The next day they organised a victory motorcade (Communist Party of New Zealand, 1993b). However this was not a victory for income-related rents as such: it resulted in an agreement for regular payments of market rent arrears (“Family to pay house debt at \$20 a week,” 1993). In August 1994, in what appears to be SHAC’s only action on behalf of a private tenant, SHAC assisted a Manurewa family to barricade themselves in their home to prevent their eviction (Communist Party of New Zealand, 1994c, 1994d). Finally, in

November 1995, SHAC supported two instances of eviction resistance (Communist Party of New Zealand, 1995).

SHAC also sought to draw attention to state house sales, which they firmly opposed. About 500 houses were sold per year from 1995 to 1999 (Olssen, McDonald, Grimes, & Stillman, 2010, p. 7). One study estimated that up to 1997, approximately a third of the sales were to tenants (Murphy, 1999). SHAC sought to draw attention to these sales by disrupting state house auctions. On one occasion on 13 July 1994, between 80 and 100 people picketed the St Helier's Bay Yacht Club, where an auction to sell four state homes was being held. Protestors chanted "Shame!" and "Hands off our homes!", and made false bids. The auction was called off (Communist Party of New Zealand, 1994a; "Police barge in to end protest," 1994; Staunton, 1994). Protestors occupied one of the houses for a day and a night. Police evicted the occupiers at midnight. A Housing New Zealand spokesperson dismissed the protestors, claiming that "There weren't many [Housing New Zealand] customers among them, and out of 25,000 customers in Auckland, they didn't really get a lot of support" (Staunton, 1994). In contrast, one of the occupiers reflected that: "The occupation drew nationwide attention to the sale of state houses, which Housing New Zealand and the government didn't want" (Communist Party of New Zealand, 1994b). Despite this attention, the properties were later sold by tender (Manukia, 1994).

The high visibility SHAC activists gave to the state house auctions caused Housing New Zealand to change its approach. One Housing New Zealand executive later reported that the company spent three weeks preparing its strategy for selling four houses in Orakei (Teutenberg, 1994). SHAC believes that public opposition to state house sales meant Housing New Zealand were very careful in how they went about vacating houses for sale. As one member recalled:

"And a lot of [the sales were] on the sly, they couldn't openly operate. They would go to a tenant in situ and offer them cash incentives to sell off their tenancy and give them somewhere else to live. So they could sell that house... A tenant who was on a low income, fixed income, benefit, was tempted by some of those things. So it would be exceptional for some of them to actually stand out against it" (quoted in Hamed, 2011, p. 44).

In this time period, SHAC took part in two highly public events during which they drew attention to the hardship that state tenants were under. SHAC supported the Asl and Tini

families to resist their evictions by Housing New Zealand. The first was a success and led to broad sympathy for state tenants, and the second had quite the opposite effect.

The Asi eviction and resistance is the most well chronicled direct action event of the era. The Asi family had not paid rent in some time. They were not SHAC members and were not consciously striking against market rents for state tenants; they were not continuing to pay 25% of their rent, for example. Sister Mary Foy heard about the eviction of the family through her work at the Monte Cecilia House charity and informed SHAC. SHAC decided to resist the eviction. SHAC members locked themselves in to the house with the family. Police in riot gear broke down the door and occupied the house. SHAC members and the family camped on the lawn. The final result was the intervention of the Social Welfare and Housing Ministers Shipley and Luxton, and the reinstatement of the family the next day (Communist Party of New Zealand, 1993c; Corbett, 1993).

Housing New Zealand later claimed that SHAC misled the media on the circumstances surrounding the eviction, prevented Housing New Zealand from negotiating with the tenants, and “stage-managed” the event, for example, by having the family camp on the lawn when there were several other accommodation offers (Corbett, 1993). It certainly gave a dramatic face to the policy. As one SHAC member recollects:

“There’s Peter, camped out with the Asi family and all these supporters on the front lawn of the house they’ve just been evicted from by cops smashing down the front door and it’s raining or drizzling as I remember. And then you switch and there’s this National pollie [politician] in this nice, warm studio. Well the contrast was stark.... Now that was a whole consciousness changing event, it just rippled right through the country. And there was a whole outpouring of newspaper articles and TV stuff about it and everyone was talking about it at work the next day. And that was a whole wake-up call for the National Government, they just went “Ohhh”, a whole collective “Ohhh, Jesus this is it” (quoted in Hamed, 2011, p. 40).

Housing New Zealand officials reported that there were a number of places the tenants could go to, including Women’s Refuge (for Mrs Asi and her children), and an offer of a more long-term house from housing magnate and former Mayor of Mt Roskill Keith Hay. However, SHAC refused these options. As Hughes put it, accepting emergency accommodation “wouldn’t solve the problem. Our long-term intention was to reoccupy the house” (Corbett, 1993, p. 87). In the end, the Asi family were allowed to stay in the home, and a deal for rent

payment was negotiated. While much of the coverage was sympathetic to the family, others called into question the fairness of the Asi family retaining the houses and others becoming displaced (Corbett, 1993). Regardless, as one incredulous journalist noted, “One man in Mount Roskill not paying his rent led to a nation-wide debate over what our welfare system was, is and should be” (Corbett, 1993). As a result of the furore, Housing New Zealand “was encouraged not to attempt any further politically sensitive evictions, regardless of its legal rights or financial losses” (Campbell, 1999, p. 130).

If the Asi eviction resistance helped garner sympathy for state tenants and for SHAC, another case, the Tini eviction resistance did quite the opposite. In December 1996, SHAC supporters gathered to defend Aroha Tini and her three children from eviction from their state house on Jefferson Street, Glendowie. However, the Tini family were being evicted as a result of neighbours’ complaints about parties and threatening behaviour, rather than inability or refusal to pay rent (Raea, 1995; Reid, 1995). While SHAC claimed that “she was kicked out to ‘tenant cleanse’ her street prior to privatising the state houses” (Communist Party of New Zealand, 1996), the reality was that SHAC could not count on neighbourhood, media or public support because of the tenant’s reputation. One SHAC member reflected that this was an important misstep on SHAC’s part: “we couldn’t build the sort of struggle there that we did [previously].... That was a big setback for SHAC” (quoted in Hamed, 2011, p. 52). SHAC’s credibility had been damaged, and the Tini eviction resistance marked the end of direct action by SHAC for several years (Campbell, 1999, p. 130).

8.3.5 Second legal challenge: Lawson v. Housing New Zealand 1996

The decline in direct action by SHAC in this period has also been connected to the attention activists focussed on the court case of a state tenant on rent strike (Lawson v Housing New Zealand 1996). Joan Lawson, a pensioner, a state house tenant since 1947, and a holder of the Queen’s Medal, had joined the rent strike when it began in September 1993. When Lawson was taken to the Auckland Tenancy Tribunal for rent arrears, she drew on the United Nations Charter of Human Rights and claimed that Housing New Zealand was failing to meet its social objectives. In April 1994, the Tribunal found that the case was outside its jurisdiction. The case was sent to the High Court, where Lawson applied for a judicial review of the decision to increase her rent to a full market rent (Campbell, 1999; Murphy, 2004). One SHAC members thought that the court cases were a tactical error on SHAC’s part: “it was a real breathing space for the Government. It just slowed the whole thing down. And

everything became focused around the legal challenge rather than the activism” (quoted in Hamed, 2011, p. 41).

In the High Court, in 1996, Justice Williams found that the rent increase was outside the ambit of judicial review. He noted the conflicting nature of Housing New Zealand’s commercial and social objectives (Campbell, 1999; Murphy, 2004). The case brought renewed attention to the housing reforms, but has been seen as “the beginning of the end of the rent strike” (Murphy, 2004, p. 124). Nevertheless, the court case may have assisted some tenants. Housing New Zealand did not evict rent strikers while the case was on-going, thereby helping keep some people in their homes (Campbell, 1999, p. 131). Eviction resistance did not hit the headlines again until 1999, when two long-standing rent strikers were evicted.

8.3.6 The final eviction resistance: Len Parker

By 1997, the number of striking tenants fell to fallen to 20 “due to tenants shifting house, dying, or simply giving up under pressure” (Campbell, 1999, p. 131). Housing New Zealand continued to work with the remaining rent strikers, and those that refused to leave after being sent an eviction order. By 1999, Housing New Zealand had “been successful in encouraging some to end their strike and continues to work with others to find an acceptable solution” (Housing New Zealand, 1999). They had “a policy of using eviction only as a last resort” (Housing New Zealand, 1999). Negotiating with tenants in order to encourage them to move house was, according to one official, “a time-consuming process which can extend beyond three months” (quoted in Moxon, 1999).

Some insight into this negotiation process is given by the case of a Hamilton tenant. Sue Hartley paid 25% of her income - \$78.50 – for her \$175 a week house after market rents were introduced in 1993. This had led her to fall \$16,000 behind in rent. After an eviction order was brought against Hartley in September 1998, the twelve other Hamilton rent strikers ended their strike. Hartley at first refused to move home. Rather than carry out an eviction, Housing New Zealand continued to negotiate. Eventually, Hartley agreed to move to a nearby one-bedroom house, with a rent of \$105 per week. The limits adhered to by the Tenancy Tribunal meant that it was only able to order repayment of \$12,000 of her arrears. Hartley spoke positively of Housing New Zealand, saying “They’re only the meat in the sandwich...We have to get this government out” (Moxon, 1999).

However, when rent strikers did not negotiate, they could be forcibly evicted. Two instances of eviction resistance hit the headlines in 1999, in the final months before the November election that ended National's term in government. Richard Waimotu, a bus driver who supported a sick brother and paid child support for two children, had joined the partial rent strike in 1994. In response to his eviction order in April 1999, SHAC supporters protested outside Waimotu's home, and distributed 5,000 leaflets encouraging people to join them; however, they were not successful (Brooks, 1999a). *Socialist Worker* reflected that "SHAC's mass actions have beaten Housing New Zealand before... But this time things were different. While there was huge sympathy for Richard in solidly working class South Auckland, this didn't materialise into bodies on the picket line" (Brooks, 1999a). Waimotu told reporters that he wished to continue his protest against market rents and was considering occupying an empty state house ("Evicted rent striker plans to occupy another house," 1999).

Pensioner Len Parker had embarked on the partial rent strike in 1993. He paid \$95 per week. He had calculated that this was 25% of his total income per week (\$213), plus his Accommodation Supplement entitlement. He had been a key participant in SHAC events, such as the St Heliers' state house auction previously discussed. On 10 May 1999, the Tenancy Tribunal granted Housing New Zealand a possession order for non-payment of rent. Parker had arrears of \$6,419, and was given 21 days notice (Housing New Zealand, 1999). He told the media "I don't intend to leave without some sort of a fight. This is the culmination of a six-year campaign against market rents" (quoted in Perry, 1999).

Parker barricaded himself into his Balmoral Road home with two supporters, Grant Morgan and Tony Haines. They stayed there for two weeks, conducting interviews through bars in a window. Parker told journalists that he had barricaded himself in having "learned from the experience of other rent strikers, who had bailiffs smash down their doors" (quoted in Austen & Collie, 1999). A hundred people gathered outside in the rain. Based outside, Peter Hughes told journalists that "Our people are prepared to stand their ground... Our policy is peaceful disobedience" (quoted in Austen & Collie, 1999).

Housing New Zealand supplied media with information on the work they had done with Parker, including the fact that despite recently receiving a pay-out of \$6,000 for benefit underpayment as a result of a Housing New Zealand mediated meeting, he had not spent this on rent arrears. Housing New Zealand emphasised that rent strikers, in paying less rent, were behaving unfairly:

“By refusing to pay his full rent, Housing New Zealand believes Mr Parker is failing to meet his obligations. This is unfair to other New Zealanders who are meeting their housing costs, on time and in full, regardless of living on benefits or bringing up families” (Housing New Zealand, 1999).

Eventually, the barricades were broken down and Parker was evicted. Charges against the occupiers were eventually dropped (Campbell, 1999, p. 49). The eviction resistance received significant media attention, which SHAC saw as key to getting state housing in the news and crucial to the upcoming election. However, the eviction signified the end of the rent strike. Six weeks after his eviction, Parker was staying with a friend. He told journalists that “most of the others [on the rent strike] had become nervous and backed off” (Moxon, 1999).

8.4 Other critics of state housing reform

In working against income related rents, SHAC and other campaigners were challenged by the government’s framing of the issue in terms of fairness between private and state tenants. This made it difficult for its opponents to argue against market rents for state tenants without being “left open to claims of supporting 'special privileges' for a largely 'disreputable' group” (Campbell, 1999, p. 129).

Despite this, the Labour Party and NGOs spoke out against the reforms and their effects on state tenants. Helen Clark, leader of the Labour Party since 1993, was a former Minister of Housing and was committed to income-related rents. Throughout their time in opposition, the Labour Party reiterated promises to return state tenants to income-related rents when they returned to government. In 1991, while housing spokesperson Paul Swain could not commit to a timetable, he said “We will obviously set the target of maintaining or reducing income related rents” (quoted in Housing Industry Association, 1991, p. 8). In 1993, Swain raised the issue of the rent strike in Parliament, saying that “the reason people are considering such action is that the government has raised their rents at the same time that it has cut their incomes” and asking the Minister what action he would take “to ensure that low-income State tenants can pay their rent” (Luxton, 1993). The following year, Labour MPs surveyed state tenants to show the hardship experienced due to market rents (Labour Party Caucus, 1994). In 1995, Labour MPs gathered a crowd of supporters at the first state house in Miramar to launch a campaign against the final rent rise (Schrader, 2005, p. 71). Returning state tenants to income-related rents was a key plank of the Labour Party policy announced

in the lead-up to the 1999 election. The Labour Party worked with local groups, including state tenants, to promote this (Lewis, 2001).

A number of non-governmental organisations (NGOs) also advocated against the housing reforms and for the return of income-related rents. At first, many of these were represented by the New Zealand Housing Network, which roundly criticised the reforms from their announcement in 1991. The Housing Network had been founded in 1982 and included organisations, social workers, community-based social policy researchers, and tenant advocates. Though they were an apolitical group, many members were associated with the Labour and Alliance parties due to the work they had conducted with the previous government regarding a campaign for a statutory commitment to house the homeless. This may have contributed to the lack of government engagement with the Housing Network. This lack of response, differing motivations of groups within the network, and an internal split which saw Auckland members leave the network, saw the group decline after the 1990/1991 period (Campbell, 1999, p. 127).

The New Zealand Council of Christian Social Services (NZCCSS) then became the national voice of the voluntary sector on housing issues. Major Campbell Roberts of the Salvation Army played a significant role in this as a spokesperson. The NZCCSS was willing to work with government and acknowledge positive aspects of the reforms (such as the increase in income for private tenants) but also conducted surveys and produced reports which showed the large proportion of people struggling to pay rent (Campbell, 1999, pp. 128–129). One of the major events organised was a National Housing Day in October 1994, which advocated for a return to income-related rents (Stone, 1994). In response, the Prime Minister claimed that the housing reforms were intended to increase fairness (Riddell, 1994).

Despite the commonalities in their objectives, the Labour Party and the NGOs did not work with SHAC for the most part. NGOs did not invite SHAC to their meetings with government or opposition MPs. While some individuals supported SHAC protests in order to show solidarity with state tenants and sympathy with SHAC aims, many of SHAC's tactics were too extreme for mainstream NGOs to condone. NGOs saw a need to work with government in order to try to improve circumstances for tenants. This was particularly the case after the reforms were all successfully implemented. Service providers had a commitment to their clients which meant they had to prioritise improving their clients' circumstances over advocating on policy (Campbell, 1999, p. 125).

SHAC perceived the Labour Party attempted as undermining its actions. The Communist Party newspaper reported that at a state tenant meeting in Auckland, Labour MP Paul Swain said he opposed the rent strike because “It will put very vulnerable people at risk” (Communist Party of New Zealand, 1992d). They reported that Labour Leader Helen Clark’s secretary had said rent striker Len Parker should pay his full market rent plus arrears (Brooks, 1999b). In an echo of the differing responses of Labour MP Parry and the UWM to an eviction in 1931, local Labour MP David Lange personally paid the Iopu family’s debt during their eviction resistance. Lange said he “objected to political activists preying on such people” (Lockley, 1993). In another move reminiscent of Labour instructions to the unemployed in the early 1930s, one member recalled that that “Labour Party supporters encouraged state tenants to be moderate in their demands and wait for a new government” (quoted in Campbell, 1999, p. 130).

8.5 Effects of state tenant protest

In the view of SHAC, the events related in this chapter – protests, the rent strike, the legal cases – played an important role throughout the 1990s. As previously discussed, the government made several adjustments to the reforms, including introducing market rents more gradually. As Len Parker said in an interview, “I feel we’ve achieved a great deal in terms of public awareness and public interest. I think we slowed the selling of the houses and we managed to slow down the bringing in of market rents” (quoted in Snell, 1999). The state housing stock declined by 16 per cent over the decade (Murphy, 2004, p. 121). But one SHAC member argued that their protest against state house sales meant that fewer houses were sold than might have been:

“Now obviously they had sold 13,000 state houses by the time [of the 1999 general election], maybe more, I forget what the total was. But when you remember that they had their sights set on 58,000 units it was still quite a victory. In ten years we’d held the line, basically against all that. It was never acceptable to do it. And so it was done piecemeal, it was done a bit here, a bit there” (quoted in Hamed, 2011, p. 44).

Soon after Labour entered Government in 1999, the situation for state tenants improved. The Housing Restructuring (Incomes Related Rent) Amendment Act 2000 re-introduced income-related rents for state tenants and removed references to profitability from Housing New Zealand’s objectives. As a result, state tenants rents reduced by an average of \$40 per week (Murphy, 2004, p. 125). The Accommodation Supplement was retained for private

tenants. The government put resources into low-income home-ownership schemes run by community housing providers (Murphy, 2004, p. 125). The government brought the Home Buy scheme, which had allowed state tenants to buy their home, to a close, reduced the number of vacant sales, and added to the state housing stock (Bergstrom, Grimes, & Stillman, 2011).

SHAC members saw the reintroduction of income-related rents as a victory won by SHAC and by state tenants. As Len Parker wrote on behalf of SHAC to Labour MP Graham Kelly on Labour's election, "In our view the grassroots direct action of SHAC to mobilise tenants and the wide-ranging efforts of others played a major role in persuading both Labour and the Alliance to adopt their current stated policy" (Parker, 1999). More directly, one member thought that it pressured Labour to roll back market rents immediately on becoming elected, rather than gradually, as "if they left market rents for state houses more or less intact... [Labour] understood that SHAC would continue and that this would just be unsustainable for them in the eyes of their members and supporters" (quoted in Hamed, 2011, p. 50).

After the election SHAC ceased to exist. As one activist recalled, "SHAC no longer had a reason for existence and was wound down. We had won" (quoted in Hamed, 2011, p. 40).

Regardless of whether SHAC's actions made a difference to Labour's post-election intentions, it is certain that their legal and direct actions helped bring state housing, and the conditions facing state tenants on market rents, to the attention of the public. This may have contributed to Labour's commitment to income-related rents, as well as to a number of reforms made by the National government throughout its tenure, as discussed earlier, which slowed down rent increases, increased the Accommodation Supplement, introduced special protections for elderly state tenants, and helped enable state tenants to take advantage of state house sales.

SHAC's actions did not stop house sales or evictions, but they did at times slow them down, or force Housing New Zealand to change the way they went about working with rent strikers. The effect of these on policy is debatable, but it is certain that they helped the state tenants involved. State tenants were able to stay in their homes for years longer, and paying reduced rent, than they otherwise would have. Those that were ordered to pay arrears often paid less than their debt, or received other benefits.

In the opinion of SHAC leaders, these successes affected the mentality of state tenants. One SHAC member reflected on what it meant for him as an activist, and how he saw it affecting state tenants:

“I think one of the standouts for me was how people moved politically when they feel a sense of real injustice, and they feel that they have got a role to play in changing it. It was revolutionary for [state tenants] to say, “No, you might have made the law, but we are going to not accept that. We are going to join the rent strike” (quoted in Hamed, 2011, p. 45).

8.6 Discussion

State tenant protest in this period was prompted by the introduction of market rents to state housing, which made housing unaffordable for many people. Some state tenants responded to this by taking direct action, supported by activists. These actions drew attention to the issues facing state tenants, and allowed some tenants to pay less rent or to stay longer in their homes. SHAC did not work closely with other opponents to the housing reform who advocated in less confrontational ways. Their actions, and other pressures, may have contributed to adjustments to that policy over the decade as well as the return of income-related rents following the 1999 election. The return of income-related rents to state tenants made housing more affordable for them, and decreased the likelihood they would have to move or to crowd together to afford housing. In this sense, state tenant group representation helped promote health.

This period was the first time state tenants became involved in protest in a significant way. Tenant protest was a response to a radical change in policy that directly impacted on tenants' lives. Unlike the tenant protest groups introduced in previous chapters, in arguing for their own rights, tenant activists could be portrayed as promoting their special interests at the expense of private tenants, which may have affected their potential to gain sympathy. Tenant protest shared features with other eras of tenant protest: they did not obtain the direct support of the Labour Party or the union movement, and they were limited to areas with a high concentration of people of that tenure.

The literature reviewed in Chapter 4 provides insight into some of the observed processes. The imposition of market rents to state tenants, whose rents had previously been affordable and allowed them to remain in the community that was their home, represents a “suddenly imposed grievance”, which, in radically shifting the incentives for participation, serves to

support the emergence of collective action. Resource mobilisation theorists point out that neighbourhood networks and geographical proximity matter to the development of protest groups. State tenant protest developed mostly in Auckland, where state housing was particularly concentrated, and where key Communist activists lived. One of the key challenges to state tenants was the very policy they opposed: income-related rents promoted churn, and, as Bengtson has pointed out, long-standing relationships can be crucial to the development of collective action.

Hirschman's observations on how exit can affect voice have some relevance to the experience of state tenant protest. Campbell notes that elderly state tenants prompted particularly sympathetic media coverage. The introduction of protection for elderly people, and not others, meant that the opponents lost an important resource - "critics were successfully marginalised by the Government's prompt responses to significant issues with modifications that retained the fundamentals of the original policy intact" (Campbell, 1999, p. 155). Elderly tenants were now a special group who no longer shared the same problems as the other tenants. In effect, they had remained in state housing while "exiting" the cause, thereby weakening the voice of state tenants as a whole.

Similarly, the reorientation of state house sales to state tenant buyers was seen as a victory, as it was more palatable for tenants rather than investors to buy the homes. However, in this process, wealthier and potentially more powerful state tenants exited the tenure, and their voice could no longer be used to further the cause of state tenants as a whole. While the softening of aspects of the reform can be considered achievements for SHAC and other opponents of housing reforms, they may have made it more difficult for activists to build support for their cause. People remained in their homes, but exited the tenure. This phenomenon was not new: the reforms of the 1990s accelerated state house sales, but the option of higher-income state tenants purchasing their homes at subsidised rates had been available for most of the previous four decades (section 8.2). Even taking into account discount prices, taking advantage of the right to buy was only possible if somebody was able to afford to buy the home and obtain credit (Goodchild 2001). Equivalent "right to buy" policies in the United Kingdom have been described as a way "to induce the better off to leave" council housing (Malpass and Victory 2010, 10). This brings to mind Hirschman's observation that the exit of well-resourced people, who are likely to be among "the most active, reliable and creative agents of voice", "paralyses voice by depriving it of its principal agents" (Hirschman, 1970, p. 47). The exit of well-resourced tenants from state housing and

into homeownership in the 1990s, as in every era, was a loss to state tenant collective voice.

9 State tenant protest against community redevelopment (2011-2015)

This chapter is the final chapter of the history of tenant protest in New Zealand, and sets out protest by state tenants that has occurred in recent years. It is one of two chapters in this thesis addressing contemporary issues; the second follows this chapter and focuses on individual tenant representation.

State tenant protest groups developed in 2011 in response to the vacant houses and demolitions that preceded the redevelopment of their neighbourhoods. Once organised, they gave voice to a number of concerns regarding the redevelopments as well as state housing policy more generally. They criticised the narrowing of criteria to enter state housing, the growth of the community sector as an alternate provider of social housing, and the introduction of reviewable tenancies. State tenant protest represented the views of tenants and drew attention to the health consequences of displacement.

The concentration of people with high needs in state housing means that state housing reform, especially housing redevelopments, has a particular impact on vulnerable groups. About five per cent of New Zealand's households live in social housing. Most of these households rent from the state. Housing New Zealand, the state housing authority, manages 68,000 properties - 3,000 of these leased from the private sector (Housing New Zealand, 2014a). About a third of Housing New Zealand households are Māori, and 27 per cent are Pacific people (Housing New Zealand, 2014a). Most state tenants (94%) pay income-related rents, which suggests that their incomes are at or near benefit levels (Johnson, 2013, p. 123). A third of state tenant households consist of single parents with dependent children (Housing New Zealand, 2013). About 85% of state tenants who have entered state housing since the year 2000 have complex medical or social needs (Housing New Zealand, 2012). Hospitalisation rates for state tenants are about 60.3% higher than for other New Zealanders, after adjusting for age and ethnicity (Baker, Zhang and Howden-Chapman, 2010). One analysis suggests that 45-55% of state tenants could not manage in the private sector because they were disabled, had a mental illness, exhibited anti-social behaviour, were in large families, or had poor life skills (Housing Shareholders Advisory Group, 2010, p. 19).

Current tenant protest in New Zealand has elements in common with the protests of council and public tenants worldwide in response to housing policy changes that are designed to

improve the efficiency of delivery of housing services and diminish the concentration of poverty. The resistance to what critical scholars call “state-led” gentrification has been analysed in detail: in Vancouver’s Downtown Eastside estate (Blomley, 2004), London’s Aylesbury Estate (Lees, 2013), or Dundee’s Hilltown (Glynn, 2008), at Sydney’s Bonnyrigg (Darcy & Rogers, 2014) and estates across the United States (e.g. Goetz, 2012; Right to the City Alliance, 2010). In the United Kingdom local groups are supported by a number of networks including Defend Council Housing (Lees 2013); in the United States by a number of groups under the Right to the City Alliance banner (Right to the City Alliance, 2010).

While tenant protest shares much in common with events overseas, it is also particular to New Zealand. The high proportion of Māori in state housing means redevelopment particularly affects a community with a history of dispossession from land. State housing played an important role in providing homes for Māori moving to the city after the war (Rethinking Crime and Punishment, 2009). A report concerning the effects of the current redevelopments on Māori noted that “long standing connections with HNZN homes over multiple generations had fostered a connection to the area and land... closely associated with Māori concepts of kaitiakitanga [guardianship]” (Waldegrave et al., 2013, p. x).

The main resources available to me for this study were: the press releases and submissions to Select Committee produced by tenant protest groups; media reports; government documents; and a report commissioned by Te Puni Kokiri (the government department responsible for leading policy affecting Māori) which considered the effects of the redevelopments on Māori (Waldegrave et al., 2013). The latter report was based on interviews with tenants, service providers, and officials that were conducted by researchers in three communities where redevelopment and tenant opposition occurred.

9.1 Housing reforms

The current round of state housing reform was signalled in 2010 with the government commission of a group of experts in business, the voluntary sector, and social housing provision to provide independent advice on “the most effective and efficient delivery model for state housing services to those most in need” and “more productive and innovative ways to use current social housing assets to better support the objectives of government” (Department of Building and Housing, 2010). This group, the Housing Shareholders Advisory Group (HSAG), made a number of key recommendations for reform (Housing Shareholders Advisory Group, 2010). Subsequently, the government provided for the implementation of

these reforms under the Social Housing Reform (Housing Restructuring and Tenancy Matters Amendment) Act 2013 and changes to Housing New Zealand policy.

The changes introduced broadly fit within three key objectives: to ensure that only the most vulnerable people live in state housing, to encourage the growth of the community sector in order to create a social housing market, and to create mixed income communities in areas of concentrated state housing.

9.1.1 Ensuring Housing New Zealand houses ‘only those most in need for the duration of their need’

Reviewable tenancies

HSAG observed that “when the initial need is gone, a tenant’s long-term presence in a state house deprives those who are in greater need” (Housing Shareholders Advisory Group, 2010, p. 49). They therefore recommended that “consideration should be given to flexible, renewable tenancies...for those entering the state housing portfolio” (Housing Shareholders Advisory Group, 2010, p. 49), though they stressed that this should not threaten existing tenancies (Housing Shareholders Advisory Group, 2010, p. 50). Taking effect from 1 July 2011, Housing New Zealand introduced a policy of reviewable tenancies for new state tenants. Tenants who entered state housing after this time would be reviewed every three years against the assessment criteria. If their circumstances had improved, they would be assisted to move out of state housing. Housing New Zealand explained that this policy “marks a shift from the perception that ‘a state home is for life’” (Housing New Zealand, 2013, p. 17).

In a departure from HSAG’s recommendation, reviewable tenancies were extended to all tenants (rather than only new tenants) under the Social Housing Reform Act 2013. At the time of the Act’s passing, it was estimated that the policy would affect 3,000 people by 2017 (Priestley, 2013b). The following year, it was announced that 5,000 people would have their tenancies reviewed by the end of 2017. Tenancy reviews would focus on those who paid market rents or close to market rents (Key, 2015). As has been observed under the implementation of similar policies in Australia and the United Kingdom, the removal of security of tenure for state tenants shifts the role of state housing from providing a long-term safety net to providing a circumstances-dependent “ambulance service” (Fitzpatrick & Pawson, 2013).

Narrowing the criteria to enter state housing

From mid-2010, Housing New Zealand reviewed its assessment criteria and its system for allocating state homes in order “to focus on providing state housing to those with high needs and to more actively assess tenants, to ensure those in high need are being housed for the duration of need” (Housing New Zealand, 2013, p. 16). These changes were announced to state tenants and applicants in February 2011, and implemented in July that year. Under the changes, applicants who were assessed as having moderate or low housing needs (previously criteria C or D) would no longer be placed on the waiting list. People on criteria C or D prior to the changes remained on the waiting list. As a result, 94% of people housed in 2011 and 2012 were criteria A or B applicants, or those assessed as being of highest need (Housing New Zealand, 2013, p. 16).

This change has had the effect of reducing the numbers of people on the waiting list, and mainly affected those applying for state housing in areas of low demand. This is because in areas of high demand, people who were criteria C or D applicants were unlikely to ever be housed. As later discussed, the stricter criteria have meant that in areas of low demand there may be empty houses despite the desire of people to live there.

Investigating state tenant crime

Another policy shift concerned a new focus for Housing New Zealand on responding “to abuse of the state housing system” in order to help “ensure that those most in need are being housed” (Housing New Zealand, 2013, p. 20). From 2009, extra resources were put into investigating whether tenants were providing correct information about their circumstances, in order to assess whether they were still eligible for state housing. Over the first four years, 312 tenancies were ended as a result of the policy. In addition, a suspensions policy was introduced in November 2011, under which tenants could lose their home for breaching their tenancy obligations (such as through fraud) or engaging in anti-social behaviour, and they would not be able to reapply for state housing for a year (Housing New Zealand, 2013, p. 20).

Combatting anti-social behaviour, and in particular, gang activity, was also a justification for redevelopment projects carried out in Pomare and Glen Innes. Then-Housing Minister Phil Heatley, in reference to a question about whether Glen Innes state tenants would be able to resettle in the redeveloped community, referenced both the redevelopment and tenant selection policies: “We no longer house criminal gangs in old, cold, mouldy State houses on

half-acre sections where three bedrooms are empty" (Heatley, 2012). At the opening of another redevelopment project, Minister Nick Smith said, "Pomare has a pretty tough history of gangs, of murders, of social dislocation, and this development is about transforming this community" (Ter Ellen, 2013).

The connections Government made between redevelopment and crime were well-understood by tenants, who felt that they were subject to discrimination (Rethinking Crime and Punishment, 2009). As one tenant reflected when looking at the "awesome" Pomare redevelopment plans, "The only thing I'm worried about is that they're probably looking for people more well-behaved" (quoted in Edwards, 2013). In contrast to the government arguments, some community groups warned that the redevelopments may increase crime by displacing social structures and dispersing gang members across other communities (Rethinking Crime and Punishment, 2009; Waldegrave et al., 2013).

This policy has particular relevance to the Pomare redevelopment project. Housing New Zealand had attempted to evict some tenants that were linked to gang activity in 2009. The tenants disputed their evictions in court, and, after three years and five courts, were able to stay (Easton & Blechynden, 2011). In response, Housing New Zealand noted that two of the three women's homes would be demolished as part of the redevelopment, and that in future due to the new suspensions policy such tenants would be prevented from re-entering state housing (McTurk, 2011).

9.1.2 Creating a social housing market

A second key reform in this era concerned growing the community sector as a provider of housing. One of HSAG's key recommendations was to "develop third-party participation" in the provision of social housing, which it argued could increase social housing supply. HSAG suggested that community housing providers provide up to 20% of the total social housing stock in New Zealand. In order to "kick-start" the development of these providers, the government could facilitate stock or funds transfer. In addition, HSAG recommended that the income-related rent subsidy which Housing New Zealand receives from the government for housing tenants paying below market rents be extended to registered community housing providers (Housing Shareholders Advisory Group, 2010, p. 6).

The Social Housing Reform Act of 2013 provided for both these recommendations in establishing the conditions for what is called a 'social housing market'. In addition, the Ministry of Social Development would take over tenancy management from Housing New

Zealand. Already responsible for the benefit system (via Work and Income New Zealand – WINZ), it would also manage placement of social housing tenants eligible to receive the income-related rent subsidy in both Housing New Zealand and other providers.

In a move that partly signalled the coming change of Housing New Zealand's functions, state tenants learned in February 2012 that twenty-one Housing New Zealand offices would be closed ("Housing NZ office closures cost jobs," 2013). Tenants were advised to call a national call centre with any issues, and to make contact via the Internet at a library if they did not have a phone. The Housing Minister said that "changes were designed to produce a fairer system which ensured those in most need were housed the quickest" (Kilgallon, 2012). Critics in the voluntary sector said it would create problems for vulnerable people or those who spoke English as a second language (Olds, 2012).

While the idea of providing community organisations with a rent subsidy was broadly accepted, there was substantial public debate on the idea of stock transfer, particularly after details of the plans for stock transfer were released soon after the general election in October 2014. Key concerns were around the cost to the public purse, whether taking on state housing stock was financially viable for community housing organisations (Collins, 2015b; Oram, 2015), and perceptions that the Government was "sacrificing the houses of the poor to save money" ("Editorial: No mandate to sell state houses," 2014) in a process "that is likely to worsen health and social problems" (Howden-Chapman, Baker, & Crane, 2014).

9.1.3 Creating mixed communities in state housing areas

The final significant policy shift that affected state housing tenants concerned poverty de-concentration. HSAG argued that "high concentration state housing areas have contributed to the residualisation of tenants, have increased the cost of tenancy and portfolio management and created a wide range of social and financial costs borne outside the social housing system" (Housing Shareholders Advisory Group, 2010, p. 59). Accordingly, they asserted that "the social transformation of areas with a high concentration of social housing will require a physical transformation" (Housing Shareholders Advisory Group, 2010, p. 59). Reflecting this new focus, one of Housing New Zealand's objectives is that "no community will have more than 15% state housing presence" (Housing New Zealand, 2013). Through reconfiguring its portfolio, Housing New Zealand intends "to reduce concentrations of state

housing and create mixed communities, which has been shown to produce better social outcomes” (Housing New Zealand, 2013).

The redevelopments also encompassed other policy priorities, involving justice, health, and housing affordability. The intended objective of redevelopments on crime has already been discussed. State housing redevelopments also addressed another policy concern regarding quality issues, which, as discussed in Chapter 3, plague many New Zealand houses. Housing Minister Nick Smith described the Pomare housing redevelopment project as part of Housing New Zealand’s “investment to ensure state houses are in the right place, are of the right size and are warm, dry and safe” (Smith, 2013). This emphasis reflects public concern with the poor state of housing and the effects on health (Buckett et al., 2011; Expert Advisory Group on Child Poverty, 2012; Howden-Chapman et al., 2013; Productivity Commission, 2012).

In addition, the policy to redevelop communities responds to public and government concerns about the rising price of housing, and the difficulty first home-owners have in buying homes (Productivity Commission, 2012). The government’s main strategy for dealing with affordability issues for first home-buyers is increasing efficiencies in the building sector and increasing the supply of housing (New Zealand Government, 2012). As the Prime Minister noted, “how we manage social housing can help with that. Housing New Zealand is the biggest residential landowner in the country and could free up more land for housing development” (Key, 2015).

Communities suitable for redevelopment are those where Housing New Zealand owns a high proportion of land, and where private developers are interested in developing sites. Maraenui, Pomare and Glen Innes, unlike some other areas of high state housing concentration, are desirable places to buy. They are close to the centre of their respective cities. Glen Innes is 9km from the centre of Auckland. Maraenui is 3km from the centre of Napier. Pomare is 7km from the centre of Lower Hutt (Google Maps, 2013). Property prices in each of the communities are rising rapidly (Hurley, 2013; Morris, 2013; Norman, 2013), which indicates that private owners will buy there and help Housing New Zealand create the desired mixed communities.

9.2 State tenant protest

The first neighbourhoods to begin the process of redevelopment were Pomare, Maraenui and Glen Innes. The redevelopments, and the state tenants' response, are the focus of the next section.

9.2.1 Pomare

In Pomare, the idea of a redevelopment was first raised under the Labour Government (1999-2008) in 2008. Tenants were told they would be able to remain in the community because development would take place in stages (Ellingham, 2011). There were delays in the redevelopment process, with one official suggesting this was associated with the court cases against Pomare tenants previously discussed (Parker, 2010).

When redevelopment began in 2011, the process was different from what tenants had been promised. Tenants were moved out of the community, and 89 houses were rapidly demolished. The demolitions affected more than a hundred people (Heather, 2012). In response to criticism from the community, a Housing New Zealand official said that less than half of the demolished houses were tenanted, and vacant houses were vandalised, "as we had difficulty finding tenants who selected Pomare as a place to live" (quoted in Edwards, 2011a). Some time later, reconstruction on the empty land began through a partnership between Housing New Zealand and a developer. It was reported that 150 houses would be built: twenty for Housing New Zealand, twenty for community housing providers (social housing and "rent to own" houses), and 110 for private sale at market rates (Norman, 2013).

People in Pomare were affected by the redevelopment long before demolitions began due to the increasing number of vacant houses in their community. State tenants responded as a group soon after demolitions began. In a protest at the demolition site on 11 November 2011, people gathered to oppose the process of the redevelopment and demand 100 per cent state housing in the area (Edwards, 2011b). A week later, protestors founded Occupy Pomare. The name was part of the zeitgeist: it was two months after the occupation of Zucotti Park in New York City against social and economic inequality, and similar occupations had taken place in 951 cities in 82 countries, including New Zealand's major cities ("Occupy protests around the world," 2011). State tenants camped out for three weeks on the site of the demolitions. The first night, there were 120 people. The camp was surrounded by crosses and headstones with the names of families and the length of time they had lived in the community (Pomare Community Voice, 2011).

The occupation provided an important resource for the community, and was a way to represent the strength of Pomare's community. According to one participant, "our occupation area became a homework centre for kids, a place to talk and a whānau [family] meeting every night" (quoted in Service and Food Workers' Union, 2012). It was also a chance for people who had been displaced to get together. One woman told the group that she missed Pomare and especially her neighbours:

"We all looked after each other. I feel like I've moved from a community to a street where I don't know anyone. We just want to be allowed to come back to Pomare when the redevelopment is done" (quoted in Pomare Community Voice, 2011).

The tenant protest group noted that people had been negatively affected by their displacement:

"They have lost their support networks that they used to have, loss of easy access to health and social services, and loss of long-time friends. Other effects have been increased costs to travel to services, re-establishing themselves and their families, having to change schools, safety issues, security for their families" (Pomare Community Voice, 2012).

The Pomare state tenants were particularly supported by staff at Regional Public Health, who produced a report after 27 units had been demolished, detailing the literature on the effects of displacement on health (Regional Public Health, 2011). Staff worked with local children to produce a film about their perspectives on issues in their community, which included a vivid re-enactment of the demolitions (Gough, 2011). Soon afterwards, Pomare schoolchildren made a submission to the Māori Affairs Select Committee's Inquiry into the determinants of wellbeing for Māori children. One of the points made was that "we need the houses to stop being taken down" (Pomare schoolchildren, 2012).

At Occupy Pomare, state tenants and their supporters connected the redevelopments with the history of alienation of Māori land. Such claims reflect the fact that the redevelopments displace many Māori. At one protest, signs were held bearing messages like "Has anyone seen my whanau?" and "Land confiscation repeating the cycle" (Edwards, 2011b). A speaker told the crowd that the land of the redevelopment was once home to Wi Tako Ngatata of Te Atiawa, Ngati Ruanui and Taranaki:

“He and his whanau were pushed off the land, and they threatened to destroy all his crops... You are tangata whenua, mana whenua. This is your rohe and you have a right to be here” (Catherine Love quoted in S. Edwards, 2011b).

The particular effects of the redevelopments on Māori, who, as previously noted, have a history of dispossession from land, and who can sometimes count several generations of their family in the same state house community, were emphasised in interviews with tenants, service providers, and officials (Waldegrave et al., 2013).

The organisation of state tenants into a protest groups also gave state tenants a platform to reflect on wider housing policy changes. One spokesperson said that the government was “pushing social housing on to social service providers. It’s not their core business. It’s setting up these people for failure” (Iris Pahau quoted in “Housing hikoi,” 2012).

The organisers emphasised that they were protesting in defence of all state tenants, and low-income people. As one activist noted,

“This is not just about Pomare... The same thing is happening in Glen Innes and it will be other communities next. Many low income families are already struggling to get affordable housing and Housing New Zealand selling land to private developers is only going to make that worse” (quoted in Pomare Community Voice, 2011).

The state tenant protest groups in Pomare, Maraenui and Glen Innes worked together to make a submission against the redevelopment of their communities, as well as some aspects of Housing New Zealand policy. There were seven key demands that all three groups agreed on at the time of their submission to Parliament. The seven demands were subsumed within the name of the petition: “That the House accept that quality affordable housing is a state responsibility and take immediate action to sort out the current housing crisis for low-income New Zealanders.” The petition was submitted by Dina Awarau and 186 others for Pomare, by Michelle Ratima and 620 others for Maraenui, and by Mary Utanga and 270 others for Glen Innes (Pomare Community Voice, 2012; Tamaki Housing Group, 2012; Tu Tangata Maraenui, 2012c).

There were seven specific demands within the petition. These were: (1) a halt on the redevelopment schemes so that they can be discussed with the local communities; (2) withdrawal of 90 day eviction notices; (3) return to pre July 2011 criteria for entering state housing; (4) vacant state houses to be let to families; (5) Housing New Zealand taking control

of the Glen Innes redevelopment, rather than the Tamaki Redevelopment Company; (6) reopening of Housing New Zealand offices; (7) a state housing building programme.

The submission to select committee did not result in the government fulfilling the groups' demands. However, the select committee acknowledged the "significant disruption" that occurred, and found that consultation had been inadequate. Nonetheless it was satisfied that Housing New Zealand, "has learnt from its mistakes, has established better community consultation processes for these projects, and will apply them in any future redevelopment" (Social Services Select Committee, 2014). The Green, Labour and New Zealand First parties added that "tenants in redevelopment projects should be guaranteed a right of return to their communities, and the numbers of state and social housing units should not be reduced by those projects" (Social Services Select Committee, 2014).

In the 2012 petition, the Pomare group, while supporting Maraenui and Glen Innes' demand for a halt to the redevelopment schemes, noted that it was important that redevelopment in their community continue due to the fact that the demolitions had already occurred:

"Our community is just beginning the rebuild phase of its redevelopment, and [we] are working with HNZ and the Developers to try and make the best of the situation. We are still unhappy about the way HNZ branded and bulldozed our community, we are trying to be positive about the new redevelopment and just hope that families with children will be able to afford to live here" (Pomare Community Voice, 2012).

Reflecting this desire to co-operate, some of Pomare's key activists and the people behind Occupy Pomare – Dina Awarau and Patria Temaka – now form part of its working group (Pomare Redevelopment Project, n.d.). The redevelopment of Pomare is well on its way. In the new development, renamed "Riverside", sales are steady and the average sale price is increasing (QV Valuations, 2015).

9.2.2 Glen Innes

In Glen Innes, redevelopment was also announced in 2008. A number of community organisations worked together to try to influence the redevelopment (Scott, 2013). Tenants were told that the number of state homes in the area would not be reduced, and that no existing state tenant would have to leave the area (Tamaki Redevelopment Programme newsletters and meeting minutes, quoted in Tamaki Housing Group, 2012). However, later plans revealed that 156 Housing New Zealand properties were to be sold to a development

consortium, which would replace these with at least 270 new homes. Of those, Housing New Zealand will buy back 87 homes, and IHC, an organisation that supports people with intellectual disabilities, will buy back five homes. The others will be for sale on the private market (Ryan, 2014). These are quite different numbers from earlier reports that 78 houses would be owned by Housing New Zealand, and 39 would belong to other community housing providers (Lauaki, 2012b).

State tenants were disappointed with the reduced number of state homes in the community. In a response to a question by Hone Harawira MP of the Mana Party on the discrepancy between the planned redevelopment and what had previously been promised, Housing Minister Phil Heatley told the House that he was “not responsible for what was said in 2008 before I was Minister and before we were the Government” (Heatley, 2012).

Like Pomare tenants, Glen Innes state tenants drew attention to the links between historical alienation from Māori land and current displacement. One tenant protester activist stated that the redevelopment project “disrespected” tenants under article two of Te Tiriti of Waitangi (Dainty, 2008), the 1840 Treaty under which the Crown granted Māori authority over their lands (Orange, 2012). Another activist, Emily Karaka, based her right to stay in her state home on her ancestral links to the land. She said that “What is really mamae [suffering] to me is the removal of tangata whenua [people of the land] from this area” (quoted in Collins, 2013).

Karaka’s experience of displacement encapsulates some of the issues the redevelopment of Glen Innes raises for Māori. Glen Innes is only 10km from Okahu Bay, once the site of a papakainga, a tribal village. This was the last land held by local tribe Ngati Whatua after a century of some legal sales, but much land lost to settlers due to misunderstanding, theft, and trickery. The grandparents of the activist quoted above left that village shortly before its demolition by the state in 1952; the remaining people immediately before its demolition were rehoused in state housing which was later vested in the Ngati Whatua Trust Board (Waitangi Tribunal, 1987, p. 243). In its report on Ngati Whatua’s land claims under the Treaty of Waitangi, the Waitangi Tribunal reflected on Karaka’s experience of losing her land and becoming “rootless”:

“She was one of Ngati Whatua lost to the city, her grandparents having left Okahu papakainga before her birth, carefully avoiding reference to it in her presence as

though the pain would be too great for her to bear. She knew what it was to be rootless, to have a past withheld in whispers” (Waitangi Tribunal, 1987, p. 152).

The displacement of state tenants in Glen Innes has particular resonance due to the relatively recent displacement of Māori – including the relatives of current state tenants – from their ancestral land nearby.

Glen Innes state tenants drew attention to their right to the community based on a number of additional factors. First, tenant protest groups pointed to the work elderly tenants had put in to the homes and the community since moving there in the 1950s and 1960s. As a supporter of the protest group said, “they helped build GI, they helped build that marae, they helped build the community and now they're being moved out to Manurewa” (Lauaki, 2011). Second, elderly tenant protestors pointed to the fact that they had moved to the houses on the understanding that they would be able to remain there (Tamaki Housing Group, 2013b). Reflecting state tenant preference for previous incarnations of state housing policy, which guaranteed a home for life, Glen Innes tenants organised “a march to rededicate the Michael Joseph Savage Memorial and reclaim Mickey's vision” (Tamaki Housing Group, 2013a). The protest group refers to the mass state house building programme instituted by Prime Minister Savage under the first Labour Government from 1935, which was discussed in Chapter 6.

Finally, state tenant protestors based their right to stay on the participation of family members in World War II. After World War II, about half of state homes that became available were set aside for returned servicemen and their families. By 1957, 18,000 returned servicemen had been allocated houses on a preferential basis (Baker, 1965). Housing soldiers had particular resonance in Glen Innes, as a post-war suburb where street names acknowledge important battles and soldiers (Minto, 2012). Submitting on the Social Housing Reform Bill, one state tenant read out the regiment numbers of family members who had fought in the war, indicating that displacing the relatives of those soldiers was dishonourable (Tamaki Housing Group, 2013b).

Glen Innes tenants participated in a number of protest activities against the redevelopment. As already indicated, they made submissions to Parliament, firstly alongside the Pomare and Glen Innes tenant protest groups in 2012, and subsequently on the Social Housing Reform Bill 2013. They also planted a community garden on an empty Housing New Zealand property (Priestley, 2013a). This tactic echoes the planting of vegetable gardens at the

occupation by local tribe Ngati Whatua of Bastion Point to assert their rights over that land (Waitangi Tribunal, 1987, p. 150), or further back, the ploughing and planting of crops at Parihaka in 1879 to claim Māori ownership over the land (Binney, 2013).

However, state tenant protest in Glen Innes drew the most attention when it worked against the removal of homes from the neighbourhood. Unlike in Pomare and Maraenui, where houses were demolished, houses at Glen Innes were sold to a community housing organisation in Kaitaia. The house removals consist of lifting a house off its foundations and on to a truck that makes its way to the motorway north. The tenant protest group attended the house removals, which generally took place at night, to register their opposition. According to one tenant:

"We're not going to stop. We're going to keep doing something each week, we can't let it [happen]. We have to do something about our homes" (quoted in Fox, 2011).

The protests were generally peaceful. At the removal of one house, one resident explained that "We wanted to walk the house out of our street as a mark of respect to the elderly lady who lived there" (Quality Housing For All, 2012). At other times, activists tried to prevent evictions with their bodies, for example, by lying in front of trucks. At Lyndhurst Ave, where about 100 protestors faced 50 police, Jimmy O'Dea, formerly a SHAC activist, fell and was knocked out and taken to hospital (Eriksen, 2012). At Lunn Ave, Mana Movement leader and former MP Hone Harawira was arrested for using his car to obstruct a removal (Day, 2012).

The protests involved a number of student activists who took part in more radical actions than the other protestors, such as chaining themselves to houses or sitting on their roofs before they were due to be removed. One student had been arrested 27 times for obstructing house removals (Barton & Haydn, 2014, p. 42). Some of the key activists involved were either not state tenants, or did not live in the area affected by the redevelopment. This prompted Housing New Zealand officials to describe the protesters as a "minority element" (quoted in Ryan, 2014), made up of people not affected by the redevelopment, that spread misinformation and made "pressured [people] to participate in protest action" (quoted in Lauaki, 2012a).

While most tenants moved house when they were asked to, some of the key tenant protestors resisted their evictions. However, most eventually agreed to leave their home. For example, in March 2014, Betty Kanuta, one of the group's most outspoken members,

left her home after receiving a 90-day notice and subsequently negotiating with Housing New Zealand for a month about a replacement house. She said, "I've had to make this decision under duress" (quoted in Priestley, 2014). One exception was Niki (leola) Rauti, who was given a 90-day notice in May 2014, under which she was expected to leave within three months. She and others from the Tamaki Housing Group protested outside the house for a month, with a banner saying "This home is occupied". Niki reported that she was fighting on behalf of herself and others: "I might have been the one standing there but I had thousands behind me" (quoted in Priestley, 2015).

Despite Rauti's efforts to emphasise that she intended to make a political point, the media response focussed on the benefits of redevelopment to the population as a whole compared to the disadvantages experienced by the tenant. In one news report, Rauti's situation was compared to that of a woman in a 12-person family in a three-bedroom private rental home, who was on the Housing New Zealand waiting list. Sitting with her baby on her lap, the private tenant told the cameras, "We're struggling with everything...There's just not enough houses" (quoted in Dann, 2014). The report then moved to describe Rauti's protest. Rauti, who was described as living on her own, was quoted saying:

"They've offered me two places to go to. I do not want to go there. I don't want to be a transient. I would rather stay here and fight" (quoted in Dann, 2014)

After Rauti's protest, her eviction notice was extended seven months to 27 January 2015. In the meantime, as other houses were demolished around her, Rauti took her landlord to the Tenancy Tribunal on the ground that Housing New Zealand had visited her without prior notice. Housing New Zealand had visited to offer her alternate accommodation options. The adjudicator rejected the claim (Ryan, 2014). However, Housing New Zealand subsequently withdrew notice (Priestley, 2015). Supporters outside holding a sign saying "State housing still lives" hailed this as a victory (Tamaki Housing Group Facebook Page, 2015). The head of the redevelopment company said that they had decided to delay the redevelopment of the area around Rauti's house for a number of reasons:

"The fact that Niki has caused a bit of a ruckus hasn't meant that we have been hurrying to get in there. By the same token, we don't need to get in there and there are some good arguments not to rush it" (Murdoch Dryden quoted in Collins, 2015a).

Media reports indicated that one of the arguments for waiting was due to zoning changes which mean the site may be able to be developed more intensively in the future (Priestley, 2015). As at February 2015, four people, including Rauti, were refusing to leave their homes to make way for development (Priestley, 2015).

Glen Innes state tenants shared the Pomare tenants' suspicion of growing the community housing sector. For example, one statement read: "The government is privatising some of the stock and transferring other stock to charities, a transfer that has failed in other countries" (Tamaki Housing Group, 2015a).

People associated with the Glen Innes group organised a national conference in February 2015 "to launch a nationwide fightback against the privatisation of state housing stock" (Tamaki Housing Group, 2015a). The group demanded a moratorium on state house sales, a repeal of the 2011 and 2013 reforms of Housing New Zealand; "a review of tenancy rights and a Charter of inalienable rights for tenants", amendments to the Residential Tenancies Act to prevent 90-day evictions, and tenure protection for the elderly, sick and disabled. Another notice of the event noted the need for facing "the attack on our communities by urban renewal projects" and the goal to "unite state and rental tenants who are being attacked by the governments so-called 'solutions' to the housing crisis" (Tamaki Housing Group, 2015b). The conference was supported by the Mana party (Fightback Aotearoa New Zealand, 2014). In March 2015, four members of the group protested at an open house for one of the new houses in the development and were arrested ("Four arrested at Auckland state housing protest," 2015).

9.2.3 Maraenui

The redevelopment process occurred differently in Maraenui than in the other communities. State tenants formed a protest group in 2011 when they noticed that many local state houses were vacant. Housing New Zealand responded by saying that the properties were vacant not because of redevelopment, but because of the earthquake risk, and because tenants did not want to live in Maraenui (Chatterton & Bradley, 2013). However, Housing New Zealand also acknowledged the possibility of future redevelopment to a mixed community. As one Housing New Zealand manager said, "We potentially have a lot of land in Maraenui, so new housing is looking good for the future" (quoted in "Maraenui housing plan gets the nod," 2013). A large-scale redevelopment was finally announced in late 2014 (O'Sullivan, 2014).

Maraenui's tenants were particularly affected by the nationwide evaluation of state homes for earthquakes risk which occurred in 2012. In 2011, Housing New Zealand decided to assess the earthquake risks of all state homes built before 1976 that had two or more storeys or three or more units. Eight-hundred houses were assessed across the country, and subsequently Housing New Zealand considered whether to divest, develop or upgrade the buildings (Housing New Zealand, 2012, p. 26). As a result of this process, tenants were displaced and houses were left empty around the country. This prompted community concern in a number of areas around the country: for example, in central Wellington's Gordon Wilson flats (Nichols, 2012), Porirua's Castle Loop (O'Neil, 2012) and Petone's Jackson Street (O'Neil, 2014).

It was in Maraenui, however, that state tenants engaged in sustained protest against the large amount of vacant homes, which they saw as damaging community wellbeing. In July 2012, the state tenant protest group, called Tu Tangata Maraenui, held a protest in response to the 50 vacant state homes. They said that notices of earthquake risk meant people "become anxious and worried about where they will move to, and their separation from whanau [extended family] and community. The whole community is in a state of constant upheaval, with houses being emptied out, and families being relocated, which is not healthy for vulnerable families" (Tu Tangata Maraenui, 2012b).

While some of the homes were vacant because of an earthquake risk, others were empty because Housing New Zealand said there were no tenants to fill them: according to one official, "the waiting list is quite low" (quoted in "Maraenui housing plan gets the nod," 2013). The state tenant protest group offered a counter-narrative to the claim that there were no tenants who wished to live in Maraenui. They said that many people did want to live in the houses, but that "They have been emptied out in the last 12 months, reflecting a change in government policy which has made many low-income families and individuals ineligible for Housing New Zealand's income-related rental charges" (Tu Tangata Maraenui, 2012b).

The narrowing of the allocation criteria had resulted in negative outcomes for the Maraenui community. According to one tenant, they "brought hardship and worry to many beneficiaries who deserve a decent home with income-related rents" (quoted in Tu Tangata Maraenui, 2013b). Another tenant explained that the "government's barriers" to entering state housing had "created a horrible mess in our community" (quoted in "Maraenui housing plan gets the nod," 2013). Their ineligibility leads to overcrowding: as one tenant

said, “the overcrowding that happens when people have to go into expensive private rentals is unhealthy” (quoted in Veen, 2013). The tenant protest group gave an example of a family living in a garage who had been refused a state house (Tu Tangata Maraenui, 2012b). In order to illustrate the problem, the group carried out a survey of 114 households, in which they established that “17.5% of the surveyed properties had more than two people per bedroom, which signifies overcrowding” (Tu Tangata Maraenui, 2012a).

The state tenant protest group also spoke out against other aspects of housing reform. Regarding the reviewable tenancies policy, spokespeople said this put people “in a very insecure position of not knowing how long they will have their house” (quoted in Tu Tangata Maraenui, 2013b). One tenant expressed concern that state houses in their community were vacant because “they are going to be either sold to private developers or other housing groups” and emphasised that “we need more affordable state housing options in Maraenui, not less” (quoted in Tu Tangata Maraenui, 2012b). As another state tenant put it, “expecting social housing to replace state houses is unrealistic” and “shows the government abandoning its responsibility to support vulnerable families into affordable homes” (quoted in Tu Tangata Maraenui, 2013b).

In order to draw attention to the issues in their community, the group organised a number of events and made submissions to government. They drew attention to a number of issues. First, they protested against the change in criteria. The tenant protest group submitted a petition in July 2012 to Housing Minister Phil Heatley on their concerns “that changes to Housing New Zealand’s social housing policy are having a negative effect on the well-being of needy families in our community” (Tu Tangata Maraenui, 2012c). However, they reported that “all we heard was a reiteration of the flawed policy driving the changes that are causing problems in our community” (Tu Tangata Maraenui, 2012c). Second, they responded to the closing of Housing New Zealand offices. They said dealing with Housing New Zealand over the phone created “stress and frustration” (Tu Tangata Maraenui, 2013a). The Maraenui group was eventually, in April 2013, able to arrange a meeting with Housing New Zealand CEO Ian Sowry. At the close of the meeting, Sowry committed to re-open the local Housing New Zealand office. A spokesperson said that the group was happy that tenants could now avoid “the difficulties people are having dealing with the run-around that many experience when applying for housing using the 0800 number” (quoted in Veen, 2013). Though this would be the only local office in New Zealand, a Housing New Zealand spokesperson denied that the reopening was because of the influence of public pressure (Veen, 2013).

Third, the state tenant protest group joined with the Pomare and Glen Innes groups in travelling to Wellington, marching to Parliament, and presenting a petition with the seven aforementioned demands (Tu Tangata Maraenui, 2012c). In April 2013, the Maraenui group had two opportunities to speak on these issues: presenting to the Social Services Select Committee on their petition, and meeting new Housing New Zealand CEO Ian Sowry, who “listened to our concerns about the effect that so many empty houses was having on community safety” (Veen, 2013). Soon afterwards, they organised a meeting prior to the bi-election contesting the Ikaroa-Rawhiti seat to ask candidates how they would take action on the issue (Tu Tangata Maraenui, 2013b).

Since 2013, the Maraenui tenant protest group has shifted its focus from action on housing to acting on other issues affecting the community, such as the sale of synthetic drugs at the local dairy. In October 2014, at the demolition of 33 houses, a larger-scale development with private developer involvement along the lines of Pomare and Glen Innes was announced. Housing New Zealand stated that:

“Much of the vacant land left after we demolish these buildings would be well suited for further development by either private developers or other social housing providers.... We know that the local community and other agencies want to see a greater mix of housing in Maraenui, and we support that vision” (Regional Manager Tenancy Services Jackie Pivac quoted in Housing New Zealand, 2014b).

Perhaps unexpectedly, one of the key activists of the tenant protest group said she was excited about the potential “to buy and build” in the new redevelopment: “People deserve to be in mixed housing; the high state house percentage limits Maraenui’s potential to grow... It is going to be like a breath of fresh air having the houses gone and replaced” (Minnie Ratima quoted in O’Sullivan, 2014).

9.3 Discussion

For a period, three tenant protest groups united to oppose redevelopment in their communities and state housing policy in general. The tenant protest groups carried out a number of activities in their localities including protests, marches, occupations, and meetings with officials and MPs. The three groups united in December 2012 to submit a petition to Government on seven key demands that challenged state housing policy and the redevelopments in their communities. At the time of writing (July 2015), each of the groups occupy different spaces: representatives of Pomare Community Voice are represented on

the redevelopment working group, Tu Tangata Maraenui is no longer active on housing issues, and one key member has indicated support for the new development, and the Tamaki Housing Group in Glen Innes continues to engage in protest against Housing New Zealand.

The key demands presented in the 2012 petition to Parliament have not (yet) been satisfied: state housing policy has not changed, the redevelopments have progressed as planned, and the criteria for entering state housing remain the same. However, the tenant protest groups achieved a number of small successes: evictions, and the redevelopments, were delayed; Maraenui's Housing New Zealand office was re-established; and the government acknowledged that redevelopments were carried with insufficient consultation. The different actions carried out by the tenants – a pre-election forum in Maraenui, confrontations between house removers and activists and subsequent court cases in Glen Innes, a protest in Pomare, the march carried out by all three groups – all brought the issues discussed by state tenants in to news. In response, journalists published articles, and political parties produced statements and questions, all of which forced the government and Housing New Zealand to defend their actions, and brought the questions raised by tenants to the forefront. Most importantly, however, they have voiced the concerns of those most directly affected by housing reforms, and made sure that these have been part of public discussion. As yet their demands have not affected government policy, but they may in future.

An additional effect of the groups organising together – and indirectly, of the redevelopments – was that the community had become more united and politically active, experiencing the benefits of collective action, or the joy of pursuing what Hirschman called “the public happiness”. Tenant protesters spoke positively of many of the events, such as marching on Parliament, or gathering together in protest. One tenant reflected that the redevelopments “It made us really strong. Real determined at the same time... Everybody started getting into politics... It made us think more politically. I think it made us open our eyes” (quoted in Waldegrave et al., 2013, p. 45). Another tenant said that “we grew as a community in a whole lot of different ways”, which they saw as “a survival tactic” (quoted in Waldegrave et al., 2013, p. 45).

While Housing New Zealand's promise to consult more is a positive achievement of the state tenant groups, ironically, it was its lack of consultation that angered the community enough to engage in collective action. As one tenant reflected: “we grew as a community in a whole

lot of different ways, but that was all driven by what Housing New Zealand and the government were doing to us” (Waldegrave et al., 2013, p. 45).

One of the most important achievements of the tenant protest groups was to provide a counter-narrative to negative depictions of state tenant communities. In the American context, Goetz (2012, p. 345), notes that in a “discourse of resistance” to mixing public housing communities, public tenants counter the storyline that life is “hell” in public housing and assert the positive and supportive nature of relationships in public housing communities. This is clearly observed in the tenant protest groups. One Glen Innes tenant told the media that “the benefits our people, especially our young people, get from belonging to a strong community like [Glen Innes] – these benefits should never be sold for short-term profits” (quoted in Diablo, 2012). Another Glen Innes tenant explained that he was involved in tenant protest because he “wanted to stand up and say, don’t take our houses away because it breaks up communities” (quoted in Lauaki, 2012c).

Reflecting this, Waldegrave and colleague’s interviews with tenants noted that people in the communities were aware of negative perceptions of the communities and disputed these:

“The discourses of the ‘anti-social’ Māori state house tenants were disputed by tenants, service providers and officials interviewed in Maraenui and Pomare who instead drew attention to the strengths of the community, the whānau-like nature of the community and support provided by tenants to each other” (Waldegrave et al., 2013, p. viii).

The assertion of Māori identity as part of tenant protest is unique in this history of tenant protest and might be usefully analysed in the context of historical land displacement. The experience of Māori as indigenous people in this process means that the effects of displacement may be particular to New Zealand. The effects of displacement on individuals and communities are well-established in the international literature, but the particular relationship of Māori to the welfare state and to land as made evident in the statements of state tenants suggests that the impact of state housing redevelopments on Māori has been underestimated and under theorised.

A number of themes identified in the literature are relevant here. Hirschman’s framework, introduced in Chapter 4 and traced through the histories outlined in the previous chapters, and particularly relevant in the case of private tenant activism, is less relevant to the

processes outlined here. The rise of tenant voice was not in response to the decline of exit in the form of homeownership: buying a home is out of reach for many state tenants. Exit to private renting is also not a viable alternative – private renting tends to be a worse option in terms of quality and cost. Rather, the collective action was a response to, in the words of the collective action theorists, a “suddenly imposed grievance” which put in doubt the security offered by state housing since its inception, and which acted to shift the costs and benefits in favour of collective action. The collective action allowed state tenants to come together to speak up not only on the redevelopments, but also on other aspects of state housing reform. Exit may have played a role in the decline of tenant voice, where the redevelopment caused key protestors to leave the communities for homes in other areas, and reduced the concentration of local state tenants.

The three communities clearly articulated the strength and importance of their communities. In doing so, they asserted a sense of what social movement theorist call collective identity – as people of Maraenui, Glen Innes, or Pomare – which may have been important to the development of the tenant protest group. In addition, tenants shared broader notions of justice based on Housing New Zealand’s promises to them, the more general commitments of past governments to state housing, the contribution they had made to their community, or their rights to land as Māori. The strong neighbourhood connections in the three communities constituted a resource that enabled state tenants to work closely together and with local service providers, including public health bodies, to organise protests and petitions. In contrast, other communities – such as aforementioned buildings and blocks affected by earthquake assessments – have not mobilised against the process of redevelopment.

Interestingly, some of the factors that might have promoted the development of collective action in these instances are oppositional to current social housing reform. The commitment to housing those ‘most in need only for the duration of that need’ means that tenants are less able to form the social bonds that encourage collective action. The growth of the community housing sector means that it may be more difficult to unite, as different tenants will experience different issues, under different landlords. This may mean that it is less likely that they will be able to comment on social housing policy at a wider level, as they have useful done in the 1990s and in the early 2010s. Finally, the mixing of communities reduces the number of state tenants in those communities, which may have an effect on their ability to organise collectively. One Canadian study suggests that public tenants that remained in

mixed-income communities found themselves politically marginalised as they competed with an influx of homeowners with different priorities (August & Walks, 2012).

As discussed in Chapter 4, overseas scholars have observed that on occasion, public tenant protest is replaced by participation strategies that are managed and limited by the housing authority. This has been criticised as preventing the development of authentic tenant voice that can genuinely improve circumstances for tenants: what Hirschman called the “co-optation of voice”. Such scholars might view the Pomare group as having gone through that process: in Pomare, tenant protestors are represented on the development board. However, their transformation might also be seen as a pragmatic response to the stage of redevelopment: once a community has been demolished, there was little tenants could do other than work to ensure that they had some influence on the development of the new communities.

10 Individual tenant representation in contemporary New Zealand

This chapter builds on work undertaken in previous chapters that looked at how tenants acting as a group have represented their interests throughout New Zealand's history. These showed that tenant protest groups acting as a group were able to bring about changes that improved their circumstances or contributed to housing policy. On occasions, acting collectively helped people to stay in their homes (at least for a few days) when they were evicted, to find new homes, to improve their housing, and to decrease rents. These measures supported their health by helping provide for more secure, better quality, and more easily affordable housing. Tenant protest groups also supported individual tenants to more effectively represent their interests in negotiations with their landlord, which also supported their health. The history of tenant protest also indicated that with the backing of the tenant protest group, an individual tenant was on occasion better able to understand her rights and was able to assert them to her landlord.

In order to better understand how individual tenants are able to effectively represent their interests to improve health in contemporary New Zealand, I decided to conduct a descriptive study using data gleaned directly from tenants, and from tenant advocates, who work with many tenants in strife. This investigation builds on previous studies outlined in Chapter 3, which showed that tenants in New Zealand are more likely than homeowners to experience health disadvantages associated with housing, and those outlined in Chapter 4, which suggest that there are a number of disincentives for individual tenants to represent their interests. A more detailed descriptive study could provide additional insight into the various factors that contribute to this decision.

My study had a qualitative and a quantitative component, as explained and justified in Chapter 2. In the qualitative part of the study, I interview tenant advocates about their observations of tenant conditions and their insight into the tenant-landlord relationship. In the quantitative part of the study, I survey tenants to assess to what extent they had tried to influence their housing conditions, and to what degree they had been successful. Descriptive studies were appropriate for this purpose because they provide "a comprehensive summary of events in the everyday terms of those events" (Sandelowski, 2000, p. 334).

10.1 Interviews with tenant advocates

10.1.1 Method

As explained in the methods chapter, the purpose of the qualitative descriptive study was to draw on key informant interviews to ascertain the key issues facing tenants and their ability to represent their interests. I received Category B Ethics Approval from the University of Otago in order to carry out the interviews. Participants were asked to participate in an in depth interview of approximately one hour, exploring the issues of advocacy and policy, based on their experience, reflections and expertise in the area. Participants were informed that I would use an open-questioning technique, and that my general line of questioning would include housing, health, renting, advocacy and policy. General questions on their work and its context led participants to reflect on power and voice as experienced by the tenants they work with.

Key informants provide in-depth knowledge on particular issues. To obtain interview participants, I contacted all the organisations in New Zealand that worked specifically with tenants or on housing issues. This list was obtained through monitoring the news and searching the Internet. Twelve people – representing every organisation I had contacted - agreed to be interviewed. I excluded organisations that might work with tenants if this work is based on assisting them to leave their current housing situation: for example, organisations that work to house tenants in supported housing or community housing, or to enable them to build or buy their own homes. The sample also excluded many organisations that work with people on a range of issues including other social service agencies, the Citizens Advice Bureaus, and Community Law Centres.

The organisations contacted were: three organisations that work specifically with tenants providing them with advice and advocacy on tenancy issues (Tenants' Protection Auckland, Tenants' Protection Christchurch, Manawatu Tenants' Union); one organisation that worked with tenants and landlords on tenancy issues (Housing Advice Centre); one network constituting of social service organisations in the areas working on housing issues, particularly those affecting tenants (Waitakere Housing Call to Action) and two organisations which provided a range of housing services, including advocacy and advice for homeless people and tenants (Sisters of Mercy Wiri, Monte Cecilia Trust). These organisations were based in Auckland, Christchurch and Palmerston North.

All organisations contacted agreed that I could conduct an interview, and put forward a suggestion of the person or people I should interview. The people interviewed included volunteers, board members, and staff. Staff roles included managers, social workers, lawyers, and general advice and advocacy workers. The roles of the participants and the type of organisation are listed in the table below. Between one and three people in each organisation participated in the interviews; choosing who was to be interviewed was at the discretion of the organisations. Participants also chose where they wished to be interviewed. Most participants chose to be interviewed in their office; one participant was interviewed in her home. Interviews lasted for about an hour and were recorded using a digital voice recorder. Participants were informed that their responses would be made anonymous. The numbers in the table below indicate particular interviews - for instance, participants 1a, 1b, and 1c were interviewed together – and will be used as references for specific quotes.

Interview participants

Code	Role
1a	council employee working on housing issues alongside community groups
1b	convener of coalition of housing-related organisations, formerly an advocate in a general housing support organisation
1c	lawyer working with tenants on housing issues
2a	community development worker
2b	community development worker
3a	manager and advocate in tenant support organisation
3b	advocate in tenant support organisation
4a	advocate in tenant support organisation
4b	advocate in general housing support organisation
5	advocate in tenant support organisation
6	manager in general housing support organisation
7	volunteer advocate in tenant support organisation

Following the interviews, I listened to the recording and transcribed the interviews. I analysed the transcriptions using a process called template analysis, as explained by Crabtree and Miller (1992) and King (2012; 2004), recommended by Sandelowski (2000) as an appropriate method of analysis data for qualitative description. With template analysis, the researcher defines a template, or series of codes prior to in-depth analysis of the data. A code is “a label attached to a section of text to index it as relating to a theme or issue in the data which the researcher has identified as important to his or her interpretation” (King, 2004, p. 257). Codes are determined either by a preliminary scanning of the text, or by theoretical considerations. I chose a middle ground; as Crabtree and Miller (1992, p. 95) explain, “beginning with a basic set of codes based on a priori theoretical understandings and expanding on these by readings of the text”. Having a priori codes, based on my research question and the literature review allowed me to dismiss parts of the transcript

that were not relevant to the particular themes of interest – that is, how tenants are able to represent their interests in order to affect their housing.

The subsequent template “is organised in a way which represents the relationships between themes, as defined by the researcher, most commonly involving a hierarchical structure” (King, 2004, p. 256). This allows the coded text to be read together and themes to emerge from the data (Crabtree & Miller, 1992, p. 106). Pre-existing codes were discarded in the process of research: “researchers continuously modify their treatment of data to accommodate new data and new insights about those data” (Sandelowski, 2000, p. 338). Reflecting this, the template may undergo several revisions (King, 2004, p. 261). These themes can then be tested through triangulation with other data (Crabtree & Miller, 1992, p. 106). In my case, this was data that emerged from the survey with tenants, as discussed next.

Analysis for descriptive studies is limited given that “there is no mandate to re-present the data in any other terms but their own” (Sandelowski, 2000, p. 338). The expected outcomes is therefore “a straight descriptive summary of the informational contents of data organized in a way that best fits the data” (Sandelowski, 2000, p. 339). King suggests a number of ways of presenting the data, each of which emphasise the use of quotes. I chose to structure my account on the main themes identified, which is an approach “which most readily produced a clear and succinct thematic discussion” (King, 2004, p. 268).

10.1.2 Results

Interviews with tenant advocates aimed to learn about the experience of tenants through talking to people who worked with them in difficult situations. I analysed the data gathered using template analysis. The template was generated from themes in the literature and a scan of the transcripts. This technique allowed me to represent the relationships between themes. The template is as follows:

Code	Subcode	Subcode	Subcode	Link to other codes
1. Key issues for tenants	1.1 Poor quality housing / maintenance	1.1.1 Existing regulation not enforced	1.1.1.1 Solutions – WOF	
		1.1.2 Tenants compelled to voice if they want to improve housing situation	1.1.1.2 Solutions – advocacy	2. <i>Voice</i>
	1.2 Insecurity			2.2.1 <i>The absence of security means that tenants may choose against voice in order to avoid risking the tenancy</i>
	1.3 High rent / overcrowding / housing shortage			2.2.1 <i>Overcrowding and a lack of alternative accommodation may cause tenants to choose against voice in order to avoid risking the tenancy</i>
	1.4 Lack of autonomy and privacy			
	1.5 Lack of respect			
	1.6 Lack of skills, knowledge, education required to act			2.1.1 <i>Tenants lack knowledge of rights and skills to assert them</i>
2. Action/ voice	2.1. People do not act	2.1.1 Because they lack knowledge of rights, skills/education		2.3 <i>Need for tenant advocates in order to educate and support tenants</i>
		2.1.2 Because of fear of repercussions		2.2 <i>People who act are disadvantaged</i>
		2.1.3 Because of the time/energy		
	2.2. People who act are disadvantaged	2.2.1 By the landlord ending the tenancy		1.2 <i>Tenancies are insecure – tenants can easily be given notice</i>
		2.2.2 By the time and energy it takes to take action		
	2.3. Tenant advocates support tenants and help strengthen voice	2.3.2 An advocate can be the difference between a positive and a negative outcome	2.3.2.1 Unfairness – not everyone has an advocate	
		2.3.3 Importance of funding advocacy	2.3.3.1 Ideas for funding	

Key issues for tenants

Participants were asked what the key issues were for tenants they worked with [1].

A key issue they identified was poor quality housing, and linked to this, maintenance of the property [1.1].

“You’ll see many of those who are living in substandard housing, holes in the floor, mould on the ceiling, oven doesn’t work...” (Interview 1, Participant B).

“A lot of the places are crappy. They’re not being provided to tenants, in our opinion, in good condition, reasonable condition. There’s always been that, but it seems to be ever increasing... They might see a place and get told, ‘oh yeah, it’s going to get fixed up’, and it’s not fixed up at all” (Interview 3, Participant B).

“Mushrooms on the walls” (Interview 3, Participant A).

“Maintenance is the main issue... Damp. Mould” (Interview 5).

Participants discussed a number of reasons for the existence of quality issues. A key issue identified was the flaws in current regulation [1.1.1]. Participants suggested that current legislation was insufficient to protect tenants for a number of reasons. One participant refers to the argument “they” (perhaps government, landlords, or the general public) claim that tenants are already protected under section 45 of the Residential Tenancies Act (RTA), which requires properties to be in “reasonable” condition. But the RTA has little effect, as it is not “monitored”:

“They just say it’s already covered on section 45 of the RTA. Your house has to be up to standard. But nothing’s ever monitored” (Interview 4, Participant A).

Another participant raised a similar point. The Department of Building and Housing (DBH) is responsible for administering Tenancy Services and the Tenancy Tribunal, which has responsibility for enforcing the Residential Tenancies Act 1986 (since the interviews were conducted, this Department is now contained within the Ministry of Business, Innovation and Employment). The participant points out that the compliance unit does not do the work necessary to ensure the law is followed:

“Although we do have the legislation now – a lot of it doesn’t have teeth. The part that is most lacking is the compliance unit where they should be independently

monitored, investigating and prosecuting wayward practitioners and they don't do it. They put a lot of money into investigation the government in terms of fraud in Housing New Zealand and MSD [Ministry of Social Development] etc. but they put nothing into that unit to ensure that practice is adhered to. DBH's compliance unit has no teeth whatsoever. That's the big flaw on our system. It's self-reporting" (Interview 3, Participant A).

A related point raised by participants was that current legislation required tenants to raise problems in order for legislation to be enforced [1.1.2].

"A lot of the legislation depends on you being quite assertive. Like the RTA. It relies on you" (Interview 6).

The difficulties inherent in tenants "being assertive" and raising issues with their landlord is discussed in the following section [see 2].

Participants raised solutions to the problems they identified in current legislation. One solution suggested was for a Warrant of Fitness for rental housing [1.1.1.1].

"If council can get involved in food cafes and make sure they have a WOF of their premises, then why can't the same be for landlords?" (Interview 1, Participant B).

"A WOF has been our idea for an awful long time but happily other people are getting on to it now" (Interview 5).

"What we're proposing in terms of ensuring properties meet standards, a WOF, a code of practice, a code of contact, we've had that on the table there, we've proposed that forever and a day" (Interview 3, Participant A).

A second solution raised by participants was for increasing the level of advocacy services provided to tenants, as a way of educating and supporting tenants to deal with quality problems [see 2.4].

Along with quality, another key issue raised by participants was the insecure nature of the private rental market [1.2].

"There's no security of tenure in New Zealand" (Interview 4, Participant B).

"[Housing needs to be] more secure for tenants" (Interview 1, Participant C).

“Stability and security is vital for families especially in low-income areas” (Interview 4, Participant A).

One participant related the story of a tenant she worked with, noting that she had to move often and was given little notice to do so:

“She had had to move ten times in the last ten years because she had had some good houses that she could afford but because the housing market was hot at that time - five years ago - she would get 42 day’s notice that the property had been sold. The landlord has to notify the tenant if they put the place on the market. But if the market is moving they sell quickly and once the landlord has, once the owner has, an unconditional offer then they have to give the tenant 42 days’ notice, but 6 weeks is not very long [to find another home]” (Interview 7).

The participant just quoted compared this experience unfavourably to her own. As a state tenant most of her life, she had lived in two homes in the last several decades. In contrast, another participant pointed out that the state as well as private landlords should be required to give more notice:

“We need security of tenure so that we can have stable rental stock so you have to have a reason to evict someone and not a 90-day notice. HNZ use them as threats and that’s not on” (Interview 5).

Participants pointed out that increased security for tenants would allow them to be more involved in their community and to plan for the future:

“If everyone had good solid dependable housing than perhaps they’d be more grounded in their communities” (Interview 1, Participant A).

“They could plan ahead and say look I’ve got this house that’s pretty ok and I’m going to stay here for ten years so maybe I’ll invest in my property by planting vegetables. You talk to people with nil money and they say ‘why would I plant vegetables, because the landlord could turf me out in 90 days and by the time they’ve grown I’m not going to be there’” (Interview 1, Participant B).

A third key issue for tenants was the affordability and availability of housing, which contributed to financial pressures and overcrowding [1.3]. Participants noted that the people they worked with struggled to find homes and deal with rent increases:

“There’s nowhere for people to live... I don’t know how you get people to make more houses” (Interview 1, Participant C).

“[We deal with] Rent increases a bit” (Interview 5).

“[The issues facing tenants are] Income and poverty. That is the biggest thing” (Interview 6).

In order to secure houses, people sometimes had to pay extra money:

“A lot of things need to happen, but none of that will happen if there’s not more houses, ‘cause at the moment... a little bit of bribing, a little bit of extra rent to get into places, you know” (Interview 1, Participant A).

As a result of the lack of affordable housing, participants noted that people were forced to crowd together. This was a risk, because it was against the terms of their tenancy agreement:

“Overcrowding is a fact of life. People don’t talk about it because at the end of the day the landlords have the power and it’s all about power” (Interview 4, Participant B).

A fourth issue identified by participants was the lack of autonomy and privacy tenants had in the home [1.4]. This meant that tenants had to go without certain privileges enjoyed by owner-occupiers, such as having pets, and making changes to the home and property:

“Renter kids don’t have dogs and dogs help kids. Those choices are gone. It’s double privilege. You’re renting so it’s not even that option of saying ‘have we got enough money for a dog?’ You wouldn’t build a tree hut. [It’s] not going to your kids and saying ‘what colour shall we paint your room?’ The little things that actually are a part of growing up, handyperson’s stuff. There’s a whole lots of stuff that’s not measured that happens when you’ve got your own place” (Interview 1, Participant A).

Tenants often accessed advocates because their rights to privacy were being infringed.

Participants listed a number of issues they assisted with:

“Relationship breaking down with your landlord, property being on the market, people visiting and whether you can say no” (Interview 3, Participant B).

“Loss of quiet enjoyment – landlords not complying with the Act, coming round and not giving the required amount of notice, or the landlord living close by and never staying away. They’re biggies” (Interview 5).

Participants also raised a general point of tenants not being seen as worthy of respect in New Zealand society [1.5]. This was linked to how governments, landlords, and the public treat tenants:

“We need renting to be a more secure option for families, more viable or ok in status. You know, are you a homeowner or are you just a renter? We need to change that attitude, you know” (Interview 1, Participant A).

“In New Zealand there’s an attitude of looking down on tenants in general. The thinking was that any New Zealander worthy of their salt would achieve home ownership unless something was seriously wrong with them. So tenants generally are seen by many people as no-hopers. And often people who don’t look after their homes. This used to infuriate me because I’ve always taken good care of my home” (Interview 7)

A final issue raised by participants was tenant lack of knowledge of rights and ability to assert them [1.6], which will be discussed in the next session.

To conclude this section, participants reported that the tenants they worked with were challenged by a number of key issues which affect their health: poor quality housing and lack of maintenance; insecure tenancies; lack of availability and affordability, which contributed to overcrowding; and a lack of autonomy, privacy, and respect. They are challenged in their ability to address this situation due partly to a lack of knowledge and skills to assert their rights, and partly due to the deficiencies in legislation.

How tenants represent their interests

As the participants made clear, and as previously discussed, improving the housing situation of tenants required them to take action. This section focuses on how tenants try to represent their interests through talking to their landlord or taking their landlord to court.

The first theme identified was that tenants often choose against voice [2.1]. Tenants who have gone to an advocate for help are clearly dissatisfied with their housing situation. Having talked over the options with the advocate, however, they may choose against taking further action:

“We suggest the Tribunal a lot but we probably get only about a quarter that go to the Tribunal out of the calls we get” (Interview 5).

One of the reasons identified for why tenants choose against voice is that they do not know their rights, or have difficulty asserting them [2.1.1]:

“There’s just a lack of capacity in general in people. I find that across the board with people’s rights. People don’t assert their rights here [in New Zealand], they don’t know their rights” (Interview 6).

“Many of the tenants are not well informed and don’t have the capacity or ability to advocate” (Interview 3, Participant A).

One participant, when asked if she worked with state tenants, noted:

“It’s taken years to let them know they are actually covered by the same legislation as private tenants. Many never bothered. Never ever knew that they could actually make the same enquiry...” (Interview 3, Participant A).

In addition to an absence of knowledge on tenancy rights, participants noted that tenants sometimes were not aware of their rights to benefits.

“They don’t tell you what you’re entitled for but they should tell you” (Interview 1, Participant C).

“You’ve got two streams of support – Accommodation Supplement [for private tenants] and Income-Related Rent [for state tenants]... Also it’s a right to have an assessment for Income-Related Rent if you’re in Housing New Zealand whereas if you’re in a private rental - you don’t know, you don’t get [the Accommodation Supplement]. And you don’t get back-paid... And the process for getting a WINZ benefit is just appalling, it’s awful” (Interview 1, Participant B).

The latter participant notes that tenants are often entitled to government assistance to supplement their rent, but they do not always receive this because they are not aware of this right. This is contrasted to the situation for state tenants, where there is a system to check they are receiving their full benefit (in terms of paying reduced rent) and they will receive back pay if they have not received their full benefit.

Lack of knowledge and assertiveness were linked to poor education. One participant noted the difference between herself and the tenants she worked with:

“I’m very fortunate. I’ve had a good education, I’m a qualified primary school teacher, I’ve got a BA [Bachelor of Arts] degree. And if you’ve had a reasonable education it helps you to be articulate and that helps confidence so you can speak up... If people feel inadequate or afraid there’ll be less likely to protest or even attend meetings. And a lot of tenants come into that category and that’s why [our] work is so important” (Interview 7).

Tenant advocates helped make up for a lack of education by helping tenants understand their rights and responsibilities translate for tenants:

“We had a woman ring this morning who is on an Income-Related Rents and she sounded not as sharp, she’s a little academically challenged and she’s only been there a year. And she got the letter from Housing New Zealand and she thought the rent was going up to market rent but all it was, was her annual review - she has to fill in the form and send it back. If she doesn’t fill in the form they’ll put her automatically on market rent. She was frantic. It really panicked her. So we hopefully put her mind at rest” (Interview 5).

Participants reported a second reason why people chose not to exercise voice – fear [2.1.2]. Tenants feared that exercising voice might endanger their tenancy.

“We encourage people [to act] but they just can’t be bothered. It’s about power - these people are shit scared they’re going to be asked to leave” (Interview 4, Participant A).

“If you’ve got all these rights [in] the legislation... You know, you can give your landlord fourteen days’ notice to make sure the roof isn’t leaking, and you do that, and then they give you ninety days’ notice to turf it. I mean, how is that a right?

That's not a right at all. It's basically keep your mouth shut or we'll find someone else, more quieter" (Interview 1, Participant C).

The latter participant points out that complaining might result in the landlord giving notice. Even though tenants are protected from retaliatory notice under the law, a landlord may find another reason for bringing a tenancy to its end (see Chapter 3).

Certain tenants face particularly strong disincentives to attempt to influence their housing situation. For example, a tenant who is breaking the terms of a tenancy agreement by allowing too many people to stay in the house will be unable to complain about other issues:

"The really vulnerable don't want to draw attention to themselves. If they're in overcrowding, things like that. Even when you do find really bad cases" (Interview 4, Participant B).

"If you come forward and you say I'm in a Housing New Zealand house and I've got four families sleeping in here well, immediately, Housing New Zealand in, 'you've breached a tenancy agreement'. If you say you're living in a caravan park with your children and it's a terrible place, CYFS [Child Youth and Family Services] come and uplift your children. You've got so many repercussions for being honest so you keep it quiet" (Interview 1, Participant A).

As these examples make clear, tenants choose against voice partly of other factors such as housing insecurity [see 1.2] or overcrowding [see 1.3].

Another reason some tenants choose not to act to influence their housing conditions is the associated costs of time and energy:

"They can't be bothered. They'll be moving on somewhere else" (Interview 4, Participant A)

The reasons tenants choose against acting – they predict its negative consequences – are valid, given the experience of tenants who did voice. People who voice can be disadvantaged [2.2]. They may be unable to remain in their home [2.2.1]. For example, one participant told of supporting a tenant through a Tenancy Tribunal process. When asked if the tenant remained in the home, she answered:

“I think she had either decided to leave or was planning to leave. Their relationship would have been abysmal after that” (Interview 7).

Another participant reported that he worked with a tenant who complained about the conditions of his home and was evicted. Subsequently, he worked with the tenant to gain compensation:

“I kept talking to him... and with the [local community law centre] we put in a tribunal application. We lost it of course, then about two months ago we got the hearing, and he got \$400. For being illegally evicted. But it took him a year. And it took two organisations to support him. You know? And English wasn’t his first language. He got \$400. But the point is it took him a year. They say it’s protection but this isn’t legislation that works for someone who’s just been kicked out. Good on him, he kept texting me, ‘what’s happening?’, but not everyone’s going to be like that” (Interview 6).

The participant raises another point: that tenants who exercise voice may be disadvantaged by the time and energy it takes to assert their rights [2.2.2]. The participant makes it clear that it took much energy and time for the tenant, with the support of two organisations, to exercise voice. This was for minimal compensation. He notes that this was a special case, in that other people were unlikely to spend this same amount of energy.

As the case just mentioned makes clear, participants reported that their work was fundamental to strengthening tenant voice and supporting tenants to gain positive outcomes [2.3]. (This is, of course, if they choose to act despite the potential negative repercussions [see 2.1].)

Participants emphasised that their role was to support the tenant through providing them with information, and support to act on that information.

“You just tell them what their rights are and strategize the situation. Give them a strategy to work with. Worst case scenario, go to the Tribunal” (Interview 5).

“What we do we engage fully with the enquirer, the tenant, and look at what’s really going on, and engage the landlord to find a solution. And that works. And that changes lots of things (Interview 3, Participant A).

Linked to the point made above on the lack of knowledge of rights and ability to assert them [see 2.1.1], participants drew special attention to supporting particular groups of people. One participant who worked primarily with state tenants reported that advocates could help tenants understand that they were able to speak up about housing problems.

“A lot of the Pacific people in particular find it very hard, and although they’re suffering, and they don’t like what’s happening, they find it hard to speak out against the authorities. And not until you can talk with them and help them understand and they feel supported will they come on board” (Interview 2, Participant B).

Supporting tenants sometimes required a mediator role. Participants emphasised that they worked with the landlord in order to find solutions that worked for tenant and landlord:

“We’re trying to think about ways to engage the opposition in a way that they might actually see the sense of negotiating or working in a different way. If it’s only about money ... When the only thing the landlord is interested in is money and that means you set up systems with the tenant where the money is paid directly and there’s no problem around money then that’s an easy sort of outcome. If there’s multiple issues going on in the tenant’s life and the landlords not interested in that, then that becomes more complex and we try to negotiate” (Interview 3, Participant A).

“You’ve got to work together. It’s not a war. You don’t point score. You got to try and get a fair outcome” (Interview 4, Participant A).

The support of a tenant advocate in working things out between landlord and tenant often made the difference between the tenant remaining in the home or not [2.3.2].

“What I found with working at [organisation], advocating with usually private rentals, if you got in there soon enough, you could actually work things through with the landlords. They just wanted to know that things were okay and that there was some support in there. And more often than not everything worked out okay. Once it got to three weeks overdue rent, or things were dire, or the relationship had broken down, there was no fixing that most of the time” (Interview 1, Participant B).

Participants reported that they also helped negotiate between tenants and social landlords – Housing New Zealand or councils.

“Housing New Zealand ring us up sometimes and say, ‘we housed one of your families, they’re not paying the rent, can you have a word with them?’ And we would do that... So we do as much advocacy as we can” (Interview 6).

“We find [that with] the city council or Housing New Zealand, we can have a conversation over the phone and we can get things done - sometimes we don’t, but nine out of ten times we can come to a resolution. We’ve been around, we’ve got credibility” (Interview 4, Participant A).

This support extended to assisting tenants in accessing their benefit payments in order to pay rent:

“When I was at [organisation] we had the most vulnerable people possible in our houses, these were homeless people coming into our housing, and they couldn’t directly communicate with WINZ [Work and Income New Zealand, which administers benefits] if something went wrong with their benefit, it required a third party and it was me. So they’d ring me and say, oh my benefit didn’t go in and then I would go with them to WINZ. And we would have a good relationship” (Interview 1, Participant B).

Participants acknowledged that advocacy services could make a substantial difference to tenants’ housing situations. Participants observed that when state tenants made requests – for example, for repairs or for an emergency appointment - they were not always acted on. When tenant advocates made the same request, however, Housing New Zealand acted on them:

“We’ve always worked closely with them [Housing New Zealand] to get the best deal possible. So when we ring and say x y and z it gets done fairly quickly and investigated. But we do hear that when tenants bring it up it’s fobbed off” (Interview 5).

“This family whose house burnt down today, it wasn’t a state house, it was a private rental, they’d lived in it – what did she say? – seven years. The daughter rang up Housing New Zealand, she said ‘no’, they said ‘there’s nothing, really’. But I was in the act of writing an email and Housing New Zealand’s PA rang, they were arranging a meeting [with us]. So I told her about it. And she’s organised an emergency appointment at nine o’clock tomorrow. [The tenants] couldn’t get [the meeting].

They mightn't have known what to ask for. Here's this woman, she's quite shocked, house burnt down this morning.... She's not all that proficient with English. I don't think they would have ever got anywhere [without our help]. It's sad" (Interview 2, Participant A).

"Another woman across the road, she's an elderly woman. She said that she had contacted Housing New Zealand several times, there's matting on her back entrance, and it's slippery when it's wet and it's been there a couple of years and she wanted it uplifted. She said, 'I've told them, I've rung several times, I've left messages at the call centre, and I'm sick of it'. I said, 'do you want me to take it up for you?' She said, 'would you?' So I sent an email through. And the next day the tenancy manager came out and had a look at it, put in a request, and it was done. It shouldn't have to happen... They shouldn't need people like us" (Interview 2, Participant B).

Participants pointed out the unfairness of this situation, as some tenants were not able to access advocates [2.3.2.1]:

"How do you do the research to show what the percentage benefit of having an advocate is? It's got to be hugely different. So we know, get yourself a good advocate, you might get housed, not always. How many people are not getting advocates?" (Interview 6).

For this reason, participants emphasised the need for more support services for tenants [2.3.3]. Retaining funding for their services was a constant concern:

"This is always a threat, always a worry. We're really low on money. We've got four funding proposals in at the moment. If we don't get those we're in the shit" (Interview 5).

One participant argued that the lack of support for tenants was a result of a government focus on homeowners at the expense of tenants.

"The real problem with tenancy support and services for tenants in this country is because it was treated as a non-existent thing, because there's been so much focus over these decades on this push towards home ownership. Everything's been geared towards home ownership" (Interview 5).

Several participants suggested that tenants' bonds, which are held by Tenancy Services, could be used to help pay for tenant advocacy [2.3.3.1]. For example a proportion of the bond interest, or the interest of unclaimed bonds, or a proportion of unclaimed bonds, could go towards tenant advocacy. They pointed out that a version of this system works well in some Australian states:

"The different between Australia and our [system] is that they have funded advocacy as part and parcel of their framework... We've advocated for years that at least the interest on the unclaimed bonds – not the sitting bonds - which is extensive, it's a million dollars, [give] it back! When you come to think that the interest is actually tenants' money... At the very least they take that and put it into advocacy. That would fund organisations like ours round the country... We're asking for what tenants deserve, that they get something from the money sitting there" (Interview 3, Participant B).

"All those millions going into the bond office and hundreds of millions is not claimed – why not give some of that money to tenants groups... It's serious money. It's millions. All we wanted was a little bit of it. Not even a million but a few hundred thousand – for rent, wages, education. But it'll never happen" (Interview 4, Participant A).

To sum up, having indicated a number of problems tenants are faced with, tenant advocates went on to describe the limitations in tenants addressing their situation. Representing their interests to the landlord or via the court system required energy and knowledge and the support of a tenant advocate. In many cases, the tenant decided against representing her interests because of these disincentives and a preference not to draw attention to herself. Tenants were more likely to see positive results if an advocate supported them, but there were not enough advocacy services.

10.2 Tenant survey

10.2.1 Method

In the second part of the study, as explained in Chapter 2, I carried out a survey of tenants to find out to what extent they are able to effectively represent their interests in order to promote health. I asked tenants about the opinions of their housing quality and, if there were problems in the house, how they had responded to these issues.

These questions were part of a larger survey of tenants involved in a pre-test of a warrant of fitness (WOF) for rental housing. The WOF was based on the Healthy Housing Index, an outcome-validated housing quality assessment tool. The pre-test aimed to assess the viability of the draft tool and gain landlord, tenant and assessor feedback in order to improve the tool and the assessment process. It was carried out by members of my research group (*He Kainga Oranga*/Housing and Health Research Programme), the Green Building Council (an industry body lobbying for green building practices), and five city councils (Auckland, Tauranga, Wellington, Christchurch, Dunedin).

The 144 houses in the study included some owned by the council as social housing, and some volunteered by private landlords. Council staff through public property investor associations, property management companies, and personal connections recruited landlords who wished to be involved in the pre-test. The researchers trained assessors, who carried out the WOF on the houses and filled in assessment reports. These were subsequently analysed. The results of the study were published in a report and an article (Bennett et al., 2014).

My role was to survey landlords and tenants on the telephone to obtain their perspective on the tool as well as the assessment process. There were multiple research purposes for the survey. Three questions pertinent to the present study were included (section 2, questions 5-7). These investigated what tenants think about the condition of their homes, and how they respond to issues of quality. Ethics approval (category B) for the survey was received from the University of Otago's Ethics Committee.

Tenants' phone numbers were sourced from the assessment reports. I phoned tenants to ask if they wished to take part in a short survey about their thoughts on the WOF tool and the assessment process. If tenants indicated interest, the interview went ahead then, or at a time more suited to them. Before beginning, I informed tenants that the survey was optional and that they could withdraw or decline to answer a question at any time. They were informed that their feedback was confidential and would not be attributed to them. Permission was obtained from all to record the interview in order to check any answers.

In total, 39 tenants were interviewed. Though the pre-test assessed 144 houses for quality, 86 of those houses were untenanted, or the house's assessment report did not have a correct contact phone number. I was unable to contact a further eleven tenants, despite at least four phone calls at different times of day. Where those tenants had answerphones or

cell-phone numbers, voicemails and text messages were also sent. Six tenants declined to be interviewed. A further two tenants did not know their house had been part of the pre-test, and were therefore not interviewed.

Of the 39 tenants who were interviewed, 24 rented privately. The remaining 15 were council tenants. The type of landlord may have influenced people's responses to my questions. In New Zealand, council housing provides for people of low incomes but is particularly focussed on the elderly. Rents are set below market rates. Tenancies are relatively secure. For example, Wellington City Council annually review tenancies to ensure tenants remain within eligibility criteria. If tenants' incomes have increased beyond income limits, they may be assisted to leave council housing. However for many tenants, such as pensioners, it is unlikely their incomes have changed, so they will be able to stay in their home (Saville-Smith, 2014). This security of tenure may affect a tenant's choice on whether to represent her interests to her landlord. Therefore, I include the type of landlord in my analysis of the survey results.

There were important limitations to this study. The data gathered consists of response to only three survey questions. The nature of a survey did not allow me to delve into the meanings behind those answers, which are particularly important to questions of power: as the Chapter 4 pointed out, power is manifest in non-decisions as well as decisions. Secondly, the sample is not representative of the New Zealand tenant population or of a subset of that population. Many factors were unknown, such as the tenant's ethnicity, age, household type, the amount of rent paid, or the tenant's relationship to their landlord (apart from whether the tenant rented privately or from the council).

I could make a limited inference from the fact that all the participants were tenants of landlords who had volunteered to be part of the warrant of fitness study. The survey of the landlords who took part in the study revealed that landlord participation was motivated by a desire to contribute and see how their houses rated for quality. As shown in our report, the majority had undertaken improvements already to improve the quality of the house. As such, it is possible that the tenants surveyed are more likely than the general tenant population to have responsive and responsible landlords.

The fact that participants were recruited through their landlord necessitates the acknowledgement of several other important issues. The context within which a survey is held can influence the way questions are answered (Schutt, 2011, p. 161). While I assured

interviewees that their responses were private, it is possible that the fact that I had obtained their phone number through their landlord influenced their response. It is also hard to determine what to make of the large amount of assessment forms that did not include the phone number of the tenant. Liaison with the tenant to arrange the assessment was sometimes carried out by the landlord, and sometimes by the assessor. It is not clear whether tenants were asked if they wanted to take part in the survey and if the absence of phone number meant that they had declined to participate, or whether the landlord did not give the assessor the phone number of the tenant, or whether the assessor had the phone number of the tenant but neglected to include it on the form.

Despite its limitations, the data warrant analysis. As Chapter 3 showed, surveys overseas have indicated that tenants are unable to assert their interests effectively, and this is backed up by New Zealand qualitative studies that have touched on the issue. It was deemed worthwhile to assess whether the tenants involved in this study had comparable experiences. Though the results are not generalisable, they usefully describe the experience of one group of tenants.

The survey results presented in this chapter are only those that refer to the questions regarding the tenant-landlord relationship.

10.2.2 Results

This study provided a useful snapshot of how tenants perceive housing condition, and how they responded to dissatisfaction with their housing.

The relevant questions were as follows:

3. Why did you leave your last house?
4. Before the warrant of fitness assessment, had you noticed ways in which the house could be made safer, warmer or dryer?
5. [If q4 yes] Please tell me about the ways you think that the house could be made safer, warmer or dryer.
6. [If q4 yes] Did you take any action to make the house safer, warmer or dryer? This could include talking to the landlord about the issues, or something you did yourself.
7. [If q4 and q6 yes] What was the result of you taking this action?

I will now look at the results of each question.

Reasons for leaving previous house

The question – “Why did you leave your last house?” – was included in order to ascertain the reasons behind mobility. As set out Chapters 3 and 4, it has been suggested that tenants are more likely to move house than to try to improve the conditions of their home due to the difficulties tenants have in representing their interests. The results of this question support this idea. Most tenants moved to their current home because they were relocating to that city or because they were responding to changes in relationships. However, six participants (15%) raised poor housing quality as a reason for leaving their previous rental home. This response supports the idea that tenants sometimes “exit” in response to poor housing conditions. In exiting, they choose against voice (or potentially, continuing to exercise voice) as a way of representing their interests.

Three of the six respondents who indicated that housing quality was a “push factor” in their move had moved from private to social housing, even though a minority of the respondents were council tenants. This indicates that moving in order to access superior housing may be less possible in the private rental sector.

Fig.1: Reason tenants moved to current home

Reason	Private tenants	Council tenants	All tenants
Relationship change (moving in with or out of a partner or family member's house)	4	3	7
Relocating to that city	10	2	12
Moving from homeownership to rental	2	0	2
Cost of rent	2	2	4
Quality or conditions of house	3	3	6
Previous rental house sold	2	2	4
Location of house	5	1	6
Size of house	2	1	3
Opportunity to leave private rental sector	N/A	4	4

Multiple response.

Tenant opinion of housing quality

Tenants were asked if they had noticed ways in which their house could be made safer, warmer or dryer. This question was included as a way of assessing whether tenants were satisfied with their home. If tenants were dissatisfied, I could ask how they had responded to that dissatisfaction, which would give an indication of how they had attempted to represent their interests.

Notably, even though no houses in the sample passed all the WOF's requirements for a healthy house, over half the respondents (20) had not noticed ways they thought the house could be dryer, warmer or safer. This might have indicated that that they were satisfied with the conditions of the home. However, in answering 'no', some made supporting comments, such as that they were happy with the house, that it was "up to standard" or "good for its age" or "considering when it was built". This supports previous findings that tenants modify their expectations based on what housing is accessible to them. Low expectations may mean they are not dissatisfied with a housing situation that might be considered problematic by another person.

Two people said they did not know if they have noticed ways the house could warmer, dryer or safer. This was because they had only been in the house in the summer months. This indicates that tenants looking for homes may not have the information to allow them to make housing choices based on quality.

Fig. 2: Tenant opinion of warmth, dryness or safety of the house

	Private tenants	Council tenants	All tenants
Have noticed ways the house could be warmer, dryer or safer	13	4	17
Have not noticed ways the house could be warmer, dryer or safer	10	10	20
Don't know	1	1	2

Tenant opinion of housing improvements

The 17 people who had noticed ways the house could be warmer, safer or dryer were asked their opinion on how their house could be improved. This question was included in order to understand what key issues are for tenants, to assess their knowledge of the importance of various aspects of house to health, and in order to prepare for the following question on whether they had relayed these ideas to the landlord.

Tenants who had noticed issues in their house were most concerned with warmth and dryness. They thought they house could be warmer, safer and dryer through improved heating, installing double glazed windows and insulation, by dealing with mould, including through improving ventilation. These results indicate that some tenants have a good understanding of how housing improvements can affect comfort in the home, and therefore, health and wellbeing.

Fig. 3: Tenant opinion on how house could be improved

	Private tenants	Council tenants	All tenants
Heating	6	0	6
Insulation	2	2	4
Ventilation/ dealing with mould	2	0	2
Lighting	1	1	2
Double glazing	1	1	2
Fixing leaks	1	0	1
Hand rails	1	0	1
Air transfer system	1	0	1

Multiple response

Actions taken to improve housing quality

The 17 respondents who had indicated that they were aware of ways the house could be warmer, safer, or dryer were asked if they had taken any action to make the house safer, warmer or dryer. The results showed that despite their dissatisfaction with an aspect of housing quality, participants often chose against talking to the landlord about the situation.

Seven of the seventeen participants who had noticed issues of warmth, dampness and safety chose not to talk to their landlord about the issue. Participants gave a number of reasons for this. Two respondents judged that the issue could not be rectified. One respondent said that raising the issues with the landlord was not worthwhile, as the landlord would not act to resolve them. One respondent said that it was not worth raising the issue with the landlord because the tenancy was due to end soon. Two respondents said that the issue did not really matter. (One tenant did not indicate why he/she did not talk to the landlord about the issue).

Fig. 4: Tenant actions in response to issues of damp, dryness or safety

Action	Private	Council	Total
Talked to landlord	7	3	10
Did not talk to landlord	4	3	7

Fig.5: Reasons why tenants chose against raising an issue of warmth, safety or dryness with the landlord

Reason	Private	Council	Total
As tenant judged unable to be fixed	1	1	2
As tenancy would end soon	1	0	1
Because did not expect result	0	1	1
Because "it doesn't really matter"	1	1	2
No answer	1	1	2
Modified behaviour to deal with issue	2	0	2

Multiple response

Ten of the 17 participants who had noticed quality issues had taken action on the issue, including talking to their landlord about the issue. The next question looked at the outcome of tenant representation.

Results of tenant action to improve housing

The ten tenants who had noticed ways in which houses could be warmer, safer and dryer, and who had chosen to speak to their landlord about the issue, were asked about the results of their taking this action.

Five reported that the issue had been dealt with. One of those said the improvement had been requested twice, and only occurred a week before the WOF assessment. Five reported that the issue had not been addressed. This low success rate may contribute to the low numbers of dissatisfied tenants who chose to talk to their landlord about the issue.

It would be useful to understand what contributed to the successful resolution of the problem. For example, it may be that low-cost fixes were more likely to be installed. Unfortunately, the survey did not go into this kind of detail.

Fig. 6: Results of tenants talking to landlord about improving warmth, safety or dryness of house

Result	Private	Council	Total
Problem addressed	5	0	5
Problem not (yet?) addressed	2	3	5

To sum up, the survey drew attention to a number of factors that limit the effectiveness of tenant representation to improve housing quality. Many tenants are not willing to ask for improvements to their home because of their low expectations for quality, and the risks and costs of speaking out.

10.3 Discussion

The studies support themes gleaned from the literature review. Tenants surveyed had low expectations of housing quality, evidenced by the fact that half of participants had not noticed ways that their houses could be warmer, safer or dryer, despite assessors finding multiple issues with the houses. As Lukes suggested, power is expressed where there is “a contradiction between the interests of those exercising power and the *real interests* of those they exclude” (italics in the original, Lukes, 2006, p. 28). It is in the real interests of tenants to live in quality housing, but their low expectations of housing mean they are satisfied with

poor quality housing. This is significant because these tenants are unlikely to represent their interests in order to make the house warmer, dryer, safer, and more conducive to health.

Even when tenants were dissatisfied with their housing situation – when they thought the house could be improve – the likelihood that they would represent their interests in order to challenge this situation was low. The tenant survey showed that about 15% moved to their current house because of quality issues in their previous home. This indicates that, in Hirschman's terms, tenants sometimes choose exit over voice. The tenant survey also showed that, among people who had noticed ways in which their house could be warmer, dryer or safer, only about half had raised the issue with the landlords. The reasons for choosing against voice were similar to those raised in the literature review, and support Hirschman's observation that for people to choose voice, they must have experience of voice being effective. Tenants reported that it was not worth complaining about an issue. Only half of those who had complained about an issue reported positive results.

Statements made in the key informant interviews supported these findings. Tenant advocates reported that there were a number of disincentives to exercising voice in response to problematic situations. Tenants were not aware of their rights, lacked confidence in asserting them, or were unwilling to draw attention to themselves for fear of damaging the relationship with the landlord and risking eviction. In addition, talking to the landlord was often ineffectual. Going through the court process could take a lot of time and energy. Tenant advocates reported that when they supported a tenant, in negotiation with the landlord or as part of the tribunal process, a tenant was more likely to get positive results. These findings speak to the themes unearthed by Hirschman. Voice has benefits but also costs in the form of retaliation. Voice, like exit, is most accessible to those with advantages, in this case, in education and confidence.

The results of the contemporary studies show that there are a number of limitations to tenants representing their interests in order to improve health. The tenant survey revealed issues with addressing housing quality issues, and the key informant interviews noted issues with affordability, security, and quality, as well as gaps in the legislation to allow those problems to be addressed. Together, the studies show that issues identified by tenant protest groups in the past remain salient today. Tenants, and particularly disadvantaged tenants, are limited in their ability to represent their interests in order to improve their housing situation in ways that benefit health.

11 Conclusion

Healthy housing for New Zealanders who rent has been at the centre of public debate during the years in which this thesis was undertaken (2012 to 2015). The publication of significant studies that prove the link between housing and health has supported calls from across the political spectrum and civil society for government intervention to support tenant health. Public attention has also been roused by a number of media investigations that have exposed the terrible conditions in which people live in (e.g. Macafie, 2015a). For the first time, a coroner's report on the death of a child living in a state house – from complications arising from a respiratory infection - concluded that the cold living conditions of the house may have been a contributory factor in the child's death (Shortland, 2015).

My research has looked at the underlying factors that contribute to a society where housing is dangerous for many tenants. I investigate the assertion of the Commission on the Social Determinants of Health (2008) that health inequities are related to power inequities, and that improving the health of populations relies in part on empowering people to represent their interests.

Tenants' health is affected by the affordability of renting and heating a home, by the degree of security it allows an occupant, and by the conditions of the dwelling itself. In this thesis I have explored how tenants can represent their interests to improve their health, both as individuals and as a group. I have done this by analysing five periods of tenant protest over the last one hundred years of New Zealand history, and by interviewing tenant advocates and surveying tenants about the current situation for tenants. To support my analysis of the considerable historical and contemporary data amassed, I have drawn on a number of theorists. Albert Hirschman's exit-voice framework is pertinent throughout the thesis. Steven Luke's work on power is particularly relevant to the contemporary studies, while the literature on collective action and social movements is referenced in regard to the historical studies.

Broadly, my thesis showed that tenant protest over the course of New Zealand's history led to some gains for tenants, with important flow-on benefits for health. However, tenants face ongoing challenges in gaining housing which provides for health due to a legal framework that fails to account for power dynamics in the tenant-landlord relationship. These findings show the important connection between power inequities and health inequities. The health disadvantages that tenants face are, in part, a result of their power disadvantages.

In this final chapter, I summarise the conclusions I have drawn from my analysis of historical and contemporary tenant action, including insights from economic and political theories, and their relevance to the study of housing typologies and to public health. I identify implications for policy and opportunities for future research.

Key conclusions from the historical study

My analysis of the history of New Zealand tenant protest has shown that tenant protest has contributed to considerable gains for tenants. In each of the five phases of tenant protest, tenants respond to issues that have important impacts on their health – affordability, security and quality – and collectively represent their interests to their landlord or to the government. Tenant protest first emerged in 1916 and 1920, to advocate for the introduction and maintenance of rent controls. It appeared again during the Depression in response to the difficulty tenants had in paying rents and their experiences with eviction. Tenant protest groups developed in the 1970s as part of the emergence of new social movements and in response to issues of poor housing quality. The final two phases of tenant protest were carried out by state tenants: against the introduction of market rents to state housing in the 1990s, and against the redevelopment of state housing communities in the 2010s. Yet tenant protest was faced with a number of common challenges in each era, such as resource constraints, and was relatively small-scale and intermittent.

Governments responded to the issues that were raised by tenant protest groups. Policies that supported homeownership assisted tenants who could afford to buy houses. State housing initially supported working families, and latterly supported the very vulnerable, though it left large numbers in the private rental market. State housing policy changes addressed some of the issues. Changes to tenancy law - which strengthened tenants' rights to secure, quality housing, and limited rent increases - were concrete improvements won by tenants. These achievements have important flow-on benefits for health. Nonetheless, in general, housing for tenants has remained substandard and insecure over the course of New Zealand history, evidenced by the periodic resurfacing of tenant protest. One reason for the continued problem of poor quality housing is that laws intended to address the problems experienced by tenants required tenants to ensure landlords met standards. As the next contemporary study points out, there are number of disincentives to them doing so.

Key conclusions from the contemporary study

The analysis of contemporary issues facing tenants has shown that many tenants continue to face the challenges of high rents, poor quality housing, and insecure occupancy, and that they cannot easily represent their interests. This is especially concerning given that current legislation relies on tenants representing their interests in order to access their rights.

The tenant survey showed that many people chose against representing their interests in order to improve their housing. Many saw no way that their house could be warmer, dryer or safer, even when an independent assessor had found multiple issues. Among those who thought the house could be improved, many had not raised the issue with their landlord. Among those who had, only about half had seen their complaint addressed.

Interviews with key informants lent explanations to the lack of tenant representation. There were a number of disincentives to tenants exercising voice in response to problematic situations. Tenants were not aware of their rights, lacked confidence in asserting them, or were unwilling to draw attention to themselves for fear of damaging the relationship with the landlord and risking eviction. In addition, talking to the landlord was often ineffectual. Going through the court process could take a lot of time and energy. Tenant advocates reported that when they supported a tenant, in negotiation with the landlord or as part of court processes, a tenant was more likely to get positive results than acting alone.

The fact that tenants often choose against representing their interests has major implications due to the fact that the main route to improving housing quality in New Zealand is mainly through the Residential Tenancies Act, which relies on tenants' reporting problems with their housing.

There are some indications that conditions for New Zealand tenants may improve. The poor quality of state and private rental housing, and the insecurity and lack of affordability of private rental housing, has received much attention in recent years. In June 2015, the government said that it was investigating options for making rental housing more secure (Macafie, 2015b). More concretely, in July 2015, the government announced the introduction of a bill to amend parts of the Residential Tenancies Act to make smoke alarms and insulation (to 1978 standards, rather than to the standards demanded in new builds) compulsory where practicable in rental homes (Cabinet Social Policy Committee, 2015). The amount of time a tenant has to make a complaint that a landlord has ended a tenancy in retaliation for asking for housing improvements will be extended. These changes will be

accompanied by “an information campaign to promote the new smoke alarm and insulation requirements, as well as practical advice on how to prevent dampness and mould in residential rental properties, and information about tenant rights and responsibilities” (Cabinet Social Policy Committee, 2015, p. 18).

These moves will assist adjudicators in making consistent judgements on housing quality issues. They will motivate some landlords to ensure their housing meets a minimum standard. Some tenants will draw on the new standards when they ask their landlord for changes, or may even take their landlord to court on the issue. However, the changes fail to address the problem in existing legislation that I have identified, which is that it relies on tenants to enforce quality standards. For some tenants, and particularly those who are low-income or who live in tight rental housing markets, there are a number of disincentives to asserting legal rights. In order to overcome this problem, it is necessary to elect alternative enforcement regimes for rental housing standards that do not rely on tenant voice. For example, rental homes could be subject to random or universal checks by building assessors, as proposed by Blick and Davies (2014) to ensure that they meet standards, with appropriate mechanisms in place to ensure tenants are protected while improvements are carried out.

Approaching the history of tenant protest and the contemporary challenges faced by tenants in securing healthy housing through the lens of key theorists provides insight into the observed processes.

Theoretical insights into the contemporary studies

Steven Lukes’ work sheds light on the reasons why tenants were less likely than assessors to find housing problematic, and why, even when they were unhappy with conditions, tenants had not asked for improvements. Power functions not just where it is visible, but also by shaping preferences and keeping conflicts hidden. Grievances can exist even if unperceived and unvoiced. A tenant in a mouldy home may accept mould as a normal situation because it matches her experiences of previous housing. Or a tenant might be unhappy with the situation, but, for any reason, including fear, will not report the housing problem. Lukes’ work ensures that these dimensions of power are considered. Power, if invisible, is unlikely to motivate action, including through exit or voice.

Hirschman’s exit-voice framework is useful for understanding what happens when tenants do consider taking action to improve their housing conditions, including through exit or voice. At the individual level, a tenant can improve her housing situation either through exit

(changing house) or voice (taking issues to the landlord or the courts). The success of either option depends on the resources available to a tenant. The contemporary studies showed that neither exit nor voice brings satisfactory resolution to housing problems for tenants. While exit entails moving costs and leaves the problems of substandard housing to future tenants, voice has costs in terms of time and energy, can fail to resolve the situation, and most importantly, can put the tenancy at risk. In addition, both exit and voice are less accessible by the most disadvantaged tenants. Hirschman argued that such a situation, where neither exit nor voice will lead to improvements, points to the need for government intervention.

Theoretical insights into the historical study

The theories introduced in Chapter 4 provide insight into the results of the historical study. Attention is drawn to four of Hirschman's key points that help explain the rise and decline of tenant voice: that fewer exit possibilities increase the likelihood of voice; that more exit opportunities decrease the likelihood of voice; that the most well-resources are those who are best equipped to exit and to voice; that the presence of exit can undermine voice because those who often have the loudest voice are no longer available to work on behalf of the group. In addition, theorists of collective action and social movements, and Jim Kemeny's work on housing systems, further elucidate the results.

A crucial aspect of the exit-voice framework is that limited availability of exit as a response to dissatisfaction encourages the development of voice. This idea is relevant to the cases of early tenant protest. Tenant collective voice in Wellington commenced in 1916-22 when tenants were frustrated with poor quality housing and high rents in a tight rental market. They could not easily exit the private rental market: buying a home was out of reach for most workers, and there were few state homes. Exit possibilities were also limited when tenant collective voice emerged during the Depression. Mass unemployment, low wages, and a withdrawal of government loans to support homeownership, meant that private rental tenants could not easily buy homes.

Secondly, the availability of exit acts to limit or atrophy voice. Buying a home can be considered in part as a response to dissatisfaction with the private rental sector, and a way to exit its problems. Government loans at low-interest rates in the 1920s and again from the late 1930s on allowed many people to buy a home that otherwise could not have afforded to. This is one factor that contributed to the decline in tenant collective voice: early tenant

protest died down from 1922, and tenant/unemployment protest disappeared from 1935. The connection between homeownership as exit and the decline of tenant collective voice is less clear in the other instance of private tenant collective action, in the late 1970s, as tenant protest declined, homeownership levels remained steady. However given, as discussed subsequently, the importance of student activists to leading collective tenant voice, it is possible that their exit into homeownership as they aged contributed to the decline of tenant protest groups in this era.

When governments' promoted homeownership, while failing to improve conditions in the private rental sector, some people could leave behind those poor conditions by becoming homeowners. In this way, homeownership acted as a safety valve: buying a home relieved many tenants' problems, preventing political pressure building up. The people who were most able to buy a home were wealthier tenants. This supports Hirschman's observation that exit is most easily available to those with more resources, who, had they not exited, would have been the most well equipped to use their voice in order to advance the group. The availability of home-ownership, supported by governments, to wealthier tenants has worked against a well-resourced, powerful and sustained tenant collective voice.

State housing has occupied different roles in relation to the exit voice mechanism in New Zealand housing. Especially from the late 1930s, dissatisfied tenants could exit private rental housing to state housing. State tenants were required to pay rents that were relatively high compared to the private rental market, reflecting their superior quality. The bulk of homes, especially at the beginning, were for people with steady jobs, and usually families. In this sense, state housing, like homeownership, constituted an exit to the problems of the private rental sector, that, in being more available to people on higher incomes, worked to undermine private tenant voice by depriving it of valuable human resources. However, over time, state housing became more targeted at low-income people in a process often referred to as "residualisation".

In addition to the income limits for those entering state housing, people were encouraged to leave the tenure of state housing while remaining in their homes through the "right to buy" policy. This option to buy a state home, even at generous terms, was available only to tenants with steady jobs and reasonable incomes, who were able to commit to terms of the mortgage. In the context of the United Kingdom, such policies have been described as a way "to induce the better off to leave" council housing (Malpass and Victory 2010, p.10). The exit of the wealthy from council housing has been associated with its policy marginalisation

(Murie and Forrest, 1991). Hirschman's framing is appropriate here: the availability of homeownership, supported by governments, to wealthier state tenants has worked against a well-resourced, powerful and sustained state tenant collective voice. State housing therefore has occupied different places in relation to the exit-voice mechanism: it represents an exit from private rental housing that undermined private tenant voice, as well as a site for potential state tenant collective voice that is undermined by the presence of homeownership as an exit.

Having looked at how the availability or otherwise of state housing or homeownership to the tenant population as a whole might work against collective voice, we can turn to how exit and voice mechanism can be seen as working at a smaller scale – at the level of individual protest actions. Exit from collective voice was sometimes forced, as in police repression of tenant protest in the 1930s, 1990s and 2010s. Exit from collective voice was sometimes voluntary, reflecting the difficulty of protesting in a way that endangers something as important as home. The reports on the Rama rent strike and Blythwood Flats eviction resistance, both during the 1970s, note that they ended when tenants moved to alternative accommodation. Though tenants were willing to exercise voice, there was a point where exiting the protest action (moving home, or negotiating an individual rent) became a better option for them, and this signified the end of the protest action without gains for tenants as a group. Similarly, participation in the partial rent strike embarked on by state tenants during the 1990s dropped as Housing New Zealand negotiated solutions with individual tenants, or, in some cases, eventually evicted them. Direct action by state tenants in the early 2010s declined as state tenants moved out of the neighbourhood or to other state homes during the process of redevelopment, or as state tenants exited protest action by working closely with redevelopers. In these cases, tenants strengthened their hand in negotiations through undertaking collective action, and as a result, often gained a better outcome than they may have otherwise. Yet their exit meant that state tenant collective voice as a whole declined.

Hirschman's exit-voice framework is useful in suggesting structural factors that limit tenant voice. The specificities of why and how collective voice develops and declines are deeply explored by social movement theorists, as is also outlined in Chapter 4. Olson argued that for collective action to take place, it must provide selective incentives to participants. For tenants, these incentives may be material (gaining better housing), as well as psychological or social (or "soft"): renown, respect, and what Hirschman described as the joy of providing

for the “public happiness”. In housing, collective action is more likely when tenants live in close proximity and even more so, when share a landlord, which makes it more likely that they will experience those soft incentives. This is certainly the case in New Zealand. Private tenant protest has been concentrated in inner city areas during early tenant protest, in the 1930s and in the 1970s. Eviction resistance in the 1930s was successful partly because neighbours joined resisting tenants. Rent strikes during the 1970s focussed on tenants of particular landlords. State tenant protest in the 1990s mainly occurred in areas of concentrated state housing in Auckland against a shared landlord – the Government. State tenant protest in the early 2010s against redevelopment as well as government policies such as a multi-provider social housing market and reviewable tenancies, began in three close-knit communities facing redevelopment.

Collective action can be initiated by the common experience of what the literature calls a “suddenly imposed grievance”, where the incentives for participation suddenly shift. This idea is particularly relevant to state tenant protest. In the early 1990s, state tenants were shocked to hear that their rent would no longer be determined by their income, but by the market. For most, this meant a radical increase in rents, or an often-fruitless search for a more affordable home to replace homes that had previously been secure. This grievance, and the incentive to keep rents affordable, prompted many to participate in collective action. In the early 2010s, state tenants in three communities were similarly shocked by the prospect of having to leave formerly secure homes, this time in order for their neighbourhoods to be redeveloped. This grievance, and the motivation to stay in their communities, prompted many to participate in collective action.

Theories of collective identity and framing suggest that shared identity and values make collective action more likely to occur. Historically, in New Zealand, tenant protest groups have used shared values to establish a collective identity for tenants. In 1916-22, and again during the Depression, tenant identity was closely associated with being a worker. However, this association lessened as homeownership became more accessible to workers, in the late 1920s and again after the end of the Depression. More recently, shared identities have been promoted based on geography and historical ties: being a member of a neighbourhood or community. An identity imposed by broader public discourse may have acted as a barrier to stronger tenant collective action over the years. The negative identity of both private and state tenants – with the latter identified with “dependence” – may work against tenants identifying as tenants and coming together in order to represent their interests. It also

contributed – along with the clearly inferior conditions of the private rental sector - to these groups seeing their time renting as only temporary, and aspiring to owning homes. This limited the resources they were willing to commit to developing a collective tenant voice.

Resource mobilisation theorists draw attention to the importance of political context and factors such as networks and finances in determining whether protest emerges and is sustained. Tenant protest in New Zealand has erupted spontaneously, but it has also relied on the resources provided by existing organisations. In early tenant protest, Labour Party and union representatives initiated the first meetings on rental housing issues in Wellington, and key members of the groups that developed were also union and Labour Party members. The Labour party and movement had less of a presence in subsequent tenant protest, partly because their members were no longer primarily tenants, but also homeowners or aspiring homeowners. In the 1930s, the Unemployed Workers Movement, supported in part by the Communist Party, supported tenant protest through sharing information, supporting eviction resistances, drawing attention to tenant issues, including through their own newspaper, and representing tenant interests to Parliament. In the 1970s, tenant protest was initiated by young people, many of whom were connected by their membership of student, anti-racist and anti-war movements. These networks provided support to protest activities; for example, the Victoria University student newspaper shared information about tenant protest, and protestors used the newspapers' vehicles to attend protests. In the 1990s, Communist Party members initiated the first SHAC meeting, and the Party subsequently supported state tenant protest by publicising direct action. Other social service organisations also supported state tenant protest through organising and attending events, and publishing critical analysis of housing policy. In the early 2010s, local community centres, public health nurses, and the Mana Movement supported state tenant protestors..

Key points in the history of tenant protest in New Zealand can be connected with openings in the political system, a point emphasised by political opportunity theory. Rapid urbanisation in the first phase of tenant protest (1916-1922), may have encouraged the development of a common tenant identity, and the First World War may have increased sympathy for the tenants – including soldiers and families – who lived in poor rental housing conditions. Mass unemployment 1930s radically changed the political context, representing an opening for new leaders to channel frustrated people into direct action, including on behalf of tenants.

The work of Kemeny, a theorist who has focussed on identifying and explaining divergences in housing systems, also lends considerable insight to the historical study. Kemeny identifies into two types of housing system. Dual rental systems promote homeownership, and have a small, targeted social housing sector, and a private rental sector tends to provide poor conditions and weak rights. In integrated rental systems, home-ownership is not favoured, and private and social housing providers compete in the same market to provide housing which is relatively secure, affordable, and quality. Limiting my literature review to studies conducted in dual rental systems ensured I drew on studies in countries where tenants have broadly similar rights, and therefore a broadly similar ability to exercise voice, whether as individuals or as a group.

Kemeny's typologies prompt consideration of whether the extent to which tenants represent themselves as a group could also be the result of housing systems. A brief survey of how tenants are represented as a group in different countries suggests that integrated rental systems are associated with strong tenant voice with real power (such as in Sweden, where the tenants' union negotiates rents), whereas in dual rental systems, tenant groups are limited to a lobbying or service role, and tend to be more ephemeral (such as in New Zealand or the United States). Applying Hirschman's ideas, this might be explained by the fact that in dual rental countries, homeownership fulfilled the role of an exit to the problems of the rental sector. Perhaps this acted to atrophy the voice of tenants. This extends the observation in the previous section (that promotion of homeownership in New Zealand contributes to the decline of tenant protest) to a broader level: that countries that promote homeownership (dual rental countries) hinder the development of collective tenant voice, which further entrenches a housing system that works against the interests of tenants.

While conclusions on the link between housing systems and tenant collective voice are beyond the scope of this study, it is worth considering whether, if a housing system does have such an impact, countries can change their system, thereby transforming into places where it is more likely that strong tenant voice exists. If anything, rising rates of owner-occupation and increasingly targeted social housing in integrated housing systems suggest that such countries are becoming more like dual rental systems; whether tenant unions in integrated rental systems are strong enough to withstand changing policies and changing tenure trends remains to be seen (Christophers, 2013; Kemeny, 1995, p. 138). In contrast, there is no evidence to show that New Zealand or other dual rental systems will change their housing system by, for example, removing favourable tax treatment for home ownership. I

have already pointed out that recent tenancy law changes do not challenge fundamental enforcement problems. While a warrant of fitness might address those problems, it would not affect the ability of tenants to represent themselves as a group to advocate for continuous improvement of conditions for tenants. It remains to be seen whether the health discrepancies between tenants and homeowners can be addressed without a broader shift in housing policy.

To sum up, a number of political and economic theorists have been useful in gaining insight from the results of the historical study. Hirschman helps explain the choice between representing interests via exit or voice, and how these two courses of action interact. A key insight is that homeownership, which has offered an exit from the problems of the private rental sector to anyone who can afford it, works to undermine tenant collective voice – a collective voice that can push for improvements to rental housing. Insight from ideas about collective action, collective identity, resource mobilisation and political opportunities help explain how tenant protest has emerged throughout New Zealand’s history. Applying the exit-voice mechanism to Kemeny’s typology situates the findings in their international context and suggests that the absence of strong tenant voice in New Zealand may be a result of its housing system.

Contribution to public health

My data and analysis support the observation of the Commission on the Social Determinants of Health that power is an important driver of health outcomes. Public health has been defined as “collective action for sustained population-wide health improvement” (Beaglehole, Bonita, Horton, Adams, & McKee, 2004). Collective action for health relies partly on partnership with the communities public health practitioners seek to serve (Beaglehole et al., 2004). This improves and helps build the case for policy interventions. As one scholar put it, the missions of public health “do not derive from self-evident, self-executing epidemiological imperatives but rather must be constructed socially and politically, which means recruiting allies and building coalitions” (Brown, 2010, p. 168).

This thesis makes the case that tenant protest groups are important allies who have historically supported the mission of public health. Tenant demands – for lower rent and better quality in the 1920s, for protection from eviction in the 1930s, for better maintenance in the 1970s, for more affordable housing in the 1990s, and for the right to stay in their communities in the 2010s – are demands for housing that provides for health

for a disadvantaged community. Those demands have drawn attention to the importance of housing for health, and have resulted in legislation and policy, which, to a limited extent, has better provided for health. Further empowering tenants to represent their interests is of crucial relevance to public health. Tenant protest groups are allies who help build the case for better housing, and provide crucial information on the practicality of various interventions.

Aside from the benefits of gaining an additional voice for better housing, empowerment has positive public health benefits in and of itself. Empowerment “gives people a greater sense of control over their lives and futures” (Commission on Social Determinants of Health, 2008, p. 162). As one tenant involved in a protest group put it in Chapter 9, working together politically meant that “we grew as a community in a whole lot of different ways” (quoted in Waldegrave et al., 2013, p. 45). Political empowerment requires “changing the distribution of power within society” (Commission on Social Determinants of Health, 2008, p. 155). Governments can assist this by supporting grassroots organisations and ensuring that disadvantaged groups have a say in policy (Commission on Social Determinants of Health, 2008, Chapter 14). Any measure that amplifies the voice of disadvantaged groups, including tenants, furthers the mission of public health.

Tenant advocates are also an important ally for public health. By supporting tenants to represent their interests in negotiations with their landlord, they help enable tenants to assert their existing rights to healthy housing. The presence of a tenant advocate does not resolve the fact that for some tenants, housing is too insecure to allow them to assert their rights. Nevertheless, using an advocate increases the likelihood that a tenant will be able to successfully resolve a problematic situation. Increasing funding for such support, so that expert tenant advocates are available throughout the country to whoever requires their services, will ensure that more tenants are equipped to access their rights to healthy housing.

Implications for policy

This thesis raises a number of points that can inform policy. Firstly, my thesis provides support for the observation of the Commission on the Social Determinant of Health that power is an important determinant of health. I have shown through historical and contemporary analysis that tenants’ capacity to represent themselves to improve their housing and health is connected to power dynamics, including in the tenant-landlord

relationship and the relationship of tenants as a group to government. Policy makers need to consider carefully power dynamics to ensure their interventions are effective. Government should also involve tenant groups in decision-making, given that when tenants have influenced policy, tenants' rights have been strengthened, and tenants' ability to access quality, secure, and affordable housing has been improved.

Secondly, I have highlighted a fundamental failing in the current (and past) regulation of the New Zealand private rental market, which ignores the power asymmetry between tenants and landlords. Historical and contemporary data collected shows that interventions aimed at improving circumstances for tenants that rely on tenants reporting problems are unlikely to make a difference to a large proportion of tenants. This is partly because when tenants are in insecure housing, they are unlikely to report issues due to fear of damaging the relationship with the landlord, which could lead to the end of the tenancy.

Thirdly, I have pointed out that New Zealand governments over the course of history have consistently prioritised policies to promote homeownership. Even the post-World War II state housing construction programme was overshadowed by the greater and more sustained commitment to homeownership. Homeownership is a form of exit from the problems of the rental sector that is only available to some. Its promotion means that policy has largely ignored tenants, and laws that are relevant to tenants are flawed. Recommendations to improve access to homeownership should not distract from discussing how best to address the problems experienced by those remaining as tenants.

Fourth, my research points to the importance of clearer quality standards for rental housing and a standardised approach to enforcement, such as under the warrant-of-fitness scheme currently proposed (Gillespie-Bennett et al., 2013; Blick & Davies, 2014). To date, interventions aimed at improving circumstances for tenants through enforcement of standards have been poorly implemented. New approaches should be designed in a way that avoids this trap. Further, any new quality standards should be implemented in a way that avoids negative impacts on tenants' health, for example through rent increases or reduced access to housing (if current rentals are deemed uninhabitable).

Finally, my research showed that tenants had more success in asserting their right to healthy housing when a tenant protest group or tenant advocate supported them. This shows the importance of funding tenant education and tenant advocates throughout the country.

Doing so would enable more tenants to access their rights to quality, secure housing under the law. Such housing promotes health.

Opportunities for future research

There are a number of opportunities for further research that are relevant to both individual and group representation, and both the New Zealand and international context.

This thesis investigated the power of tenants as individuals in relation to their landlord, and the power of tenants as a group in relation to landlords and the governments through interviews, a survey, and looking at the historical record. There are a number of other ways that tenants' power could be investigated. For example, it may be useful to analyse the extent to which tenants, relative to other groups, participate in other ways. This might include analysing voting in general or local body elections, and participation in planning processes. The Productivity Commission recently suggested that homeowners are disproportionately influential in local body processes, indicating that "council land use rules and policies effectively protect the interests and wealth of those who already own housing, to the detriment of those who do not" (Productivity Commission, 2015, p. 2). Researchers could usefully investigate the extent to which tenants are involved in local government processes, and measures through which participation might be encouraged.

The tenant survey and interviews with key informants raised a number of issues that could be usefully studied due to their important implications for policy. For example, a number of interview participants noted that when they advocated for tenants, tenants were more likely to see a positive result. This indicates that in the tenant-landlord relationship, justice is not dispensed evenly. Tenants who are disadvantaged in some way are less likely to gain access to their rights. It would be useful to investigate the extent of this problem, for example by comparing how disputes are settled in case where tenants have access to an advocate to cases where they do not.

The study of state tenant protest in the 2010s also pointed towards a number of useful research directions. Tenant protest groups raised a number of concerns with the redevelopment projects, such as the effects of displacement and neighbourhood loss on health, social networks, and crime. These could be retrospectively investigated through interviews with displaced tenants. In addition, future redevelopment projects might be assessed for their effects on health and wellbeing in a number of different ways. These effects have not been comprehensively studied in the New Zealand context. It is important

that they are studied due to the particular impact displacement has had on Māori, who were disproportionately represented in the communities where redevelopment took place. The effects of state housing displacement may have a particular effect on Māori due to the historic dispossession of Māori from their land and the relationship of Māori to the Crown.

The state tenant protest groups also drew attention to the impact of recent policy changes, such as changes to the criteria for accessing state housing, and the implementation of reviewable tenancies for state tenants. It would be useful for public health researchers to monitor and analyse the effects of these policy shifts on current state tenants. These findings may also give insight into the effects of insecure occupancy on private tenants, given that the policy changes introduce some of the insecurity of the private rental sector into state housing.

State tenants have been the key actors in the two most recent phases of New Zealand tenant protest. The literature review suggested a number of factors that make state tenant collective action more likely, such as secure tenure, a common landlord, shared issues of concern, and the fact that state tenants live in close proximity. Current changes to state housing policy, such as the implementation of reviewable tenancies, the creation of a multi-provider environment for social housing, and the redevelopment of state housing neighbourhoods into mixed income communities, change the extent to which state tenants experience those disadvantages. Future researchers could investigate the ability of state tenants to collectively organise to represent their interests in a state housing neighbourhood in contrast to a mixed income neighbourhood.

At the international level, as noted in a previous section, it would be useful to compare the development and strength of tenant voice in a number of different countries. This would give insight into what extent tenant voice – both individual and collective – is a product of the housing system itself.

Finally, and as previously noted, a number of changes, announced in mid-2015, seek to address some of the problems with rental housing quality. While this constitutes important progress, I have suggested that the changes do not address the disincentives to tenant representation on issues of housing quality. It will be important to monitor the extent to which the amendments increase the likelihood that tenants assert their rights regarding quality, and to what extent they are successful, perhaps through a study that compares cases at the Tenancy Tribunal prior and subsequent to the amendments to the law. It will

also be important to analyse the extent to which the Ministry of Business, Employment and Innovations utilizes its new powers to investigate instances where housing poses a severe threat to tenant health and safety.

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