

‘Come quickly! The bailiffs are in!’

RESISTANCE TO EVICTION DURING THE DEPRESSION IN NEW ZEALAND



EVICTION RESISTANCE – refusing to leave the home when the landlord ends the tenancy – is a strategy used by tenants worldwide both to enable them to keep their housing in the short or long term and to send a message to policymakers about the importance of improving rental conditions. This article chronicles and analyses eviction resistance during the Depression in New Zealand. Eviction resistance ranged from crowds that gathered to support evicted people to carefully organized pickets. After discussing each of these instances in turn, I place them in the context of international eviction resistance and the evolution of tenant rights in New Zealand. I argue that eviction resistance should be seen as an episode in the history of how urban communities operated in New Zealand, as well as a political strategy employed by the radical left.

The Early History of Renting, Eviction and Tenant Activism in New Zealand

Little is known about evictions in early New Zealand. Tenants had the option of annual tenancies, which offered a measure of security, or weekly or fortnightly tenancies. The latter options were advantageous for some workers who had uncertain incomes and needed to move quickly to follow work opportunities.¹ Under the District Courts Act (1858), landlords could evict tenants whose rent was three months overdue.² The Distress and Replevin Act (1908) guaranteed that, 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 (excepting £50 worth of belongings) and remain until possession was gained.³

There was a significant housing shortage in New Zealand from the 1910s as construction failed to keep up with rapid urbanization. There were rapid rises in rent, and an increasing degree of overcrowding and slum conditions in a number of cities.⁴ These problems prompted increasing concern from the union movement and its political allies. In a May 1916 meeting in Wellington, union representatives and Social Democrat MPs (the Social Democrats were to merge with the Labour Party in July) drew attention to

overcrowded and unsanitary conditions in rental housing. They called for legislation to fix rents at pre-war levels and unanimously passed a motion that 'to secure fair treatment for occupiers a Rentpayers' Association should be formed'.⁵ Such an organization met at Wellington's Trade Hall in July 1916. The first action proposed was to present the organization's data on increased rents to the Prime Minister.⁶ Gael Ferguson notes that the foundation of the organization, along with debates spurred by Labour Party members' Bills, was followed by the introduction of rent restrictions that same year.⁷ Recognizing the continued challenges for tenants even after the war, rent restrictions were extended under legislation on almost an annual basis.⁸ The organization disappears from the historical record after 1916;⁹ those involved said it lacked support and funds.¹⁰ The establishment of rent controls is important in setting a precedent for government intervention into the private rental market in favour of tenants' interests.¹¹ Yet the rent controls failed to resolve tenants' problems as landlords circumvented the regulations, and the housing shortage was so great that tenants did not challenge illegal rents.¹²

The continued problems in the rental market¹³ prompted ongoing discussion in the Wellington labour movement. In May 1920, at a housing demonstration organized by trade unions at the Town Hall, one speaker proposed a 'rent-payer's union' which would value dwellings and fix rent, with members refusing to pay higher. The power of the labour unions could be used to punish landlords for evicting tenants.¹⁴ At a subsequent meeting, which included a number of Labour MPs and trade union leaders, the New Zealand Rentpayers' Association was founded. Speakers at this and subsequent meetings suggested rents be paid to the organization, to facilitate rent strikes for housing quality, or to enable a proportion of the rent to be used for housing improvements before being passed on to the landlord. It was proposed that the organization be a political force to push for more housing; that it advise tenants on their rights and provide legal assistance; or that it promote direct action.¹⁵

Labour MPs and activists at the meetings supported the idea of eviction resistance. Labour Party activist Tom Brindle likewise said the organization should encourage tenants to refuse eviction; members 'must gather round and put the fear of the people in the landlords' hearts'. Future Prime Minister Peter Fraser 'said he would do duty as a picket outside the home of any family threatened with eviction'.¹⁶ He announced that two pickets were organized to prevent an eviction occurring earlier that day;¹⁷ no newspaper covered such incidents.

The new organization quickly made its mark. At a meeting of 800 people at the Wellington Town Hall, a spokesperson announced that there were 600 members, and that in the past ten days 187 people had sought the

organization's advice; furthermore, the government had agreed to extend rent restrictions. A crowd of 1500 then gathered in front of Parliament to demand further action.¹⁸ In the following years, the organization assisted tenants threatened with eviction or rent increase, spoke to the media and government about rental housing problems, and proposed key actions the government should take to increase housing supply and protect against evictions and substandard housing.¹⁹

The organization was disappointed in the lack of progress on improving rental housing conditions, and is mentioned for the last time in the newspapers in January 1922.²⁰ Over the course of the early 1920s, the Labour Party moved away from specifically promoting the cause of tenants, in order to appeal to the increasing number of workers who owned or aspired to own homes as a result of generous state advances loans.²¹ Perhaps it withdrew its support of the tenant movement as part of this electoral strategy.²² Labour MPs no longer promoted eviction resistance. It would take another decade for it to be promoted again, this time by the Unemployed Workers' Movement.

The Depression, Eviction and Eviction Resistance

The Depression in New Zealand is remembered as a time of widespread hardship. It led to between 13.5% and 28% of Pākehā men becoming unemployed at its trough in 1933. Rates were higher for women and Māori.²³ In Tony Simpson's influential oral history collection, *The Sugarbag Years*, many of the accounts presented are observations or recollections of people in crisis: without food, shelter or hope.²⁴ However, as Malcolm McKinnon has pointed out, the story of the Depression is more complicated: most households had work, and sales of some consumer goods and services increased. Nevertheless, for the unemployed, life became difficult.²⁵

The Depression worsened existing problems in the housing sector. For years, as urbanization increased and the construction industry failed to keep up with demand for housing, there was a shortage of housing.²⁶ This shortage worsened as finance dried up: in 1930, almost 4000 houses were built nationwide; this dropped to under a thousand by 1933.²⁷ Workers' real wages actually rose during the Depression, owing to the fall in rents and prices.²⁸ However, the unemployed struggled to pay rent.²⁹ This caused people to board or move in with family.³⁰ By the late 1930s, 13% of Auckland dwellings were overcrowded (more than two people per bedroom).³¹ Work for minimal pay on public work schemes – 'relief' – was available for Pākehā men from 1931.³² However, this was insufficient for many renters, as evident in the figures provided by a relief worker in a 1932 letter to the editor. Over a four-week period, he received 27s.6d for relief work, and 16 shillings worth of

rations from the Hospital Board, and paid rent of 16 shillings for his family of four. Pointing out that this left him only £1.14s.6d for their food over the four weeks he stated, 'It is impossible... 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 was then made.'³³ As previously noted, tenants were protected from unfair rents under rent restriction legislation, but these provisions were difficult to enforce in practice. The National Expenditure Adjustment Act in May 1932 mandated a 20% reduction in residential rents, commensurate with the 20% reduction in wages and salaries;³⁴ however, it was argued that tenants did not know about their right to pay less rent.³⁵

Landlords had different responses to the hardship of their tenants. The Public Trust, a government entity and major landlord, claimed to give appeals for relief in regard to rent arrears careful consideration,³⁶ although their primary concern was for the property.³⁷ Indeed, one Member of Parliament described the Public Trustee as one of the 'principal culprits' of rack-renting, or setting extortionate rents.³⁸ Reducing rents, as tenants requested, could put landlords with mortgages or no other source of income into difficulties.³⁹ 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'. However, since then, wages had been cut by 10%. The landlord explained that another reduction was not possible: 'Rents of houses built with all modern conveniences cannot come down and continue to give a little return to the owner'.⁴⁰ Another reported that he had reduced rents by 20% but did not receive rent from one household 'although they were living on the best' and were assisted financially by a boarder. After the landlord evicted the tenant he was left with rent owing and had to spend money putting the house back into tenantable condition.⁴¹ 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'.⁴²

There are no records of the numbers of people who were evicted during this period. Even if the court records existed, they would fail to capture the real numbers; as today, it is likely that many people underwent 'informal evictions', where they were forced to leave the home for rent arrears or other reasons and did not go through the court system.⁴³ However, it is likely that eviction was more common during the Depression than today. This is indicated by the number of deputations that the Unemployed Workers' Movement (UWM) and other organizations made to Parliament on the issue.⁴⁴ It is also indicated by reports from political leaders and other organizations. Labour

MP Bob Semple reported in 1932 that every day he had up to a dozen cases of eviction or threatened eviction brought to his attention.⁴⁵ Christchurch's mayor noted that he was aware of hundreds of evictions taking place in that city and that several were brought to his attention each day; often, he asserted, people were only one or two weeks behind in rent.⁴⁶ In the first half of 1935, the Wellington UWM reported that people asked for assistance for eviction once a week on average.⁴⁷ Tenants often negotiated with landlords,⁴⁸ and Members of Parliament and voluntary organizations assisted where they could.⁴⁹ For example, in response to accusations from the unemployed that the Labour Party, in opposition in Parliament, was not doing enough to help them, Semple said that he got seven eviction orders lifted 'only last Friday'.⁵⁰ In response to a UWM deputation, Ministers said both that the government was powerless to prevent evictions and that the Labour Department had intervened to prevent 'dozens'. Moreover, they suggested that while threats of eviction were frequent, the number of actual evictions was not large.⁵¹

Organizations worked to support people affected by evictions alongside the UWM. Labour MPs reported on the problems with evictions to Parliament, attempted to amend the Distress and Replevin Act and advocated for individual tenants.⁵² However, Labour's limited seats on councils or in Parliament meant that its impact was limited to raising issues. As one letter to the editor complained: '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'.⁵³

The union movement, despite its declining membership and reduced finances as unemployment increased,⁵⁴ also supported evicted tenants. Despite an agreement at a conference organized by the Alliance of Labour to strike from work and paying rent in response to wage cuts, industrial action failed to eventuate; strikes were difficult when there was a large pool of unemployed eager for any work,⁵⁵ as well as any housing. Trade unionists discouraged members from joining the UWM and created another unemployed organization.⁵⁶ UWM members criticized trade unions for not doing more to help the unemployed, as evident in the Norfolk St eviction resistance discussed below. A number of church leaders and congregations expressed concern about insufficient subsistence and relief payments and the living conditions of the unemployed, and gave out food parcels and other support.⁵⁷ For example, the Reverend Scrimgeour, of the Methodist Church, invited journalists to the home of a sick unemployed man and his family awaiting eviction for rent arrears. The house had been stripped of bedding and furniture by the bailiffs, and the family was being supported by social workers.⁵⁸

International Experiences of Eviction Resistance

Eviction resistance during the Depression in New Zealand coincided with unemployed agitation on tenancy issues in a number of countries during this period. As Peter Marcuse observed of the United States, in this period 'pressures to deal with desperate housing problems, sometimes coupled with visions of a radically transformed society, clashed with the conservatism of established interests in a multiplicity of areas [including] housing'.⁵⁹ Economic depression for many meant that paying the rent was out of reach. The crisis 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 most major US cities, the unemployed resisted eviction for rent arrears and occupied relief stations to obtain more funds.⁶⁰ In New York, tenants' councils, often supported by communist groups, played a key role in encouraging eviction resistance and became powerful in city political life.⁶¹ In Sydney, the UWM mobilized people to prevent hundreds of evictions.⁶² In Paris, unemployed organizations mobilized hundreds of protestors to prevent evictions from taking place, force landlords to rehouse tenants and prevent the sale of evictees' furniture seized by landlords to pay for rent arrears.⁶³ Evictions were a key confrontation point for unemployed organizations in Canada: 'an eviction had only to be rumoured for fliers to appear on telegraph polls giving the time and place at which volunteers should gather to keep out the bailiffs'.⁶⁴ In Barcelona, 100,000 people participated in a rent strike spearheaded by the labour movement, and locals rallied to prevent evictions taking place; 'neighbourhood solidarity made evictions difficult, if not impossible'.⁶⁵

Stories of eviction resistance in cities overseas, including Chicago, Melbourne, Sydney and London, were common in New Zealand's newspapers⁶⁶ 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 had been 'an effective reply to evictions' in Australia and England and could be similarly useful in New Zealand.⁶⁷

Eviction Resistance: Political Strategy or an Expression of Neighbourliness?

In each of the international examples discussed, the numbers of people who participated in eviction resistance indicate that success relied on the involvement of local people, and not only those who were politically engaged. One famous example of eviction resistance occurred during the Glasgow

rent strike of 1915, when women would ring a bell when the bailiff's officer turned up, a signal for women in the tenement to gather to stop the eviction being carried out.⁶⁸ The eviction resistance was not just a political tactic but also an insight into how people living in close quarters could quickly gather to help a neighbour out – to take care of a child, to lend a hand or a listening ear, or, in this case, to keep a home. To what extent eviction resistance was an expression of community feeling, and to what extent that community feeling developed because of the eviction resistance, is, as Wheatley and Cottle suggest in their study of the Sydney anti-eviction movement, impossible to know. Regardless, eviction resistance 'provides a window into the way in which urban working-class communities functioned during the economic crisis' of the 1930s.⁶⁹

In New Zealand, the idea that urban society lacked community spirit and that neighbours were alienated from each other has held strong currency since at least the 1930s, yet cities were vibrant and sociable places.⁷⁰ Grace Millar has argued that conceptions of what constituted a 'good neighbour' changed over time.⁷¹ While neighbours cared for each other's children and helped out in times of need in lower-class areas such as Freemans Bay, Auckland, prior to 1913⁷² and in South Dunedin prior to 1920,⁷³ by the 1950s there was a new emphasis on respecting boundaries and privacy in New Zealand working-class communities, just as in England.⁷⁴ Examples of eviction resistance may give an insight into neighbourly relations in the interwar period in New Zealand.

This is not to minimize the important role of the UWM in supporting eviction resistance. Historians of the Depression in New Zealand usually discuss eviction resistance as a key strategy for the organized unemployed.⁷⁵ In New Zealand, inspired by the British organization of the same name, the UWM had branches throughout the country. Its members numbered 13,000 by 1932⁷⁶ and included both Labour and Communist Party supporters. Some supporters were drawn to the UWM because they were disappointed with the inability of the government, the Labour Party or trade unions to alleviate conditions for the unemployed.⁷⁷ The UWM called for an end to evictions of working-class tenants⁷⁸ and relief workers,⁷⁹ reform of the Distress and Replevin Act which allowed distraint (seizure of possessions),⁸⁰ the reduction of rents,⁸¹ the prohibition of disconnection of gas and electricity in the homes of the unemployed,⁸² and a mass state house building programme.⁸³ The national UWM saw support 'against evictions victimisation' and other issues as vital; 'the success of these smaller struggles will smooth the road for larger struggles'.⁸⁴ The UWM intended, through anti-eviction committees, 'to prevent evictions, to find homes for the destitute unemployed, and [to

facilitate] the transfer of the unemployed from slum dwellings to more habitable quarters'.⁸⁵ They instructed readers faced with eviction to contact their local UWM three days in advance of the eviction date.⁸⁶ Some of these evictions were prevented through negotiation, and others through resistance. For supporters, eviction resistance was part of a repertoire of protest activities.⁸⁷

The UWM also helped tenants in other ways. In Gisborne, the UWM supervised tenants to stay in their house when they could not pay the rent, guaranteeing the landlord that they would hold tenants to account if they damaged the property; 'we showed owners that it was futile to put people out when there was no one to take over the place'.⁸⁸ The Wellington branch of the UWM claimed to prevent nine evictions during one month in 1931,⁸⁹ and 119 the following year.⁹⁰ When Albert Williamson of Wellington was unable to pay his rent, Freda Cooke of UWM advocated to officials for him, preventing his eviction when other organizations had been unable to.⁹¹ One of the reasons advocacy was required was because eviction resistance was not always appropriate. In a letter to the Minister of Health, Cooke explained 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 food had been provided for the 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'.⁹²

Instances of Eviction Resistance in New Zealand in the 1930s

Methods and Limitations

For this article, instances of eviction resistance were collected from a keyword search on Papers Past and a search through the archives of the UWM held by the Auckland University Library, as well as through copies of the *Unemployed Leader*, the Communist Party newspaper, which is held at the Red Kiwi library in Onehunga, Auckland, together with published personal accounts. Papers Past was searched for any of the words evict, evicted or eviction, from 1 January 1929 to 31 December 1935. Advertisements and illustrations were excluded from the search. This resulted in 3400 hits. The vast majority of these articles were irrelevant: they were incorrect matches (e.g. the placename Teviot), used 'evict' to mean remove (bees from a house, strikers from a work site), or concerned eviction in other countries. The 3400 articles were scanned for accounts that mentioned eviction resistance or collective action. A number of these accounts were about the same eviction resistance. With double-ups removed, the Papers Past search resulted in

11 instances of eviction resistance, occurring between 1930 and 1932. The searches of the other literature resulted in six undated accounts of eviction resistance. The accounts are useful for giving context to the situations which led to eviction, who was affected by the eviction, and the immediate effects of eviction resistance. All of these accounts are incomplete: in most cases, the report is on the day's exciting events and not what followed – whether the eviction was subsequently carried out without resistance, or without receiving media coverage.

All sources have their biases: UWM or Communist Party accounts may be more likely to emphasize their organizations' involvement and exaggerate their success in order to encourage members. As expressed by a scholar of New York tenant protest: 'Distinguishing between matter-of-fact assessments and adversarial boasts remains a continuing headache'.⁹³ On the other hand, media accounts are also subject to bias;⁹⁴ newspapers of the time were largely in favour of the government's approach,⁹⁵ which may have shaped how a story was reported, and the role, for example, of the organized unemployed. However, the fact that some media accounts present the UWM positively – for example, the *Auckland Star* noted that, during one eviction resistance, 'the manner in which negotiations were carried out reflected credit on the unemployed'⁹⁶ – suggests some even-handedness.

It is likely that there were more cases of eviction resistance than those identified. In some cases, eviction resistances were not reported by the media. For example, the six non-dated accounts relayed below do not appear in recognizable form in any newspaper. Another eviction resistance mentioned in a speech, and another in relation to a court case, do not appear as separate items in newspapers. This indicates that eviction resistance sometimes occurred without appearing on the public record.

Accounts of Eviction Resistance

The first instance of eviction resistance identified occurred in December 1930 in Christchurch. During a meeting of the unemployed, an unemployed man reported that he was about to be evicted. A collection was taken up to pay for his legal expenses, and about 150 of those assembled marched to his home at Bealey Avenue. About a thousand people in total gathered to witness. The presence of 17 policemen enabled the eviction to take place 'without hindrance'.⁹⁷

In 1931, a number of resistances were reported. In January, an eviction resistance took place at 21a Union Street, Newton, Auckland. The Little family – an unemployed man, his wife and their three children – complained to the local UWM that they had been given a day and a half only to vacate

their house. A crowd of 200 gathered to prevent the eviction. The bailiff and, later, ten policemen were prevented from entering the house. The bailiff agreed to delay the eviction by several days.⁹⁸ The account in the *New Zealand Herald* does not mention UWM involvement and notes that the landlord was prepared to wipe the arrears if he gained possession of the house.⁹⁹ In June, at Riordans Lane, Auckland, at the home of a relief worker, his wife and two children, several hundred people resisted eviction along with the local UWM committee. 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 rejected by the UWM, which 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 to the UWM.¹⁰⁰ That same month, at 25 Nelson Street, Auckland, 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, and the UWM said they would also return.¹⁰¹ Also in June, during a UWM deputation to Ministers at Parliament, leaders reported on an eviction resistance that morning at an unspecified location in Wellington.¹⁰² In July, on Salisbury Street, Christchurch, following a UWM meeting, a crowd demonstrated outside the home of Mr C. F. Riley, an unemployed 'ex-Communist' who was being evicted. They entered the house, stopped the landlord removing the tenant's belongings and threatened to throw him in the Avon River; nevertheless, the tenant's belongings were subsequently moved by carrier's cart.¹⁰³ In September, at Hardinge Street, Auckland, two men were charged with painting 'Stop the eviction. No work, no rent' on a house. The account does not have any details on the eviction that the sign implies was resisted.¹⁰⁴

The most famous case of eviction resistance occurred at 21 Norfolk Street, Ponsonby, Auckland, in October 1931. Mrs Martinovich and her five children were given notice of their eviction when they were 11 weeks in arrears and could not afford the rent (£22.6s). The UWM attempted to negotiate with the landlord, offering to pay rent of £14.10s, which they claimed had been recommended by a judgement at the Arbitration Court. This offer was refused. Subsequently, UWM members – up to 40 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 and cheered the tenant on as she left the home. The crowd donated money for the family, and a temporary home was offered to the

woman. Fifteen people, including UWM and Communist Party members Jim Edwards and Alexander Drennan, were convicted of ‘procuring lawlessness’ and imprisoned for between one and three months.¹⁰⁵ A police witness reported that the day prior to the eviction resistance, Jim Edwards had been to a meeting and encouraged participants to ‘prevent force by force and no matter by what means, [prevent] the eviction of this woman and children’.¹⁰⁶ In Edwards’s defence, his counsel said that in his speech, ‘he expressed the desire to protect the woman and obtain better terms, and something better in the law between landlord and tenant’.¹⁰⁷ The judge disagreed: ‘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.’¹⁰⁸

In January 1932, the UWM prevented a bailiff from carrying out distraint for rent. They chalked signs on the house, including ‘UWM’ and ‘No eviction of unemployed. Defend workers homes’. UWM leaders addressed the crowd outside. The doors were locked, and the bailiff left.¹⁰⁹ In April, at the trial of George Budd in relation to the 1932 Auckland riots, the police witness stated he arrested Budd at an eviction at Vincent Street three days subsequent to the riot.¹¹⁰ In May, at Abel Smith Street, Wellington, an eviction was carried out, and the house emptied of the tenants’ belongings, which caused a crowd to gather. The table was spread and the bed made on the street, ‘presumably by the lodgers and their sympathisers’. The tenant, a UWM member, addressed a crowd that had gathered, though in the view of a journalist present at the time ‘his protests received no support’. A number of policemen subsequently dispersed the crowd.¹¹¹

Six more instances of eviction resistance were identified that were not dated. Jim Edwards recalled that 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’s family were threatened with eviction. Their resistance, accompanied by supporters, prompted bailiffs to leave.¹¹² 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.¹¹³

The UWM reported on an eviction resistance at an Auckland flower shop with a dwelling attached. A family with four children was threatened with eviction after falling two weeks behind in rent. On the advice of the UWM, they opened up the shop for business, with UWM members gathered in support. The bailiff failed to show up, and the UWM negotiated with the landlord and his solicitor. It was agreed that if one week's rent was received the eviction would not go ahead. The UWM obtained this sum from 'public men', and the eviction was prevented.¹¹⁴ The UWM reported that at Frederick Street, Wellington, a single mother with children was threatened with eviction and informed the UWM office on Vivian Street, shouting 'Come quickly! The bailiffs are in!'. UWM members went to the woman's house and found the landlord, the bailiff and his assistants removing furniture to a cart. They locked the door and prevented further removal of furniture. The bailiff agreed to allow the family three more days in the house.¹¹⁵ Finally, when Johnny Mitchell, his wife and baby were served notice to quit after not paying the rent following a reduction in Johnny's wages as a relief worker, the UWM changed the locks and picketed their house to support them staying there. Eviction resistance was described as 'common practice' in their community of Freemans Bay, Auckland.¹¹⁶

This review identified 17 cases of collective action surrounding eviction resistance. Riots occurred in Dunedin, Wellington and Auckland in May and June 1932. These were followed by anti-gathering legislation and increased police presence.¹¹⁷ No dated eviction resistances occurred after this time; it is possible that the legislation affected whether people elected to gather at an eviction resistance.

The Impact of Eviction Resistance

Life began to change for many renters from 1935, when the Depression eased and the new Labour Government began to pass legislation to introduce social security, increase employment and create jobs. The Fair Rents Act 1936, which allowed tenants to ask a magistrate to review rents, aimed to tackle the problem of rising rents that were absorbing any increase in workers' incomes¹¹⁸ and 'to prevent a repetition of the spectacle of evictions';¹¹⁹ however, renters argued that the rents were set too high.¹²⁰ In addition, the Act compelled landlords to gain a court order before distraining the goods of a tenant.¹²¹ The government built rental housing and provided cheap financing for mortgages for workers.¹²² Higher incomes and the opportunity to move into homeownership or a state rental house (which provided more security than the private sector) are likely to have freed many people from the fear of eviction.

This article has shown that eviction resistance sometimes made a difference to the immediate housing situation of the tenants involved, as the identified accounts show. The UWM intended eviction resistance to send a strong message about the need for action to address the hardship experienced by tenants. Indeed, such public expressions of concern and discontent may have helped contribute to the changes briefly outlined that made a difference to tenants that were implemented under the Labour Government. However, many other events of the time – marches, riots, deputations to Parliament and other authorities, and obvious conditions of hardship for many – also made the case for change. As Malcolm McKinnon points out, the most famous instance of eviction resistance, at Norfolk Street, failed to feature in a parliamentary debate on eviction the following year.¹²³ Rather than being remembered as a powerful influence on policy, eviction resistance should be seen as an important chapter in the development of tenant voice in New Zealand, and an example of how neighbours supported each other in some urban communities.

Anti-eviction leagues set up by the UWM were a sequel to the demands for tenant rights in New Zealand which had occurred in the context of establishing rentpayers leagues during World War I and in the early 1920s, and which resulted in the establishment of rent restrictions. Eviction resistance was one of a number of strategies used by the UWM; they also negotiated for better terms on behalf of tenants or arranged alternative accommodation, organized deputations to Ministers and mass marches, and meetings on behalf of the affected tenants.

Other groups, including churches, unions and the Labour Party, also supported tenants through advocacy for individuals, but the UWM was unique in its support of eviction resistance. Just a decade earlier, during a meeting of the Rentpayers' League in 1920, Labour members had encouraged eviction resistance.¹²⁴ By the mid-1920s, however, they were reluctant to alienate homeownership or landlord voters, or to criticize the state as a landlord (via the Public Trust and the State Advances Corporation) and preferred to push for conventional resolutions to tenant–landlord disputes.¹²⁵ The difference in approach between the UWM and Labour is illustrated by the case of the Riordans Lane eviction resistance outlined previously. The UWM stated that they were there 'to shield a fellow unemployed man from being deprived of a roof over his head'. Labour MP Bill Parry, for his part, said that the landlord had a right to obtain rent, and suggested that the landlord bring his case to the courts under the recently passed Mortgagees' Relief Bill, to gain compensation.¹²⁶

As noted previously, scholars of the Depression in New Zealand have described eviction resistance as a tactic of the UWM. However, the analysis presented here questions this characterization. In most of the identified cases, involvement of the UWM, 'Communists' or the organized unemployed is noted. In the case of three of the reported eviction resistances (of the so-called 'war cripple' and at Edendale and Hardinge streets) there is no such reference. Neighbours are often mentioned as coming to support the eviction resistances. There are also examples of people mobilizing to support evictees long before the foundation of the UWM. For example, in 1926, when the authorities demolished an unsanitary house and shop, its occupants refused to leave and remained on the footpath surrounded by their belongings. A large crowd that had gathered took up a hat and collected money for the pair.¹²⁷ From this perspective, collective action surrounding eviction can be understood not just as a political action, but as an expression of neighbourhood support, an issue that has received little historiographical attention in New Zealand.¹²⁸ The solidarity shown by people to their evicted neighbours gives insight into how interwar neighbourhoods operated, or constitutes an example of how conditions of economic hardship or natural disaster can bring people together.¹²⁹ As scholars of Sydney's eviction resistances have argued, they can be seen not just 'as an expression of radicalism and militancy [but] a window into the way in which urban working class communities functioned during economic crisis'.¹³⁰

Conclusion

In this article, 17 cases of eviction resistance were identified, and more are likely to have occurred and remained undocumented. Eviction resistance at times enabled tenancies to be sustained or rent arrears to be negotiated and provided an opportunity for organizations, public figures or neighbours to donate money or find accommodation for the affected household. Eviction resistance during the Depression was accompanied by a range of other strategies to enable tenants to remain in their homes and represents an important chapter in the development of collective tenant voice in New Zealand. While eviction resistance was supported and encouraged by the UWM, eviction resistance also occurred independent of the organized unemployed and with the support of neighbours, and thus provides insight into pre-war neighbourly relations. Eviction resistance was a striking representation of the hardship experienced by tenants. Such hardship helped build the case for changes to the New Zealand housing system after the Depression.

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NOTES

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1 Gael Ferguson, *Building the New Zealand Dream*, Dunmore Press, Palmerston North, 1994, p.47.

2 Ben Schrader, 'A Social History of New Zealand Tenancy Law, 1916–1986', forthcoming.

3 Evening Post (EP), 3 September 1931, p.12; Malcolm McKinnon, *The Broken Decade: Prosperity, Depression and Recovery in New Zealand 1928–1939*, Otago University Press, Dunedin, 2016, p.373.

4 R.P. Hargreaves, T.J. Hearn, and S. Little, 'The State and Housing in New Zealand to 1919', *New Zealand Geographer*, 41, 2 (1985), pp.46–55; Ferguson, *Building the New Zealand Dream*, p.46.

5 EP, 15 May 1916, p.5.

6 EP, 26 July 1916, p.6.

7 Ferguson, *Building the New Zealand Dream*, p.71.

8 Ferguson, *Building the New Zealand Dream*, p.102.

9 Elinor Chisholm, 'Individual and Collective Action for Healthy Rental Housing in New Zealand: An Historical and Contemporary Study', PhD thesis, University of Otago, Wellington, 2016, p.98.

10 EP, 14 May 1920, p.7; EP, 11 June 1920, p.7.

11 Chisholm, 'Individual and Collective Action', p.113.

12 Hargreaves, Hearn, and Little, 'The State and Housing', p.52; Ferguson, *Building the New Zealand Dream*, p.102.

13 Hargreaves, Hearn, and Little, 'The State and Housing', p.53.

14 EP, 14 May 1920, p.7.

15 *Dominion*, 18 June 1920, p.8; *Dominion*, 11 June 1920, p.8; EP, 11 June 1920, p.7; EP, 18 June 1920, p.8.

16 *Dominion*, 11 June 1920, p.8.

17 The *Evening Post* reported these as occurring in Petone (18 June 1920, p.8), and the *Dominion* reported these as occurring in Kilbirnie (18 June 1920, p.8).

18 EP, 8 July 1920, p.8.

19 EP, 2 July 1921, p.9; *Dominion*, 30 July 1920, p.7; *Maoriland Worker*, 2 November 1921, p.3; *Hawera and Normanby Star* (H&NS), 28 January 1922, p.5; EP, 25 September 1920, p.3.

20 H&NS, 28 January 1922, p.5.

21 Ferguson, *Building the New Zealand Dream*, pp.60, 85.

22 Chisholm, 'Individual and Collective Action', pp.109–12.

23 Keith Rankin, 'Unemployment in New Zealand at the Peak of the Great Depression – Working Papers in Economics', University of Auckland, 1995; John Macrae and Keith Sinclair, 'Unemployment in New Zealand During the Depression of the Late 1920s and Early 1930s', *Australian Economic History Review* (1975). The wide estimate is due to the way data was gathered and depends on how broad a definition of working or work-seeking population is used. See discussion in McKinnon, *The Broken Decade*, pp.420–1.

24 Tony Simpson, *The Sugarbag Years*, A. Taylor, Wellington, 1974.

25 McKinnon, *The Broken Decade*, pp.401–10.

26 Hargreaves, Hearn, and Little, 'The State and Housing'.

- 27 Simpson, *The Sugarbag Years*, p.3.
- 28 John E. Martin, 'The Removal of Compulsory Arbitration and the Depression of the 1930s', *New Zealand Journal of History*, 28, 2 (1994), pp.124–44.
- 29 Ferguson, *Building the New Zealand Dream*, p.103.
- 30 McKinnon, *The Broken Decade*, p.129.
- 31 Ferguson, *Building the New Zealand Dream*, p.119.
- 32 McKinnon, *The Broken Decade*, p.114.
- 33 *Auckland Star* (AS), 27 January 1932, p.12.
- 34 McKinnon, *The Broken Decade*, p.102.
- 35 *Temuka Leader*, 4 June 1932, p.1.
- 36 *Appendices to the Journals of the House of Representatives*, 1931, B-09.
- 37 McKinnon, *The Broken Decade*, p.181.
- 38 *New Zealand Parliamentary Debates* (NZPD), 1935, p.655.
- 39 McKinnon, *The Broken Decade*, p.185.
- 40 EP, 30 June 1931, p.6.
- 41 EP, 16 July 1931, p.5.
- 42 Italics in the original, Simpson, *The Sugarbag Years*, p.40.
- 43 Deena Greenberg, Carl Gershenson and Matthew Desmond, 'Discrimination in Evictions: Empirical Evidence and Legal Challenges', *Harvard Civil Rights - Civil Liberties Law Review*, 51 (2016), pp.115–8.
- 44 For example, EP, 29 June 1931, p.10; AS, 12 May 1933, p.13; AS, 5 April 1933, p.5.
- 45 McKinnon, *The Broken Decade*, p.184.
- 46 *Evening Star* (ES), 5 April 1932, p.5.
- 47 *Unemployed Leader* (UL), 14 October 1935.
- 48 EP, 30 June 1931, p.6.
- 49 Ferguson, *Building the New Zealand Dream*, pp.104–7; *Poverty Bay Herald*, 10 October 1932; McKinnon, *The Broken Decade*, pp.181, 320.
- 50 EP, 22 January 1931, p.10.
- 51 EP, 29 June 1931, p.10.
- 52 McKinnon, *The Broken Decade*, pp.181–2, 373.
- 53 AS, 27 January 1932, p.12.
- 54 Vincent O'Malley, 'A United Front against Capitalism? Unemployed Workers' Organisations in Christchurch, New Zealand, during the Depression', *Labour History Review*, 73, 1 (2008), pp.145–66.
- 55 J.R. Burdon, *The New Dominion: A Social and Political History of New Zealand between the Wars*, A.H. & A.W. Reed, Wellington, 1965, p.141.
- 56 R.T. Robertson, 'Isolation, Ideology and Impotence: Organisations for the Unemployed during the Great Depression, 1930–1935', *New Zealand Journal of History*, 12, 1 (1979), pp.149–64; Cybele Locke, 'Demanding "Jobs with Justice": The Organisation of Maori and Pakeha Unemployed in Aotearoa/New Zealand in the 1930s and 1980s', PhD thesis, University of Auckland, 2000.
- 57 Peter Gillard Morris, 'Unemployed Organisations in New Zealand, 1926–1939, with Particular Reference to Wellington', Master's thesis, Victoria University of Wellington, 1949, pp.55–56; McKinnon, *The Broken Decade*, pp.113, 128, 320–22.
- 58 *Nelson Evening Mail*, 30 June 1928, p.7.
- 59 Peter Marcuse, 'Housing Movements in the USA', *Housing, Theory and Society*, 16, 2 (1999), p.69.
- 60 Marcuse, 'Housing Movements'; Peter Dreier, 'The Tenants' Movement in the United States', *International Journal of Urban and Regional Research*, 8 (1984), pp.255–79; Frances Fox Piven and Richard A. Cloward, *Poor People's Movements: Why They Succeed, How They Fail*, 2nd edn, Vintage, New York, 1979.

61 Mark Naison, 'From Eviction Resistance to Rent Control: Tenant Activism in the Great Depression', in Ronald Lawson, e.d., *The Tenant Movement in New York City, 1904–1984*, Rutgers University Press, New Brunswick, New Jersey, 1986, pp.102–30.

62 Drew Cottle and Angela Keys, 'Anatomy of an "eviction riot" in Sydney during the Great Depression', *Journal of the Royal Australian Historical Society*, 94, 2 (2008), pp.186–200; Nadia Wheatley and Drew Cottle, *Sydney's Anti-Eviction Movement: Community or Conspiracy?*, Paper presented to the Labour History Conference, University of Wollongong, 1999.

63 Matt Perry, "'Unemployment Revolutionizes the Working Class": Le Cri Des Chômeurs, French Communists and the Birth of the Movement of the Unemployed in France, 1931–1932', *French History*, 16, 4 (2002), pp.441–68.

64 John Manley, "'Starve, Be Damned!'" Communists and Canada's Unemployed, 1929–39', *The Canadian Historical Review*, 79, 3 (1998), p.485.

65 Michael Seidman, 'Women's Subversive Individualism in Barcelona during the 1930s', *International Journal of Social History*, 1992, p.162.

66 For example, EP, 24 October 1931, p.13; *Wairarapa Daily Times*, 5 August 1931, p.5; *Gisborne Times*, 28 July 1930, p.6; *Waikato Times*, 21 January 1933, p.12.

67 *Workers' Weekly* (WW), 20 February 1934, p.1.

68 Joseph Melling, *Rent Strikes: People's Struggle for Housing in West Scotland, 1890–1916*, Polygon Books, Edinburgh, 1983, p.71.

69 Wheatley and Cottle, *Sydney's Anti-Eviction Movement*, p.191.

70 Ben Schrader, 'A Brave New World? Ideal versus Reality in Postwar Naenae', *New Zealand Journal of History*, 30, 1 (1996), pp.61–79; Ben Schrader, *The Big Smoke*, Bridget Williams Books, Auckland, 2016.

71 Grace Millar, *Families and the 1951 New Zealand Waterfront Lockout*, PhD thesis, Victoria University of Wellington, 2013, p.68.

72 Paul Husbands, 'Poverty in Freeman's Bay 1886–1913', *New Zealand Journal of History*, 28, 1 (1994), pp.3–21.

73 Annabel Cooper and Marian Horan, 'Poverty in the New World Dream: Families and Gender in Southern Dunedin, New Zealand, 1890–1920', *Journal of Family History*, 29, 2 (2004), pp.107–34.

74 Barbara H. Duff, *Families and State Housing: Ideals Practices, Change and Problems*, Master's thesis, University of Canterbury, 1998; Millar, *Families*, p.68.

75 Gillard Morris, 'Unemployed Organisations', p.38; Locke, 'Jobs with Justice', p.110; Cybele Locke, "'To Unite as One": resisting slum clearance in Freeman's Bay, 1951–1968', *Race & Class*, 59, 1 (2017), pp.54–72, p.58; Erik Olssen, 'Depression and War', in Keith Sinclair, ed., *The Oxford Illustrated History of New Zealand*, Oxford University Press, Auckland, 1996, p.215.

76 Olssen, 'Depression and War', p.213.

77 Vincent O'Malley, 'A United Front', pp.145–66; Paul Harris, 'The New Zealand Unemployed Workers' Movement, 1931–1939: Gisborne and the Relief Workers' Strike', *New Zealand Journal of History*, 10, 1 (1976), pp.130–42; Gillard Morris, 'Unemployed Organisations',

78 National Executive of the National Unemployed Workers' Movement, 'Workers' Charter Programme', 1933, p.4. Wilfred McAra Papers 1913–1972, MSS & Archives A39, Item 9/4, Special Collections, Auckland University Library, Auckland.

79 Simpson, *The Sugarbag Years*, p.109.

80 UL, 14 October 1935.

81 Simpson, *The Sugarbag Years*, p.109.

82 Unemployed Workers Movement, 'UWM Policy and Constitution Determined by the Third Conference at Wellington, March 25 to 28 1932', Mt Eden Unemployed Workers Association - Records, MSS & Archives Vault 191, Item 5, Auckland University Library, Auckland, p.3.

- 83 UL, 14 October 1935.
- 84 National Executive of the National Unemployed Workers’ Movement, ‘NUWM Resolutions for National Conference’, November 1934. Wilfred McAra Papers 1913–1972, MSS & Archives A39, Item 9/1, Special Collections, Auckland University Library, Auckland.
- 85 Unemployed Workers Movement, p.2.
- 86 UL, 28 October 1935, p.1; Robertson, ‘Isolation, Ideology and Impotence’.
- 87 Constance Purdew, *Women in the Labour Cause: The History of the Women’s Branch of the New Zealand Labour Party, 1925–1975*, Auckland Women’s Branch New Zealand Labour Party, Auckland, 1975, pp.49–50.
- 88 Simpson, *The Sugarbag Years*, p.114.
- 89 Pauline O’Reilly, *Commo Bill, People’s Poet: Biography of William Daniel O’Reilly*, One Off Press, Wellington, 2010, p.68.
- 90 Unemployed Workers’ Movement, ‘Conference of the Unemployed Workers’ Movement’, 25 March 1932. National Unemployed Workers’ Movement Records, MS-Papers-0130.001, Alexander Turnbull Library, Wellington.
- 91 National Unemployed Workers’ Movement, ‘Greed of the Wealthy’.
- 92 Sarah Bierre, ‘Constructing housing quality, health and private rental housing: A critical analysis’, PhD thesis, University of Otago, Wellington, 2007, p.126.
- 93 Joel Schwartz, ‘Tenant Power in the Liberal City, 1943–1971’, in Lawson, ed., *The Tenant Movement in New York City, 1904–1984*, p.136.
- 94 Martha Howell and Walter Prevenier, *From Reliable Sources: An Introduction to Historical Methods*, Cornell University Press, Ithaca, 2001, p.68.
- 95 McKinnon, *The Broken Decade*, p.407.
- 96 AS, 19 June 1931, p.8.
- 97 AS, 10 December 1930, p.8; *New Zealand Herald* (NZH), 10 December 1930, p.15.
- 98 AS, 30 January 1931, p.5.
- 99 NZH, 31 January 1931, p.15.
- 100 AS, 19 June 1931, p.8.
- 101 AS 23 June 1931, p.8.
- 102 EP, 29 June 1931, p.10.
- 103 AG, 6 July 1931, p.6.
- 104 AS, 18 September 1931, p.9.
- 105 AS, 13 October 1931, p.9.
- 106 AS, 14 October 1931, p.8.
- 107 AS, 14 October 1931, p.8.
- 108 EP, 16 October 1931, p.8.
- 109 AS, 15 January 1932, p.5.
- 110 NZH, 25 May 1932, p.11.
- 111 EP, 28 May 1932, p.12.
- 112 James Edwards, *Riot 1932: An Eyewitness Account of Social Upheaval in New Zealand*, Whitcomb and Tombs, Christchurch, 1974.
- 113 Simpson, *The Sugarbag Years*, p.34.
- 114 UL, 28 October 1935.
- 115 UL, 11 November 1935.
- 116 Locke, ‘To Unite as One’, p.58.
- 117 Roslyn Noonan, ‘The Riots of 1932: A Study of Social Unrest in Auckland, Wellington, Dunedin’, PhD thesis, University of Auckland, 1969.
- 118 NZPD, 5 June 1935, p.638.
- 119 NZPD, 8 June 1935, p.693.
- 120 Ferguson, *Building the New Zealand Dream*, p.153.

- 121 Schrader, A Social History of New Zealand Tenancy Law; Fair Rents Act (1936), New Zealand Acts as Enacted http://www.nzlii.org/nz/legis/hist_act/fra19361ev1936n14223/
- 122 Ferguson, *Building the New Zealand Dream*, pp.121–31; Ben Schrader, *We Call It Home: A History of State Housing in New Zealand*, Reed, Auckland, 2005.
- 123 McKinnon, *The Broken Decade*, p.182.
- 124 *Dominion*, 18 June 1920; Chisholm, ‘Individual and Collective Action’, pp.103–104.
- 125 Chisholm, ‘Individual and Collective Action’, pp.108–10; Ferguson, *Building the New Zealand Dream*, p.805; McKinnon, *The Broken Decade*, p.181.
- 126 AS, 19 June 1931, p.8.
- 127 AS, 5 January 1926, p.6.
- 128 Millar, *Families*, p.68.
- 129 Rebecca Solnit, *A Paradise Built in Hell: The Extraordinary Communities That Arise in Disaster*, Viking Penguin, New York, 2009; Locke, ‘To Unite as One’.
- 130 Wheatley and Cottle, *Sydney’s Anti-Eviction Movement*, p.191.