The new urban frontier of everyday evictions: Contemporary state practices of revanchism

Book Section

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Contemporary state practices of revanchism

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In this chapter we look critically at the political economic landscape of evictions within the United Kingdom context in relation to austerity. Our principle argument is that the current and unprecedented rise in evictions in the United Kingdom is not an 'organic' market-led occurrence, but has instead been actively orchestrated. Today displacement is actively endorsed through state-level involvement via housing and welfare legislation and policy-making ushered in as austerity measures. As such evictions have become daily occurrences in the United Kingdom. Evictions in neoliberal economies are fast becoming the most common form of displacement with over 170 evictions per day in the United Kingdom (Ministry of Justice 2015), as well as an international rise in Ireland, United States, Spain, Germany, and Greece (European Action Coalition 2015, Desmond 2016). Understanding the contemporary effects of gentrification and eviction requires scrutiny of the processes at large.

We begin this chapter by detailing the key ways that contemporary state-led gentrification has evolved, contributing to 'state-led eviction'. We situate evictions as a common form of displacement that underpins gentrification processes which have been under-researched in state-led gentrification discussions. We define state-led eviction as the cumulative impact of the government cuts in social support for housing and the promotion of housing market activities, which not only increase eviction risk amongst low-income households but, through various legal repossession frameworks, actively endorse it. We argue that state-led eviction comprises two aspects. The first relates to a transference of debt, from state level to household level, achieved through welfare cuts which directly affect housing benefit payments and ergo rent affordability. It involves the ways in which the state works in partnership with the private sector, including bailiff and enforcement companies, that directly profit from wide-scale housing inequality and evictions processes. We explore this through secondary data analysis of welfare changes and legislative and court practices in the United Kingdom.

The evolution of gentrification

The ubiquity of gentrification today firmly casts aside the old 'first wave' culture/economic definitional tussles (see Ley 1996 and Smith 1996). Gentrification is not simply a quixotic neighbourhood process (Smith 1996), but mediates urban restructuring towards neoliberal market capitalism. Gentrification is described as capitalism playing out in the landscape, it is essentially our economy's urban form (Brahinsky 2014) so as capitalism evolves so too does gentrification. The most recent incarnation 'state-led gentrification', described by Neil Smith as being the urban frontier, names the active role that the state plays in supporting the market to drive gentrification. As a spatial manifestation of neoliberal urban policies, gentrification is not then, a process exclusively driven by economic forces or the cultural and consumer choices of the middle classes or, as scapegoated today, hipsters (Kohmami and Halliday 2015). Institutionalised as urban policy, gentrification is deemed the panacea to the decline wrought by deindustrialisation (Lees 2003) and wholeheartedly subsumed into New Labour's Urban Renaissance strategy through the 2000s. State-led gentrification often occurred on brownfield sites of former industry which meant that direct displacement, said to be the linchpin of gentrification processes, was not always a direct outcome. This led some to challenge the use of the term “gentrification” in this context (Lambert and Boddy 2002) while others claimed instead that it signified a wider processes of urban restructuring, that is, the creation of space for the more affluent user (Hackworth 2002). Given the protection afforded by social housing, displacement was claimed to not be the primary aim of state-led gentrification which instead was used to create the more affluent user (Paton 2014) through civilising the working class to be neoliberal consumers of private housing. Either way, discussions of displacement and evictions waned in this context.

If gentrification was the spatial manifestation of neoliberal urban policies, then it is the management of individuals in these spaces which becomes the new frontier under neoliberal financial capitalism. This extends the ‘revanchist thesis’ as coined by Smith (1996), as an interpretation of how gentrification is used as a strategy by powerful groups in society to retake, at times by force, their territorial control over less powerful groups. Housing was still a largely protected state provision when this concept was articulated by Smith and others (Smith 1996, Mitchell 2003) so revanchist practices were identified as those which reclaimed prime *public* spaces from homeless people for the benefit of international capital. Today, the project of revanchism advances whereby the state is no longer the protector in housing and evictions, but the profiteer.

The very project of state-led gentrification was momentarily challenged by the financial crisis of 2007 (Harvey 2014), which was itself precipitated by a collapse in housing finance and real estate. Not long after, the financial system rebounded, finding new ways to extract profit and value without producing (Lapavitsas 2013). Generating profit in this manner involved a shift in the mode of governance, in which the imperatives of finance and private capital take precedence. This is characterised by the large-scale state withdrawal from the housing sector along with the simultaneous creation of policies which support a market-based housing finance model, which sees housing repositioned as a primary commodity and a global financial investment asset (Rolnik 2013). Thus in the post-crash context, state-led gentrification performs a greater, rather than lesser, role in the political economy. This is evident in the post-crash United Kingdom housing policy's prioritisation of finance and private capital, no less through the retreat of welfare.

Previous to this global paradigm shift in housing policy, social housing played an important role in offsetting and, indeed, protecting tenants against eviction in the United Kingdom. Today, however, we are seeing an erosion of the protection originally offered through the historical development of municipal housing and the welfare state. In the aftermath of the financial crisis in 2008, austerity-driven housing and welfare policy made it increasingly difficult for individuals and families, who are foremost economically disadvantaged, to access affordable social housing. In 2012, the former Coalition government set out their plans for restricting access to social housing:

> Social housing is a scarce resource, and the Government believes that it is appropriate, proportionate and in the public interest to restrict access in this way, to ensure that, as far as possible, sufficient affordable housing is available for those amongst the local population who are on low incomes or otherwise disadvantaged and who would find it particularly difficult to find a home on the open market. (CLG 2013: 5)

The burden of the public debt and dominant global ‘logic’ of austerity have culminated in a series of welfare reforms and housing policies that have exacerbated housing inequality and amplified housing poverty for economically disadvantaged groups. These policy reforms bring the poorest households closer to private rented housing and market rent rates at a time when private sector rents are significantly more expensive than social housing rents. The private rental sector has become the dominant provider of private housing and social housing, and the state is no longer the protector in housing and evictions, but rather the profiteer. Lack of rent controls, lax regulation and unbridled transnational capital pumped into the property market, have led to the creation of eviction ‘hotspots’ (Shelter 2014), where those in poverty and receiving welfare benefits face the greatest financial challenges in relation to rent and, thus, face the greatest risk of eviction.

Eviction as displacement

Displacement is defined as ‘what happens where forces outside the household make living there impossible, hazardous or unaffordable’ (Hartman, Keating and LeGates 1982: 3). Eviction is a form of everyday displacement and frequently plays out in processes of gentrification (Sims 2016). It is a key displacement technique that is used by landlords, housing associations and state authorities to forcibly remove working-class households from the area to free-up land value. Despite the centrality of displacement in gentrification processes, it has long been under-researched. Discussions of displacement have historically been overlooked in favour of theoretical debates aside from some notable United States studies in the 1980s from Marcuse, (1986), Hartman (1979), Hartman, Keating and LeGates (1982), and LeGates and Hartman (1986). Methodologically, displacement studies have been downplayed following the view that displaced people are ‘hard to follow’ (Newman and Wyly 2006) and that assessing scales of displacement can be like ‘measuring the invisible’ (Atkinson 2000). The main obstacle in researching displacement seems to be that it is difficult to measure and determine. This ‘neglect’ (Chum 2015) has culminated in a cursory understanding surrounding the relationship between evictions, gentrification and market capitalism. Contemporary eviction studies (Sims 2016, Chum 2015) show that displacement can be captured, experiences documented, and relationships with gentrification and market capitalism unveiled. While governments fail to accurately record the scale and cause of evictions, these studies show that eviction records can be sourced through other means, such as ‘landlord associations, property management companies, civil courts, law enforcement, and state agencies’ (Sims 2016: 30) and, furthermore, highlighting the concentration of evictions in one particular area can help to expose the relationship between evictions and market-driven forms of urban restructuring (Sims 2016).

In this next section we will go on to demonstrate how the state now actively facilitates the displacement and eviction of people. The confluence of a retraction in welfare and rise of housing as a global financial product results in the displacement and eviction of tenants who now find themselves in rent arrears and too poor to live on land deemed high-value. We outline how austerity-driven welfare reforms have led to a hike in rent rates and affordability which has culminated in an unprecedented rise in rent arrears and ‘eviction hotspots’ (Shelter 2014) confounding revanchism in the housing sector which, in a way, can be said to constitute state-led evictions.

Welfare cuts and housing policy

Government policies implemented to support the paradigmatic changes in housing have involved a redistribution of wealth and debt. In 2012, the Coalition Government introduced a historical set of welfare reforms. One of the most controversial and pernicious changes was undoubtedly the so-called ‘bedroom tax’: the spare room subsidy of tax on housing benefit levied at social housing tenants deemed to have a ‘spare’ bedroom. One year after its implementation in April 2014, research found that two-thirds of households in England affected by the bedroom tax had fallen into rent arrears, while one in seven families received eviction risk letters and faced losing their homes (NHF 2014). Around 6% of benefit claimants affected by the bedroom tax have moved as a result (BBC 2014). The more pervasive and perhaps most wide-reaching changes, however, were introduced through the ‘benefit cap’ (or Universal Credit). The benefit cap limits the total weekly income an individual or family can receive in welfare payments, with an estimated 58,700 households experiencing a reduction in Housing Benefit (45% in London). When a household exceeds the set level, their benefit income is capped. This cap is administered primarily through housing benefit payments, therefore, household rent. It is estimated that 50,000 households have lost around £93 per week and 15% are losing around £150 per week (Shelter 2013). These households have to make up the subsequent shortfall they face in rent. Given that the benefit cap is administered primarily through housing benefit payments, it would be more useful to reconsider the benefit cap as a ‘rent cap’ as it automatically reduces a person’s rent income.

Given this brief overview of austerity cuts affecting welfare recipients, it is not difficult to see how those in poverty and receiving welfare benefits face the greatest financial challenges in relation to rent and, thus, face a greater risk of eviction. The inability of households receiving welfare benefits to pay their rent has seen hundreds of thousands of households fall into rent arrears. From 2007-2013, the number of households in rent arrears increased by 130% (Money Advice Trust 2013) and resulted in unprecedented levels of repossessions and evictions. It is no coincidence that in 2013 we also saw 115,000 possession orders granted to evict tenants in private rented accommodation as a result of rent arrears. In 2015, across England and Wales more than 42,000 households in rented housing were evicted by County Court bailiffs, a 50% increase over the past four years, and the highest level since records began in 2000 (Ministry of Justice 2016). Nonetheless these figures do not paint the full picture because they fail to highlight the number of renters who leave 'voluntarily', without challenging the initial possession claim. The realities of this are captured by Matthew Desmond's (2016) portrayal of the harrowing experiences of undocumented flight of families facing housing poverty in the United States as 'informal eviction'.

These changes in welfare and housing tenure are therefore distinct but interrelated modes of transferring debt to individuals and redistributing wealth to the private sector, and result in exposing the most vulnerable to a volatile housing market and the risk of eviction. There is more of this to come. In May 2016, the Conservative government advanced these austerity measures through their *Welfare Reform and Work Bill* which reduces the 'benefit cap' even further and expands Universal Credit, with even greater implications for rent affordability. Furthermore, the government's new *Housing and Planning Bill* actively curtails housing choice by further privatising the housing sector. This bill proposes to replace the obligation to build homes for social rent with a duty to build starter homes, extends the Right to Buy to include Social Housing, compels local authorities to sell ‘high-value’ housing, offers laxer planning permission and sees the introduction of ‘fast-track’ evictions (Crisis 2015).

In light of the above interventions made to housing policy and welfare, it is fair to say that evictions today are not solely market driven. Conversely, since 2010 governments have consistently intervened and implemented a suite of hyper-austerity legislation and policies that primarily target households that are foremost economically disadvantaged. Specifically, where housing policy is concerned, and variously related welfare policies such as those described above, governments have stimulated private rented sector growth and exposed low-income earners to the vagaries of housing. Framed in this way, the state has been hyperactive in the amplification of housing poverty and insecurity thus confounding the revanchist project.

The role of the state in evictions and circumstances leading up to it, is the principal concern of this chapter. We reject the notion that the rise of the private rented sector economy and the precarity it creates, is solely market-driven. Rather than conceptualise the demise of social housing and recent welfare reforms as a type of ‘state withdrawal’, or ‘hollowing out’ of state involvement (Cloke, May and Johnsen 2010), we see these events as a different type of state activity. These events are principally state-led and, what is more, they encompass strategies around enforcement and dispossession, supported by the legal repossession framework and private business. In this next section, we will show how legislative frameworks that prioritise housing ownership, such as housing law and (re)possession law, and the network of private companies that prosper under the statutory power to evict.

Accumulation by repossession

Just as the state intervenes in ways that increase the risk of eviction, it too endorses the enforcement of eviction by working in partnership with private enforcement businesses that supports the expansion of private industry profiting from displacement. This is a kind of accumulation by repossession, which builds from Harvey's (2005) notion of 'accumulation by dispossession' that describes how predatory capitalism operates, expands and accumulates at key points during economic recession. Where dispossession 'entails the loss of rights', this erosion also allows for greater flexibility around capital accumulation (Harvey 2005: 178). Wide-scale precarity precipitated by economic recession leads to dispossession, but that dispossession also allows for certain industries to accumulate and proliferate. In housing terms, accumulation by repossession reflects the ways in which rent arrears and the ultimate consequence of eviction, not only lead to the dispossession and displacement of tenants, but allows business to profit and expand in an industry that is centred around household debt, debt collection and eviction. As such this cannot be explained simply as market-led alone. State intervention, including legislative frameworks that prioritise property ownership, have helped the expansion of an enforcement industry, whose primary aim is to recover debt and/or evict tenants. Therefore, the industry profiting from eviction, we argue, comprises those private companies that profit from enforcing possession orders, as well as the legislative framework that protects them. These can include, for example, creditor companies as well as civil and high court bailiff and enforcement companies.

As the number of possession orders have increased, so too has the recruitment of civil and high court officials, called upon to carry out the 'writ of execution'. Bailiffs used by landlords for repossession has increased by 51%, in the last five years (Gayle 2015).

Between 2014-2015, bailiff companies used by local authorities in London for the recovery of council tax debt increased by 50% (Ashton et al 2015) and HMRC recently spent £14.8 million on bailiff companies to recover unpaid taxes (Jones 2014). Business is booming. In 2015, one of the largest High Court enforcement and bailiff companies, The Sheriffs Office Ltd. were awarded *Enforcement Team of the Year* by the Chartered Institute of Credit Management (CICM) and, further demonstrating the expanse of the industry, the Chief Executive of the Sheriffs Office Ltd claimed that, “we launched a number of specialist services and entered new markets, all leading to growth in all sectors of our business” (Credit Today 2016, not paginated).

The growing involvement of private industry is crucial as we think about the complexity of state-led eviction. Although evictions are carried out by private bailiff and enforcement companies, they have a range of legal powers as ‘court officials’, allowing them to forcibly remove people from their home. Challenges to that authority can be met with the threat of prosecution. Furthermore, it is not uncommon for police to be present during tenant evictions, even though evictions are civil incidents, not criminal. In principle, the role of the police in these matters is to maintain independence, but their presence carries a symbolic effect, which can lead tenants and communities to believe that residents being evicted have committed a criminal offence, where none has occurred.

Police presence and the hybrid use of criminal and civil legislation in the eviction process presents some challenges to resisting housing inequality. And no one is more familiar with these challenges than those activists fronting the housing resistance. In September 2015, 15 housing activists faced criminal charges (and some remanded in custody), for obstructing High Court Enforcement Officers from evicting a tenant and housing activists from Sweets Way estate, North London. As rent arrears continue to grow and housing resistance intensifies, including occupation of empty homes and land, this is likely to trigger further action from private industry recruited to forcibly remove those tenants *and* activists in order to ultimately secure the development of capital accumulation and commodification of housing.

Conclusion

'Capitalism is based precisely on its ability to displace the working class in all sorts of situations.' (Smith and LeFaivre 1984: 60).

Today, under austerity we see the punitive side of state-led gentrification really come into effect and, as a result, an advancement of revanchist practices. While the revanchism project originally spoke to the taking back of territorial power from public spaces, we see that under financial capitalism where housing is cast as a primary global asset, the state undertakes activity which extends revanchist practices to public housing. We have identified that state-led eviction advances revanchism because in transferring debt from state level to household level through welfare cuts, directly affects rent affordability and state partnership activities with the private sector, including bailiff and enforcement companies that directly profit from evictions, public housing is effectively taken back. These processes galvanise property ownership and effectively shifts those who are not deemed ‘valuable’ from housing to free it up for more profitable use, while at the same time, making profit out of these processes. Welfare reforms which actively make households more precarious, ultimately leading to eviction, and the enactment of evictions themselves – whether through high court enforcement officers or by the presence of police in the point of evictions – reveal the state's central role. While the state has historically played a part in evictions, it is the confluence of these contemporary factors, whereby housing and rent are premium global assets, that has resulted in the removal of protection from residents. In this sense Smith and LeFaivre's (1984) statement could not ring truer today. In the quest for profit under financial capitalism, the basic security of the home is under its greatest threat and contemporary state policy and practice support rather than prevent this in new ways indicating a grave new urban frontier. Evictions, we argue, are the currently the most common and visible side of housing insecurity and a significant marker in contemporary state-led gentrification processes.

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