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RENT STRIKES in NEW YORK

MARK NAISON

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In the fall of 1963, when rent strikes began to make their appearance in New York City on a massive scale, housing conditions in the city's slums were much the same as they had been for the past 60 years. In the old neighborhoods which the European migrants once inhabited—Brownsville, Williamsburg, Harlam, the East Bronx and the Lower East Side—Negroes and Puerto Ricans now resided, crowding tenements which had been regarded as substandard in the Progressive Era. Nine hundred thousand people still lived in houses built before 1900, 1 when the Tenement House Law had established the city's first set of health standards for residential construction.

Despite the continued decay of the slum areas, only partially offset by the construction of low-income public housing, it required the impetus of the Civil Rights Movement to transform passive resentment into active protest. Inspired by the mood of growing militancy which the March on Washington both reflected and negated, several CORE chapters had begun, in the summer of 1963, to apply the tactics of nonviolent direct action to the field of housing. Brooklyn CORE started with a campaign to pressure the city into enforcing the existing housing code. It taught tenants how to file forms with the building department to set the code enforcement machinery into operation, and it picketed the homes and businesses of landlords who refused to yield to tenant demands. Two college chapters, NYU CORE and Columbia CORE, also formed "housing committees" and began to organize slum tenants in Harlem and the Lower East Side. The Columbia chapter, like the Brooklyn group, tried to teach tenants to work through the city agencies to improve conditions, but NYU CORE and a small organization called the Northern Students Movement convinced tenants in six buildings on the lower East Side to fight their landlords by withholding rent.

These rent strikes won the approval of James Farmer, the national director of CORE. On November 9, in a statement to the *Amsterdam News* he declared that "the rent strike had proved an effective weapon," and urged that

"more of them be employed by tenants having problems with indifferent slumlords." A week later, he warned of a "citywide rent strike with up to ten thousand tenants on strike if slum conditions are not cleared up," and predicted that the civil rights drive in the city would be stepped up on all fronts after the first of the year.

Enter Jesse Gray

Although Farmer's prediction of a citywide rent strike proved to be accurate, the initiative for it did not come from CORE but from a 38-year-old Harlem tenants' leader named Jesse Gray. For 10 years, Gray had been trying to do what CORE chapters had only now begun to think about: organize a mass movement in the ghetto around the issues which mattered most to the lower class Negro—poor housing, unemployment, police brutality. A long-time radical expelled from the National Maritime Union for his leftwing associations, he had begun his work in Harlem with a revolutionary dream. But the response to his agitation was unenthusiastic, and instead of a mass movement, he was able to develop only a small tenants' organization on a few blocks in Central Harlem called the "Community Council on Housing." In October of 1963, at the head of a protest march on city hall which he had organized, Gray threatened to lead a political rebellion of Harlem tenants unless the city acted to take over buildings with longstanding violations and meted out stiffer punishments to landlords.

Immediately after this protest march, which drew 200 tenants, Gray decided to organize a rent strike in the Central Harlem buildings he had been working in. The stimulus for this decision, made, apparently, with little preparation (there had been no mention of a rent strike at the protest parade), was the growing militancy that Gray's followers had been showing at meetings and protest rallies since the end of the summer. Tenants who had once meekly accepted Gray's aid with their buildings department forms, were now demanding dramatic action to get repairs. "The people," Gray told the Amsterdam News, "are much more conscious than ever of the slum conditions in which they are ready to listen to an agitator who tells them not to be frightened by eviction notices." After one week of organizing, Gray claimed, he

was able to place 16 buildings on strike.

The Community Council on Housing, when it began the strike, was a small, informally run operation that teetered on the edge of bankruptcy. It depended for its support on a combination of membership dues, which were rare in coming, and private contributions from wealthy radicals. Aside from Gray, who managed to eke out a meager salary from its treasury, there were four men who served as organizers, only one of whom, Major Williams, worked full time. Gray, moreover, could expect very little help from the tenant members of the council in organizing the strike. Most of them . . . would join a picket line or give a small contribution to the Council's treasury, but they were also content to leave the formation of strategy and the organization of buildings to Gray and his aides. Despite these disadvantages, Gray was

able to almost triple the number of buildings on strike during the month of November. In the few blocks that he had organized before, the response to his message was enthusiastic, and the only limit on the speed of organization seemed to be the time that was required to explain the mechanics of the strike. There were buildings in Central Harlem where the name "Jesse Gray" would open any door. In the neighborhood where he had lived and worked for 10 years, Gray, by countless hours of unpaid service, had built up a remarkable reserve of trust. Like the Democratic district leaders in the old immigrant quarters, Gray was the man people called upon when they were in trouble with the welfare department, the police, or any of the other huge and confusing bureaucracies with which they were dependent for their survival.

In early December, at a mass rally held at the Milbank Community Center near Mount Morris Park, Gray announced the results of November's organizing. Tenants in 34 tenements, he declared, had joined the strike, raising the number of buildings participating to 52. The rent strike, he proclaimed jubilantly, had become a mass movement, "with almost 3,000 persons ready

to participate in the action."4

The political implications of a mass movement under Gray's leadership were not lost to Harlem's established political leaders. Men like Adam Clayton Powell, Huelan Jack, and Lloyd Dickens, who had never shown much zeal in demanding housing reform, quickly announced their support of the rent strike. Fifteen church and civic groups pledged their support to the rent strikers and informed a coordinating committee to help extend the strike to other parts of Harlem. The voices were angry and the spirits were high. "The bells toll, the drums roll," Adam Powell exulted, "Harlem is on the march again." 5

Gray seemed almost intoxicated by the community solidarity that had been manifested at the rally. "If our plans materialize," he told a *Times* reporter two days after the rally, "we will have 1,000 buildings on strike by the first of the year. We hope, by means of a citywide rent strike, to force a mass rehabil-

itation of the slums."6

"Mass Movement" Stumbles

In early December, when the Community Council was beginning to make plans to turn the rent strike into a "mass movement," it was counting on extensive cooperation from civil rights groups and civic organizations within the Harlem community. The initial response of such groups had been enthusiastic; 15 Harlem organizations, including block associations, church groups, Democratic clubs, and a labor union (Local 1199 of the Drug and Hospital Workers) had joined a coordinating committee set up by Gray to extend the strike. Gray's expectations of support, however, proved to be overoptimistic. As December came to a close, and the rent strike began to make the front pages of the daily newspapers, the Community Council's organizers were struggling to extend the strike in Harlem almost entirely unaided. The 15 Harlem civic groups who supported the strike gave Gray some money and

helped publicize the movement in the community, but did not provide what the rent strike needed most to become a mass movement—manpower—to organize buildings, to run the office, to keep up contact with the striking tenants and advise them on legal matters. In the beginning of January, the bulk of the organization was still being done by the same 7 to 10 workers from the Community Council and the Northern Students Movement. The strike expanded to involve 100 buildings, far short of the 1,000 which Gray had predicted.

The major national offices of the civil rights groups, moreover, did not reply at all to the Harlem rent strike's pleas for assistance. James Farmer of CORE refused to comment on the tactic as soon as it became publicly identified with the work of Jesse Gray, 7 and the Community Council received neither organizational help nor financial aid from CORE. The NAACP's Central Harlem chapter, under Reverend Hildebrand, told its members to participate in the strike, and contributed money to the Community Council's treasury, but its national office remained cold to the movement. Roy Wilkins refused to answer calls from Gray's press agent, and made no reference to the rent strike in his public statements.

But the Activists Respond

The hostility of the established civil rights leaders to the rent strike, however, did not accurately mirror the feeling of the rank and file of the city's civil rights groups. Jesse Gray's initial successes in organizing the people of Harlem, exaggerated and glorified by a "muckraking" press, captured the imagination of young civil rights activists around the city, activists who were unacquainted with Gray's radical background. One after another, local CORE groups in the city dropped their other activities and began to organize rent strikes in their districts. The Brooklyn chapter, which had been organizing tenants since the summer, placed its first buildings on strike on December 1, and had a number of cases in court before the end of the month. Downtown CORE and Columbia CORE, which had been operating small housing programs which worked through city agencies, dropped their reformist approach and began to organize rent strikes early in January. And Bronx CORE and East River CORE, which had been devoting most of their time to "employment" campaigns, began rent strikes of their own in February.

With the possible exception of the Brooklyn groups, these CORE chapters entered the rent strike with only the vaguest notions of what they were trying to accomplish and the most limited experience with tenants organization and housing law. The young activists who composed the bulk of these organizations were responding more to the general sense of excitement which surrounded the rent strike than to the appeal of a well-thought-out strategy of action. The headlines in the press, the radio broadcasts, the mass meetings, and the leafleting campaigns created what those who experienced it called a "rent strike fever," an extraordinary sense of exhilaration and even of his-

toric destiny that drew people to the movement as the initiator of a new stage in the civil rights movement. The excitement reached its height at a mass

meeting held in Harlem on January 11.

A crowd of 800 people, composed of Harlem tenants and representatives of almost every civil rights group and tenants' organization in the city, heard a group of prominent speakers, including James Baldwin, William Fitts Ryan, Jesse Gray, and John Lewis tell them to spread the rent strike to other parts of the city. "At this meeting," one leader of a student CORE group told me, "everyone caught the fever—Rent Strike. No one knew about the legal consequences, or the amount of work involved. It seemed like the thing to do... the

only way to beat the landlord."

In addition, Mobilization for Youth, a federally sponsored social work project trying to encourage social action among low-income people on the Lower East Side, saw in the mass movement that Gray seemed to be developing a model well worth imitating. Throughout December, MFY's directorate worked to advise a way to sponsor a successful rent strike on the Lower East Side without offending the political interests upon which it depended for its funds. To be successful, they believed, a rent strike on the Lower East Side would have to be as militant and vocal as the strike in Harlem, it would have to attack the city government as well as the landlords. But if MFY organized such a rent strike, it might jeopardize its existence, for the use of government funds to organize protests against the government was then hardly an officially sanctioned mode of "community organization." They decided to organize the rent strike behind a "smokescreen" of small community groups set up by MFY and provided with paid "organizers." In late December and early January, MFY officials organized groups of tenants, gave them storefronts and operating expenses and assigned to them paid community workersneighborhood people on MFY's payroll who had experience in the civil rights movement-who were to do most of the work connected with the strike. In addition, they contacted tenants' organizations, civil rights groups and social fraternal organizations (such as the Congress of Puerto Rican Organizations) which had organized rent strikes or expressed interest in them, and asked them to join with the newly formed "tenants" groups in a coordinated rent strike on the Lower East Side that would be partially subsidized by MFY's funds. The invitations were accepted, and on January 11, eleven organizations, representing the most diverse social and political perspectives one could imagine, 8 met at MFY headquarters and agreed to work together to create a massive rent strike on the Lower East Side.

Gray and Coordination

The task of coordinating these local rent strikes and giving them a unified political impact proved to be a difficult one. While there was considerable sharing of information about methods of organization and an effective coordination of legal services, there was no successful attempt to define the goals of the movement on a citywide level and to devise tactics in which members of

the participating organizations could effectively combine their energies.

Much of the movement's potential for coordinated action was debilitated in power struggles between leaders of the various rent-striking groups. Perhaps the main axis of conflict was between Jesse Gray and the Metropolitan Council on Housing, a federation of housing organizations formed in the middle 1950's to protect rent control and organize support for the construction of low-income housing. Early in the strike, the Met Council, whose leaders regarded themselves as "experts" on the political dimensions of housing problems, made tentative efforts to set itself up as a clearinghouse for rent strike information and to incorporate the rent strike into its own legislative campaigns. It invited Jesse Gray to become the leader of a citywide rent strike coordinating committee, which it proposed to establish. Gray, however, rejected their offer. He did not want his leadership of the movement diluted by what he called a "white middle-class organization." After 10 years of organizing without recognition, he was not willing to share his newly won prestige with an organization that he regarded as being out of touch with the rising spirit of race consciousness and nationalism in the black ghettos.

He decided, thus, to coordinate the movement himself. He spoke at rallies in behalf of groups organizing rent strikes in all parts of the city, and had numerous private conferencs with rent strike leaders to discuss with them techniques of tenants organization and related problems of housing law. And in the press conferencs and news broadcasts which his press agent arranged for him, he dramatized the slum conditions which gave rise to the strike and the movement's immediate aims in a forceful and ominous way, setting off a wave of short-term reforms by the city before the strike had even approached its projected strength. On February 12, rent strike leaders were invited to a mass meeting in Harlem to form a Citywide Committee for Decent Housing, which would coordinate protest to force the city and state governments to act

against the slums.

But when the speeches ended, only two proposals for direct action, and rather mild ones at that, were ratified by the delegates—to join the March on Albany for a \$1.50 minimum wage with a tenants parade to demand code enforcement and the construction of more public housing, and to begin a "Rats to Rockefeller Campaign," which consisted of a drive to send rubber rats to the Governor along with form letters from tenants urging the Governor to support legislation to provide emergency repairs in slum housing.

The hopes voiced by the strike's leaders a few months before, that the movement would mobilize the population of the ghettos for mass action to force a comprehensive rehabilitation of the slums, seemed strangely remote from the debate now taking place—the proposals ratified were an extension of the "responsible" methods that tenant organization had engaged in for years without bringing basic changes in the conditions of the homes. There was no initiative (from Gray or anyone else) for a drive to force public authorities to commit themselves to a systematic program of slum rehabilitation that would make use of the disruptive powers of the black masses. Gray was the man everyone looked to for leadership, but he seemed unable to visualize

a way of maintaining the militancy of the Harlem movement within the context of a coalition of groups. His rejection of the Metropolitan Council on Housing as comfortable and middle class seemed ironic indeed, for the new "militant" coordinating group that he had formed began by appropriating its methods. The irony was apparent even to Gray. At future meetings of the "citywide committee for decent housing," Gray himself, involved in a cam-

paign against the police in Harlem, rarely showed up.

In the last week of February, the aura of cataclysmic power that had surrounded the rent strike in its early days had largely faded away. The press seemed to lose interest in the movement. Reporters no longer anxiously kept track of Gray's predictions of how large the strike was going to get, and muckraking articles about slum conditions and inefficiencies of the buildings department seemed to go out of fashion. From February 11 onward, no article dealing with the strike appeared on the front page of the *Times*. The city government ceased issuing promises to appease the movement's leaders and the aroused conscience of the public. The Mayor's last dramatic gesture to the strike came on February 8, when he announced the beginning of a one million dollar anti-rat campaign to help rid the slums of pestilence.

While the public authorities resumed their habitual complacence toward slum conditions, the rent strike leaders found their attention pulled further and further away from political questions. There was a clear shift in perspective of the rent strikes from citywide to a local level in this period, and a growing concern with legal and technical problems that had been ignored in the beginning of the strike. The mass meetings in Harlem which had confirmed and inspired the high aspirations of the movement were now held infrequently and had poor attendance. In many parts of the city, indeed, the rent strike began to resemble a social service operation rather than a militant protest.

The Courts and the Movement

The Community Council on Housing had entered the strike without clearly defining its attitude toward the legal system. It did not have much confidence in the legal process through which striking tenants could get repairs (section 755 of the buildings code) but it was unwilling to boycott the courts entirely, for it had promised tenants that there would be no evictions. In the early stages of the strike, the organizers had paid only perfunctory attention to the legal procedures required to win a "755"—which included filing forms for inspections with the buildings department; checking that violations were actually recorded after inspections; and subpoenaing records for the court—they were trying to get buildings on strike quickly to give the movement political leverage. In many cases, observers noted, organizers simply called a meeting of tenants, told them to stop paying rent and left, reminding them to call the Community Council's office when they received a dispossess.

The confusion of the organizers about the role court action would play in the movement was increased by two favorable but conflicting decisions handed down by lower court magistrates in late December. On December 30, in the first court decision affecting the Harlem rent strikes, 9 Judge Guy Gilbert Ribaudo ordered 13 striking tenants in two Harlem tenements to pay rent into court until the landlord repaired outstanding violations, asserting that conditions in the buildings were "shocking, and should be repaired as soon as possible." ¹⁰

This reaffirmation of the applicability of 755 was accompanied by a statement declaring that the court did not condone rent strikes; it was illegal for the tenants to withhold rent except in cases involving "real and so-called constructive eviction and where hazardous violations exist." One week later, however, a decision was handed down in a Brooklyn court which went far beyond Judge Ribaudo's dictum and broke down many of the guidelines which the organizers had set after the earlier decision. Judge Fred Moritt, after hearing the case of five striking tenants who argued that their living quarters were not fit for human habitation ruled that "any act or default on the part of the landlord which deprives the tenant of the beneficial enjoyment of his premises, constitutes, in the eyes of the law, an eviction. A wrongful eviction. by the landlord, whether partial or total, has an effect of terminating the tenant's liability for rent." ¹² This meant, he later explained, that in "extreme cases, the landlord is not entitled to any rent until the conditions are remedied.... If it takes the landlord two years to make the repairs, he gets no rent for two years. Period."13 This decision, which was not based upon section 755, differed from Judge Ribaudo's in two significant respects; it did not require the tenants to pay their rent into court, and it did not entitle the landlord to back rents for the period that the violations were in existence.

Both the Ribaudo and Moritt decisions seemed to suggest that the movement could get repairs for individual tenants through court action. But neither decision, as it turned out, was representative of the kind of treatment the strike was to receive in the housing courts. Once cases began to appear in large enough numbers to be free of publicity, the housing court judges, a breed notorious for their subservience to the party machines, showed strong resistance to the use of the court as an agency to supervise repairs. In some cases, judges made no attempt to hide their contempt for the tenants and their opposition to the rent strike, and didn't try to separate their legal arguments from their personal biases. But more common was a strict adherence to legal technicalities on the part of "objective" judges, which, given the nature of the housing laws and the peculiar problems of the low-income person in a court situation, proved to be a frustrating and confusing barrier to effective action.

In the housing courts, it was common, for example, to grant parties in the case adjournments, when their cases were not sufficiently prepared or relevant witnesses such as buildings department inspectors were absent. When low-income people were a party to the case, the seemingly innocent power of adjournment took on new importance—the power to adjourn was the power to destroy. For most of the striking tenants, living on the edge of subsistence burdened by economic and familial responsibilities, a court appearance was

a major sacrifice which had to be arranged far in advance by the organizer. If, after extensive planning and preparation, and the loss of a day's salary on the part of the tenants, the result was only adjournment, the tenants, generally anxious and fearful to begin with, might begin to question whether the yet to be achieved gains of the strike were worth the price of the disruption it wrought in their personal lives.

Landlords, fully aware of the subversive effects of adjournments on the morale of a tenants' committee, would often purposely leave their cases unprepared, or demand that new witnesses be called in who were not present at the first hearing. Many judges, insensitive to the differential impact of the adjournment on landlord and tenants, would grant the landlord's request and become an unconscious party to his harassment—others, no doubt, less innocent in their intentions saw in this an inconspicuous and "safe" way of

frustrating a movement they despised.

In addition, the civil court judges interpreted 755 in a way that made it difficult for all but the most carefully briefed tenants' committee to win a case. Virtually without exception, they rejected the procedures of the Moritt decision; they would only accept as evidence "violations of record" subpoenaed from the buildings department. When tenants offered verbal testimony about conditions in the building or photographs of violations, they were told that such information would not affect the outcome of the case. This meant, in effect, that the strikers were dependent on the cumbersome and quite fallible machinery of the buildings department at every point in the strike; they had to get an early inspection, make sure that the inspector took down relevant violations, see whether they were actually recorded at the Hall of Records (which cost two dollars and required a trip downtown) and subpoena the inspection sheet from the Hall of Records on the day of the trial.

The organizations sponsoring the rent strike soon learned that the only way to get inspections on a workable basis was to put pressure on high officials of the buildings department for an arrangement that entirely bypassed bureaucratic channels. Gray had done that early in the strike, and was able to get on-the-spot inspections in Harlem buildings merely by making a telephone call. But even so, there were problems in arranging the mechanics of an inspection. At the time of day when the inspector arrived, most of the tenants in the building could be out, and only a fraction of the violations would be recorded. It was necessary to arrange a time for inspection mutually agreeable to inspector and tenant, but city laws didn't make room for such an arrangement. The inspector would often arrive unannounced and find most of the tenants absent or unwilling to let him in. Moreover, there was no guarantee that the violations would be recorded once the inspection was made. Inspectors were notoriously corrupt and amenable to bribes, and would often slant their inspection reports to favor the landlord. Finally, there were huge delays in recording the violations once they were reported by the inspector. At the buildings department computer which processed inspection reports, information was held up for 13 working days by backlog. 14

The Failure of Legalism

It was common, thus, for striking tenants to appear in court without buildings department records to back up their cases, or with records which did not truly reflect the nature of the conditions in their building. Judges, using a "strict construction" of the doctrine of constructive eviction, would declare that the evidence presented was insufficient to warrant issuing a 755, and would order the tenants to give back rents to the landlords and resume regular payment. Such a decision, the "final order," greeted a large number of the striking tenants whose cases appeared in court. The Lower East Side Rent Strike was losing three-fifths of its cases during March and April and improved its performance only slightly later on. None of the other rent-striking organizations seem to have done much better. The one exception was Brooklyn CORE, which found the Brooklyn courts more responsive to tenants' interests than those in other boroughs.

Even when the judges actually granted a 755, it was by no means certain that conditions in the building would be significantly improved. As the law was interpreted, the landlord was only required to correct violations recorded on Buildings Department forms. Since these records were often incomplete because of inefficient or corrupt inspections, some of the worst violations in the struck buildings were declared outside of the court's jurisdiction. In addition, the procedures which the court used to enforce its order were often unreliable. To receive his rent, the landlord had to establish to the judge's satisfaction that he had removed, or would remove, all violations of record.

But most judges were reluctant to assume the responsibility of acting as a full-time administrator of repairs, and tried to get the parties to settle out of court as quickly as possible. In cases where a building required extensive remodeling to meet the standards of the court, they were prone to grant the landlord a trial period after which he would receive his rent if he made a reasonable percentage of the repairs. But all too often, such trial periods served as an excuse to end jurisdiction, and landlords were able to stop repairs with impunity when they came to a halt.

There were many instances where a "court victory" for the rent strike resulted in token repairs. Even if administered by men with the best of intentions—which it was not—the court system was poorly designed to supervise a massive program of repairs in slum housing. For the rent strike groups, taking a case to court was like piloting a ship through a minefield: at any moment, a

hidden obstacle could appear and destroy the whole effort.

The organizers, led by the early course of the movement to expect a "revoltionary" transformation of the slum environment, found their energies absorbed in legal preparations which yielded intermittent and unsatisfying results. When they were busy arranging court appearances, supervising inspections, filling out Buildings Department forms, subpoening records and conferring with lawyers, there was little time for the street rallies, the leafleting, and the building organization which seemed to shake the slum population out of its apathy, and which made the rent strike such an exciting thing to be

a part of in its early stages.

In Central Harlem, where buildings had been organized most hastily and hopes of creating a mass movement had been highest, the emotional letdown evoked by the advent of litigation was particularly marked. The Community Council's attempt to perform simultaneously the functions of a militant political movement, designed to force major reforms from the power structure, and of a traditional housing clinic, working to improve conditions for individual tenants, began to falter badly once legal perspectives and legal problems became prominent. But even those groups which had committed themselves to a legal perspective from the start, such as Brooklyn CORE and Ted Velez' East Harlem Tenants Council, eventually discovered that they could achieve their aims more effectively by organizing tenants to use the city agencies to achieve repairs.

Regardless of whether court cases were won or lost, there was a huge disproportion between the amount of time and energy which they consumed and the limited results obtainable. Exhausted by the endless routine of court apearances, frustrated by the impossibility of actively involving slum tenants in complex legal procedures, unable to sustain the militant atmosphere of the early days, one group after another abandoned the rent strike. While Jesse Gray became involved in a campaign against police brutality and corruption, Brooklyn CORE—which had organized 400 tenant councils and 200 rent strikes—abandoned tenant organization entirely and applied its energies to the formation of an independent political movement known as the Brooklyn Freedom Democratic Party. By the fall of 1964, little or nothing was left of

the rent strike movement in New York.

Conclusion: Rent Strikes in Perspective

Most of the groups which had participated in this movement did so both in order to improve housing conditions in the slums and also to create the basis for lasting changes in the political attitudes and behavior of slum tenants. To

what extent were either of these goals achieved?

On the first count, the rent strike had a mixed record. Its short-term gains were fairly impressive. Most of the buildings which were on rent strike won a number of minor improvements as a result of court victories or informal agreements with landlords who wished to avoid litigation. The strike was particularly effective in dealing with "emergency" situations such as leaks, gaping ratholes, and lack of heat and hot water. Such complaints were not too difficult to deal with on a temporary basis, and landlords were often willing to bear the small expense of patching up a wall or fixing a boiler, in order to avoid public exposure as a slumlord, or a court appearance which involved the risk, however small, of "having the book thrown at him" and being forced to make major repairs. In areas where the rent strike attained massive proportions and attracted the attention of the media, even unorganized buildings experienced a temporary improvement in services.

But though the immediate grievances often were dealt with, the rent strike in the vast majority of cases did not change the basic conditions in the buildings which continually created emergencies—thin and flimsy walls, archaic plumbing and wiring systems, lack of adequate building service. What good did it do to patch up ratholes in a wall that could be gnawed through in a few hours by the rats that made their home in the garbage-ridden foundation of the building? Or to fix a single leak in a pipe system that was rusty and decayed?

To be made livable, these buildings required substantial rehabilitation—at the very minimum, new walls, a new boiler and new wiring system, and a floor-to-roof cleaning and extermination. But the cost of such repairs was staggering. In five buildings which the city took into receivership, Real Estate Commissioner Lazarus told the *Times*, the total sum required to remove all violations was \$97,139.28. At an operating profit of \$6,401 a year which the buildings yielded with their present level of rents, "it would take about 24 years to amortize the \$97,139.28 investment with 4 percent interest." The city, he concluded, could not deal with the worst slums unless it was ready to operate by a policy in which "humanity comes before economics." If the rent strike did not achieve major political reforms, its effect on slum conditions would be entirely transitory.

The political achievements of the rent strike, however, were not substantial. There were three main formal improvements in housing procedures which the rent strike brought about: (a) the initiation of a million-dollar rat extermination program; (b) the addition of 50 inspectors to the buildings department; (c) and the passage of three new laws legalizing rent strikes. These programs were hastily devised by Mayor Wagner in the early months of the strike to meet the insistent clamor of the movement's leaders and the press

for "action against the slumlords."

The first two were slight improvements in a system of administrating slum properties that was clearly inadequate; but the third, the new rent strike laws, seemed to offer the hope of a dramatic change in the structure of land-lord—tenant relations. Drafted under the supervision of Bruce Gould, the head lawyer for the Harlem rent strikes, they seemed to define a procedure through which rent withholding could be made a controlled and standardized process for the rehabilitation of slum buildings. Among the major improvements made over Section 755 were provisions enabling the tenant to initiate action in the courts, rather than waiting for the landlord to sue for eviction; allowing the court to appoint a third party to administer repairs, rather than entrusting the job to the landlord; and enabling tenants to buy fuel with the rent money three days after the strike had been initiated.

The laws, thus, removed the danger of eviction from the rent strike procedure, and assured tenants that repairs would be comprehensive if a favorable decision were issued. They were regarded by housing experts as the Mayor's one meaningful concession to the rent strike, designed to remove the radical extralegal dimension from the tactic while making it a sure and effective de-

vice for achieving repairs.

Once the bill was passed, however (in the summer of 1965), tenants' organizations discovered that it was extremely difficult to use—cumbersome, expensive, and far from foolproof. There were far more documents to serve under the new laws than under 755, which made the landlord the initiator of the suit. The minimum cost of a "new law" rent strike for the tenants was \$500, at standard legal rates. Unless sponsored by a wealthy organization or provided with free legal aid, no slum building could initiate such action. The new law, thus has been used quite sparingly, only in fact by groups receiving large grants from the poverty program or from private foundations. For the unorganized, unsubsidized poor who compose the vast majority of the slums' inhabitants, the new law did nothing, illustrating once again the depths of the chasm separating the poor from the democratic process.

The greatest gains made by the rent strike were not in the form of new laws, but in changes in the administrative procedures of the city housing agencies. During the rent strike, the organizations such as the Department of Buildings, the Department of Health, and the Rent and Rehabilitation Administration, were subjected to extraordinary pressures to improve the quality of Code enforcement. To preserve their reputation, and perhaps their jobs, officials of these agencies were forced to make radical innovations in their procedures, which enabled them to meet the rent strike's demands for more efficient service. Tenant groups involved in the rent strike were granted "hot lines" to the heads of agencies which enabled them to get on-the-spot convictions and quick rent reductions—special phone numbers were set up for tenants who lacked heat and hot water, and a study was begun by the city to devise a plan to streamline and unify city agencies dealing with housing complaints. Lower level officials were instructed to keep close contact with militant tenants organizations and to aid them in every possible way.

The rent strike movement thus had a salutary effect on slum housing conditions in the short run, but did not change the basic economic relationships which made for decay and poor service. The major changes wrought by the strike were a general improvement in building code enforcement machinery and an increased interest in reform and innovation in housing in the community at large, but it did not bring the kind of massive rehabilitation programs that were needed to give the poor real protection from the dangers of tenement existence. This failure was crucial. The earliest organized tenants' groups in New York had understood that there could be no justice for slum tenants as long as low-income housing was operated by the private enterprise system. But these groups, like the Harlem rent strike, won improved public regulation of housing rather than changes in ownership or massive rehabilitation programs, and did not change the fundamental conditions of life in the thousands of old-law tenements which stood then, and stand today, as a blight on the face of the city.

As regards the strike's effect on the level of social action in the communities where it took place, its results were even less substantial. The rent strike did not convert large numbers of slum tenants to social activism, it did not "radicalize the ghetto." Organizers in all parts of the city were struck by the

extreme difficulty of getting tenants to participate in any of the movement's activities outside of the strike itself. At rallies, street meetings, and demonstrations, there were usually fewer tenants than organizers and curious students—this was particularly true of Gray's famed "mass meetings," which drew extraordinary numbers of middle-class "activists," but few tenants.

The tenants' committees formed by the organizers to administer the strike in individual buildings proved to be highly unstable units. Although the strike had raised hopes of developing a permanent matrix of tenants' committees to keep up the buildings after the movement had subsided and to serve as reserve units of organizational strength to be mobilized for other protests, none of the groups was able to maintain these committees as functioning units beyond the duration of the strike. Their failure mirrored that of major tenants' groups in the past, who had tried to apply principles of labor organizations to housing and "unionize" tenants in individual buildings. Both the Tenants Defense Union of 1919-1920 and the Citywide Tenants Union of the 1930's had declared it their goal to organize into permanent organization "every renter in the city," but had fallen absurdly short of this goal. Even among the most "organizable" ethnic and socio-economic groups, tenants' house committees were a most difficult form of organization to maintain on a stable basis.

Errors of the Movement

Whether or not a different kind of rent strike movement could have produced more stable organizational forms remains an open question. What is certain is that, both in terms of organizational involvement and political impact, the rent strike movement made a serious error of judgment in attempting to secure immediate improvement through the agency of the courts. For the courts did not, by and large, deal with the tenants' grievances. Many cases were lost entirely and cases that were won usually resulted in token repairs. But more importantly, involvement in court action put strains on the organization of the rent strike movement which prevented it from attaining the size, flexibility, or internal solidarity required to force government action to rehabilitate slum buildings. The city, state, and federal governments were the only bodies which had the financial resources to subsidize comprehensive repairs in slum housing-they were the ones whom the rent strike had to force to act, not the slumlord. The rent strike movement should have given priority to those of its attributes which had the most influence on political authority.

There were three main qualities of the rent strike that contributed to its political effectiveness. First, its size. The larger the rent strike grew, the more politicians perceived in it a threat to the public order, or the danger of a broadly based radical movement arising to undermine established political relationships. Second, militancy. The more the rent strike broke laws, or massed large numbers of people together in volatile situations, the more politicians felt the danger of a contagion of civil disorder to other groups and

other issues—a breakdown of the peaceful "rules of the game" in which they were used to operating. Third, rapport between leaders and followers. The more stable the movement's organization was, and the more closely its participants were linked to its leaders, the more politicians grew afraid that agitation would be lengthy and would spread to other issues when the rent strike ended.

Court action, however, hindered the rent strike movement severely in each of these areas. It prevented the rent strike from attaining optimum size because it absorbed so much of the organizers' energy in paper work and mechanical problems relating to court appearances such as arranging transportation for tenants and subpoenaing records. The time spent filling out forms, conferring with lawyers, and arranging transportation for the day in court could have been spent on activities which expanded the strike. In addition, when the organizers got involved in court action they were unable to devote as much time to the organization of demonstration and rallies which had given the rent strike the aura of mass movement in its early days.

Involvement in court action seemed to impose a nonmilitant psychology on the rent strike's leaders and subtly steered them away from mass action or civil disobedience. The kind of massive resistance to evictions that characterized the strikes of the 1920's and 1930's did not take place in the Harlem rent strike. The most publicized instance of a resisted eviction involved only 10 people—a far cry from the 4,000 people who massed before an Olinville Avenue Building on rent strike in 1933. Finally, the technical responsibilities associated with court action prevented the organizers from using their time with the tenants for political education or activities which strengthened tenants organization. Some preliminary surveys by the Columbia School of Social Work of tenants involved in the rent strike show that there was very little contact between organizers and tenants and that very little of the rent strike's meaning was communicated to the tenants. The organizers, moreover, had very little success in getting tenants to participate in related protest activities, and this was an important reason why government officials felt they could safely stop making concessions after the first few months of the strike.

The rent strike, thus, by getting involved in court action, severely compromised its strength as a political protest, but it did so in large part because it did not have a clear conception of itself as a political protest. The rent strike began suddenly and spread haphazardly—it had an epidemic quality. Many organizations rushed into it without knowing anything about housing or without previous experience in organizing low-income people. Without a clear strategy to guide them, and without real confidence in their ability to stay with the movement, they were pushed into the safe and legitimate style of organizing, which would not put themselves, or the tenants, in danger. They did not know enough about housing work, or perhaps about American society in general, to realize that major economic changes could not be effected by the courts.

A certain naive and totally unjustified confidence in established institutions characterized the organizers, many of whom were white college students

and professionals. Unsure of their own commitment, at once afraid of and patronizing to the people they were organizing, and subtly beholden to the bourgeois notion that reason prevails in the chambers of power—they made of the rent strike an elaborate form of social work.

- 1. New York Times, January 13, 1964, p. 34.
- 2. Amsterdam News, November 9, 1963, p. 12.
- 3. Amsterdam News. December 7, 1963, p. 1.
- 4. New York Times. December 2, 1963, p. 30.
- 5. Newsweek. December 30, 1963, pp. 17-18.
- 6. New York Times, December 23, 1963, p. 30.
- 7. From the middle of December on, James Farmer did not make a single statement on the subject of the rent strike, although he had himself advocated a citywide rent strike earlier in the year. In February, moreover, when interviewed by *The Saturday Evening Post* about problems of the civil rights movement, he declared at the outset that he would answer no questions relating to the rent strike and to Jesse Gray.
- 8. The groups participating were The University Settlement Housing Clinic, the East Side Tenants Council (these two were Metropolitan Council on Housing affiliates), the Educational Alliance Housing Clinic, the Presbyterian Church of the Crossroads Housing Clinic, the Downtown CORE Housing Committee, the Integrated Workers (Progressive Labor Party) Housing Clinic, The Housing Clinic of the Council of Puerto Rican Organizations, the Stanton Housing Clinic, The Community House Tenants Association Housing Clinic, and the Negro Action Group (the last three were groups set up by MFY).
- 9. Under New York City Housing Law, tenants cannot initiate action in court against a landlord for grievances constituting a "constructive eviction"; they must wait for the landlord to send a dispossess and then contest the dispossess in court.
 - 10. New York Times, December 31, 1963, p. 7.
 - 11. Ibid., p. 16.
 - 12. Ibid., p. 7.
 - 13. Ibid., p. 25.
 - 14. New York Times, January 21, 1964, p. 1.

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