Housing and Citizenship in the UK: Towards a Conditional Right?

Logement et citoyenneté au Royaume-Uni : vers un droit conditionnel?

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Introduction

1 Unlike other policy areas, such as immigration or education, there was little overt or national debate about housing and citizenship until the 2000s, probably because housing had slipped down the political agenda. As a result, at the time of writing, the connection between the two terms may still not seem obvious. However, it is my contention that housing can throw light on the new social contract between the state and the citizen as well as the changing contours of citizenship in Britain as I shall endeavour to explain in the following article.

2 By citizenship we must understand “a status bestowed on those who are full members of a community” as T. H. Marshall defined it in his 1950 essay Citizenship and Social Class. According to Marshall’s well-known narrative, citizenship is the result of a gradual evolution that culminated in the post-war social democratic welfare state when social rights were institutionalised and added to existing political and civil rights. As a result of this evolution, by the 1950s, full citizenship had been granted to all members of the British community according to Marshall.

3 Housing has never fitted, except briefly, Marshall’s definition of citizenship. Whereas it used to partake of a broad definition of citizenship based on community membership after the war, it became associated with an active definition of citizenship in the 1980s and 1990s and in recent years with a narrower definition that is increasingly synonymous with British nationality. More generally, since the late 1990s, far from being an automatic entitlement that comes with citizenship, (social) housing has become a conditional right. The housing reforms introduced by both the Conservatives and Labour since the 1980s
have sought to turn social housing into a tool used to craft a socially acceptable form of behaviour by making it a conditional right. In sum, be it in a positive or negative way, in an explicit or residuary way, housing has never ceased to be a contested feature of citizenship in Britain.

In order to explore the changing relationship between housing and citizenship, I shall draw on the grid devised by Ruth Levitas to analyse discourses on social exclusion. In a nutshell, Levitas argues that, since 1945, three discourses have focused successively in time on poverty, then on morals and behaviour and finally on social inclusion through work. These are defined as RED (a ‘redistributionist discourse’), MUD (‘a moral underclass discourse’), and SID (a ‘social integrationist discourse’). Although this analytical grid does not fit housing policies perfectly, it can be useful in analysing the links between citizenship and housing policy since 1945. Indeed, these three discourses, or variations of them, have informed housing policies at different points in time since that date and can throw light on the objectives of successive policy makers.

The dominant post-war redistributive housing discourse which included housing among the fundamental social rights that came with British citizenship has given way to new discourses. First, to a responsibility and independence discourse that has painted home ownership as the natural tenure since the 1970s; second, to a moral discourse that has defined social housing as a conditional right since the late 1990s; third, to an integrationist discourse that has made work and residence a condition for accessing social housing since the 2010s.

Housing as a social right? The problem of allocation

On the face of it, housing fits T. H. Marshall’s account of the development of citizenship in Britain, as the decades from the 1920s to the 1970s were marked by the emergence, then recognition and finally expansion of a new social right in the form of a right to a decent home. During those decades, housing gradually earned its place alongside the British social services that enabled an individual “to live the life of a civilized being according to the standards prevailing in the society” in the words of T. H. Marshall.

However, compared to other social entitlements defining the contours of citizenship, housing appeared fairly late on the scene. The sacrosanct nature of private property and the belief that state housing would open the door to a flow of further demands from the working classes combined to prevent any state housing programme until the second decade of the 20th century. It took a war for the authorities to step into the housing field: fearing a revolution after the soldiers were demobilized and returned to their unhealthy living conditions, the coalition government passed the Housing Act, 1919. The Act made it compulsory for local authorities to build council homes for the working classes when there was a local proven need. State intervention was justified by the need to reward heroes (hence the expression ‘homes fit for heroes’). However, it was not underpinned by a discourse focusing on social rights but on sanitation.

The short lived nature of the state funded housing programme showed that the principle of a housing right had not been established yet. In 1921, the coalition government passed another Housing Act that reduced state subsidies, effectively bringing the housing programme to a halt for the time being. Furthermore, the adequacy of a state housing programme was the object of a constant tussle between the Conservatives and Labour
when they alternated in office, which goes to demonstrate that there was no consensus about housing being an entitlement conferred by citizenship. State subsidised housing for the working classes was definitely put paid to by the Housing Act, 1933. However, the coalition government of Ramsay MacDonald came close to establishing a minimal housing right in 1935 when it passed a Housing Act which included an official definition of overcrowding and made it compulsory for local authorities to re-house families living in overcrowded and unfit conditions.

Housing only became a social right after WWII, albeit distinct from other social rights in its scope and nature. It was one of the main planks of the egalitarian agenda promoted by the Attlee government that was designed to extend the inter-war social rights to the whole of the British population on a universal basis. The housing measures introduced by the Attlee government were embedded in a redistributionist discourse that focused on poverty and regarded housing policy as a means of combating it and delivering full citizenship. The 1945 Labour Manifesto made this clear, pledges: “it [the government] will proceed with a housing programme with the maximum practical speed until every family in this island has a good standard of accommodation”.

The Housing Act, 1949\(^9\) turned this commitment into a reality. It introduced a universal housing right by widening the scope of the housing programme from special needs (slum living) to general needs (for all), removing the pre-war working class qualification to access council housing and allowing any British citizen to put his/her name on the local authority waiting list and apply for a council home. Mass housing became an essential component of the post-war grand design of achieving full citizenship in Britain.

Although housing remained a major plank of the post-war settlements\(^6\) until the late 1970s, it stood apart from other social services. Contrary to Marshall’s theory, it was never really construed and accepted as a universal social right by both main political parties. Whereas until the mid-1960s, to Labour, subsidised council housing remained a means of making British society more egalitarian, to the Conservative party, it was only a necessary temporary measure, justified by the post-war housing shortage. Those differences of conception became apparent when the Conservatives returned to power in 1951. Their 1951 manifesto underlined their selective and utilitarian conception of social housing\(^7\) and the measures introduced after 1954 led to the decline of council building and the revival of the private sector.\(^8\) If there was to be redistribution, it was to be through the expansion of home ownership, according to the Conservatives.\(^9\)

Furthermore, the scope and the nature of this social right were different from other social rights. Housing was a potential or virtual right, not an actual one, since access was dependent on the success of the housebuilding programme. Besides, one’s place on the council’s waiting list depended on the discretion exercised by housing officers in ranking applicants on the basis of fairly subjective criteria and a variety of points schemes used to prioritize applications.\(^10\) This is why to some specialists “rather than the notion of rights, it is the notion of control of access which has been in the forefront throughout most of the history of social housing”.\(^11\) In addition, housing was not a free service at the point of delivery, unlike health or education, since to enjoy this service a British citizen needed to pay a rent.

Finally, housing exemplified the potential gap between citizenship and rights, as not all citizens were entitled to social housing. As such, it illustrates the distinction made by William Brubaker between substantive and formal citizenship.\(^12\) Indeed, ethnic minorities from the Commonwealth, although they were granted British citizenship by the British Nationality Act 1948, were often denied access to the council housing stock and were not
able to exercise much locational choice. Before the Race Relations Act, 1965, they were not only the victims of open discriminatory practices in the rented private sector but of structural racism in the public housing sector, too. Indeed, because of a severe post-war housing shortage, many local authorities set a five-year residency test to restrict eligibility. Conversely, the redefinition and restriction of British nationality in 1981 and in 2002 led, until 2011, to access to social housing being opened to categories of legal residents (new Commonwealth immigrants) that were no longer British nationals, thus redefining the concept of citizenship in a broader way (along national community membership lines). Legal migrants (mostly from the new Commonwealth) became entitled to social housing although they no longer had British nationality.

Thus, although housing was gradually and formally included after 1919 in the number of social rights that came with the status of British citizen, its full inclusion was always in doubt. Whereas Labour’s housing policies were clearly underpinned by an egalitarian and redistributive discourse, this was only briefly so, as far as the Conservative party was concerned. Furthermore, the problem of allocation raised by social housing shows how uneasily it fits Marshall’s conception of citizenship.

Housing for responsible citizens

By the late 1970s, the perception of social housing as a natural component of citizenship had given way to a very different one. Social housing became construed as “a tenure of last resort”. Conversely, a shift took place in Conservative government rhetoric and policies as they sought to widen access to home ownership and re-brand it as a badge of full citizenship, thus defining implicitly two types of citizens.

This shift in attitude and thinking can be traced to various Conservative housing documents. As early as the 1953 Housing White Paper, the Churchill government expressed its conviction that: “Her Majesty’s Government believe that the people of this country prefer, in housing as in other matters, to help themselves as much as they can rather than rely wholly or mainly upon the efforts of the Government”. The document established a clear link between home ownership and responsibility. By 1970, the promotion of home ownership had taken on a more assertive tone and Conservative publications implied “the superiority of home ownership over other tenures”. The 1971 White Paper stressed not just the “deep natural desire” that prompted people to become home owners but the control over one’s life as well as the economic independence it provided. This policy shift was made easier after the Labour party came out in favour of home ownership in its 1965 White Paper. In 1977, the Labour party made its position even clearer in the Housing Green Paper:

We must make it easier for people to obtain the tenure they want. More and more people would like to become home owners [...] for most people owning one's own home is a basic and natural desire which for most people is becoming attainable.

The adoption by the Labour Party of their opponents’ belief signalled the start of what is called the residualisation process, the concentration of poor households in the public rented sector. As a result of the support given to prospective home owners by the two main political parties when in office, of the Conservatives’ determination to increase council rents, as well as of rising standards of living, the council housing sector ceased to appeal to a wide section of the British population. The second-class dimension of social housing was compounded by two decisions made by the Callaghan government in 1977. That year Labour passed the Housing (Homeless Persons) Act that defined certain
categories of the population as being in priority need if homeless and that were to be rehoused by councils. At the same time, the Housing Green Paper announced the government’s intention to resort increasingly to the council stock to house economically inactive categories of the population as well as low income households.\textsuperscript{20}

The decline in the status of social housing became more marked during the Thatcher years. As early as 1980, Michael Heseltine, the new Conservative Secretary of the Environment emphasised the need to foster the desire for home ownership for the reasons mentioned above to which he added a crucial new one: “it stimulates the attitudes of independence and self-reliance that are the bedrock of a free society”.\textsuperscript{21} The ‘responsible and independence’ discourse that sought to justify Conservative housing policies remained the dominant one until the party lost power in 1997. It was used to justify the sale of close to 2 million council homes to their tenants at a huge cost for the country since they were sold at a discount. All the 1980s Conservative manifestos were laced with arguments upholding the promotion of home ownership for the above mentioned arguments: in the 1983 Conservative manifesto, for instance, housing proposals came under the heading of \textit{Responsibility and the Family} and so explicitly linked individual responsibility and home ownership. The manifesto read:

\begin{quote}
Freedom and responsibility go together. The Conservative Party believes in encouraging people to take responsibility for their own decisions. We shall continue to return more choice to individuals and their families. That is the way to increase personal freedom. It is also the way to improve standards in the state services. […] Under this Government, the property-owning democracy is growing fast. And the basic foundation of it is the family home.\textsuperscript{22}
\end{quote}

The 1987 Conservative manifesto went beyond the usual arguments of responsibility and independence provided by home ownership and added a new theme, that of stakeholding, implicitly linking home ownership and social stability. It stated: “It gives people a stake in society-something to conserve. It is the foundation stone of a capital-owning democracy”.\textsuperscript{23}

However, the path to becoming a responsible citizen was not restricted to becoming a home owner. More generally, it entailed exercising choice and being an active customer in the housing field as in other social services. This is why the 1988 Housing Act, in line with commitments in the 1987 Conservative Manifesto, provided all council tenants with a “right to choose”: they were given the right to transfer to a new landlord, to ask another landlord to take over their home, or to form a cooperative to run their homes. These provisions were included in the housing sections of John Major's Citizen's Charter in July 1991. Thus tenants, and not just home owners, were turned into consumers making choices between different providers, in accordance with the new institutional economic principles implemented after 1988 by the Conservatives in order to reform public services.\textsuperscript{24} This conception of citizens as consumers was exemplified by section 167 of the Local Government and Housing Act, 1989. This made it compulsory for local authorities to provide information to their tenants in the form of an annual report containing 150 items of information grouped around 28 indicators.\textsuperscript{25} The purpose was to prompt tenants to compare local authorities and to use either the voice or the exit option as defined by A. O. Hirschman, namely to complain or use their right of transfer to another public service provider if they were not satisfied with their own.\textsuperscript{26} This new constraint placed on local authorities was also designed to encourage them to improve their services for fear they would lose their tenants and so their income.
This drive to turn social tenants into active citizens (namely consumers) was carried on by the Labour governments between 1997 and 2010. They even went one step further with the introduction of Choice Based Lettings in 2000. This allocation system modelled on a Dutch scheme and designed to bring about “a more customer-centred approach” has replaced the post-war allocation system. It gives applicants the possibility to bid for a social home, and if selected, the option to turn down an offer rather than being allocated a home by the council. In the social housing sector, just as in the market sector, the possibility to choose one’s home has become a key component of citizenship, a prerequisite for responsible citizens.

**Civil rights of contract?**

After 1996, the boundaries of citizenship were redrawn in the field of housing once more. Social housing has become embedded in a new discourse that has run parallel with the responsibility discourse ever since. This new discourse has laid emphasis on moral obligations even more clearly than before and has made social housing a conditional right for law-abiding sitting tenants. As such, it illustrates what F. Twine calls “civil rights of contracts”. In the field of housing, government attention has shifted from fostering active and responsible citizens to controlling the behaviour of tenants. Whereas citizenship was always in theory “a set of rights and obligations for those who are included in the list of members”, it appears that we have moved in the housing field from a universal (formal) right to a conditional one and that the stress has shifted from rights to obligations. Social housing policies have given a new lease of life to the distinction between deserving and undeserving citizens.

The intrusion of this moral discourse into the housing field was first visible in the Housing Act, 1996 which raised the question of antisocial behaviour in social housing. Section 124 of the Act gave local authorities the power to operate introductory tenancies for new tenants during a trial period for the first time. It also extended the grounds for repossession beyond the usual grounds of non-payment of rent and having made a false statement –found in the 1988 Housing Act– to include nuisance and annoyance to neighbours, using the dwelling for immoral or illegal purposes, being a convicted criminal or perpetrator of domestic violence (sections 144-145). It also explicitly used the term ‘antisocial behaviour’ in the context of social housing and granted courts the power to issue an injunction at the request of a social landlord. Access to and enjoyment of social housing became dependent on tenants’ displaying respectful and neighbourly behaviour.

The growing criminalization of certain social tenants and the reduction of their rights as citizens in the field of housing in the last year of Conservative government must be read against the background of the expansion of a moral underclass discourse (MUD) in the 1990s. As highlighted by Ruth Levitas, the term ‘underclass’ had been used as early as 1979 but without any moral connotation by Peter Townsend when referring to different categories of poor in British society. However, with the publication of *The Emerging British Underclass* by Charles Murray in 1990 in which he argued that the welfare state had led to the emergence of deviant communities characterized by “illegitimacy, crime and drop-out from the labour work”, it took on moral overtones. The Conservative governments found in the book a justification for reducing social rights or making them conditional on moral obligations, as in the Housing Act, 1996.
After returning to power in 1997, the Labour party shifted the focus of government policies and discourse onto social exclusion while at the same time making access to social housing more conditional. Part 2 of the Antisocial Behaviour Act, 2003 was entirely devoted to housing and confirmed the government’s determination to crack down on antisocial behaviour in the field of housing as announced in the 2000 Green Paper. The Act tilted the balance of power further in favour of local authorities (in England and Wales): sections 14 and 15 gave social landlords a new right, the right to apply for a demotion order ending a secure or an assured tenancy in the case of anti-social behaviour. As a result of the order, the tenancy could then be replaced by a less secure form of tenancy (a demoted tenancy). This provision was meant to provide a clear linkage between the enjoyment of the benefits of social housing and ‘responsible behaviour’ and was seen as a first warning. Furthermore, section 16 of the 2003 Act enabled a social landlord when satisfied that a tenant had behaved in an anti-social way to seek possession of the tenant’s home.

The hardening of government measures vis-à-vis social tenants can be accounted for by the Labour government’s conviction that anti-social behaviour was a key factor behind social exclusion. Anti-social behaviour had become a government priority following the report of the Social Exclusion Unit’s Policy Action Team 8 on anti-social behaviour which had fed into the National Strategy Action Plan. It was seen as an obstacle to the government’s promise to build strong and sustainable communities and a “nation where no-one is seriously disadvantaged by where they live”. It was also construed as one of the main causes fuelling the phenomenon of low demand areas in some British cities. As highlighted by a number of reports published after 1981, those areas were shunned by both buyers and tenants and had become caught in a demographic and economic downward spiral. For the government, it was urgent to reinforce community cohesion and social capital – in line with Robert Putnam’s theories – and so fight anti-social behaviour in order to turn these areas around and regenerate them.

Putnam’s theories linking social capital and thriving communities can account for the New Labour government’s decision to strengthen the powers of social landlords (in England and Wales) over tenants in Part 6 of the Housing Act, 2004. The Act, in particular, enabled local authorities to extend an introductory tenancy by a further six months if there were doubts about the behaviour of tenants. It also made it possible to suspend certain rights enjoyed by social tenants as a result of anti-social behaviour: thus, under sections 191 and 192, a social landlord can decide to withhold the right of a secure tenant to buy his or her house or refuse to allow a tenant to exchange home with another tenant.

The moral obligations of social tenants were further underlined in the final years of New Labour after the launch of the Respect Action Plan in early 2006. Following a speech by Tony Blair at the 2005 Labour party conference in which he argued in favour of stronger sanctions against problem families, cross-departmental measures were announced. One of the most controversial decisions was to consult on temporary evictions of the so-called ‘neighbours from hell’ who had come to dominate the news, whether social or private tenants or home-owners. In 2006-2007, 53 Family Intervention Projects were set up to try and help problem families evicted from social housing or on the verge of eviction in order to improve their behaviour. One year later, the Housing and Regeneration Act, 2008 gave social landlords (in England and Wales) the power to offer a Family Intervention Tenancy to problem families, either evicted or on the verge of eviction. The tenancy is part of the Behavioural Support Agreement those families are expected to enter into; its contract...
nature is underlined by the fact that its duration depends on the family's improved behaviour and their acceptance of the support scheme.\textsuperscript{41}

29 The Coalition government formed in 2010 has not moved away from this punitive line of action, despite its criticisms of New Labour's enforcement approach and its emphasis on prevention.\textsuperscript{42} Social housing has remained a conditional right whose enjoyment is dependent on the behaviour of tenants as underlined by the provisions of the Localism Act, 2011. The Act has further eroded the housing rights of English citizens as section 160ZA of the Act makes it possible for English local authorities to determine who qualifies for access to their social housing stock. In conjunction with Communities and Local Government guidance\textsuperscript{43} that advises local authorities to refuse to house people with a history of anti-social behaviour, the legislation bars those applicants from accessing the social housing stock. Tellingly, the Anti-social Behaviour, Crime and Policing Act, 2014 has added a new discretionary ground for eviction. Section 99 makes it possible for any English landlord to seek possession of property where the tenant has been convicted of an offence committed at the scene of a riot in the UK. This measure flows from the Conservatives' perception of Britain as a 'Broken Society', as set out by the party before the 2010 election, and as a country where responsibility needs to be upheld.\textsuperscript{44}

30 As a result of these measures, it appears that housing has ceased to be a categorical social right as defined by T. H. Marshall and has become a conditional one, especially in England following devolution to Scotland and Wales. Citizenship and housing have become dissociated to various degrees depending on which of the four nations of the UK tenants live in; full citizenship in the field of housing is offered to those law-abiding citizens or community members that comply with a number of social rules and fulfil their social obligations to their neighbours, communities and landlords.

\section*{Earned Citizenship}

31 Since 2010 and the coming to power of the Coalition government, this moral discourse has been compounded by a fourth and last discourse that lays stress on work and integration in the community. As a result, new restrictions have been placed on access to social housing. Citizenship now needs to be earned. In the field of housing, this requires that an individual be an active, well-integrated member of the local community. It is also becoming increasingly synonymous with British nationality.

32 The motivations behind this shift are twofold but interconnected: first, the potential for social housing to fuel the rise of far-right parties has caused alarm among mainstream parties. Indeed, there has been growing concern among the British population that immigration, in particular from Eastern EU countries, has had a negative impact on public services and various polls have revealed the determination of many British people to vote for the BNP or UKIP on housing grounds in particular.\textsuperscript{45} Media portrayal of new immigration to the UK has played a major role in changing popular attitudes and generating the misconception that social housing was disproportionately allocated to migrants.\textsuperscript{46} The electoral dimension of the issue led to Labour Minister Margaret Hodge calling in a 2007 Observer article for a rethink of social housing allocation policy, in order to substitute the criteria of citizenship and length of residence in place of need. Two years later, the Brown government, before losing power, considered restricting immigrants' access to social housing.\textsuperscript{47} The polemic did not go away after the 2010 election and the Coalition government decided to respond to public opinion. As the date
for lifting restrictions on the circulation of people from Bulgaria and Romania drew
closer, David Cameron gave a speech in March 2013 in which he declared “new migrants
should not expect to be given a home on arrival and yet at present almost one in ten new social
lettings go to foreign nationals”. He went on to announce changes to allocation rules (see
below). More recently, in the run-up to the 2015 general election, the Conservative party
pledged to reform welfare rules for European citizens and introduce a four-year residence
requirement before they could be considered for social housing. This pledge was
designed to strengthen the hand of a future Conservative government during
discussions with European partners in order to obtain special rules for Britain and
diffuse the risk of Brexit.

Second, the Coalition government gradually took the full measure of the housing crisis and
became aware that it was worsening despite its attempts to simplify the planning
legislation in order to ease supply. Home ownership is fast becoming beyond the means of
new households and as a result social landlords’ waiting lists are lengthening and rents in
the private sector rising, “potentially creating financial instability”. Ironically, this
realisation prompted the Conservative Party to make a U-turn about home-ownership
and Chancellor George Osborne in January 2014 to declare: “Aspiration is not just about
wanting your own home, it is also wanting to have your own home as a social tenant”. The
housing crisis seems to have put paid to the Thatcherite dogma of home ownership as the
be-all and end-all of citizenship.

The changing electoral context and the deepening housing crisis account for the Coalition
government’s decision to change the legislation on social housing allocation and to link
access to it to nationality more closely. Changes to access to social housing have been
made possible by the Localism Act, 2011 as section 160ZA (6 and 7) of the Act enables
English local authorities to take over the management of their waiting lists. As explained
before, the Act gives them the right to determine who qualifies for social housing in their
area and to decide who must be protected by the statutory reasonable preference criteria
introduced in 1994. As a result, since June 2012, they have been able to drop the previous
national allocation scheme that hinged on open waiting lists, namely the right for anyone
to register on a council’s waiting list. Citizenship, in the field of housing, has become
variable and highly dependent on local contingencies and can no longer be defined at a
national level.

The decision to give greater leeway to local authorities in allocations procedures amounts
to a break with access policies as they were defined after 1977 and a return to the
immediate post-war situation. Indeed, from 1977 to 2011, the main criterion used by local
authorities to prioritise applicants was need, and all allocation decisions had to be made
in accordance with a local allocation (points or banding) scheme that had to be open and
transparent (see part VI of the Housing Act, 1996). Under the 2011 Act, the categories of
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only do English local councils today have the scope to include in their allocation schemes
other criteria than need to prioritise applicants, but they can keep some people off their
waiting list. The purpose is “to tackle the widespread perception that the way social housing is
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36 Following David Cameron’s speech on immigration in March 2013, the provisions included in the 2011 Act were reinforced by a new statutory housing allocations guidance
in December 2013. The guidance explicitly encourages English councils to use their new freedom and “increase opportunities for hard-working households”. Councils are requested to review their existing allocation policies and revise them in line with the guidance which advises them to introduce a residence requirement of two years, something Labour had contemplated in the face of another immigration polemic in June 2009 (see above). In Scotland, however, the Housing (Scotland) Act, 2001 forbids social landlords to take into account the length of residence in the area. The guidance makes it clear that social housing should go to “deserving” people and enables councils to fast track two categories of applicants, those seeking to move into the area to take up a job or be closer to work and former members of the armed forces. Communities Secretary Eric Pickles justified the measure by saying: “it’s time to back those who work hard and do the right thing and prioritise social housing for those people who deserve it the most”.

The encouragement given to council to review their procedures has led councils to prioritise access to their social housing stock in different ways. Among local authorities, Bournemouth was one of the first to include, in 2012, the need to demonstrate a positive contribution to the local community as part of its qualification criteria: this can mean being in training, education or employment. Hammersmith and Fulham council has also altered its allocation rules so as to include a five year residence requirement. More generally, the idea behind the new scheme is, according to the council, to prioritise “hard working local residents” who “make a significant contribution to the community”. The council went one step further than the national guidance by preventing households above a certain income level (£40,200) from accessing the housing register. On top of the above mentioned criteria, Slough has added that of being a ‘good citizen’. In the words of its assistant director for housing and environment, Neil Aves, this refers to those local residents who “have volunteered locally or contributed to community projects”.

As a result of these new provisions, it can be argued that the link between nationality and citizenship has been tightened in social housing since British people are far more likely to meet the requirements set by councils (residence, involvement and work) than (recent) migrants. The decision in December 2013 by the Coalition government to reform access to benefits – including Job Seekers Allowance and housing benefit- for EEA (European Economic Area) migrants has further reduced their housing rights and extended this link to the private rented sector. Since January 2014, EEA nationals have no longer been able to apply for housing benefit unless they have been in the UK for three months and when unemployed, they have had to prove that “they have a genuine prospect of finding work”. Furthermore, since April 2014, EEA nationals whose only right to reside is as jobseekers have been barred from Housing Benefit. Finally, more recently, in February 2016, following tense discussions with his European partners in Brussels at a special European Council meeting, David Cameron obtained the right to suspend in-work benefits for EEA migrants for a period of seven years. In order to claim these benefits, migrants will have to have worked in the UK for four years. As a consequence, being a member of the national community no longer automatically entitles (legal) migrants to housing. Increasingly, they are having to demonstrate long-term integration (through work and residence) in the community before they can get on the social housing waiting list or claim state help with private rented housing. Thus, housing rights have been redefined on the basis of different types of statuses that reflect various immigration situations and above all British nationality.
Conclusion

To conclude, the official discourse underpinning housing policies has greatly varied over time. We have gone from a post-war egalitarian discourse that briefly included housing among the fundamental social rights offered to British citizens to one that explicitly promoted home-ownership at the expense of social housing, on to a moral one that links housing to acceptable behaviour to end today with a social integrationist discourse that makes social housing a reward for hard-working citizens, most of whom are British nationals. Paradoxically, during all those decades, despite housing not being at the top of the political agenda, it turns out it has been at the centre of government efforts to redefine citizenship in Britain and it has become one of the most effective tools of social control (especially in England after devolution was introduced in Scotland and Wales in 1997). At a time of housing shortage, it has become easier to enforce state-defined acceptable behaviour in return for a social home.

The new rights given to local authorities (mostly English) in the field of housing since the late 1990s have enabled them to grade UK residents on the basis of a number of criteria and so to restrict access to what was briefly after the war an unconditional (albeit formal) social right. It has led to different degrees of citizenship being established in different parts of the country. However, it is difficult to see how councils will be able to reconcile their duties to house statutory categories of the population with greater local discretion, at a time of acute social housing shortage, when it is tempting to cut waiting lists. The new guidelines offer fertile ground for court cases against a background of domestic and EU anti-discrimination legislation as many lawyers have warned.


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NOTES

1. One notable exception being Alex Marsh and David Mullins, Housing and Public Policy: Citizenship, Choice and Control (Buckingham, Open University Press, 1998).

7. The Conservative Party, *Conservative Party General Election Manifesto*, 1951, p. 15: “Housing is the first of the social services. It is also one of the keys to increased productivity. Work, family life, health and education are all undermined by overcrowded homes”. Conservative Central Office, *Fair Share on Housing*, 1954, p. 15: “Help for those who need it, but not for those who don’t […] that is why subsidies for new houses are to be cut”.
8. The Housing Repairs and Rent Act, 1954, started to remove rent control in the private sector and instructed local authorities to deal with slum areas; the 1956 Housing Subsidies Act enabled local authorities to operate differentiated rent schemes and reduced general needs subsidies.
9. Hansard, volume 494, col. 2251, H. Macmillan, 4 December 1951, “We wish to see the widest possible distribution of property. We think that of all forms of property suitable for such distribution, house property is one of the best”.
11. Ibid.
19. Ibid., p. 7.
25. Pat Niner, “Charters in housing: Enhancing citizenship, promoting choice or reinforcing control?”, in A. Marsh and D. Mullins (eds), op. cit., p. 201.
30. Section 125 of the 1996 Act defined it as “engaging in or threatening to engage in conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality, using or threatening to use the premises for immoral or illegal purposes”.
33. DETR, Quality and Choice: A Decent Home for All, op. cit., p. 10.
34. Ibid., p. 23: “Anti-social behaviour […] where it is not tackled quickly or effectively can also contribute to feelings of social exclusion and the decline of whole neighbourhoods”.
37. Social Exclusion Unit, op. cit., p. 5.
39. Namely the social connections and the shared norms that enable a community to seek to achieve common objectives, see Robert Putnam, Bowling Alone: the Collapse and Revival of American Community (NY, Simon and Schuster, 2000).
40. “[…] end the farce of half a dozen agencies all spending hundreds of thousands of pounds on problem families. Identify these families early, have them handled by one lead agency and give it whatever powers it needs to affect change or impose sanctions”, Tony Blair, Labour Party Conference, 2005.
45. “Supply issues push more support for BNP”, Inside Housing, 21 April 2006.
47. Indeed, recent migrants are more likely to be accommodated in the private rented sector, see the Migration Observatory, Migrants and Housing in the UK (Oxford, The University of Oxford, 2013), p. 2.
51. “George Osborne: Housing Shortage to Continue for at least 10 years”, Inside Housing, 5 February 2014.
52. “We need to double number of new homes to 300,000 a year: Vince Cable”, The Guardian, 20 May 2014.
53. “While you were away”, Inside Housing, 4 March 2014.
54. 52 Homeless families, those occupying insanitary or overcrowded homes, those who need to move on medical or welfare grounds and those who will experience hardship if they do not move to another locality.
56. DCLG, Providing Social Housing for Local People, op. cit., p. 6.
57. Ibid., p. 4.
60. “Council rolls out fixed-term tenancies”, Inside Housing, 6 March 2013.

ABSTRACTS

According to T.H. Marshall’s model, citizenship in Britain includes three categories of rights that were achieved in stages between the 18th and the 20th centuries. In Marshall’s opinion, the latest category, namely social rights, was institutionalized by the Welfare State after 1945. First, we shall see how uneasily one of these rights, namely access to social housing in the absence of a decent home, fits his definition of citizenship. Then we shall examine the discursive shift that has taken place since the 1970s and that has led to a redefinition of the rights and duties of British citizens in the field of housing. As a result, citizenship in Britain is no longer synonymous with the possibility to enjoy a social dwelling but rather with the duty to be self-sufficient and a homeowner. Besides, in a housing crisis context, access to social housing increasingly depends on meeting a number of conditions aiming at controlling the behaviour of English tenants and ensuring they are professionally and socially well-integrated. In sum, housing has been part of a sustained governmental effort to redraw the contours of citizenship since the 1970s.

Dans le modèle de T. H. Marshall, la citoyenneté britannique inclut trois catégories de droits, conquis par étapes du XVIIIe siècle au XXe. Selon celui-ci, le dernier volet de cette citoyenneté pleine et entière, à savoir les droits sociaux, a été institutionnalisé par l’Etat-providence après 1945. Nous verrons cependant dans un premier temps combien l’un de ces droits, l’accès à un logement social en l’absence d’un logement décent, s’articule difficilement avec ce modèle. Puis
nous examinerons le glissement discursif qui s'est opéré depuis les années 1970 et qui a conduit à rédémir les droits et les devoirs des citoyens britanniques en matière de logement. Ainsi, la citoyenneté britannique équivaut désormais moins à la possibilité de jouir d'un logement social subventionné qu'au devoir d'être autonome et propriétaire autant que possible. Par ailleurs, dans un contexte de crise du logement, la résidence dans le secteur social est de plus en plus souvent assujettie au respect d'un certain nombre de conditions visant à contrôler le comportement des locataires anglais et à s'assurer de leur intégration sociale et professionnelle. Le logement participe donc depuis les années 1970 d'une entreprise gouvernementale de redéfinition des contours de la citoyenneté.

INDEX

*Mots-clés*: Citoyenneté, logement, HLM, services publics, contrôle social.
*Keywords*: Citizenship, housing, rights, public services, social control.

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