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From welfare to lawfare: environmental suffering, neighbour disputes and the law in UK social housing

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In the case of *Baxter v Camden London Borough Council (2001)*, the Court of Appeal was confronted with the question of whether a local authority, in its capacity as social landlord for tenants in low income housing, was liable where one tenant's use and enjoyment of their flat is interfered with by noise from another tenant. The complainant in question was Yvonne Baxter, a young single mother, who occupied the middle flat in a Victorian building, with tenants living in flats above and below her. The only barriers between the flats were plasterboard ceilings and wooden floors in poor condition. As a result, Miss Baxter could hear all the normal domestic activities of the other occupants. The evidence included the noises of electrical switches, persons defecating in their toilets and radios playing. The court found that the local housing authority was not liable for Baxter's exposure to constant noise. In reaching the decision, Lord Justice Tuckey stated that the court had "to consider the locality, age and physical characteristics of the premises in question. Occupiers of low cost, high density housing must be expected to tolerate higher levels of noise from their neighbours than others in more substantial and spacious premises".

The decision reached in the case (upheld by the then House of Lords, the UK's highest court) would have confirmed to Miss Baxter what she knew already: that as a poor tenant of socially-rented housing, the state has little interest in her; that she was expected to put up with more noise than residents living in more spacious and presumably more luxurious and owner-occupied housing. Social housing tenants routinely suffer from the noise, and sometimes sight and smell of their next-door neighbours.[i] Many of the tenants with whom I carried out ethnographic research experienced these situations as "trouble" from which there was no escape. Often, the problems were caused by the structural conditions of the properties they were living in: badly insulated walls and ceilings, poor architectural and often pre-fab design and cramped living conditions all added to the sense of being, in the words of one tenant, "in a big brother house that you're sharing with your next-door neighbour". But while many described the situation as unbearable, none were in a situation where they could reasonably hope to find better accommodation elsewhere.

This article introduces the notion of a "politics of lawfare" to analyse how conflicts that arise from poor environmental conditions in UK's social housing sector, are addressed by social housing providers and tenants. By "lawfare", I mean the ways in which social actors invoke modes of punitive control and a logic of individual blame to manage problems that lie outside the law. It can be contrasted to a "politics of welfare" which I take to refer to redistributive struggles and a logic of collective solutions in dealing with structural problems. Recent policy in the UK has framed problems that arise from poorly maintained and managed social housing in terms of "anti-social behaviour" and neighbour nuisance: here, the blame is shifted onto individual tenants for their failure to act in a socially appropriate manner. But this language fails to recognise the poor environmental conditions that cause disputes in the first place. My argument is that a double move from a politics of welfare to one of lawfare is taking place: just as housing providers shift the blame onto individual tenants for their failure to act in a socially appropriate manner, so tenants themselves end up calling for more policing and tougher neighbourhood control.

This politics of lawfare not only places a moral economy of blame at its core but further undermines the possibilities of understanding such environmental suffering as part and parcel of broader redistributive struggles. As argued in the introduction (this volume), with the decline of the post-war welfare settlement, the institutional mechanisms that once represented ordinary citizens' interest, however imperfectly, across much of the European and North American world (Friedman 2003; Kalb 2009; Koch 2016), have been weakened. Citizens struggle to make their demands heard by authorities who are distant, if not outright illegible (Alexander, this volume). Within such a context, Susanna Narotzky (2016) has warned that social justice claims can become trapped in a "moral rather than a politico-economic framework for mobilization, one which is not predicated on class, that is, on the awareness of the structural positions within the unequal ownership of the means to reproduce a livelihood" (ibid.: 87). Social housing tenants replicate precisely such a moralising logic when, in the absence of alternative mechanisms, they call for tougher policing of their next-door neighbours. In so doing, the opportunity is lost to criticize the kinds of views articulated in cases like *Baxter*.

From welfare to lawfare

Legal anthropologists have identified the "judicialisation of politics" (Comaroff and Comaroff 2008), the prominence of "legalism" (Eckert 2006) and "the firestorm of law and order" (Wacquant 2014) across the global south and the global north. A central point made in this scholarship is that both the institutional mechanisms of law (the courts, police, legislation) and its modes of control are becoming increasingly important for managing broader social, economic and political problems that are located outside the law. This trend is echoed by prominent criminologists and sociologists of crime who have spoken about the rise of a "culture of control" (Garland 2001), and an "exclusive society" (Young 1999) that "governs through crime" (Simon 2000). Focusing their analyses on Western democracies, notably the US and the UK, these meta-narratives have traced the emergence of punitive modes of governance since the 1970s. In the face of widespread insecurities, governments have increasingly come to manage citizens through "law and order" both within and beyond the criminal justice itself, often at the expense of a focus on more redistributive or welfarist solutions.

It is these major shifts identified by legal anthropologists and criminologists which I refer here as a "politics of lawfare": in short, the prominence of punitive modes of control and the moral economy of blame that it belies. A note of caution is in order. By speaking of a shift from welfare to lawfare, I do not suggest each mode is distinct. For example, welfarist approaches—such as those that prevailed in the supposedly "golden era" of social democracy in the post-war decades—did not displace punitive control, especially with respect to working class citizens (Skeggs 1997; see also introduction, this volume). Similarly, lawfare can be used as a means of advancing more inclusive political and social agendas: one only has to think of human rights activists, constitutional reforms, and class action against companies or the state. Rather, I am using the terms as ideal types to denote broad transformations in the post-war history of social housing. As Susan Hyatt (2011) has pointed out, "the transformations from Keynesianism to neoliberalism and from neoliberalism to authoritarianism are neither finished nor complete" (2012: 120). And yet, she argues that this should not stop us from seeing the novelty of policy making today with its focus on a law and order state.

Hyatt develops her points in relation to US policy but they can equally be applied to the UK's history of social housing. In Britain, social housing has its antecedents in the 19th century when factory owners and philanthropists first started expressing an interest in housing

working-class people in better conditions. In the early years of the 20th century, especially the inter-war period, local authorities started providing housing, typically in the form of spacious terraced houses, for workers and for those who had served in the war. But it was only in the post-war decades with the rise of the welfare state that housing became a central policy concern and endorsed as part of a social contract between citizens and the state. In return for contributions to society (whether through labour, taxes or war service), citizens would be entitled to state resources: at the core of the post-war social contract, then, was the idea of the "productive" citizen which was itself a highly gendered ideal (see the introduction to this volume). This contract was reflected in the materiality of post-war council houses, which tended to be of high quality, spacious and often came in the form of nuclear homes for workers and their families.

But these trends were soon reversed. As an emphasis on individual responsibility and the "consumer citizen" (Hyatt 2011) came to replace the productive citizen as the idealized subject of policy making in the 1980s, so the social housing sector came under attack. The 1980 "right to buy" scheme allowed sitting tenants to buy their houses below market value. The best housing stock, often the inter-war terraced and semi-detached houses, soon became privatized, as former tenants became private homeowners (even though many of them remain relatively impoverished today). The remaining less desirable council housing stock has fallen into disrepair (Alexander et al. 2009). Meanwhile, the introduction of rent subsidies pushed many poor tenants into the private rental sector (thereby effectively offering state subsidies to property owners). Finally, social housing development and management has been increasingly outsourced to third parties, called housing associations, who act as landlords. With these shifts, as with other areas of welfare provision, the boundaries between market, state and third sector have become blurred (cf. Forbess and James 2014), as tenants on low income are now living in housing managed by private landlords or housing associations and in a dwindling number of properties still managed by local authorities.

From the mid-1990s onwards, the management of social housing tenants has taken on more overtly punitive dimensions, as "law and order" has come to feature high on governmental agendas and the idealized citizen been reconstructed as the "crime fighter" (Hyatt 2011) or the "victim of crime" (Ramsay 2012). Today, citizens are expected to take on an active role in controlling disorder and in thinking of themselves as being vulnerable from attacks by others. This has turned social housing tenants and their homes into an arena for heightened

policing. In the mid-1990s, Prime Minister Tony Blair and Home Secretary Jack Straw visited the US and were impressed with zero tolerance policing initiatives and their justification in broken window theory (Burney 2005). Britain's equivalent of zero tolerance policing was achieved through the policing of "anti-social behaviour" and low-level nuisance behaviour. The New Labour government argued that these low-level forms of disorder would have to be nipped in the bud before they could develop into more serious crimes. Its flagship was the "anti-social behaviour order" (ASBO), a civil order that, upon breach, turns into a criminal sanction punishable with up to five years' imprisonment.

How has this shift from welfare to lawfare affected social housing tenants? Perhaps most importantly, it has instituted the tools of "law and order" as the only legitimate means for expressing demands. With the decline of the social housing sector, traditional mechanisms for mobilizing tenants' interests, including tenants' associations and labour unions have been seriously weakened, if not completely undermined (yet see Wilde 2016). What is more, tenants are divided across a range of landlords, including private landlords, social housing associations and local authorities too. Within such a context, public meetings organised by housing providers around "anti-social behaviour" and crime control are often the only times where tenants get together as a group and also directly engage their landlords. In what follows, I investigate the implications of this narrowing down of institutional channels in one particular case: tenants' disputes that result from structurally unsound, overcrowded and badly insulated housing, itself the product of conscious policy choices.

Inadequate and unsafe homes

I met Brian through a mutual friend while carrying out ethnographic fieldwork on a large post-industrial council estate in south-east England in 2010.[ii]Brian who is English and white still lives in an estate where he was born and raised. Nearly fifty per cent of the properties on the estate have been sold off over the years, the remainder are owned and managed by a combination of social housing associations and the local authority. Brian had worked in various jobs, including in a local claimants' union, something that he described as "doing his bit for the community". Now, however, in his late forties, he was signed off work and in receipt of disability benefits (which covered his rent and living allowance) due to severe back pains. The first time Brian agreed to see me for an interview, he insisted that I meet him at his mother's house, who lived nearby in a post-war terraced council house. Brian offered me a

cup of tea and explained, somewhat apologetically, that he had not wanted to meet in his own house for fear that his next-door neighbour would hear us: "You can hear everything through the walls, this is my whole problem!" he said.

Brian's story began ten years earlier. After years of waiting for a council house, Brian had become involved in a self-build scheme offered by a local housing association: he would gain a 25% equitable share in a two-bedroom house in return for the labour he had put in to help build it. The houses were on a quiet street, lined with trees. They were also close to his mother's house and friends who lived nearby. Brian described how when he first moved in, he had felt happy: for the first time in his life, he had his own house, something in which he could invest and call his own. Brian described the improvements he had made: he had decorated it with care, planted flowers in the front garden, and acquired furniture. His grandmother had given him a bed to sleep in. Brian had been set on staying there forever. And yet, ten years later, he was ready to give it all up and move into a trailer park on the outskirts of the city. He said: "nobody below me, nobody above me, nobody next to me. That's what I want".

The reason for Brian's change of heart was his next-door neighbour, Jay, a single man of Afro-Caribbean descent in his thirties, who turned his life into "living hell". Brian could hear Jay's daily activities through the thin, pre-fabricated walls, including flushing the toilet, talking on the phone, walking around the house, and cooking food. Brian described how he had tried to adjust his own behaviour (such as not watching TV late at night) and to talk to Jay about doing the same, but Jay did not take well to that. On the contrary, Brian felt that Jay now provoked him on purpose by playing loud music at all times of the day, receiving late night visitors, dealing drugs from the premises and acting in intimidating ways when he saw Brian on the street. Brian stopped talking to him as he feared that any direct interaction would lead to a violent confrontation. Brian blamed the bad structural designs of the house for the fact that he could hear Jay but was appalled by Jay's provocative behaviour:

> These houses are shit; they look nice but I can hear people move around two doors down. It wasn't until when it all [his next-door neighbour] kicked off that I realised how shit the insulation is. He started taking the piss out of the heating system, he was mimicking the noises [of the heating system] and that's when I realised he can hear me.... It's torture. It's basically like sharing a house with somebody else, that's what it

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feels like, it feels like Big Brother, you know. You live in a Big Brother house but you are actually sharing it with a next-door neighbour.

Brian was not alone. As I realised over time, many tenants who lived in a variety of different social housing had direct experience of neighbour "trouble". Take, for example, the case of Vera, a nurse of Indian descent originally from Trinidad, who had obtained a one-bedroom flat in a 1990s' block of flats with a local housing association. She told me, "Look at me: I look like I'm on drugs, and I'm getting no sleep!" Vera had been unable to sleep for months due to the noise (music, walking, love making) her neighbour generated in the flat above hers. She had long suffered from epilepsy but as a consequence of the sleep deprivation, the condition had now deteriorated to a point where, like Brian, she had to be signed off work. In another situation, an elderly couple on the 8th floor of a 1970s local authority-owned tower block could regularly hear screaming as their neighbour in the flat above was "beating the shit out of his wife". The couple had requested a housing transfer with the local council but knowing that the tower block was extremely unpopular (due to the cramped living conditions, problems with lifts being frequently broken and asbestos contamination), they had little hope that they would be able to move.

As the last example makes clear, what made neighbour nuisance unbearable was the fact that it could pose such a tangible and inescapable threat. Auyero and Swistum (2009) speak of "environmental suffering" to describe the ways in which Shantytown residents in Argentina are affected by the environmental damage caused by industrial pollution to their health. Their analysis draws attention to the more mundane and often overlooked ways through which violence and inequality are written into the environment. An analogy can be made with the social housing tenants who experienced life in crowded and badly insulated buildings as intimate violations of their homes. Residents used words like "warfare", "torture" and "battleground" to describe how their homes had been turned into the site of unwanted intrusion of the sounds of those living around them, intrusions that made their everyday lives impossible. But to whom could they turn for help? How did they negotiate the problems they were facing? And what happened when the existing channels for support failed? Many residents found that as they turned to the local authority and housing associations for help, their disputes took on more violent dimensions.

Exacerbating Problems

Early on in my fieldwork, I received a letter from the housing association, from which I was renting a small house. The letter invited me to come along to a public meeting that the housing association was organising to give their tenants a voice to report any problems with "anti-social behaviour" and "nuisance" that they were experiencing. When I arrived in the community centre hall, where the meeting was held, four housing officials, including two from offices working in nearby towns, were sat around a large table stacked with tea and biscuits, but no other tenants were in sight. "Do you have your researcher's or your tenant's hat on?", I was asked by Sue, a housing official, who knew about my research. I confirmed that I had come as a researcher. Sue then started expressing her concerns that nobody would turn up because many tenants were "apathetic" and did not care about getting involved in their community. What is more, when they did turn up, many were only interested in talking about "one person's issues" – that is to say, their personal problems with next-door neighbours: "But I always tell them that there are two sides to every story".

Sue saw her fears come true. While the meeting had been advertised via letters posted to hundreds of tenants who were renting with the housing association across the city (including Brian), only one tenant bothered to show up, about half an hour late. This was Nasiru, a man of Nigerian origin and a tenant who lived in the same block of flats as Vera. He had been experiencing problems with his next-door neighbours which had escalated over the months since he had moved in. Nasiru was visibly angry and tense. He introduced himself by saying that he was one of many tenants who were suffering in silence because nobody wanted to help them. In addition to noise problems, he was unhappy about the state of communal areas in the block, including broken lifts, litter left lying outside the house and mail that went missing. At one point, he exclaimed: "Are they meant to be houses to live happy lives, or are they just meant to provide housing"? Sue replied that, of course, the housing provider meant to provide "good quality housing" but that Nasiru was "going off on a tangent" by speaking about a "one-person's problem". Nasiru tried again: "But we need real life experience! It's the real experiences that matter!"

Nasiru's feelings of abandonment were shared by many other tenants. After the meeting (which quickly ended after Nasiru had been silenced) I asked Nasiru why no other tenants had bothered to show up. He said: "What do you expect? It's this whole thing that you have to be there when it suits them, but they never listen to you!" What this meant in practice was made clear to me when I started chasing the stories of tenants who had tried to get help from

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the authorities with the problems they were experiencing. In theory, as we have seen, official channels were in place. Under the New Labour government's "anti-social behaviour" agenda, housing providers, such as housing associations, can apply for injunction orders (such as ASBOs) to be imposed on tenants for nuisance behaviour which would also constitute a valid ground for evicting a tenant from their social housing property. "Anti-social behaviour" was defined in the Crime and Disorder Act 1998 in subjective terms as any behaviour that "causes alarm, harassment and distress" to a member of the public not of the same household – precisely the kind of behaviour that Nasiru had complained above.

Yet, tenants complained that their calls for help had only resulted in prolonged bureaucratic engagements and yet further complications. Take the example of Brian again: when he initially contacted his housing association to make a complaint about the noise, he was told that his request would be dealt with within a few days. Six weeks later, he received the instruction to fill in an "incident" diary to keep a track of Jay's "anti-social activities". These were booklets with pre-specified columns asking the author to describe the nuisance in question, the dates when it took place, the duration and its impact. Brian found it intensely distressing to keep a diary of Jay's activities, and felt that he was being punished with a writing exercise on top of the noise problems. He finally handed the diary back to the housing officer only to be told that it was insufficient evidence and that a local authority official (an environmental health officer) would pay him a visit to take a recording of the noise. Brian related what happened with reference to his 'incident diary':

> At 4.30 am, 8.30am, and then, look, 4.45 to 5.05 very loud bass [music], then it stopped, and then it'd start up again 10 min later, and then it would go on for an hour and thirty minutes, and then it stopped, and then it comes back on 12 minutes later, and go on for 10 minutes, and then stop, and then come on 15 minutes later, and so on: off, on off, on off, on off, all over the place. So when environmental health [officer] did come around, a couple of times they did, there was nothing. [But then] out of the door they go, and it starts again. Boom, boom, boom.

Brian was subsequently told that the noise was not sufficient to constitute nuisance behaviour because it was "not constant" and hence not serious enough to warrant intervention. The housing officer suggested instead that he could try sleeping pills or sedatives to help him get through the night. In other cases, housing officers had suggested mediation, something most

tenants I spoke with thought to be completely absurd. Karin Bijsterveld has argued that pacification strategies (including mediation) are exemplary of the ways in which authorities "educate citizens to solve the problem of neighbourly noise among themselves" (2008: 191): but these solutions only individualize and depoliticize the process of dealing with the noise of neighbours by shifting the problem onto individual tenants to police their own and other people's behaviour.

In the case of the social housing tenants who I met, medication, mediation or adjusting one's own behaviour, did not offer long-term solutions. If anything, it escalated problems over time. Brian, for example, reported how his inability to get help with his next-door problem had sent out "the wrong message" to Jay, as he felt that he could "get away with it" because there would be no consequences for his actions. The situation finally came to a head when a housing official accidentally dropped off an incident diary intended for Brian at Jay's house. It was through this mistake that Jay found out that Brian had made a complaint. In response, Jay mobilised his cousin, who was living on the same street, to intimidate Brian. Brian described how, one day, he had seen Jay's cousin through his kitchen window, making threatening gestures and claiming that he would "slice his throat" if he did anything against Jay. Brian described how he had finally "lost it" with his neighbour:

> One night he had the music on, and I went out with a hammer, and I fucking hammered the door, whacked the door with a hammer, that stopped him. I was like a fucking animal that you push in a corner so far that it's just gonna turn around and bite you – he did it again, and I went out and went fucking lamas [crazy]. I smashed the door, I picked up stones and put them through the windows, I picked [up] this tile and threw it at the roof, so he came out, and basically I grab hold of him – I'm not a violent man, you know I mean? [But] I could have fucking battered him with a stick or smashed his face, other people would've killed him, but I didn't do any of that – but I ended up grabbing him by the shirt, ripped it off, and he was just bearing it, d'you know what I mean? [...]

The police turned up, but Brian explained that nobody was arrested because they thought that "the row of houses was for nutcases, for mentally ill people". Instead, he was told to go back to the police station the following day. Brian took "loads of pills" before he went into the police station: "You basically think you can't lose the plot because if you lose the plot, you

gonna end up being fucking arrested; you end up getting done". Brian was let off with a warning but the situation nonetheless revealed a certain irony: by refusing to recognise the seriousness of the nuisance problems that tenants were experiencing, the authorities contributed to creating the very disorder that their policies and presence were supposed to prevent. In the final section, I will now turn to an analysis of how tenants' failure to obtain help with their nuisance problems reinforced deep-seated feelings of abandonment. Often, these feelings were channeled into demands for a more punitive state as tenants struggled to find solutions to the threats that they experienced.

Calls for policing

Housing officers like Sue who complained that tenants are only interested in "one person's issues", recommended calmatives and sleeping pills, and dismissed tenants' claims by insisting that they did not meet the evidentiary standards required, did not just invalidate tenants' experiences of environmental suffering. They also made a statement about how the authorities valued, or rather, failed to value, social housing tenants as citizens who were worthy of a decent and comfortable home. Tenants made this link explicit when they contrasted their own efforts to be good tenants, and, by extension, good citizens, to their inability to make themselves heard. Vera, for example, spoke of how she had kept her home nice and tidy, cleaned the communal hallways and paid her rent on time. "I'm so proud of what I've achieved", she once told me, gesticulating around the living room in her flat. Nasiru also told me: "I've always done my bit, paid my taxes and my rent, and looked after this home. But they [the authorities] don't do anything". In Nasiru's words, the state (who he had been paying taxes to) and the local housing association (who he was paying rent money to now) merged into the same body of "them" (outsiders) who were failing him (Koch 2017b).

One of the most frequent themes that kept coming up in conversations with tenants like Nasiru or Vera was how alone they felt. Brian emphasised this when I asked him whether he had ever considered taking his next-door neighbour to court by himself: "me on me own", he said, "me against everyone else". Others also expressed acute loneliness or isolation when speaking of their next-door neighbours as "criminals" who were likened to rapists, murderers and hard-core criminals. Tenants complained that the authorities' failure to intervene and protect them when their support was needed was evidence of a system that had gone "too far

the other way" protecting the wrong kinds of people. "They talk about human rights", Vera, once said, and explained that her landlord had insisted on the human rights of her next-door neighbour to have a roof over their head: "But nobody talks about my right!" Vera thought that her neighbour had lost her rights to be housed by acting in a manner that made other people's lives in the block completely impossible.

Ethnographic insights have begun to engage the voices of those who have been left behind through economic restructuring and the decline of UK's social housing sector (Dench et al. 2006; Mollona 2009; Smith 2012). In the absence of any political or institutional mechanisms that can express people's frustrations, feelings of abandonment can be channeled into the kinds of moralizing discourses of betrayal identified by Susanna Narotzky (2016) in her study of workers' movements in the aftermath of structural readjustment policies in Spain. She argues that among social movements members, a "moral economy" framework has superseded a "political economy" framework in the motivation for struggle. This framework displaces struggles over redistributive justice into the realm of moral demands by deploying a language of dignity. Social housing tenants did not invoke a language of dignity. But when Vera spoke about how her human rights had been breached, when Brian expressed his sense of being left alone, and when tenants invoked the image of criminals and enemies from within, they too invoked a moralizing language of blame that placed their own vulnerability at its core.

The frustration that tenants' felt with regards to the authorities' unwillingness to go tough on one's enemies acted as a reason for some to become involved in campaigns that promoted tougher neighbourhood control and policing (Koch 2017a). Brian, for example, had been involved in the mid 2000s in the campaigning work for a local political party, the Free Worker's Party, that had promised to intervene on his behalf. The party had gained prominence on the town's council estates by practicing a politics of localized crime control (Koch 2016). Brian described how the party had done what the authorities, (including the police) had refused to do: party members had come to his house, recorded statements and taken CCTV evidence. They had also patrolled the streets to intimidate known drug dealers and to pressurise the authorities to take action against them. Brian was not the only tenant who I knew to support the party. Steve, a man in his fifties who was running a community centre on the town's largest council estate was another one. "Hundreds of people are

suffering on this estate from the behaviour of others around them", he once said to me, "and I am for these people. Something needs to change right now".

In 2016, six years after I had first met Brian, I saw him again at our mutual friend's fiftieth birthday party. Brian was still signed off work due to his health problems but he had since bought a new pet, a Staffordshire bull terrier, for company (that looked terrifying to me and other party guests). I asked him about his next-door neighbour and he told me that, for the first time since he had moved in, he had had some peaceful months. The housing authorities could take no credit: in the end, Brian himself had managed to get some support from neighbours and together, they had obtained a court injunction order against Jay. "If he kicks off again, he can get kicked out of the house". But this temporary respite from Jay had done nothing to alleviate his frustrations about the authorities, if anything, it had confirmed to Brian that he could not count on them. That evening, as I sat there listening to Brian, I was reminded of something he had said years ago: "when I got my house, it was like a dream come true. That dream has just been a nightmare. But that's the way it is, nobody said the world is fair".

Conclusion

"Decent, affordable housing should be a basic right for everybody", Matthew Desmond has recently written (2016: 304). Ordinary people, many of whom would have once been protected by welfare provisions and a regulated economy, are expressing their discontent with those in power, including their mortgage lenders, the state and their landlords, in places as diverse as Spain (Sabate 2016; Palomera 2014), Turkey (Bugra 1998), and the US (Stout 2016). These expressions of discontent have often been likened to moral economies not unlike the one recorded by E.P. Thompson (1971) for 18th-century peasant crowds who were rebelling against the rise in grain prices in a rapidly transforming political economy: namely, as demotic understandings of justice and fairness that remind the authorities of their obligations towards ordinary people. Social housing tenants who suffer from nuisance problems that emanate in the structural conditions of their homes share the feelings of abandonment that citizens in other parts of the world express in their struggles over access to housing. And yet, their experiences of environmental suffering do not take the form of class-specific struggles in the way envisaged by Thompson.

This lack of class-based mobilization cannot be understood outside of the framework of inequality and power differences within which social housing tenants operate. As Palomera and Vetta (2016) have recently reminded us, "circumscribing the concept of the moral economy to actors defending class struggle or leftist causes might prevent us from analyzing the elements that explain, for instance, why people do not mobilize" (ibid.: 426). In the case of social housing tenants in the UK, their calls for "law and order" do not operate in a social vacuum. On the contrary, they mirror the punitive approaches that they encounter when they first bring their problems with unsound housing, bad noise insulation or overcrowding to social housing providers: housing providers repeatedly invoke a language of neighbour nuisance and of anti-social behaviour that looks for fault in individual tenants' behaviour. In this process, they refuse to accept responsibility for structural problems that cause disputes between neighbours in the first place A double move from welfare to lawfare is hence taking place: just as the authorities place blame with those who fail to act in an appropriate social manner, so social housing tenants call for more policing and tougher neighbourhood control.

The moral valences of "neoliberal" social housing schemes invoke a language of blame by conjuring an enemy from within (be that a next-door neighbour or the image of an abstract offender). Ethnographers and historians have identified the potential for environmental suffering to be repoliticised along a more utopian politics of the public good (Bear and Mathur 2015). For example, in her study of nuisance complaints in early 20th century Netherlands, Karin Bijsterveld (2008) has noted how left-wing activists used complaints over radio noise between next-door neighbours as a ground for advancing a class politics agenda. Or, in the case of public housing projects in inner-city Chicago, Catherine Fennell (2015) identifies how a focus on environmental problems, including faulty buildings and bad maintenance work, acted as a way of mobilizing political clout, including backing from the media and even the courts. But the opposite can also be true: as the case of Auyero and Swinson's (2009) study of environmental suffering in Argentina shows, citizens have often become complicit with the companies and authorities who are responsible for the daily pollution and health damage that they suffer.

Differences between, say, shanty town residents in Argentina and social housing tenants in the UK on the one hand, and Dutch activists and public housing residents in the US, on the other, draw attention to the importance of institutional mechanisms for translating feelings of

abandonment into a language that politicians and policy-makers will understand and respond to. We can return at this point to the case of *Baxter* with which I began this article: the views endorsed by Lord Justice Tuckey reflect a broader common sense that, in Britain, has been legitimized through decades of neo-liberal policies and, we can add, their ideological backing through the major political parties and the press. Meanwhile, local political organisations, including trade unions and tenants' associations, which have historically provided a counterweight, have been seriously weakened over the last decades. Within such a context, tenants like Vera, Brian or Nasiru might well find that their calls for more policing and tougher state control are the only way to keep their homes safe from unwanted intrusion. But ultimately, these calls only act to reinforce the sense of disenchantment that citizens feel with respect to those who govern their lives. Ethnographic insights can help to uncover the obstacles that lay in the way of collective struggles – and in doing so, question the common sense that prioritises questions of lawfare over those of welfare.

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i I limit myself to the case of noise in this article.

ii All names of places and people have been anonymised.