

**tenants
against
america**

the war

the master plan

the law

evictions

TENANTS vs. AMERICA

SAFE AND DECENT HOUSING IS A HUMAN RIGHT

It cannot be compromised by our inability to compete in the inflated and exploitative housing market in Berkeley. If those responsible for providing housing in our community cannot or will not make it available within our means, we are left no choice but to do so ourselves.

We, as tenants, comprise over half the population of this city and have the power to enforce humane and just rental conditions wherever we live.

Through the collective exercise of our power, we do not intend to ruin anyone financially or deny anyone a fair return for his WORK, but we can no longer tolerate the abuse of economic power which the propertied class has allowed itself to perpetuate in this city in the name of "the rights of private ownership".

It is in the best interests of this community, tenants and homeowners alike, to remedy the housing problems including the oppressive property taxes on the small homeowner. For even the rich in this community, know that the ultimate source of all economic power is the people; and the people, once resolved upon the attainment of justice, will not hesitate to use that power in order to win a fair measure, justice, security and independence.

Preamble

BTU Collective Bargaining Contract

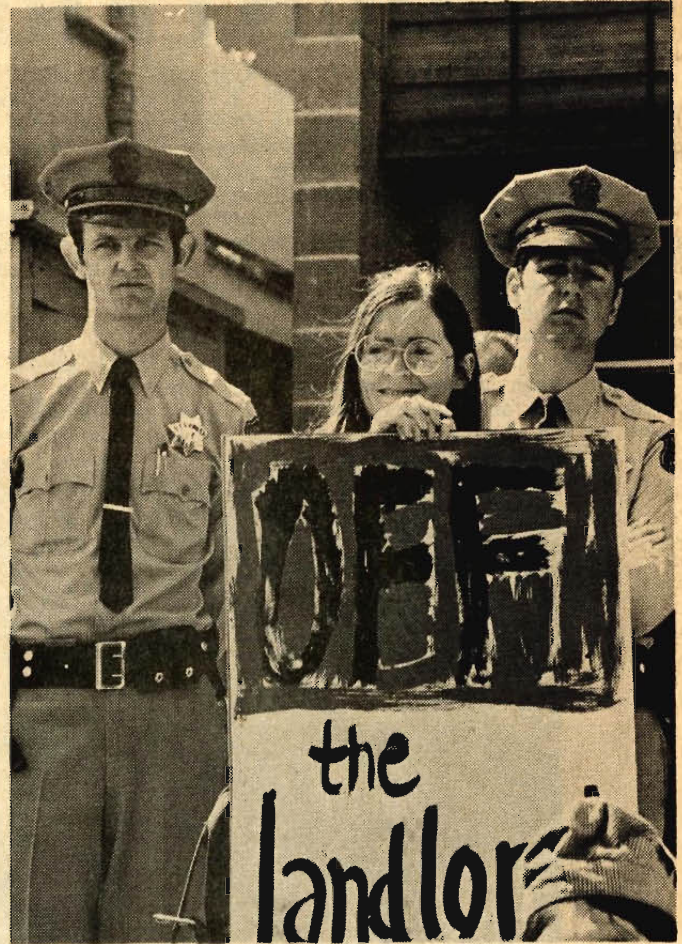
Striking Introduction

In September 1969, people came together to solve the housing crisis in Berkeley. Our understanding of the causes of high rents, and the housing shortage was limited, but we could see what was happening. Rents around the campus had jumped around 20% since the year before. Whole blocks of older, cheaper houses were being destroyed. Friends were moving into the Black Community, and Blacks were being forced into Oakland. People's Park had uncovered the University's plan to "sanitize" the South Campus, and this experience prevented a naive approach to the problem. But beginning with the actual struggle, our understanding increased tremendously.

We learned that a nation-wide housing crisis exists, and that tenants all over are responding with strikes--in Ann Arbor, Boulder, Madison, Chicago, Boston, and San Francisco. We learned that the inflation generated by Amerika's Vietnam war economy is a root cause of the national housing shortage.

Also, we have learned that housing crisis have always developed in capitalist countries during war. We now understand how Amerika's policy and success in exploiting people and resources abroad is connected to domestic rip-offs. This understanding enables us to see how we and others around the world are allied against our common exploiter.

But the history of Berkeley, the presence of the University, and the proximity of San Francisco add a revolutionary dimension to the strike. The last few years in Berkeley have involved in serious thinking about alternatives. And attempts to implement these alternatives--in People's Park and on the Hearst strip--have uncovered the University's and the City's real plans for Berkeley. The University plans to build new war research facilities, and more high rise, high income housing, to service graduate students and research technicians. Through zoning and "redevelopment", the City is encouraging high rise-high income apartment development in



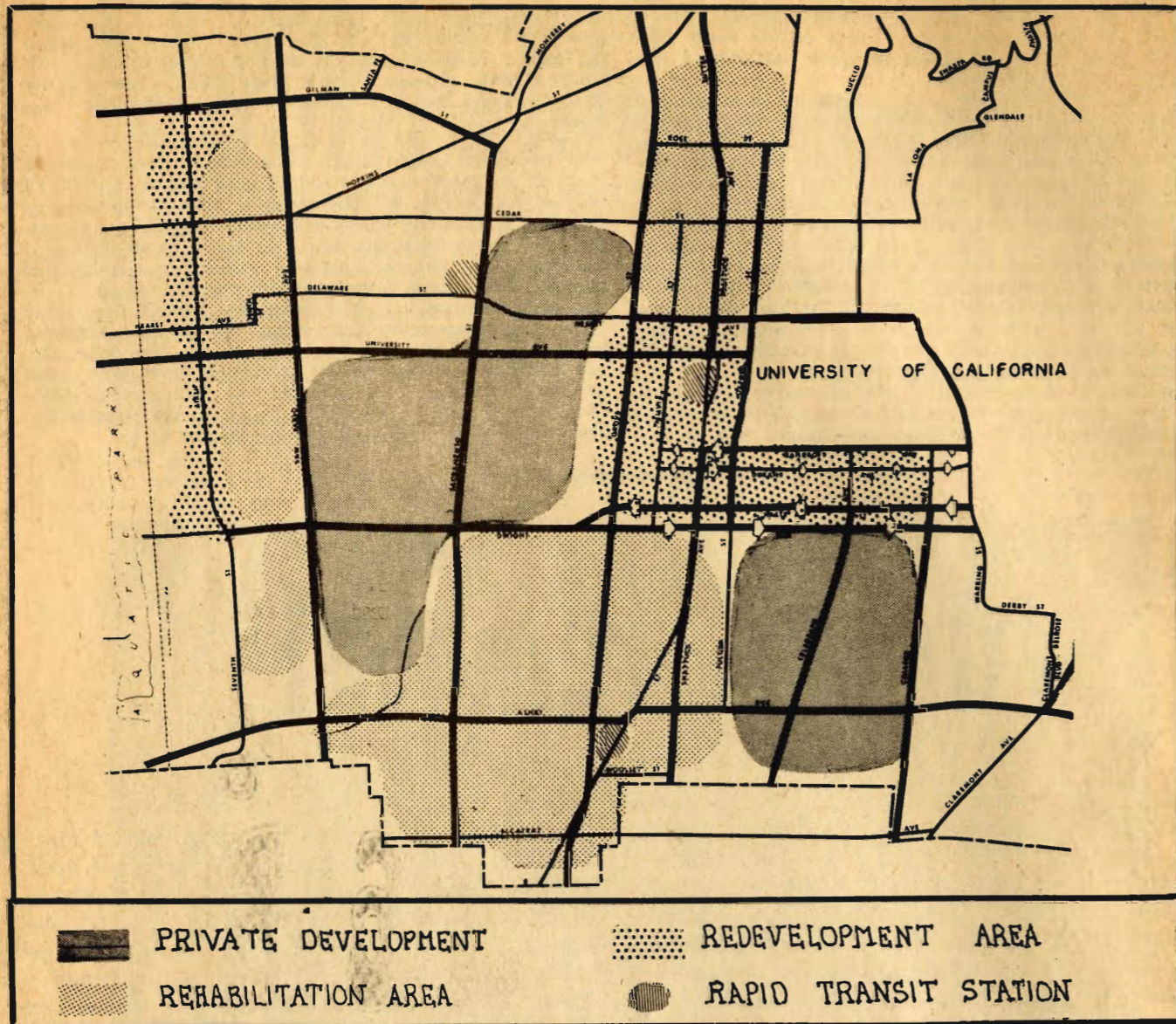
Landlord Protection Service...

the South Campus, and along the BART lines. Large segments of the black community on both sides of Adeline are slated for "renewal", and the homes in far West Berkeley are doomed to destruction to make way for industrial development.

These plans describe a future for Berkeley which engenders nothing but anger in many of us. They permit no popular alternative, because they are being developed secretly and often illegally by bureaucrats. In the minds of these bureaucrats, the present and the foreseeable future are already taken care of. Berkeley is well on its way to becoming an all white, upper income haven for University technicians and San Francisco commuters. Fortunately, these hacks can not see through their own venetian blinds. We are organizing resistance to this pig vision.

The strike is our weapon. It has already forced dozens of landlords to the table. In addition, it has stimulated a series of land seizures and neighborhood projects which are binding us more closely to each other. But most landlords, especially the big ones, still refuse to negotiate. Rather than seeking solutions to the problems we raise, they view us as the problem. To get us out they are turning to the time consuming but reliable court-sponsored eviction procedure. It guarantees the eviction service of the Alameda County Sheriffs within three months after the landlord's application to the judge. Resisting these evictions is the next step in the struggle we began in September.

What follows is our understanding of the roots of the community housing crisis.



This map, entitled Urban Renewal Action Areas, was lifted from the Berkeley Master Plan. (amended to August, 1968) It was prepared by the Berkeley Planning Commission and adopted by the City Council.

creation of a significantly large and new element in the University population--the post doctoral fellow and the non-academic group of "supporting investigators" or technocrats.

This "new element" requires new facilities. Since 1956, the Regents have been laying the ground work for annexing territory between Bancroft Way and Dwight Way, territory over which they already have the power of eminent domain. Long range projections call for the construction of both a Convention Center complete with hotels and other accessories on Durant Avenue and a huge new Medical Center somewhere in the Telegraph area. In addition, the plans for a mall on Telly will totally destroy the present character of the Avenue.

With the expectation of 50,000 new peo-

ple in the South campus area, developers are confident that the demand for high rise housing close to campus will increase. The demand will come from wealthy professionals and technocrats who will both desire and be able to afford plastic housing.

The effect of University expansion reaches beyond the South campus area. Each time a block of old, essentially low-cost housing is cleared for development by the University or by the "private sector", we are displaced. All too often, we move into West Berkeley where rents are currently somewhat lower. This effectively creates another relocation problem for the Black community. While we may neither desire nor be able to afford to live in ticky-tacky apartment buildings, our flexible life-style allows us to group together. In most cases, each person has some form of income. There-

fore, landlords realize that in general they will be able to get more rent money from groups of hip whites. On the other hand, a black family usually has at the most two people who are able to earn an income and therefore they cannot pay the higher rents and are forced to move out of Berkeley all together. Mutual relocation which pits young white people against black families is acting to destroy the natural alliance. Yet, there are other factors denying the natural alliance among black and white tenants in Berkeley. We started organizing with the understanding that the BTU would work in the primarily white community and that TORCH would work in West Berkeley which is predominantly black. This decision was based upon an understanding that in order to best serve the particular needs and natures of the two communities, two distinct organizations were required. It was also understood that the two groups should maintain as close a working alliance as possible. However, despite our original intentions, or-



From the beginning of the tenants union we have known that our struggle will not be won in the courts. The reason for this is simple. The unlawful detainer or "eviction" action, is among the most prejudicial law against poor people on the books. The unlawful detainer action is a "summary" procedure--this means that it is rushed through the court as fast as possible so that the landlord can repossess his property and continue gouging high rents from tenants. While other civil suits allow defendants at least 10 days to answer the complaint, the eviction suit gives you only 3 days. In situations where there is no tenants union and tenants are unable to get legal advice, they usually lose the case by default because they can not answer in 3 days. The legal strategy of the tenants union is to insure each tenant his full legal rights, slim though they may be. Exercising full legal rights gives tenants time--time in which to develop strong political and economic power among neighbors and other strikers to force the landlord to negotiate and to change the relationship between landlords and tenants.

The landlords know that tenants are gaining power through their collective action. That is why some have brought \$1,000,000.00 suits against 3 groups of tenants and organizers. The money here is not the issue (they know they won't be able to collect) but they are anxious for an injunction against the organizers and tenants to prevent them from organizing, prevent them from talking to each other, because collective action is the greatest threat.

Although the law itself is designed to favor property owners, judges do have some power to make decisions in favor of tenants. The tenants union is demanding the judges not only to judge fairly within their limitations, but as mem-

bering our community around our own issues led to a kind of racism - racism by default or exclusion. We did not continue to talk to tenants about what was happening to Blacks in West Berkeley. And for a variety of reasons the working alliance with TORCH became increasingly unreal.

Awareness of the University's and landlords' plans to utilize white youth to drive black people out of Berkeley and in turn, white professionals and technocrats to drive the white youth out is a first step in confronting our racism. Organizing to gain control over our housing via the rent strike and by actively resisting evictions is the next step in putting a stop to the racist plans of progress which wealthy property owners are trying to implement in Berkeley. The alliance between BTU and TORCH can be rebuilt as we enter the new phase in tenant organizing. There is a common enemy in the Sheriffs, and united tenants resistance will make evictions impossible through-out the entire City.

bers of this community to respond to the crisis in housing and the exploitation of tenants. We are asking the judges to declare a moratorium on evictions to force landlords to deal with their tenants.

WHAT HAS HAPPENED SO FAR

Judge Talbot has been hearing all the unlawful detainer actions since the beginning of the Rent Strike. He has been playing with what is called in most bureaucracies, "passing the buck". Every major issue of the constitutionality of the law he has denied, expecting and knowing we would appeal to a higher court.

Take the case of the "writ of immediate possession". This is an action used by landlords to gain immediate possession of their apartments without a hearing on the facts of the case, based solely on whether the tenant has enough money to pay not only back rent--clearly denying poor people due process and equal protection--but also damages. So far three judges have "passed the buck", all three refusing the constitutional arguments.

In other cases which have been proceeding through the court, we are nearing the last of our "legal remedies", and in some, the vicious landlords are still refusing to negotiate and are probably itching to evict.

We still have possibilities for saving these tenants from losing in court. The most important is the jury trial, but because of the prejudicial nature of landlords-tenant law, the tenant is not assured a jury trial. In many cases we will find the judge making "summary judgment" against the tenant in order to speed up the case for the landlord. We demand jury trials and we demand no eviction orders from these judges.

tations which the landlords will force upon us. All tenants facing evictions should also be talking to their neighbors about setting up an effective neighborhood defense system. Some defense projects already being worked on include:

- a neighborhood bulletin board, where important community news can be posted daily
- a phone chain and alarm system which can

quickly mobilize people to an eviction site
---a map of the neighborhood
---medical and legal defense classes. ILS can help set these up
To actively resist evictions is to carry on the struggle for control of the housing in Berkeley which we began last September!

RESIST AND CREATE!



It's easy to understand why someone would fire up this building. It was to be just like Kaplan's other plastic monstrosities. Delux studios \$185, 1-bedrooms: \$220. It was becoming just like all the other cheap shit buildings we are being forced to live in because of 'progress.' Unfortunately, it was rebuilt; and according to reports, Kaplan made a mint on the insurance. (Some say it was Kaplan who lit the fire.)

- Within one year after it opened:
- the foundation is slipping, doors don't open, etc.;
 - water leaks from shower stalls into the bathrooms below;
 - the hallways have had to be repainted because the cheap covering could not be cleaned without crumbling

- off the walls;
- the garbage disposals periodically break down;
- the automatic front door is continually jammed.

Few of us can afford to live in this building, but there are those who can. All new housing construction in Berkeley is being built for those people--middle and upper income tenants. The tremendous housing shortage in Berkeley hardly affects those who can pay. All the vacancies are in the expensive ticky tackies. The Berkeley Tenants Union is calling for a freeze on all new apartment construction in Berkeley until a plan for wide spread low cost housing is developed and financed.

STAY ^{and} FIGHT



Chicago police called to a demonstration over the eviction of 12 families in the city's South Side yesterday found them-

selves pelted by snowballs, rocks and bottles.

And before the melee was over, one policeman was flipped over the

back of a protester.

Twenty five persons were arrested.

The evicted families were all part of a South

Side group which has been withholding house payments to protest what they call unfair house-buying contracts.

We have been aware all along that the Courts would rule in favor of the landlords, and allow them to evict us. But we know that our demands are reasonable. They are a response to the needs of a community suffering from an acute housing shortage. In this context, when the judge signs an eviction order, he is creating a confrontation. We know we are right, and we know the Sheriffs are simply a court-sponsored goon squad.

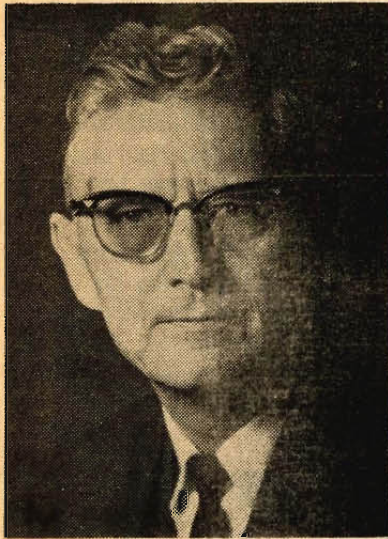
Yet, despite the certainty of confrontation, evictions are the landlord's last hope. They have been unable to break the strike either by making sell-out offers to individual tenants, or by harrassment and intimidation. This leaves them with two alternatives: negotiate, or evict. So we must now prepare to resist the

evictions.

But our ability to effectively resist evictions depends not only on how many people we can mobilize to the eviction site. More important is that those who do come to help are tight. The primary force in resisting an eviction will be the people who live in the immediate neighborhood. And these people will be most effective as a fighting force if they are already engaged in projects which bring them together. Neighbors can begin to implement their own collective child care, labor-sharing, and transportation pools. They can also begin to plant neighborhood parks and gardens. And as the weather improves, block parties can be a common occurrence.

We must be preparing for the confront-

Who's Judging You?



FLOYD C. TALBOT



MARIO H. BARSOTTI



GEORGE BRUNN

A short background of each judge in the Berkeley-Albany Municipal Court may give you an idea of who is judging you and what to expect from them.

JUDGE Floyd C. Talbot:
417 Boynton Ave., Berkeley (resident)
Born in 1907, 63 years old
Assistant City Attorney 1954-1956
He was elected to his judgeship in November 1958. This is a non-partisan office.

JUDGE Mario Henry Barsotti
2811 Clairmont, Berkeley (resident)
Born in 1924, 46 years old
Office--Tribune Tower (834-2155)
D.A. Alameda County 1956-1963
Private Law Practice 1963-1968
He was appointed by Reagan in December 1968, just around the time of the Third World Strike on the U.C. campus. When people were arrested for blocking the sidewalk during the TWLF Strike, he raised the bail from the usual \$250 to \$500, months before a new bail schedule was issued. Barsotti has two sons, both longhairs. One son plays in a rock band. He refuses to let them in the living room when they have "guests".
Judge Barsotti owns property in Oakland.

JUDGE George Brunn
Born in 1924, 46 years old
716 Wildcat Canyon (resident)
Private Law Practice in San Francisco from 1951-1966.

He was appointed by Brown in February 1966. He had a good reputation for liberalism before he was appointed to the bench. He was an ACLU lawyer specializing in C.O. and draft cases. In the famous San Francisco City Hall Wash-down Cases (1959-1960), he was one of the attorneys who worked for the dismissal of the charges against those participating in a demonstration against HUAC. But what is he like in Berkeley? There is a contradiction between how he rules from the bench and his public liberalism in the community. Until a few months ago, Brunn had a regular show on KPFA discussing consumer problems and consumer fraud. He's a big shot in the Coop, yet both Brunn and the Coop do not consider the tenants union or the housing crisis a consumer problem. Lawyers affectionately refer to Brunn as "Atilla the Brunn". He pushes through cases so fast it often amounts to a waiver of guaranteed constitutional rights for defendants. During the 1967 anti-draft demonstrations, Brunn signed an order to have Mike Smith and Peter Camejo arrested at 3:00 in the morning in order to "make sure they would appear at their arraignments during the afternoon of the next day". He revoked their bail and set new and higher bail. In a recent interview from the San Francisco County Jail, Bobby Seale commenting on the fascist nature of arrests made in the middle of the night, stated that such action has been declared unconstitutional by the U.S. Supreme Court. Such is the "liberal" George Brunn.

with the cost of living. But the most far reaching effect is achieved by the rising interest rates on all loans. High interest rates affect all buying on credit, but housing construction really gets the axe.

Housing construction is totally dependent on loans. And the interest paid on borrowed money is the single biggest cost. Consequently, if the interest rates increase, construction costs skyrocket. Every 1% increase in the interest rates is equivalent to a 15% increase in construction costs. Since the American economy began gearing into a total war effort in 1966, the interest rates have been raised between 2% and 3%. This is equivalent to a 45% increase in construction costs and as a result, housing construction has stopped in the United States. Nationwide, the vacancy rate and the rate of new construction are the lowest since World War II. With no new housing being built, millions of units falling apart, and the population still increasing, the United States faces a housing crisis.

The Bay Area is feeling this crisis more acutely than any other urban center in the nation. Because of the housing shortage, rents are rising here 100% faster than the na-

tional average. And around the U.C. Campus, rents are rising 50% faster than the Bay Area average. In the last ten years, rents in Berkeley have increased 75-100% with most of this increase coming since 1966. (These figures come from the Bureau of Labor Statistics, Consumer Price Index).

In Berkeley, landlords are using this shortage caused by the war to raise rents. And it goes deeper. The war is largely responsible for generating a radical community in Berkeley. This community has grown, become more militant, and presently exists as a real threat to the University and the City. The community is centered around the South Campus, and its cohesiveness allows for rapid communication and mobilization. The University and the City want to break up the community and remove the threat, and housing is the key to their strategy. If the increasingly poor radical community cannot live in Berkeley, they can't cause as much trouble. As a result, the plans for "growth", "development", and "renewal" are all aimed right at the heart of the poor white and black communities.



urban removal

The Black community that lies within the area bounded by Dwight Way, Alcatraz, San Pablo and Shattuck Avenue has been rescheduled for "rehabilitation" by Berkeley's "Master Planners". The Master Plan, which was submitted to the City Council by the City Planning Commission, defines rehabilitation as "restoring to good condition those neighborhoods in which blight has become fairly widespread..." As the City begins to "restore" the Black community, City officials are promising that rents will remain stable and that low income housing will be built. However, these are old promises and growing numbers of increasingly militant tenants in San Francisco and Berkeley, as elsewhere in the nation, have stopped listening. Black tenants are refusing to be "relocated" by urban removal. They are demanding control of the communities in which they live and many of them have armed in order to enforce their demands.

The fight to gain control of Berkeley's environment must be waged in both Third World and white communities. The Master Plan's strategy for "rehabilitation" of the Black community depends in large part on the strategy of redevelopment and relocation of people who live immediately around campus. This area includes the Telegraph Avenue-South campus area and the Hearst strip area extending north to Cedar and virtually the entire

central city.

One of the forces contributing to the uprooting of this community is the Bay Area Rapid Transit system. City planners are counting heavily on BART's ability to attract money and executive commuters to Berkeley. This is their vision of progress. It flies in the face of all of our understanding of congestion, pollution, humane urban land use and in the final analysis requires the removal of poor whites and blacks who can't pay the price of modernization.

The City is not alone in this suburban conspiracy. In fact, the City Planners are mere lackeys in the shadow of the Regents, the corporate giants who run the University of California. Across the nation university expansion has for years been the perpetrator of massive displacement of Black people in communities. Columbia's relationship to Harlem is one of the many graphic examples. The University of California is another, but its expansion also threatens to obliterate the youth community.

The first part of the University's plan calls for the campus to take leadership "in areas of molecular biology, chemical biodynamics, space sciences, radio astronomy, nuclear engineering, operations research and urban and regional planning." The attainment of this goal requires a de-emphasis of the humanities and social sciences, and the

THE COST OF COUNTERINSURGENCY

The war in Southeast Asia is central to understanding the nation-wide housing crisis. But before we analyze the secondary effects, we should try to grasp the primary causes.

The United States is the world's biggest absentee property owner, and literally controls the economies of many Third World and some Western nations. The income to the Federal government and giant U.S. corporations from overseas property alone is greater than the Gross National of all nations except the U.S. and the Soviet Union. Because so much of our domestic affluence derives from economic control over foreign economies, Amerika's foreign policy has had as its primary goal the protection and expansion of this control.

In the Third World, the U.S. finances and arms governments which promise to protect our interests and leave our control unchallenged. Naturally, these governments are run by the wealthy, property-owning class inside the country.

expanding. The Thor, Jupiter, Atlas, Polaris, Minuteman, and Saturn are all the he-men of this system, and some of them still reside underground in the 'hardened sites' all across the country.

--The Anti-Ballistic Missile System (ABM) is Amerika's most recent multi-billion dollar folly. Obsolete before it came off the drawing boards, it still will create a lot of jobs and fat federal defense contracts.

If these trillions of dollars were not so desperately needed by people all over the world, these 'defense systems' would be a joke. It took an intense and systematic anti-communist campaign to produce the popular paranoia needed to support these programs. But it worked, and anti-communism is still being used to justify the war, weapons research and the like.

In 1966, the more or less permanent war economy got a real boost--billions of dollars to cover the escalation of the War



The Vietnamese revolution began with the peasants struggle against the landlords.

The alliance between the U.S. government and the wealthy classes in Third World countries is unmistakable. It developed in Cuba with Batista, in China with Chiang Kai-shek, and in Vietnam with Diem. In each case, however, Amerika's 'internal ally' could not withstand their own internal revolutionary movement, and they called on American military force for protection. This 'protection' has assumed the shape of a genocidal war against the civilian population in Vietnam and Laos.

Having to defend these foreign interests has forced Amerika to maintain a permanent war mobilization. As a result, the American economy has become a permanent war economy. In practice, the results can be traced in the progressive development of billion-dollar "defense" systems, increasingly irrelevant even to the goals of protecting American investment.

--The Strategic Air Command (SAC) came out of WWII and provided a world-wide first strike capability. At its peak in the middle '50s, it included thousands of million dollar planes like the B-47 and the B-52. B-52's are now bombing Vietnam and Laos.

--The Nike defense system established radar and missile sites all over North Amerika to shoot down attacking enemy planes. Billions of dollars went into the project.

--The Intercontinental Ballistic Missile System (ICBM) is still

in Vietnam. This intensified investment in war industries and the expansion of the war related labor force generated a run-a-way inflation which remains out of control to this day.

Inflation is natural in a war economy. It is caused by millions of people getting paid well for producing goods which they don't need and cannot buy. But they do get paid, and as long as the economy can also produce all the desired consumer items and basic necessities, the cost of living will grow at a reasonable rate in proportion to wages. But when the war effort diverts too much of the nation's labor and materials, shortages develop and people begin competing for the purchase of basic necessities like food, clothing, and housing. The profit pigs exploit the situation by raising their prices. In turn, workers strike for higher wages, and the inflationary spiral has begun.

All of this has happened in the United States since the escalation of the War in 1966. And, at present, we are experiencing the worst inflation since World War II. Johnson and Nixon have initiated anti-inflationary measures, but they are directed at the small consumers, and not at the war industries and the war itself. Johnson initiated the 10% tax surcharge which takes spending money right out of the people's pockets, especially the poor. The government's wage guidelines limit worker's ability to keep wages in line



Berkeley Tenants Union

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BTU

FREE
BERKELEY