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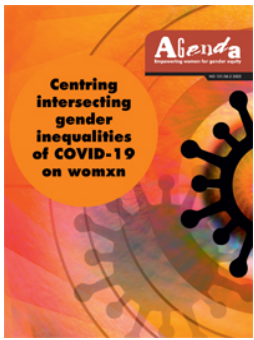
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# Agenda

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# Gender, evictions, and relocations during COVID-19 in South Africa: Lessons for programming and practice

Tidings P. Ndhlovu

## abstract

Through secondary data analysis, review of reports of evictions during COVID-19 and policy analysis, this article examines women's experience of evictions and relocations during the COVID-19 lockdown in cities across South Africa. Declaration of the COVID-19 pandemic lockdown in South Africa at the end of March 2020 was accompanied by regulations which were designed to limit interactions in public spaces. However, these did not take into account that in informal settlements, where evictions are common, demarcation between public and private spaces is indistinct and remains contested. Moreover, there was little consideration of the fact that women and their children, who comprise most inhabitants in informal settlements, bear the brunt of evictions. The demographic composition of informal dwellers is often an indicator of the profile of the victims of evictions and possibly relocations. The experience of eviction among women is shaped by their multiple identities as informal dwellers, workers, mothers, and partners.

Initial results suggest that evictions affected mostly women. The outcome was loss of their homes, possessions, and livelihoods in informal settlements at a time when their inadequate living conditions made them vulnerable. Evictions – particularly during the coldest months of 2020 – exacerbated their situation. While the findings address evictions as a challenge affecting women living in places and spaces where they are considered not to belong, they also speak to women's vulnerability and their right of place in post-apartheid cities. This article contributes to the theoretical understanding of women's experiences of evictions and relocations and how these intersected with COVID-19 to amplify the general vulnerability of women.

## keywords

being evicted, neoliberal social housing policy, marginalised women, South Africa, social transformation

## Introduction

The process of being evicted evokes emotions of powerlessness, humiliation, and despair. Furthermore, the South African case also shows that agency has played a big role in carving out the

landscape and direction of struggles against class, gender and racial domination and exploitation since colonialism and apartheid, when Africans (black people) were prohibited from living in urban areas and the public services provided for them

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were substandard. Forcible removals of informal dwellers by the City of Cape Town in post-apartheid South Africa (SA) are but one example of why it is important to examine what lies behind the observed inhuman dislocation and resultant traumatic and health consequences. Apart from exposing 'accumulation by dispossession', these experiences also reveal fundamental contradictions and ambiguities within SA's 1996 Constitution.

The Constitution poses a systemic challenge regarding private property rights, dichotomies in the types of land ownerships, restricted access to land and legal rights, as well as vulnerabilities associated with the lack of such rights. In addition, failure to reform the model of local government funding – that has remained virtually unchanged since the formation of the Union in 1910 – has contributed to the predicament within which municipalities find themselves. Local government income streams for service delivery depend on rates and taxes paid by property owners, surpluses resulting from provision of services, and transfer payments from national government (Covary 2021, paras 3, 5). Due to the complex and conflicting objectives of cost-reflective tariffs and cross-subsidisation, dwindling equitable shares consequent upon economic slowdown, and the need to address problems of global warming, by 2020 surpluses had turned into deficits. In addition, skills deficits, ineffective management systems and tensions between national and local government have constrained the ability of municipalities to provide services such as housing and sanitation, and to resuscitate ageing infrastructure (Covary 2021, paras 2, 13, 16, 17; Glasser & Wright 2020; Masiya, Davids & Mangai 2021, pp. 111-112).

Furthermore, while the Constitution (including the distinctive but related Western Cape Provincial Constitution) confers the right to housing as a 'home' (presumably to obviate conflict rather than facilitate fundamental social change), the property clause is ambiguous about what constitutes entitlement to a 'home', especially in a country with a history of dispossession, unequal power relations, reproduction of poverty, widening of inequality and rising unemployment (Cogin 2021; Ndinda, Ndhlovu & Sobane 2020; Nxumalo

2021, para 1). The neoliberal system is already and inherently biased towards commodification of housing, protection of (individual) private property ownership and the associated right of landlords to evict tenants. Also, whereas the 1998 Prevention of Illegal Eviction and Unlawful Occupation of Land Act and Sections 25 and 26 (3) of the Constitution prohibit exclusion of particularly low-income and vulnerable women without due process and just cause or ascertaining the circumstances of affected evictees, those deemed to be 'squatters' are regarded as 'outsiders'. They are treated as either criminals (Human 2021, paras 5, 6; Langford 2014, p. 190; Nnoko-Mewanu 2020, para 6; Ramalekana 2017, paras 1-5; Socio-Economic Rights Institute of South Africa (SERI) 2020, pp. 5-6; Truter 2016, paras 4-8) or part of the reserve army of labour, to use Marx's terms.

Moreover, following urban custom in South African townships (*ekasi*), and given the legacy of the racialised apartheid administration that instituted (rental) urban government, interpretations of ownership in *ekasi* differ markedly from neoliberal notions. A house or shack is often regarded as a family or collective 'home' that can be passed on from generation to generation. This 'collective ownership' is neither acknowledged nor legalised by the Constitution (Bolt 2021, pp. 222-223, 227-237; Bolt & Marsh 2019). Disputes about titles often arise when an unscrupulous family member attempts to convert the group/family entitlement into their own individual title (Bolt 2021, pp. 222, 226-232; Bolt & Marsh 2019). The Constitution has yet to resolve this clash of cultures: private property ownership versus 'collective ownership', that is, verbal/unwritten family agreements or, in some cases, flexible strategically based 'shared clanship' or 'shared family access' at particular historical moments in time (Bolt, 2021, pp. 224-226, 232-241; Bolt & Marsh 2019, pp. 154-167).

During the COVID-19 pandemic, while the government highlighted the 'home' "as a place of safety and refuge away from the virus[,] ... the virus [also] shone a spotlight on 'the home' as a place of radical inequality, with marginalized communities faring worse" (Chance 2022, para 1). For example, although the Disaster Management Act (No. 57 of 2002) Regulations

ordered a moratorium on evictions in 2020 due to the COVID-19 pandemic, the Act nevertheless failed to take account of women's roles as (low) wage earners and caregivers. To the extent that the pandemic exacerbated the economic crisis, it should have been anticipated that women were likely to be more vulnerable to redundancies, become increasingly unable to pay rent, and eventually susceptible to eviction, further exposing them to "increased risk of infection" (Nnoko-Mewanu 2020, para 1).

Moreover, the lack of out-of-school facilities and other social amenities and the inability of poor marginalised people to access online schooling demonstrated that the concept of 'working from home' meant different things to different people (Ndinda et al. 2021, pp. 376-384, 383-394; Ndinda et al. 2016, pp. 35-45; Open Society Foundations 2020, pp. 3, 21). There were also challenges to the constitutionality of the moratorium, on the grounds that it was arbitrary (SERI 2020, pp. 5-6). This was irrespective of the limitations imposed in sections 25 (1) and 36 (1) of the Constitution to how far private property rights can be protected, especially during a pandemic where concerns over social deprivation and epidemic control were presumably of the utmost importance.

With these conflicting frames of reference in mind, and despite the government's regulation of housing from September 2020, and prohibition of evictions and "demolition of a person's place of residence" (Ndinda et al. 2021, p. 387), as well as investigations by the then Minister of Human Settlements, Lindiwe Sisulu, there were nevertheless relentless removals. These developments also exposed "the unresolved tensions along racial [, gender] and economic lines" (Johnson 2016, pp. 246-247; see also Ndinda & Ndhlovu 2018). There are ideological differences between the gatekeeping local government enforcement officers (Wilde 2020) and property owners, on the one hand, and renters, the homeless and activists who agitate for social change on the other. Deep-seated imbalances in power are immanent in the capitalist system (Ndhlovu 2016, 2019; Ramalekana 2017, para 6). Moreover, in so far as the brutal conditions surrounding exclusions and inconsistencies in government social housing policy

have a devastating impact on especially African women, it is not surprising that the political atmosphere is fraught. Not only are marginalised groups (categorised as 'the other') often excluded from an already 'precarious social space' (Bohmer 2021), but their response of insurgency and mobilisation casts a shadow over what comprises 'grassroots insurgent citizenship' or rights (Chance 2022, paras 1, 3; Chien 2018; Miraftab 2009, pp. 32-33).

Indeed, because government policy is often developed in departmental silos, without much consideration of gender issues, "the gendered nature of the pandemic ... [, as well as associated problems of] gender-based violence ... and access to key services" (Department of Women, Youth and Persons with Disabilities, as cited in Ndinda et al. 2021, p. 375) were initially not well thought out. In fact, anxieties over government measures such as self-isolation and frequent washing of hands, considering poor and crowded living conditions in informal settlements and elsewhere, were not fully appreciated. Additionally, stigmatisation of and discrimination against those who contracted COVID-19 exacerbated intersectional class, gender and racial oppression, intensifying the vulnerability of women during a period of crisis (Ndinda et al. 2021, p. 376). For instance, it was only after a lot of pressure that women's requirements such as "basic clothes for babies and toddlers" (Ndinda et al. 2021, p. 376) were deemed essential for purchase within the restricted environment.

Against this backdrop, we will first develop a framework for analysing these complex power relations and outcomes to understand the process of 'being evicted'. Despite the achievement of political (voting) rights in 1994, contradictions in capitalist society explain the African National Congress government's inability to effect revolutionary social transformation that ensures a 'home' for all (see also Engels 1969, p. 115; Johnson 2016, p. 246; Marx 2002, pp. 19-21; Ndhlovu 2016, p. 198; Ruiz 1998, pp. 190-191). Given the context of COVID-19 restrictions, a brief discussion of the methodological approach follows. Taking these restrictive conditions into account, and based on the conceptual

framework of 'being evicted', we will examine the impact of evictions and the pandemic on marginalised and vulnerable African women and their children in the cities of Cape Town, Johannesburg, eThekweni, and Tshwane in 2020. Solutions that are discussed include political activism. Finally, the conclusion reiterates how evictions and the pandemic largely affect African women and children, as well the unintended consequences of policy and the potential for fundamental social change.

### Being evicted: A conceptual framework

Evictions in SA demonstrate that the granting of voting rights through the Constitution, and the enactment of laws to prevent forced removals, have been unsuccessful in slowing down the rates of eviction of largely African (black) women (Desmond 2012, 2014; Meth 2020; Nxumalo 2021; SERI 2020, pp. 6-11; Strauss & Liebenberg 2014; Vols et al. 2019). Although the ANC government invested heavily in the upgrading of informal settlements and built subsidised housing (Ndhlovu 2016, 2019; Ndinda et al. 2016), as well as embarked on tackling the backlog of service delivery inherited from the apartheid regime, displacements, dispossessions, and expulsions from land and homes have continued unabated (Baker 2021, pp. 799-804, 809; Charles 2021a, 2021b; Kiewit 2020; Kretzmann 2021; Meth 2020, p. 242; Ndinda & Ndhlovu 2020; Vols et al. 2019). Legal amelioration has not had the desired effect. In fact, neoliberal financialisation of housing is now understood as "the linkage of real estate, land and homes to local and global financial processes and mechanisms to produce new revenue streams" (Baker 2021, p. 799; see also Open Society Foundations 2020, p. 3). In line with privatisation and liberalisation of housing, execution of counteracting legislation often favours investors, while social housing policy prioritises "developers, landlords and speculators ahead of those who cannot afford to buy their own home ... [that is,] the privileging of housing's exchange value over use value" (Wilde 2020, p. 15; see also Murie 2012, pp. 481-482). Although weak leadership, passivity, despondency and divisions have tended to destabilise and undermine

radical social movements, ensuing protests and resistance against evictions in the form of 'class, gender and race war' have the potential to threaten the legitimacy of the state and raise questions about how a place of domicile is defined and understood (Baker 2021, pp. 799, 804, 809; Bolt 2021; Bolt & Masha 2019; Chance 2022; Desmond 2016; Grill 2008, pp. 41-43; Kantola & Lombardo 2017, pp. 38-43, 63-67, 73-88; Mehta 2015; Ndinda & Ndhlovu 2020; Ndinda et al. 2016, pp. 28, 31; Open Society Foundations 2020, p. 21; Ramalekana 2017, para 6; Truter 2016, para 10, 11; Vols et al. 2019; Wilde 2020, p. 16).

Within this complex kaleidoscope, construction of projects and gentrification may justify and incentivise rapid evictions of tenants and 'squatters' by local government officials (the gatekeepers) (Baker 2021, p. 799; Vols et al. 2019; Wilde 2020). However, to the extent that gentrification only affects a relatively small percentage of the poor, the improvements of services that result from revitalisation may also galvanise the poor to greater lengths in resisting being evicted from the area (Desmond 2012, pp. 89-90).

According to Baker (2021), we must not only analyse enforcement methods of eviction but, more importantly, also seek to understand the underlying coercive political, economic, and policing institutions which premise and ground the powerful and social practices of evicting. Wilde (2020, pp. 15-16) adds that interpretation of the process of being evicted should take account of the trauma that results from having to navigate an array of conflicting interests of mediating actors such as the state, local government officers (the gatekeepers who interrogate tenants and 'squatters' and make judgements on their vulnerability, distinguishing 'deserving' from 'undeserving' cases), legal authorities, bailiffs, predatory landlords, and radical community activists. These encounters can lead to either the reproduction of the status quo or more collective class and political struggles against hegemonic power as well as denial of housing as a right. In other words, in the latter reimagining, home should not only be regarded as a place of refuge from viruses, diseases and the drudgery of work (described by Marx as the "hidden abode of production"), but also a



habitable dwelling in which a more fulfilling and creative life can take place (Marx 1973, 1989; see also Desmond 2016; Murie 2012; Ndhlovu 2016, 2019; Ndinda et al. 2016, pp. 28, 31; Ndinda et al., 2020; Open Society Foundations 2020, p. 21; Ramalekana 2017, para 6; Wilde 2020, p. 16).

Because a large proportion of African (black) women are more likely to be 'locked out' (evicted) as opposed to black men, who are 'locked in' (imprisoned) – to use Desmond's (2014, pp. 1-3) analogy – they bear the burden of raising children on meagre wages, and encounter misogyny and racism. Crucially, their agency and power struggles concerning their lived experiences of unaffordable social housing, the razing of their informal dwellings, homelessness and/or uninhabitable housing units, can thus be projected in collective terms (Desmond 2014, p. 3; Ndhlovu 2016, 2019; Ndinda & Ndhlovu 2018; Ruiz 1998, pp. 190-191). In other words, the marginalised are more likely to mobilise to form their own social movements for justice and to empower themselves (Grill 2008; Ndinda et al. 2016, pp. 94-99). To surmount hurdles, they employ strategies such as counter-hegemonic "insurgency and insurgent planning" and contestation of the hegemony of "the colonization of planning theory" (Miraftab 2009, pp. 32-35, 46; see also Chien 2018, p. 2900).

Between 2002 and 2007 an example of such 'unsettling insurgency' was adopted by African women, all of whom lived in poor conditions of informality and vulnerability in Cato Manor and Warwick Junction in eThekweni (Durban) in SA, whose existence was perilous (Meth, 2020, p. 242). They carved out their own spaces, challenged state and local government's repressive measures, and engaged in collective struggles for better service delivery and against the shadowy presence of eviction. Although vigilantism set them on a collision path with cultural norms and needed to be carefully managed to avoid it deteriorating into chaos, repression and blaming fellow victims (for example, in the form of Afro-phobia), they not only sought to fight crime and gender-based violence within their communities in the face of ineffective policing, but also began to reshape and reconstitute existing social relations of

class and gender inequality, while redefining and asserting their right of place in post-apartheid SA (Meth 2020, p. 259; see also Kantola & Lombardo 2017, pp. 38-43, 63-67, 73-88; Mehta 2015; Murie 2012; Ndinda & Ndhlovu 2020; Ndinda et al. 2016, pp. 67-75, 94-99; Ramalekana 2017, para 6; Truter 2016, paras 10, 11; Vols et al. 2019). This does not mean that there were no problems. We have already pointed out that obstacles to the struggle may come in the form of some members of social movements being cautious and wary of confronting the ANC government's neoliberal policies on legislative and other matters (Grill 2008, pp. 41-43; Vols et al. 2019).

In some cases, such as the Western Cape Anti-Eviction Campaign's activities between 2001 and 2008, these struggles against poor service delivery, forced displacement of the marginalised and dehumanisation coalesced into political movements for change (Grill 2008; Miraftab 2009, p. 36). This was exemplified by legal challenges, boycotts and mass protests as in the apartheid era, the rejection of reformism of NGOs whose leaders were regarded as elitist and authoritarian, and the formation of the Poor People's Alliance, whose motto is 'No Land! No House! No Vote!'.

Clearly, these complex interactions in political reality suggest that the boundaries of insurgency are fuzzy. The outcomes of intersectional struggles are also uncertain. They depend on the ideological struggle over how the concept of 'home' is interpreted, the balance of class forces and conflicts concerning interlinked class, race and gender struggles, and the role of the state in legitimating the process of eviction (Armstrong 2020; Baker 2021, pp. 799, 804, 808-810; Kantola & Lombardo 2017, pp. 38-43, 63-67, 73-88; Met, 2010, p. 260; Ndhlovu 2016, 2019; Ndinda & Ndhlovu 2018, 2020; Ndinda et al. 2016, pp. 67-75, 94-99; Wilde 2020, p. 16). In other words, our principal concern should be the abolition rather than amelioration of evicting itself (Baker 2021, pp. 808-810; Nnoko-Mewanu 2020, para 8).

## Methodology

Because of lockdown restrictions that only allowed journalists and essential workers to move (under strict guidelines), it was

not possible to conduct interviews or focus group discussions. Another problem was the “absence of a routine monitoring system ... [which meant that] systematic details of evictions and demolitions ... [were] not available” (SERI 2020, p. 6). Thus, apart from secondary sources, we sketched our narrative by piecing together the different aspects from newspaper reports, the public interest legal services that endeavoured to document events, the SERI (2020) report, and the work of Ndinda et al. (2021).

### **Being ‘locked out’ in lockdown conditions of the Cities of Cape Town, Johannesburg, eThekweni and Tshwane, March-July 2020: African women’s lived experiences**

While actions by the City of Cape Town present the most extreme and brutal example of being evicted in SA, they are by no means unique. To the extent that evictions by the Cities of Cape Town, Johannesburg, eThekweni (Durban) and Tshwane between March and July 2020 are illustrative of the widespread human rights abuses by private landlords and municipalities during the COVID-19 pandemic, and the contravention or circumvention of constitutional rights to adequate housing, they also provide us with a canvass for deconstructing the underlying forces and complex social relations aligned with these historical practices of expropriation.

Not only do forcible removals and the failure to provide suitable alternative accommodation increase insecurity, deprivation and dehumanisation of especially African women in informal dwellings, but, as in the case of Philadelphia (USA), “the high incidence of infection were mostly co-located with poverty and a history of racial segregation” (Nande et al. 2021, p. 5; see also Chien 2018, p. 2900; Langford 2014, pp. 220-222; Ndhlovu 2016; Ndinda & Ndhlovu 2018, 2020; Ndinda et al. 2021; Nnoko-Mewanu 2020, paras 1, 3-5; Ocheje 2007, pp. 175-180; Open Society Foundations 2020, p. 3; Ramalekana 2017, paras 1, 6; SERI 2020, pp. 6-13; Truter 2016, para 3). Similarly,

The effect of evictions on an epidemic is not limited to those who were evicted

and those who received families into their homes. Other households experienced an increased risk of infection due to spillover from the transmission processes amplified by evictions in the city (Nande et al. 2021, p. 8; see also Crawford & Ngubane 2020, paras 4, 8, 9).

Nnoko-Mewanu (2020, para 6) captures these wider historical and social implications within the specific South African context:

More than 4 million people, or over 1 million households, live in informal settlements built on public land in South Africa ... The country’s apartheid history, which restricted Blacks’ access to urban areas, movement to urban areas post-apartheid, and vulnerabilities experienced by women and migrants provide an insight into the economic and housing inequality that plagues most cities. Affordable government housing programs have an acute backlog and failed to keep up with demand as people move from rural to urban areas (see also Ndhlovu 2016; Ndinda & Ndhlovu 2018, 2020; Ndinda et al. 2020, 2021).

Given the challenges of conducting research during the pandemic and the use of secondary data, we will examine the implications of the pandemic for women and children living in precarious and overcrowded conditions in Cape Town, Johannesburg, eThekweni, and Tshwane. Indeed, those who experienced the most difficulties were African women on low incomes, whose living conditions deteriorated further. Their makeshift shacks were demolished, or they were violently evicted from private and publicly owned buildings for non-payment of rent, among other things. Not only did this render them homeless, but it also further curtailed their access to health services. Additionally, they endured sexual harassment and racial discrimination (Ndinda et al. 2021, pp. 384-396).

For example, from March 2020 the City of Cape Town, using its enforcement agencies and Anti-Land Invasion Unit and claiming to protect the environment from water pollution, had no compunction in confiscating, damaging, and destroying homeless people’s tents, belongings, and other



places of informal dwelling in District Six, Hangberg, Ocean View, Khayelitsha, and Empolweni Informal Settlement, as well as near Green Point Tennis Court and at the former site of the National Circus School. Notwithstanding the occupants of the latter forming the Willow Arts Collective for hosting workshops and arts events, embarking on organic farming, and establishing soup kitchens to feed the homeless and poor, the City still insisted on relocating them to a squatter camp in Kampies (Philippi) without consultation. Unsurprisingly, the evictees rejected this offer on the grounds that Kampies was less habitable than living on the streets (Charles 2021a, paras 1, 4, 7, 10, 2021b, paras 1, 2, 4, 5, 11, 12; Kretzmann 2021, paras 2, 3, 25, 26; Ndinda et al. 2021, p. 388; SERI 2020, pp. 7-10).

The City's enforcement agencies not only demolished more than 58 000 informal dwellings during the pandemic (Nnoko-Mewanu 2020, para 4), but it also defiantly sought to appeal against judgments by the Western Cape High Court which had found its activities to be illegal. Just as in the apartheid era, it reserved the right to evict 'squatters' while also strengthening its enforcement powers through noise abatement by-laws, designation of permitted public and private spaces, and imposing punitive measures which included imprisonment. Meanwhile, residents of the informal settlements in Dunoon, Cape Town, conducted protests and organised their own toilet-cleaning services after the City's private contractors failed to provide adequate services (Charles 2021a, paras 1, 4, 7, 10, 2021b, paras 1, 2, 4, 5, 11, 12; Kiewit 2020, paras 1, 2, 5, 6, 19, 20; Kretzmann 2021, paras 2, 3, 25, 26; Kruger, et al. 2021; Nnoko-Mewanu 2020, paras 4, 5; SERI 2020, pp. 6-11). According to Murie (2012), such ruthless methods are indicative of "controlled and regulated... social and spatial division or segregation" (pp. 480, 484-485; see also Human 2021, paras 1-4, 7-9; Ndhlovu 2016, 2019; Ndinda & Ndhlovu 2020; Ndinda et al. 2016, p. 31; Ndinda et al. 2021, pp. 387-388).

Levenson (2021, p. 27) also notes that the role played by the City of Cape Town's Anti-Land Invasion Unit highlights the "two competing conceptions of democracy". While marginalised communities

('the other') may seek meaningful engagement on housing (participatory democracy), in practice they often encounter condescension from officials. This is best illustrated by a meeting that was held in Bellville in Cape Town in response to concerns raised by residents like Fundiswa (a coloured woman), Thandiwe and Mncedisi (African/black women). At the meeting, one of the white officials (the gatekeepers) not only showed a lack of awareness about how 'the other' lives, but she also referred to neoliberal notions of supply and demand to cast blame on the victims and dismiss their housing problems as merely resulting from inward migration from 'rural' areas (Levenson 2021, pp. 27-30). Thus (Levenson 2021, p. 28):

From housing officials' perspective, this situation requires *technocratic democracy* [i.e., apartheid-style influx controls to match housing stock whilst the marginalised must patiently and orderly adhere to waiting lists without seeking to 'jump the queue'].

Despite the pandemic, eviction moratoria, and the social impacts of exclusions, on 6 April 2020 the City of Johannesburg, through the South African Police Services (SAPS) and its contracted private security company, the Red Ant Security Relocation & Eviction Services (normally referred to as the Red Ants), also evicted 23 people from a municipal building – supposedly to make way for the City's workers. Violent evictions of women and children by enforcement agencies, with their belongings often strewn on street pavements, have also become a feature of life in the now run-down former apartheid 'whites only' residential area of Hillbrow, where privately owned buildings are regularly left vacant for speculative reasons. Additionally, on 16 April 2020 the Red Ants further demolished over 80 homes and displaced another 20 families in the Kokotela informal settlement under the guise of stopping unauthorised land invasions. Notwithstanding the South Gauteng High Court declaring all of these evictions illegal and ordering the re-housing of the evictees, on 20 May 2020 another 10 families were removed from the Marievale Military Camp. Just as in 2017, the South African Defence Force (SANDF) was instructed to temporarily

house the evictees. While 7 families accepted alternative accommodation, the other 3 families preferred to go back to Happiness Village, which had been established by evictees from the military camp (Ndinda et al. 2021, pp. 384-396; SERI 2020, pp. 6-11).

Attempts to find solutions by inviting the private sector to provide affordable social housing within an Integrated Residential Development Programme have floundered on the neoliberal financialisation of housing. A typical example is Fleurhof, an area in Johannesburg which borders Orlando West and Meadowlands East Zone 1 in Soweto and Florida, in previously (during apartheid) 'whites only' Roodepoort. The Fleurhof Project, a joint venture between a private company, Calgro 3, and private equity management, International Housing Solutions, is one such initiative. What became clear was that the further away from the new development, the more positive the impact on the value of adjacent properties, and vice versa, although Florida had already insulated itself from price changes through high fences that supposedly kept perceived 'criminals' away from the new development (Ludick, Dyason & Fourie 2021, pp. 8-9; Mnisi & Karam 2020, pp. 50-52). While the initial tendency was to associate property values with race (black people) and by extension criminality, the relatively expensive type of housing on offer attracted a different clientele from the intended target. In other words, the revitalisation programme drew younger and relatively well-to-do families rather than the poor and marginalised. More importantly, this led to greater housing segregation, deepening poverty and worsening inequalities. With better facilities in Fleurhof and no suitable alternative accommodation, this in turn led to displaced people agitating to stay in the area and thus constructing more informal dwellings on municipal land, some of which were violently demolished by the City of Johannesburg's enforcement agencies on 17 and 24 August 2020 (Nnoko-Mewanu 2020, para 3).

From 27 March 2020 the City of eThekweni also used its contracted private company, Calvin Family Security Services, and the SANDF and SAPS to forcibly evict over 900 people and demolish their informal structures and belongings. The Azania Informal Settlement witnessed 2 deaths from

gunfire, teargas was used to disperse evictees and 60 homes were destroyed in the process, while Ekuphumeleleni Informal Settlement in Mariannhill had 70 people violently removed (Ndinda et al. 2021, pp. 387-388; SERI 2020, pp. 7-10; War on Want 2020, paras 1-5). For their part, just as in the cases of the Cities of Cape Town and Johannesburg, the authorities claimed that their actions could not be described as evictions since they were merely clearing "incomplete and unoccupied" structures. This line of argument alarmed the spokesperson of the Women's League of the civil society organisation Abahlali baseMjondolo (Shack Dwellers). Referring to the forcible removals in Ekuphumeleleni, the spokesperson argued that, despite national government assurances to enforce eviction moratoria:

by day five of the lockdown the eThekweni Municipality had already attacked us, violently, and unlawfully, three times. They destroyed our homes and left many people injured. It is sad and unjustifiable what they are continuing to do to us impoverished people. They are undermining us and rendering our rights useless during this time of darkness... Is this happening because we are not counted as human? (as cited in War on Want 2020, para 5; see also Crawford & Ngubane 2020, para 3; Mantzaris & Ngcamu 2020, pp. 135-138; Pikoli 2020, paras 1, 5-7).

In March 2020 the City of eThekweni housing officials continued with their ongoing attempt to control and eliminate the Mendini Hills shack settlement. Just as in the case of the Cato Manor and Warwick Junction conflict that we encountered earlier, women in Mendini Hills settlement (like Zinzi, who has two children and previously worked as a textile worker), had been fighting against evictions since 2006. Having already enlisted Abahlali baseMjondolo in their struggles, the women and their children were being evicted during the COVID-19 pandemic (Chance 2022, paras 8-16). The Abahlali Women's League noted that "evictions during Covid-19... [were a clear indication] of dehumanization through social abandonment" (Chance 2022, para 17). Notably, "on March 31, 2020, over 300 people were affected by

evictions and demolitions in the Abahlali-affiliated shack settlement in Durban not far from Medina Hills” (Chance 2022, para 18; see also SERI 2020).

This dehumanisation of residents and refugees can also be illustrated by the way in which the City of Tshwane evicted 4 women asylum seekers from their flats in Sunnyside on 6 April 2020. Despite having their rents paid up to date, they were summarily removed together with their children. It was only after representation by private attorneys that they were allowed to return to their flats (Ndinda et al. 2021, p. 388; SERI 2020, p. 7). This experience undoubtedly caused them enormous trauma and hardship.

In fact, in all of the cases concerning the Cities of Cape Town, Johannesburg, eThekwinini and Tshwane, private property owners’ and municipalities’ physical violence was often accompanied by unlawful tactics of denying tenants basic services to force them out. The methods used

include changing locks, removing doors or windows, disconnecting utility services, intimidating tenants, or undertaking disruptive maintenance. In addition to the strain that unlawful evictions (and the threat of eviction) place on tenants, small scale landlords, who rent anything from space in a room to a single room to a few units, are themselves vulnerable due to the impact of the pandemic on livelihoods (SERI 2020, p. 10; see also Chance 2022, para 18; Ndinda et al. 2021, p. 388).

When the lockdown resulted in Deborah, a single mother from the Democratic Republic of Congo, being unable to sell second-hand clothes on the streets of Johannesburg, and thus owing rent for April 2020, her private landlord cut off her water and electricity supply: “My children are living in darkness ... It is stressful. My children look up to me and I’m struggling to make ends meet” (as cited in Harrisberg 2020, paras 3, 4).

Although the City of Johannesburg and other municipalities did eventually suspend utility disconnections during lockdown and restored supplies to those who were unable to pay their bills, to avoid eviction many poor people were forced to seek loans from *omashonisa* (loan sharks) at astronomical interest rates. This plunged

them further into indebtedness at a time of crisis. Meanwhile, poor marginalised people did not qualify for bank loans because they could not demonstrate creditworthiness (Ndinda et al. 2021, p. 392; SERI 2020, p. 10; see also Ndhlovu 2016, 2019; Ndinda et al. 2016, pp. 82-85).

While the legal route has played a role in fighting large-scale evictions by state organs (Langford 2014, pp. 221-222), what is clear from these experiences is that legal means have limited usefulness. Apart from the difficulties of accessing lawyers, and the way in which community social networks are undermined by disruptive evictions, experience also shows that the poor have a slim chance of winning court cases against forced removals (Strauss & Liebenberg 2014). Concerted political activism, as demonstrated by the Western Cape Anti-Eviction Campaign, the women of Cato Manor and Warwick Junction in eThekwinini and Abahlali baseMjondolo, must ensure that debates concerning land reform and implications for distribution place urban areas at the centre of this engagement. The extent of advocacy must recognise not only the levels of violence in evictions, but the power structures that underpin the capitalist system, whose survival and sustenance is dependent on inequalities. Thus, social change requires participatory community decision-making processes regarding housing as a right and home, rejection of eviction, and questioning of the concept of private property rights (Ndhlovu 2016, 2019; Nnoko-Mewanu 2020, para 8; Ramalekana 2017, para 6).

Faced with the full arsenal of capitalist forces, poor people can arguably improvise, that is, improve their place of abode to survive and find ways of carving out their spatial values. They can also develop imaginative entrepreneurialism. However, there are potential dangers and contradictions in this. Although participatory entrepreneurial activities may transform ways of conducting business – i.e. the agency-driven “community planning system” (Chien 2018, p. 2900), and thus contribute to development within a vibrant cultural setting, this may also result in

new forms of exclusion and inequality ... Although this entrepreneurialising informality present[s] some new possibilities to

the local actors, enabling some squatters to participate in shaping the urban redevelopment plan, at the same time it remains a threat to the less resourceful informal settlements ... it may cause displacement to the squatters that were unable to make an entrepreneurial plan for their own informal settlements (Chien 2020, 2018, p. 2900).

Another solution may be the implementation of strengthened legal protections to ameliorate informal dwellers' housing problems and facilitate success of their participatory entrepreneurial activities. However, the findings have already shown that the legal route is not adequate in remedying the impact of violent demolitions on marginalised people's makeshift accommodation, and nor does it account for the trauma they have endured as well as the health effects of being evicted, particularly during a pandemic. More stringent monitoring of housing precarity and consequent evictions could be prioritised, and acknowledged as a humanitarian crisis, especially since the vulnerable had difficulties in finding their way through an array of gatekeepers (municipal officials), government departments, public and private landlords and the obtuse legal system.

### Becoming 'unlocked': Concluding remarks

COVID-19 not only exacerbated a global economic crisis, but also revealed the problems of class domination and gender and racial inequalities. The case of the Cities of Cape Town, Johannesburg, eThekweni and Tshwane show that women and children bore the brunt of the resulting evictions that took place even in the middle of the pandemic, and despite legal safeguards. Demonstrably, African women (and their children) on low incomes were not only vulnerable to owing debt to *abomashonisa* to pay their rent, but were also increasingly exposed to the real risk of homelessness. While they faced racial and gender discrimination, 'being evicted', overcrowding in shacks and the COVID-19 pandemic made them susceptible to criminals, heightened their insecurities, and exposed them to comorbidities such as respiratory problems. The legal route has been shown to have

limited success. Curtailed local government funding due to the economic crisis and administrative and bureaucratic systems have also held back service delivery, while public-private initiatives such as the Fleurhof case only resulted in unintended consequences, where the middle classes rather than the marginalised obtained access to the new housing development. This led to growing inequalities, poverty, homelessness, and the associated social and health problems, especially in a society dominated by neoliberal notions of private property ownership.

Moreover, disruption of social networks, marginalisation and criminalisation of the poor resulting from 'being evicted' have also underscored the existing unequal power relations, where a minority white population still owns and controls the means of production – just as in the apartheid era. Given the shortcomings of suggested solutions such as participatory entrepreneurial activities and the legal route to the humanitarian crisis, it is important to look beyond reformist measures. Equally important, the resultant tensions and conflicts may also lead to more radical social movements of African women, the working class and the poor, who are united against those who pull the levers of power. While political activism has had setbacks and social movements such as the Poor People's Alliance and Abahlali baseMjondolo also have their own internal contradictions, these experiences point to the potential of intersectional gender, race and class struggles to bring about social transformation in which 'being evicted' or 'locked out' is refuted as an abuse of human rights, and where housing is a right, and a home is reimagined or re-envisioned in new and more fulfilling ways.

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