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Spatial Governance of the Unhoused: On Social Death in the Contemporary City

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Abstract

In this article, we examine tactics in municipal policy and the criminal law regarding socio-spatial governance of unhoused individuals in city spaces. We explore the intentions and effects of tactics such as sweeps, which remove or destroy unhoused people's possessions, move on orders targeting the mobility and immobility of unhoused people and spatial banning which prohibits the presence of unhoused people in particular locations. We argue here that such tactics respond to houselessness by associating the presence of unhoused individuals with that of waste. Examination of legal and municipal tactics managing the presence of unhoused people in public space shows they are being discursively aligned with waste matter, and their presence in city spaces strictly regulated. Such spatial exclusion strategies result in a kind of social death. The article argues tactics of spatial exclusion should be abandoned by recognising the right of unhoused individuals to be in public places.

Keywords

Houselessness, cities, social death, spatial exclusion, public space

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Introduction: Being Unhoused in the City

For many decades, the presence of people without stable housing in the streets and other places of urban environments has been treated as a problem. The problem of their presence is sometimes framed as a matter of (their) welfare, prompting intervention from service providers and assistance organisations; sometimes, it is viewed as a deficit in urban amenity, in which ratepaying residents and business proprietors might call their local council to take action. And at other times, the presence of unhoused individuals¹ is treated as a problem of public disorder, often occasioning a response from police or other agents of the criminal justice system. As with many other examples of disruption to the expected atmospheres of urban places, such as graffiti and street art (Andron, 2024; Halsey and Young, 2002; Young, 2014) or the public playing of music (McNamara and Quilter, 2016), there has been a long history of oscillation between welfarism, punitive criminalisation and a kind of pragmatic indifference directed at the presence of unhoused individuals in city streets. Some local councils have blended these various, and very different, ideologies of response into their Operating Protocols on homelessness, such as one operating in the City of Melbourne, Australia, from 2017 to the present: when more than four unhoused people congregate together, a phone call by a resident to council will kickstart a response process that may involve both council assistance workers and police officers (Young and Petty, 2019).

A stark contrast is provided in a Protocol of the New South Wales Government, which was created ‘to interact and engage with people experiencing homelessness, so they are treated respectfully, with dignity, and do not face discrimination’ (2022: 2). It states that unhoused people should only be approached in certain circumstances, thus allowing them to ‘be’ in a public place, without their presence being questioned. If an approach seems necessary, it should be ‘positive, empathetic and respectful of the person and their circumstances’; if possible, it should also be ‘trauma-informed’ (2022: 2). As it goes on to explain:

The Protocol is based on the following principles:

- People experiencing homelessness have the same rights as any member of the public to:
 - be in public places
 - participate in public activities or events
 - carry with them and store their own belongings
 - request or decline support or assistance (2022: 3).

The New South Wales Government’s protocol is highly unusual in recognising a right to presence of unhoused people, and even so more by enshrining this right in a policy document. Instead, the presence of the unhoused is usually regarded as a problem for urban environments, city authorities and criminal justice agencies through the oscillating and incoherent types of response sketched above. Whether welfarism or criminalisation has dominated law and policy, the presence of unhoused people in urban space has more often, in Australia and elsewhere, been treated as something to be removed, hidden or excluded.

Waste Management and Abjection: On the Presence of Disgusting Things

Efforts to remove unhoused people from public spaces are comparable to those expended in the control, management and reduction of rubbish, dirt and waste. The parallel is noted by Mei-Singh, who has been researching the growth of ‘policies and rhetorics categorizing those without formal housing as *disposable* miscreants’ (Mei-Singh, 2023: 377, our emphasis). Sometimes the association between unhoused individuals and waste products arises from an encounter with bodily waste in an urban environment. An acquaintance of ours recently posted on social media about finding in their front yard a large human turd and some used toilet paper. Comments accompanying the post expressed disgust and shock, and sympathy for the unpleasantness of the incident. One individual surmised that rough sleepers living in the alcoves of a nearby building were likely to be responsible. The original poster commented that they wished the person responsible had put it in the nearby bin. Here, the unexpected presence of human faeces led to conjecture about who might have left it in a public place, and an expressed desire for the removal of the waste. Local councils engage in specialised street cleansing activities in response to the identified presence of unhoused individuals. In Melbourne, Australia, a staff member in the municipality of Yarra stated in conversation that the council will carry out a ‘forensic clean’ in areas where rough sleepers have been living, urinating and defecating (August 2018).

While usually viewed as less abject than faecal matter, vomit or urine, the possessions of the unhoused are also often treated as forms of waste material or rubbish: rendered abject, akin to the unwanted or abandoned items that we categorise as ‘garbage’ (Kristeva, 1982; Miller, 1997), a process whose tactics we will elaborate later in this article. In addition to the abjection of their possessions, the bodies of unhoused individuals have increasingly been treated as ‘disposable’ (Mei-Singh, 2023: 377). In recent years, the regulatory tactics used against unhoused individuals by city authorities (AEPLRC, 2022; Blomley, 2007; Roy, 2003, 2017; Speer, 2019) have been expanded by municipal tactics similar to those used in waste management and street cleaning. In cities as disparate as Los Angeles, Tokyo, New York, London and Melbourne, unhoused individuals and their possessions are increasingly treated as individuals and things whose presence in city streets is unwanted and *out of place*.

The abjection of waste, from a place where it is deemed not to belong to a place that can efface, process or transform it, is often considered to derive from the work of Mary Douglas. Although Douglas defined dirt as ‘matter out of place’ (2002: 236), this idea is more usefully understood as an analysis of how societies depend on systems that move wayward objects to appropriate places, while generating detailed semiotic messages about social and cultural control. Douglas wrote that ‘where there is dirt, there is system’ (2002: 36), and that through our efforts to remove dirt and to discard objects ‘we are separating, placing boundaries, making visible statements’ (2002: 85; see also Liboiron, 2019). Such boundaries mean there are limited places in which bodily fluids, rotting foodstuffs, items that smell unpleasant and broken objects can be present; concomitantly, there are numerous places in which their presence is *disgusting*. Complex systems have therefore been developed to ensure waste products are kept in their

permitted places: 'regimes of disposal have developed systematic modes of expelling unwanted matter so that it may no longer be confronted. Rubbish is piled into containers, conveyed to increasingly guarded reprocessing sites, cremated, used as landfill and apparently thereby erased' (Edensor, 2005: 315).

Similarities between the removal of waste items and municipal and legal management of unhoused people and their belongings deploy similar techniques of spatial exclusion to those used in the management of waste and garbage. While not all remnants, waste and discards are perceived or experienced as disgusting (Liboiron and Lepowsky, 2022: 14), indifference, distaste and even disgust at an unwanted object or person is readily able to be activated through removal as a form of abjection. In this article, we show how perceived contiguity between waste products and the persons and possessions of unhoused individuals underlies many social, municipal and legal strategies regarding homelessness. To do so, we investigate how unhoused human bodies and their possessions have become enmeshed in apparatuses of socio-spatial exclusion leading to the ongoing risk of 'social death' (Mbembe, 2003; Roy, 2017). To that extent, this article is committed to questioning 'the wasting of some lives and not others' (Liboiron and Lepowsky, 2022: 5), with 'wasting' understood to be a consequence achieved through the strategic socio-spatial exclusion of unhoused individuals. Our intention is thus to challenge the ongoing tendency towards the dehumanisation and objectification of houseless individuals, following Mbembe's advocacy for research that takes 'the form of a conscious attempt to retrieve life and "the human" from a history of waste' (quoted in Roy, 2017: A9, original emphasis).

Our argument here derives from research carried out as part of a three-year research project called *Justice in the Streets: Responding to Public Homelessness and Public Dissent*.² The project set out to discover the variety of social, legal and municipal responses to 'public' or 'visible' homelessness in public space, the impact of those responses on people experiencing homelessness or engaging in public protest, and the ways in which cities can strive to foster greater spatial justice. To investigate these issues, we adopted a range of methodologies. These have included ethnographic fieldwork in locations adapted by unhoused people; photodocumentation of sites used for public sleeping or donation seeking; qualitative interviews with service providers and support agencies; round table discussions of priority issues with service providers and advocates with lived experience of being unhoused; and critical discourse analysis of legal and municipal materials, including caselaw, legislation, media stories and council policies.³ In this article, we draw on the latter, as well as on information gleaned through qualitative interviews with professionals involved in homelessness service provision as a foundation for the examination of socio-spatial exclusionary strategies in a range of cities including London, Oxford, Los Angeles, Tokyo, Melbourne, Sydney, Brisbane and Adelaide.⁴

Managing Waste: Socio-Spatial Exclusion

City authorities use municipal waste management strategies to make the kind of 'visible statements' Douglas describes above. The City of Melbourne has in recent years created the 'Rapid Response Clean Team', with an initial investment of \$1 million to respond to calls from businesses and residents, as well as 'monitoring' the Central Business District

to ensure ‘sparkling city streets’ and a ‘welcoming city for all’ (City of Melbourne, 2021). Since the intensification of hygiene practices that occurred during the covid-19 pandemic, many cities have enhanced the visibility of sanitation practices. In the London Borough of Westminster, the deep cleaning of major footways is scheduled to occur four times a year since September 2022, up from once per year previously.⁵ Private contractor Veolia runs a 24/7 cleaning service in the borough, sweeping 8400 km of streets every week. Prominent streets are swept multiple times per day.⁶ Street cleaning is perhaps the most mundane of waste management activities. Methods vary; in French towns and cities, streets are washed with water early in the mornings; in Britain and Australia, streets are swept by a small truck with whirling brushes. Street sweeping removes litter, traces of bodily waste, dust, twigs, leaves and countless other forms of debris, which tends to get classified as ‘stuff to ignore’, with no right to presence or claim as to value (Bennett, 2020: 4; see also Edensor, 2005). In this article, we are interested in the ways in which unhoused people are increasingly being treated as ‘stuff to ignore’ or ‘stuff to remove’ through techniques rooted in waste management.

‘Waste’ includes animal and human sewage, garbage or rubbish and residue materials deriving from the built environment, such as dust and debris. For many, waste management is a little acknowledged aspect of everyday life (de Coverly et al., 2008: 296). Rubbish bags and bins are usually opaque, preventing us from seeing decomposing materials inside. Bags, which are ‘only visible fleetingly’ (2008: 295), might be scented (lemon and lavender are common) to mask the smells of deterioration or rot; smells may also be doubly contained by bin lids, and by bins being located within cupboards. Much of the apparatus of domestic waste management and disposal is thus designed to camouflage its existence. Outside the home, waste management occurs through a complex assemblage of municipal and private practices. Shops, restaurants, bars and businesses have their own rubbish disposal practices served by private contractors; meanwhile, in shared or publicly accessible spaces, urban hygiene is maintained by sewerage systems, drains, publicly located rubbish bins, and street cleaning at regular hours of the day or night. Despite the multiple layers and dimensions of waste disposal, there is widespread cultural disregard for its apparatuses: ‘the fleeting audible rumbling of the garbage truck, as it moves slowly through the street, is all that reminds us of the toil of garbage collectors’ (de Coverly et al., 2008: 296).

Waste management practices thus strive to render waste as invisible as possible through its swift removal. The municipal and legal alignment of unhoused people with waste has produced a range of street-based tactics that effect the removal of unhoused people and their property. Three main tactics will be discussed: sweeps, which operate through the destruction or removal of property; move on orders, which respond to behaviour deemed to be criminal or anti-social; and banning, which targets individual presence within designated locations. Each tactic manages unhoused people out of a particular place, by prompting or enforcing their spatial exclusion.

Street Cleaning: Sweeps

Although municipal authorities would no doubt argue waste management practices such as street cleaning and garbage removal are different to the eradication of unhoused

people's possessions, they share justificatory logics to do with cleanliness, aesthetics and order (Hawkins, 2001; Speer, 2019). A visibly pristine city is good to look at, as well as occupied by 'good people': hygiene can be perceived as both an aspect of physical space and a character trait. In a healthy city, garbage is removed through the activities of sanitation departments and waste management; in a virtuous city, the possessions of unhoused individuals are similarly managed.

Beautification efforts within urban landscapes enact violence on the bodies of individuals who are attempting to survive without housing. In Fresno, California, 'local police and sanitation departments destroyed countless homeless encampments and sought to remove homeless people from the downtown, largely on the grounds that they were visually unsightly' (Speer, 2019: 3). Police in New York City photographed unhoused people urinating, eating and sleeping in the streets, solidifying ideas of their presence as visually unsightly (Goldfischer, 2018). In Melbourne, Australia, the visibly unhoused person's challenge to socially dominant norms and behaviours on the streets contributes to their criminalisation and removal from public spaces (Lundberg, 2021) on the grounds that their visible presence somehow taints or spoils the streetscape. Such a 'micro-aesthetics' regarding locations and their occupants can underpin an aggressive policing of presence in public space, such that the positioning of unhoused individuals' bodies as they sleep on the street can justify the intervention of council authorities and police (Young and Petty, 2019).

In addition to the appearance of their bodies, aesthetic policing targets unhoused people's possessions. Lacking access to furniture in which to store goods, unhoused people must keep them in temporary locations or carry them around. Some push supermarket trolleys with bags stacked inside; others pull suitcases. In numerous jurisdictions, municipal authorities have restricted the permitted volume of possessions for unhoused people are permitted. In Australia in 2017, the City of Melbourne imposed a policy limiting unhoused people to two portable bags and some bedding (discussed in Young and Petty, 2020). Exceeding this limit renders an individual vulnerable to the removal of their belongings. Leaving items while temporarily absent is justification for their removal (City of Melbourne, 2017).

Ownership of less portable furnishings that might decrease the discomfort of street living, such as folding chairs and camp beds, become more feasible when unhoused people congregate in groups, along with tents, and sheets of carboard or tarpaulins to provide shelter and privacy. The combination of a larger number of individuals and such belongings produces what city authorities call 'homeless encampments' or 'tent cities'. Informal settlements offer many benefits to unhoused people: the enhanced safety in a group compared to being alone on the streets; economies of scale in organising food; and opportunities to socialise. For unhoused people who are pet owners, encampments are one of the few modes of habitation that allow owner and pet to remain together; sweeps threaten the maintenance of the human/animal relation and can lead to animals being abandoned or euthanised (Scanlon et al., 2021). Police and municipal authorities, however, regard encampments as requiring eradication, usually carried out under police supervision, and involving the removal or destruction of property, often by heavy machinery such as bulldozers. Speer notes that central Fresno's informal settlements were permanently destroyed in 2013 after a decade of

repeated evictions (2019: 3); in Toronto, city authorities served eviction notices on residents of an encampment under a freeway, followed by the bulldozing of the settlement (Gordon and Byron, 2021: 855). That such events are called ‘sweeps’ indicates semiotic consonance between the street cleaning practices commonly associated with waste management and the removal of unhoused people’s persons and property in urban space.

Beyond the razing of shelters, ‘sweeps... also dispossess people experiencing homelessness of their belongings’ (Gordon and Byron, 2021: 866):

Rather than address the structural conditions that make informal infrastructures necessary for survival, sweeps target the infrastructures themselves – tarps, tents, and makeshift houses are torn down, belongings are seized, and inhabitants are forced elsewhere... (Gordon and Byron, 2021: 856)

Los Angeles has become notorious for its sweeps, often under euphemistically inappropriate names such as HOPE and CARE PLUS (Giamarino and Loukaitou-Sideris, 2023: 20). Most infamously, in March 2021, the city deployed police to fence off and then displace the residents of Echo Park Lake encampment. The After Echo Park Lake Research Collective (AEPLRC) write:

[D]uring encampment sweeps, communities are given between 15–30 min to move all of their worldly possessions several city blocks, often times at least a mile away, to be out of a designated cleaning zone. Unhoused residents often lose personal belongings that are critical to their survival ranging from tents/bedding, and food to personal documents such as IDs, Social Security Cards and others crucial for obtaining housing. (AEPLRC, 2022: 86)

Individuals in informal settlements do not usually experience one ‘sweep’; ‘displacement, as a process, is not a singular moment but rather iterative and prolonged’ (AEPLRC, 2022: 81). During (and after) each sweep, unhoused individuals are pressured to enter temporary housing ‘shelters’ (AEPLRC, 2022): in Los Angeles, these are located in ‘heavily policed, prison-like compounds... The facilities are fenced in, the shelters are office trailers, and individuals receive a cot partitioned within each trailer’ (Giamarino and Loukaitou-Sideris, 2023: 19). The traumatic repetition of sweeps and designation of ‘Special Enforcement Zones’ in which ‘camping’ is prohibited and the removal and destruction of belongings is authorised causes dispossessed individuals to accept the ‘offer’ of housing there, resulting in a kind of ‘soft incarceration’ (Giamarino and Loukaitou-Sideris, 2023: 19, 23; see also AEPLRC, 2022 on shelters as part of the ‘continuum of carcerality’).

Items such as tents, tarpaulins, clothing, photographs and more are just as valuable, if not more so, to unhoused individuals as they might be to any housed individual. Some items have value perceived specifically by an unhoused person. Cardboard boxes discarded as garbage can be readily repurposed for sitting or lying on. In the novel, *Come Join Our Disease*, when the unhoused protagonist Maya loses her belongings in a sweep, she notes how ‘detritus, repurposed, became possessions... Now our abandoned belongings were trash once more’ (Byers, 2021: 5). Removal or destruction of belongings

corrodes the ability of individuals to refuse temporary housing. During preparations for the Tokyo Olympics in 2021, notices were issued to unhoused individuals sleeping on the streets in the district of Shinjuku, stating; ‘Remove (your belongings) by July 21 because they are creating obstacles for road management’ (quoted in Fujino and Endo, 2021: unpaginated). Sweeping the possessions of unhoused people off the streets in this way is designed to make unhoused individuals follow their property.

The cruelty of a sweep is twofold (and contradictory). On one hand, it recognises the emotional attachments that people form with the property they own and uses this as a lure to draw people away from the space of an informal settlement. Ownership of goods is affective: items may be seen as essential for survival, necessary for access to services, mementoes of past places and reminders of loved individuals – and perhaps sometimes all of these. During sweeps in Los Angeles, for example, people are instructed that they have 15–30 min to gather items that they want to conserve from destruction by council officers, and that moving away from the settlement will result in an offer of temporary shelter (AEPLRC, 2022: 86). Local government officers of the Shibuya Ward in Tokyo argued that ‘humanitarian’ intentions underpinned their ordering of residents to remove their possessions from an informal encampment in Mitake Park: “‘A park is not a place to live, nor is it a place to keep one’s things’” (quoted in Kurokawa, 2022: unpaginated). *People belong to their belongings*: a sweep exploits the affective bond between humans and things (Bennett, 2020) in order to expel them from a designated place.

The cruelty of sweeps also operates through a second, contradictory, dynamic: denial of the unhoused person’s humanity by refusing to recognise their ownership of personal possessions (Lundberg, 2021). Sweeps are premised on the notion that *an unhoused individual is not entitled to their belongings*: they can be displaced from a space they have been living in, and their property can be destroyed – and this can be done with technobureaucratic regularity. As Spike Chiappalone, then of the Homeless Persons’ Union of Victoria commented during a workshop on ‘Justice in the City’ in 2017: ‘homeless people are the only people not allowed to accumulate property under capitalism’. Unhoused people possess and own things, but sweeps dispossess them of these, and place individuals without housing at the bottom of ‘possessory politics’ (Porter, 2014), disqualified from ‘propertied citizenship’ (Roy, 2003).

In San Francisco in December 2022, as a result of a finding in *Coalition on Homelessness et al. v City and County of San Francisco et al.*, an injunction was issued restricting city authorities ‘from enforcing laws prohibiting people from sitting, lying or lodging in public spaces’, until adequate shelter is available; however, the city’s power to ‘enforce other laws and move encampments temporarily for street cleaning’ is unaffected (Sjostedt, 2023). Ostensibly, sweeps were suspended by the injunction, and subsequent motions and appeals by city authorities have to date failed to achieve variation or vacation of the injunction. It should, however, be noted that movement of encampments to sanitise the streets is a permitted exception. As a result, despite the supposed constraining force of the injunction, the City of San Francisco continued to conduct sweeps (Schultz, 2023). Municipal power arrogates to itself the authority to refuse both the right of the unhoused person to their belongings, and, as the next section will discuss, their bodily presence in urban space.

Street Presence: Moving on

In central London, at street level on the wall of an apartment building, a sign reads:

THIS IS A RESIDENTIAL BUILDING
NO LOITERING

‘No loitering’ is a familiar phrase with a long history. Mobility of dwelling place has for centuries been constructed as problematic in law and social policy: ‘vagrancy’ was initially criminalised in Britain in 1389 (Chambliss, 2004). The later Vagrancy Act 1824 formed the basis of vagrancy laws in Australia and New Zealand as colonial rule was being established (Kimber, 2013: 538). Such early vagrancy laws linked the ‘idleness’ of begging and the itinerancy of those with no fixed address to a supposed refusal to work, showing that both mobility and immobility have been construed as criminal (see further Walsh, 2004). ‘Loitering’ still exists as an offence in criminal law: in Victoria, Australia, for example, it is prohibited under s 49B of the Summary Offences Act 1966. (This section replaced an older provision, s 7 (1) (f) of the Vagrancy Act 1966, which targeted any person ‘reputed to be a thief’ who loitered in a public place with intention to commit a felony or misdemeanour; Farrell, 2009: 21.)

The power to move citizens away from a particular location is one enjoyed by police in many jurisdictions. In Britain, the 2003 Anti-social Behaviour Act accorded ‘dispersal powers’ to police, authorising them to remove groups of 2 or more persons from a designated place (Crawford, 2008), and in Australia, New South Wales, South Australia, Queensland and the Australian Capital Territory had introduced move on powers by the mid-2000s (discussed in Farrell, 2009; Punter, 2011; Taylor and Walsh, 2006; Walsh and Taylor, 2007) and Victoria introduced them in 2009 (Helps and Segrave, 2023). The dangers of move-on powers, however, have long been recognised, for example in respect of young and Indigenous people in areas such as shopping malls (Spooner, 2001). Preparation for events such as the Olympic Games can lead to expansion in move on powers. In Sydney, Australia, prior to the 2000 Olympic Games, the *Homebush Bay Operations Act 1999 (NSW)* and the *Sydney Harbour Foreshore Act 1999 (NSW)* gave powers to any ‘authorised officer’ to move on a person causing ‘annoyance’ or ‘inconvenience’. Previously, the much higher threshold, of behaviour that is harassing or intimidating, was required to activate move on power (Saul, 2000: 35).

In respect of this residential building in central London, the ‘public place’ mentioned in the Vagrancy Act would not pertain here, since the sign relates to a ‘POPS’, or ‘privately owned public space’, adjacent to the walls of the apartment building. The sign is a symptom of the perceived need for tactics of governance of people’s movement in and through POPs. ‘No loitering’ censures any pedestrianism that is not mobilised. Mobility might involve walking by residents, visitors or delivery personnel from the street into the building; it could also involve the movement past the building carried out by pedestrians who simply pass it by.

What is censured is stasis, when an individual pauses or stops. When stasis is categorised as loitering, it indicates potential or threatened mischief. To be a law-abiding passer-by, an individual must maintain their velocity, and *move along*. It is possible to

pause or stop without loitering: the behaviour of tourists taking photographs and individuals checking phone messages is coded as a temporary cessation of movement, and thus as lawful. Similarly, the act of sitting when it is in a chair at a café consuming purchased food or drink is differentiated from sitting on the pavement in a manner that indicates donation seeking.

The prohibition of ‘loitering’ is underpinned by powers to insist upon movement away from a location by means of ‘move-on’ orders. These can be issued *in situ* by police and many other authorised officers (Helps and Segrave, 2023). Failure to comply with an order from police can result in the issuing of a penalty, such as an on-the-spot fine, or in arrest; failure to comply with an order issued by other personnel, such as security guards or council officers, indirectly produces the same result through police being called to the scene. Compliance with an order does not lead to what the law could categorise as a criminal incident, but the issuing of the order, and the necessity of compliance with it, is an exercise of enforcement that identifies mere physical presence as potentially criminal.

Drawing causal lines between immobility and risk affects unhoused people in various ways. When unhoused people live in encampments or small groups, they are frequently moved on: in an ethnographic study in London, participants described resentment of the ways regulatory agents interrupted their rest, or ‘down time’, to move them on (Kyprianides et al., 2021: 683). Public spaces such as streets and parks are deemed inappropriate for resting or sleeping, activities which are supposed to occur in the private space of a fixed address. ‘Fixing oneself’ in a public place is met with the regulatory tactic of a move on order; in this semantic frame, resting or sleeping is easily construed as loitering.

Move on orders originated in the interpretation of a person’s behaviour as actually or potentially criminal: loitering ‘with intent’, for example. In recent years, the interpretive scope of that potentiality has expanded, as can be seen more clearly in the moving on of unhoused people sitting or sleeping on the pavement. As shown in the example of the Atlanta ordinance, pavement sleeping may simply be prohibited altogether; in other cities, pavement sleeping is closely regulated. In the City of Melbourne, the municipality requires rough sleepers to lie parallel to the wall, ostensibly because lying perpendicular to it would inconvenience pedestrians (City of Melbourne, 2017; Young and Petty, 2019). Donation seeking usually involves sitting on the pavement (or sometimes kneeling or prostrated bowing), with the person’s back against the wall of a building: ‘most commonly, donation seekers gaze straight ahead; their lowered sitting position means the line of their gaze intersects with the legs of passers-by’ (Young and Petty, 2020). The donation seeker may have a cup or other receptacle in front of them, and perhaps a sign with text indicating the request for money. A sign is, however, not required to communicate what is happening: the person’s posture and location on the pavement usually constitute a sign in themselves.

Rough sleeping and donation seeking are performed by bodies trying not to be noticed: even the seated position of a donation seeker, who is inviting some public interaction, is consonant with that of someone trying to take up as little space as possible. When police and other agents of authority do notice unhoused people, issuing an order to move on is a common response, despite the lack of any evidence that the unhoused person’s presence constitutes an actual or potential crime, nuisance or risk. In an interview

with us, Sam Sowerwine, former Manager for Advocacy and Projects, Justice Connect/Homeless Law, stated municipal powers such as Local Laws and by-laws can mean that:

police and council staff can basically fine people or move them on because of issues around amenity and public safety. It's very discretionary, based on the officers... W]e're still seeing a lot of fines coming out of councils, even things like smoke-free areas. Now ... someone can get an infringement for smoking in a smoke-free zone (interview, 27 July 2022).

Numerous cities in the United States have enacted municipal ordinances that criminalise immobility in public spaces. Giamarino and Loukaitou-Sideris cite, as examples, 'Atlanta's Ordinance § 110–59(c), [which] states, "No persons shall congregate or gather within 150 yards of any entrance to the Chastain Park amphitheater during the hours of 7:30 p.m. to 1:00 a.m."' and the 'sit-lie' prohibition contained in 'LA Municipal Code... § 41.18(d) [which] prevents even sitting on sidewalks, stating that: "No person shall sit, lie or sleep in or upon any street, sidewalk or other public way"' (2023: 14). Moving someone on may seem like a relatively minor form of regulation. However, as Sowerwine noted: '[When] enforcement activities [like] move-on... don't lead to fines or charges, people experiencing homelessness are [still] experiencing a level of enforcement'. Multiple breaches of such orders can rapidly lead to unpaid fines or charges arising from non-compliance.

Just as their possessions appear disposable to city officials and police, the bodies of unhoused people are regarded as moveable, lacking the authorisation of presence in public space accorded to street furniture such as bus stops by its fixity in place (Blomley, 2007) or the lawfulness of approved individuals such as the commuter or consumer. The attribution of moveability is a symptom of the desire of local authorities for the unhoused person's presence to disappear from city streets. Having discussed the *dispossession* of unhoused people from their belongings and their repeated but temporary *displacement*, the next section considers the banishment of the unhoused from public spaces – a version of spatial waste management that seeks a longer-lasting removal of the unhoused person from public space.

Street Eradication: Banning Orders

Sweeps and move on orders exploit, first, people's attachment to their belongings and, second, the policing of conduct: together, they bring about a condition of potentiality that has been termed 'permanent displaceability' (AEPLRC, 2022: 81). 'Displaceability' makes longer term tactics such as banning and spatial banishment seem logical. Banning orders attach to the body of a person: the order prohibits their physical presence in a specific place. In Melbourne, Australia, a lawyer from Justice Connect/Homeless Law stated in an interview with us:

The main instrument that Victoria Police have [to ban someone's presence] is through... bail. So often, police... determine that... to exclude them from that area might be appropriate. Happily, applications can be made to vary those conditions, and often... are successful. But then also... often people aren't getting access to good legal advice and ongoing assistance....

Now and then they will [be] ... excluded from the CBD [which is] an area which includes a lot of vital support services which by necessity have been centralized (27 July 2022).

The location may be selected in connection with a particular activity: for example, a person may be banned from an area where there are pubs (Palmer and Warren, 2014) but more often the order applies within a roughly drawn area, defined by distance (e.g., banned from the area within a 2-km radius from a particular location), or by utilising streets as boundaries. Sylvestre, Blomley and Bellot provide an example of an area delimited in such a way from their research in Montréal, in which the person is “not to be found within the perimeter formed by Berri St (West), Sherbrooke St (North), Vian St (East) and Notre-Dame St (South)” (2020: 2).

In Canada, these bounded areas from which an individual or group is banned are known as ‘red zones’ and the banning orders that create them often have ‘a far-reaching impact both on poor and marginalized people’s lives and rights... and on the criminal justice system – in particular as individuals repeatedly breach their conditions and are managed by courts’ (2020: 11). Breaches arise from the necessities of everyday life and survival: individuals may have been banned from an area in which family members live, or in which part-time work can be found, or where support services are located. Red zones, while drawn as flattened, technocratic areas of exclusion on maps by criminal justice officials, are instruments of degrading control that have ‘dramatic, often life-threatening consequences on the embodied lives and rights of people subject to them’ (Sylvestre et al., 2020: 11).

Such techniques of degradation effect the dehumanisation of banned individuals. Unhoused individuals are treated as if they are in fact not people. Human subjects can access rights such as freedom of movement; unhoused people regularly have those rights over-ridden or removed. Banning someone from a designated space, and for extended periods of multiple months or years, assumes that the banned individual has no legal right that can be asserted in the face of the banning order. Criminal justice agents and legal officials routinely make use of such orders as a means of social sorting: filtering out undesired bodies from those present in city streets. Once viewed as lacking any legal right to presence in the designated area, the individual can be banned; once banned, the individual can be treated as if they are a kind of *waste*.

The temporality of a banning order, which might be in effect for a period of months or years, implies that the individual’s status as waste is not permanent: they are able to return to public space with the legal status of a human subject. Banning orders thus are imagined as a kind of recycling, removing a person and awaiting their return, remade, for future use. Such is the effect of the disembodied technocracy that underpins a banning order. Banning, however, does not merely ‘end’ on a calendar date. Conforming to the dictates of a dehumanised condition is difficult: individuals move around the city as determined by their needs, desires, fears and commitments and are thus prone to infringing the order’s requirements. Infringements can be met with additional conditions and restrictions, extension of the order, fines or incarceration. The Los Angeles activist Pete White noted that, for the affected individual, banning orders culminate in a condition of *banishment*: “Banishment is when there is no place for you to go. Places for you to go are jail or death” (quoted in AEPLRC, 2022: 77).

Spatial Waste Management and Social Death

Houselessness can kill. Unhoused people are killed by the effects of exposure to cold, rain, sun, wind, toxic chemicals, malnutrition, drugs and alcohol and violence. The organisation Homeless Deaths Count estimated that in the United States at least 20 unhoused individuals died every day in 2020 (approximately 7300) (Homeless Deaths Count, no date). In Australia in 2021, an estimated 424 people died while unhoused (Pearson, 2021). While recording the fact of a person's death, such statistics do not necessarily record the deceased person's identity, since they may have been rendered *socially dead* long before their corporeal death. An unhoused man, known only as 'Andy', was found dead in a park in Sydney, Australia, in 2014. No agency has been able to connect him to any official records, family, previous address or friends (Mitchell, 2023).

Disconnectedness from apparatuses of governmental support and control is one version of social death, in which an individual is confined to an existence within urban interstices. Such social death can result from the regulatory tactics brought to bear on unhoused people. Unlike Andy, individuals may be known to system apparatuses and agencies; for them, social death describes the dehumanisation wrought by municipal and criminal justice responses to their presence in urban space. In our analysis of municipal and legal practices of exclusion as socio-spatial waste management, we have drawn on Mbembe's account of the dehumanisation of the slave within the 'political-juridical structure' of the plantation, in which the slave is subjected to 'a triple loss: loss of a "home" loss of rights over his or her body, and loss of political status' (2003: 21; see also Roy, 2017).

Of the three regulatory tactics discussed, spatial banning shows this most plainly. The individual is expelled, *abjected*, from the territory of the city: 'under the cunning, orderly surface of civilizations [is hidden the] horror that they attend to pushing aside by purifying, systematizing, and thinking; the horror that they seize upon in order to build themselves up and function' (Kristeva, 1982: 210). The person who lacks accommodation can be quickly enmeshed in regulatory networks that impose conditions on activities, place of sleeping and possessions. Breaching these conditions is all too easy. Banishment formalises the individual's social death. As Roy puts it in her analysis of the dis/possessive politics of property and race, '[racial] banishment... is predicated on the permanently insecure possession of property and personhood' (2017: A9). Just as bodily abjection expels disgusting or unclean objects from the body, to be socially dead is to be categorically aligned with the dirt and waste that constitute the repressed radical other to the body of the human subject. Social death, in turn, allows authorities to continue to treat unhoused people as waste to be disposed of rather than individuals trying to sustain liveable lives.

Why do city authorities construct unhoused people as requiring removal from the streets? The answer may be located in deep associations between waste and disgust, through affect generated from 'interpersonal zones of intensity' (Benson-Allott, 2015: 268) connected to dirt, waste or debris. In the terrain of the city, the powers of policing, criminal law and social policy conjoin in responses to the perceived presence of destabilising and contaminating 'dirt'. As Valverde argues, the history of sanitation is tied both to a racist notion of 'national character' (2019: 328) and to a reconceptualisation of the city as a discrete organism, rather than a collection of individuals, which was in 'poor health' (2019: 328) and required management, maintenance and sanitation.

Revulsion from dirt is not universal, although there might seem to be shared revulsion from certain materials (such as those listed by Kristeva, 1982, and Miller, 1997), disgust is also situational and circumstantial. ‘Filth’ can be both polluting and valuable (Campkin, 2012). For those without housing, disgust at waste might operate differently: ‘informal or fugitive sources of sustenance, care, and shelter, can be found in places such as dumpsters, rubbish bins, alley ways, sewers and tunnels’. Such places hold garbage and waste – the seeming ‘points of no return in the social life of a thing’ (Boarder Giles, 2014: 94). For Giles, trash is that which *lacks* market value; a site which holds trash, such as a dumpster, is constructed as ‘illegible, untrustworthy, and identified with all manner of social deviance. More than that, though, it is also *repellent*’ (2014: 105). Such revulsion maintains a separation between places in the normatively sanitised city and urban locations of the ‘geographies of survival’ practised by the unhoused (Mitchell and Heynen, 2009). A city inhabited by the unhoused threatens the stability of the separation created between dirt or waste and social hygiene.

When we walk down streets from which encampments have been removed and donation seekers moved on, such technologies of spatial waste management have replaced awareness of the ‘past lives that used to inhabit’ these places with ‘a willed blindness to the [previous] occupant’s act of living’ in these now-empty streets (Kotef, 2020: 185). Street-cleaning, however, always comes at a cost. When removing garbage or sweeping dust from pavements, those who work in waste management face stigma, health problems and the frustrations of a Sisyphian struggle with urban debris (Ablitt and Smith, 2019; Hughes et al., 2017; Nagle, 2001; Van Kampen et al., 2020). Removal of unhoused people has impacts on the objects of such strategies rather than on those who perpetrate their banishment or the destruction of their property. The destruction of property through a sweep ‘impacts advocacy and outreach efforts to provide mutual aid in dependable locations’ and effects a regime of ‘forced displacement and dispossession under the guise of sanitation’ (Giamarino and Loukaitou-Sideris, 2023: 25).

The spatial exclusion of unhoused people deflects their implicit or explicit demands for shelter, food, places to keep treasured possessions, places to rest and relax – for the infrastructures that housed people take for granted (Speer, 2016). If city authorities ceased spatial exclusion tactics, their policies could instead mitigate the precarity that surrounds public houselessness. Banishment should be replaced with ‘compassionate policies that unconditionally (i.e., zero criminalisation) provide life-sustaining services and permanently affordable housing opportunities’ (Giamarino and Loukaitou-Sideris, 2023: 25). Policymakers must resist socio-spatial anxieties about abjection and proximity to dirt through living a life in the interstices of the city and the state.

City authorities could provide locations for storage, laundry and showering. In Australia, the service provider Orange Sky runs a mobile laundry and shower service delivered from the back of a van to unhoused people. In relation to showering in one of Orange Sky’s vans, co-founder Lucas Patchett notes that ‘washing in public when it should be a private thing – it can be really challenging’. Rather than banishing people without heed to their dignity and human needs, cities could address these challenges to human dignity by creating places in which to offer such services, and must design

them with unconditional care and empathy, avoiding ‘carcerality and banishment masquerading as care and safety’ (Roy, 2023: 4).

As noted at the outset of this article, in a rare recognition of the unhoused person as a human subject, the Communities and Justice Department of the State Government of New South Wales, Australia, stated in its *Protocol for Homeless People in Public Places*, ‘People experiencing homelessness have the same rights as any member of the public to *be in public places...*’ (New South Wales Communities and Justice, 2022: 3) (emphasis added). By centring a principle such as this, city authorities could reduce the harms of socio-spatial exclusion and the risks of social death. As Roy notes, however, the critical focus must be on ‘the ethics of human life’ rather than on ‘the persistence of social death’ (2017: A9): her focus on collectivist movements resisting the twinned politics of property and personhood centres anti-eviction strategies rather than municipal reliance on eviction orders, and collectivist organising by unhoused individuals in the face of municipal displacement and dispossession (2017, 2023; see also AEPLRC, 2022). Similarly, Vasat and Vane note that despite the precarity of encampments thanks to sweeps by local authorities, ‘[h]omeless camps can also be sites for resistance, home making and/or diverse political agencies or agendas’ (2023: 5). In their London-based study, Kyprianides et al. emphasise the dynamic ingenuity of participants in negotiating what they describe as ‘a game of cat and mouse’ (2021: 679): one woman engaged in donation seeking, when told to move on, simply walked across the road into the jurisdiction of a different local council with less extensive powers. However, such ingenuity comes at an emotional cost: ‘homeless participants spent a good deal of their time seeking to evade the police so that they could do what they felt they needed to do to survive’ (2021: 679).

While collective encampments exist precariously within contemporary cities, they provide for vital aspects of survival, including better safety and security from anti-homeless violence, autonomy that shelters do not afford and relative stability in community and location of shelter (Junejo et al., 2016). The targeting of encampments seeks to undermine *collective* rights to urban infrastructure (Speer, 2016). Communities of people sleeping rough are confronting to governments because of the solidarity generated from such formations, and the *public* visual and spatial dissent they constitute through their claim on specific parts of cities (Junejo et al., 2016).

Recognition of presence, voices, stories, property, communities. While unhoused people remain unhoused, their lives lived in urban space should be seen, heard, acknowledged, recognised. To do otherwise treats lives as waste, renders them abject, risks their social death. Spike Chiappalone, formerly of the Homeless Persons Union in Victoria, Australia, commented: ‘it should be part of the way we do things... that we hear from people that have been excluded and that experience stigma, and who were being heavily policed’.⁷ In taking up Mbembe’s exhortation for research to take the form of ‘a conscious attempt to retrieve life and “the human” from a history of waste’ (quoted in Roy 2017: A9), we have sought to counter the municipal and legal alignment of unhoused people with waste in order to struggle against the social death of unhoused individuals. For unhoused people to have presence, personhood, voice, property and collectivity: as Chiappalone says, ‘it should be part of the way we do things’.


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Notes

1. In this article, we use the terms ‘unhoused’ and ‘houseless’ instead of ‘homeless’ and ‘houselessness’ instead of ‘homelessness’ in order to focus attention on housing inequality. On the ‘toxic narratives’ connected to terms such as ‘homelessness’, see Slayton (2021); see also Mei-Singh (2023: 374) on ‘living with abandon’ in Hawai’i.
2. In addition to examining social, municipal and legal responses to public homelessness, the research project also examined such responses to public expressions of political dissent: see for example Young and Popovski (2023). For an account of some synthesised implications from the project, see Lundberg et al. (forthcoming, 2024).
3. Ethical aspects of the research project were considered by the University of Melbourne Human Subjects Research Committee, and research was conducted under protocols developed with their approval. Initially, it was assumed that interviews would be conducted with individuals who had lived experience of being unhoused; however, a later decision was taken by us to eschew this method, due to the risk of causing unjustifiable distress to participants. Instead, we focused on publicly available statements made by advocates and activists, and others who experienced houselessness.
4. Fieldwork was done by us in Melbourne, Sydney, Adelaide, Brisbane, London, Oxford and Tokyo: some of these locations were selected as cities offering interesting comparative dimensions due to the existing municipal strategies of tactics of criminal justice agencies in the locale (Melbourne, Sydney, Brisbane, Adelaide, London); others were investigated when present in the city for unconnected reasons (Tokyo, Oxford). Our understanding of the situation in Los Angeles is indebted to the extensive research done by Ananya Roy and her colleagues.
5. <https://www.westminsterlabour.org.uk/issues/2022/09/03/keeping-westminsters-streets-clean/>.
6. <https://www.london.veolia.co.uk/city-westminster>.
7. In a round table discussion with us, local council employees and service providers, 12 December 2022.

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