

## **“Sorry” Doesn’t Scratch the Surface: Considering Connections to the Homeless**

### **I: A Common Case**

If you’ve spent any time in a South African city, you’ve probably interacted with a homeless person. Though the specifics vary, in general these interactions follow a standard pattern. Someone approaches you, asking for attention and for financial assistance, at which point there are at least three options: help them, ignore them, or communicate something to the effect of “...sorry, but no”.<sup>1</sup>

Which option ought one to choose?

When I began considering this question, I thought there would be an easy answer. For example, it seemed clear to me that the second option - to pretend the person doesn’t exist in the hope that they go away - was inhumane and ought to be avoided. But I’ve come to appreciate that matters are not so simple. In a country as violent as South Africa, context is crucial. A vulnerable person walking home alone at night can hardly be faulted for failing to acknowledge a stranger.

The other options become similarly complicated when considered in the context of the real world. At the root of this complexity is a tension between two needs: the need to acknowledge the dignity and common humanity of others, and the need to preserve oneself. It is for each individual to decide how to reconcile this tension - at least, I lack the necessary authority and wisdom to decisively resolve it myself.

Accordingly, the purpose of this piece is not to dictate how one should behave, but to explore the social dynamics at play in interactions between housed and homeless people.

In particular, this piece aims to do three things. First, to show that homelessness in South Africa is not “normal”: it is neither a natural phenomenon nor an inevitable consequence of modernisation, but rather a product of the country’s idiosyncratic and violent history. Second, to show that how one responds to homelessness - and specifically, the sense in which one says they are sorry - reveals something about how one understands this history, one’s place in

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<sup>1</sup> Other options exist - one could, for example, respond with anger or violence - but such misanthropic behaviour does not merit discussion here, as it runs contrary to the aims of this piece (discussed below).

it, and the obligations one believes are owed to other people. Third, this piece aims to deepen the reader's understanding of homelessness, in the hope that understanding breeds empathy, and that empathy imbues one's actions with compassion.

To avoid misconceptions, at the outset let me clarify two points: one regarding my choice to focus on homeless people, and the other regarding the language I use to do so.

First, note that homelessness is a transient state: it is something that people can slip into and out of and which lasts different lengths of time for different people. It is not a fixed part of one's identity (as is for example one's ethnicity). It is also not a neat binary category, but instead exists on a spectrum: consider how both someone who sleeps in a shelter and someone who sleeps on the street could be called homeless, even though their experiences may materially differ. Furthermore, that someone asks for assistance in a public space does not necessarily imply that they are homeless.

Nevertheless, I focus on homeless people, as opposed to other indigent people that make ends meet through informal trading or begging on the streets, because it is in the interactions between homeless and housed people that the different roles of sorry can be seen most clearly. In this sense, such interactions serve as a paradigmatic case. That said, the analysis that I give in this piece for the most part applies equally to all people that subsist on the streets of South Africa.

Second, let me acknowledge the potential discomfort of distinguishing between "the homeless" and "everyone else". Some scholars take this distinction to imply a normative difference between these groups, and suggest that to use such language is to objectify people that are currently homeless.<sup>2</sup> I disagree. While there is indeed a factual difference in the circumstances of these two groups, and homeless people are frequently subjected to social exclusion because of this difference, acknowledging its existence does not imply that it is somehow just. Objectification is a risk whenever one writes about a specific group, but by repeatedly emphasizing the agency, subjectivity, and diversity of homeless people, it is one I hope to avoid.

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<sup>2</sup> David Farrugia and Jessica Gerrard. "Academic knowledge and contemporary poverty: the politics of homelessness research." *Sociology* 50.2 (2016): 278-9.

My approach is as follows. In section II I provide a framework for understanding what “sorry” means, note three distinct senses in which it can be interpreted, and discuss the vital role the expression plays in moderating interactions with homeless people. Section III aims to shed light on both the causes of homelessness in South Africa and the lived experiences of homeless people.

In Section IV, I discuss which of the three senses of sorry (if any) are most appropriate in interactions with homeless people, and consider the social and moral obligations entailed by each sense. Section V concludes with a call for compassion.

## **II: Sorry for Sorry’s Sake**

What drives one to say “sorry” to homeless people, on the occasions that one does?<sup>3</sup> And what is it that one may be sorry for?

On the first question, a combination of politeness and emotion-orientated accounts provide some explanation.

“Sorry” is often an expression of politeness. In this capacity it signals respect for and deference towards others. Think of the “sorry” one might murmur when bumping into a stranger in a queue or a crowded room. This is often how the word is used in interactions with homeless people - they may say sorry for approaching you, and you may say sorry for failing to help them.

On its own, this explanation is of limited value, because it does not tell us what moves people to act politely in the first place. For this, we need to consider the various emotions that may underlie these situations - notably sadness, compassion, fear, and guilt.<sup>4</sup>

Sadness is a broad emotion that often co-occurs with other more specific feelings. The subtext of a “sorry” motivated by sadness is something like “I’m sorry this happened to you”. This is the kind of “sorry” one might say when a friend’s dog dies, or when someone stubs

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<sup>3</sup> Although I use the verb “say” for simplicity here, the same analysis applies to non-verbal apologetic gestures.

<sup>4</sup> This list is not exhaustive of the possible emotions one may feel; nor are the listed emotions mutually exclusive.

their toe. These examples also illustrate compassion, which can be understood as sympathy or concern for the suffering of others. In many instances, it may be a mix of sadness and compassion that spurs one to say sorry to homeless people.

But these are not the only motivating forces. “Sorry” may also flow from a place of guilt, if one feels that failure to provide assistance qualifies as an act of wrongdoing or amounts to a failure to meet some obligation.<sup>5</sup> In this case, “sorry” functions as an apology - a request for forgiveness from the wronged person. Finally, consider the role of fear: feeling vulnerable while interacting with a homeless person may lead one to say “sorry” in the hope that this display of respect is sufficient to defuse the situation.

These emotions are highly contextual: seeing the same person in the same spot may evoke different feelings on different days. Furthermore, emotional responses can be dulled by repeated exposure to the suffering of others. This is commonly called desensitization, where what was initially heart-wrenching now barely registers a response.

These kinds of emotional explanations provide some insight into what motivates one to say “sorry”. But to fully understand the role sorry plays in these interactions, it is important to also consider what it *is* that one may be sorry for.

Here it is useful to distinguish three distinct ways the word “sorry” can be interpreted.<sup>6</sup> First, it can mean “I am sad that you are suffering”, as in the ‘dead dog’ example above. This is sorry only as an expression of empathy and compassion. Second, it can mean something like “I was fully responsible for this situation. I acknowledge my wrongdoing, feel remorse that it happened, and will do my best to refrain from similar acts in future”.<sup>7</sup> This is “sorry” as an apology.

Third, and perhaps counterintuitively, it can mean “I am sad you are suffering. The reasons for your suffering are tangentially related to my actions, but it is not my fault. I would have

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<sup>5</sup> I explore this idea further in section IV.

<sup>6</sup> Adapted from Slate Star Codex, ‘Giving and Accepting Apologies’ (2013) available at <https://slatestarcodex.com/2013/09/14/giving-and-accepting-apologies/>.

<sup>7</sup> These four components - an acknowledgement of wrongdoing, a recognition of responsibility, an expression of remorse, and an intention to refrain from similar acts in the future - are often considered essential requirements for a “valid” apology - see Mihaila Mihai, ‘Apology’ *Internet Encyclopaedia of Philosophy*, available at <https://iep.utm.edu/apology/>.

prevented this if I could have.” A good example of this is the “sorry” a doctor may say to a patient’s family when, despite their best efforts, their patient dies. Each of these three interpretations admits a different degree of responsibility on the part of the speaker for whatever it is they are sorry for.

This is interesting, as it is often unclear in which sense one is saying sorry to homeless people,<sup>8</sup> and different people use the word in different ways. Some may use it only to express sympathy, as they believe they bear no responsibility. Others may intend the term to convey a genuine apology, as they view their failure to help as wrongful. And third, some may (for various reasons, discussed below) believe that they are at least tangentially responsible for the predicament in which homeless people find themselves, and apologize accordingly.<sup>9</sup>

Which of these senses, if any, is most appropriate? This depends on how one understands the moral order and the extent to which one thinks they bear personal responsibility for the suffering of homeless people, which I consider in section IV below. Before that, some context.

### **III: Who are the Homeless?**

My repeated use of the phrase “the homeless” may contribute to the impression that they comprise a single monolithic group. In fact, the homeless community in South Africa - and across the world - is highly diverse. There is diversity in terms of the reasons that people are homeless, the length of time they have spent on the streets, and the specific challenges each person faces. Accordingly, although I try in the following subsections to paint an accurate picture, be mindful that this analysis is somewhat reductive (especially given the dearth of reliable data on the topic).

It is estimated that there are “roughly 200 000” homeless people in South Africa.<sup>10</sup> This equates to about 346 homeless persons per 100 000 people in the country. Contrast this with

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<sup>8</sup> This may be unclear not only to the person to whom sorry is said, but also to the person saying sorry. But that the speaker may not be conscious of their intention does not mean that there is no intention underlying their actions.

<sup>9</sup> Such reasons could include that their own privilege is arbitrary (if for example they were born into wealth), or that they were beneficiaries of the same structural forces that have conspired against homeless people. More on this below.

<sup>10</sup> C Desmond et al, ‘Towards the development of a contextualized homelessness policy: a Durban case study’ (2017) *Human Sciences Research Council* 1.

the United Kingdom's rate of 8/100 000, Chile's rate of 155/100 000,<sup>11</sup> and India's rate of 131/100 000,<sup>12</sup> and it becomes clear that, even for developing countries, this is an astonishingly high number.

The value of international comparisons is however limited by the fact that there are conflicting definitions of homelessness. For example, the United Nations' definition encompasses both people that have no shelter and those whose shelter is "inadequate".<sup>13</sup> This may suffice for developed countries, where informal housing is "efficiently prohibited" and so barely exists,<sup>14</sup> but in countries (like South Africa) that have substantial informal settlements, it would be a mistake to lump these groups together.<sup>15</sup>

Many more people live in informal settlements than are homeless, and homeless people are often disconnected from their families and communities of origin in a way that those living in informal settlements are not.<sup>16</sup> Thus the most suitable policy options for each group may be different, and indeed in certain cases may be "diametrically opposed".<sup>17</sup> Because of these nuances, it is preferable to restrict the definition of homelessness to include only those that do not have a roof over their heads.<sup>18</sup>

It is difficult to get an accurate picture of the demographics of homeless people. Census data, one of the most common sources of demographic information, is typically collected on the basis of domicile, which is of little use when trying to count the number of "undomiciled" people.<sup>19</sup> The information that is available comes primarily from survey data, which ought to be interpreted with caution.

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<sup>11</sup> Estaban Ortiz-Ospina and Max Roser, 'Homelessness' (2017) *Our World in Data* available at <https://ourworldindata.org/homelessness>.

<sup>12</sup> Thiyagarajan Arulmani et al 'Homelessness: An Emerging Threat' (2018) *5 Inform* 18.

<sup>13</sup> Catherine Cross et al 'Skeletons at the feast: A review of street homelessness in South Africa and other world regions' (2010) 27.1 *Development Southern Africa* 6.

<sup>14</sup> *Ibid* 16.

<sup>15</sup> *Ibid* 7.

<sup>16</sup> *Ibid* 15.

<sup>17</sup> See *Ibid* 17 for a detailed discussion of the differences between these two groups.

<sup>18</sup> This is sometimes referred to as "primary homelessness", in contrast to the "secondary homeless" that only have access to inadequate housing. Desmond *op cit* note 10.

<sup>19</sup> Pieter Kok et al 'Towards a demographic profile of the street homeless in South Africa' (2010) 27.1 *Development Southern Africa* 28.

From this data, it emerges that the homeless population is composed primarily of “older children and working-age adults” and is “predominantly male”.<sup>20</sup> It also emerges that the child and adult populations are largely separate; as homeless children are more likely to have been born in urban areas, whereas adults are more likely to have immigrated from rural areas.<sup>21</sup> The adult homeless population is also significantly larger than the child population.<sup>22</sup>

Thus it appears not to be the case that homeless children grow up to be homeless adults; though it is unclear where these children go upon leaving the streets.<sup>23</sup> Finally, it is worth noting the presence of other African nationals in these populations, although it is unclear in what proportion they are represented.<sup>24</sup>

Before discussing some of the practical hardships entailed by homelessness, let us consider its causes.

#### i) Causes of Homelessness

There are, broadly, three types of explanations for homelessness, sometimes referred to as “sin talk”, “sick talk”, and “system talk”.<sup>25</sup> These seek to explain homelessness by reference to moral culpability, pathological incapacity, and structural inequality, respectively.<sup>26</sup> I weigh the merits of each below.

Sin talk casts homelessness as a product of behaviours deemed sinful or immoral, like idleness, drinking, and substance use. This was one of the first ways in which homelessness was conceived, and as such is inextricable from its historical context. In South Africa, its roots trace back over two hundred years, to a series of colonial policies that criminalized homelessness (or “vagrancy”, as it was then called).<sup>27</sup>

These laws imposed significantly harsher penalties on “vagrants” that were not white - an 1895 law of the Orange Free State colony, for example, provided that as punishment for

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<sup>20</sup> Ibid.

<sup>21</sup> Ibid 36.

<sup>22</sup> Ibid 34.

<sup>23</sup> Ibid 34.

<sup>24</sup> Ibid 36. The proportion of foreigners appears to change in relation to the political and economic situations of South Africa’s neighbouring countries.

<sup>25</sup> Peter Somerville ‘Understanding homelessness’ *Housing, theory and society* (2013) 30.4 388.

<sup>26</sup> Farrugia *op cit* note 2 270.

<sup>27</sup> Magnus Killander “Criminalising homelessness and survival strategies through municipal by-laws: Colonial legacy and constitutionality.” *South African Journal on Human Rights* 35.1 (2019) 71.

vagrancy “non-whites could be contracted as a servant of a white person for up to a year”.<sup>28</sup> Similarly racially skewed policies existed in the Cape Colony, Natal, and the Transvaal. Thus the perception of homeless people (and particularly homeless people of colour) as being “idle”, “disorderly”, and a threat to (colonial) public safety was already well-established by 1910, when the four colonies merged to form the Union of South Africa.<sup>29</sup>

Vagrancy laws were interlinked with the notorious pass laws insofar as they shared a common aim: to prevent non-white people from accessing most areas for any reason other than to provide labour to the white minority.<sup>30</sup> This was achieved through acts such as the Native (Urban Areas) Act 21 of 1923, the Native (Urban Areas) Consolidation Act 25 of 1945, and the Native Laws Amendment Act 54 of 1952. These and related acts aimed to constrict and control the lives of poor people, and to this end they succeeded.<sup>31</sup>

While Apartheid laws are no longer in force, homelessness remains criminalized in many parts of the country by municipal by-laws that prevent begging, “loitering”, or sleeping in public spaces; although the enforcement of these laws varies by region.<sup>32</sup> These by-laws effectively license police harassment and abuse, of which homeless people are frequently a target. On average, they are arrested “once every three years” - a rate eleven times higher than for the general population.<sup>33</sup> The penalties for contravention of these by-laws are typically fines (unpayable for most homeless people) or imprisonment.<sup>34</sup>

Once we understand that the association between homelessness and immorality is largely a by-product of prejudicial policies, its explanatory value diminishes. Of course, this is not to say that behaviours like drinking or substance use do not play a role in a person becoming homeless - often they do. But these behaviours should be understood in the context of the impoverished circumstances in which they arise. On this point, the sociological concept of “edgework” is useful: here it refers to the idea that, in conditions of material insecurity,

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<sup>28</sup> Section 30 of the ‘Law to Provide against Stock Thefts, Vagrancy and the Congregation of Coloured Squatters of the Orange River Colony’, from Ibid 74.

<sup>29</sup> Ibid 76.

<sup>30</sup> Ibid 73, 77.

<sup>31</sup> Ibid 78.

<sup>32</sup> Ibid 71.

<sup>33</sup> Jonathan Hopkins et al ‘The Cost of Homelessness in Cape Town’ (2020) *forthcoming* 9.

<sup>34</sup> Killander *op cit* note 27 83.

people choose to engage in risky behaviours (such as drug usage) as a means of exerting a degree of control over their lives.<sup>35</sup>

In sum, sin talk seeks to explain homelessness by assuming fault on the part of individuals. This is too moralistic, insofar as it judges behaviours like drinking to be inherently sinful; and it is too reductive, insofar as it fails to account for the historical conditions that gave rise to these behaviours. As an explanation, it is valuable only to the extent that, unlike the two explanations discussed below, it acknowledges the agency of the homeless.

Sick talk departs from the idea that homeless people often have various physical and mental health problems, as well as other “vulnerabilities”.<sup>36</sup> Unlike above, the idea here is not that people deserve to be homeless because of their perceived moral shortcomings, but rather that people become homeless because of these vulnerabilities. This is true enough, but fails to account for the degree to which the colonial policies and practices discussed above, as well as other unignorable structural forces, have given rise to these vulnerabilities in the first place.

For example, the “dop” system, which for over two hundred years paid farm workers in the Western Cape with alcohol as well as with money, is widely understood to have exacerbated alcoholism and caused widespread social harm to the Cape Coloured community.<sup>37</sup> In these areas alcoholism is not just an individual pathology; it is also the consequence of malign social policies.

A further problem with explanations grounded in “sick talk” is that they risk reducing people to their disabilities. They may conclude, for example, that the best solution for a homeless person suffering from severe depression is to commit them to an institution, when they may be better served simply by receiving unconditional access to housing. This logic fails to appreciate the agency that most homeless people possess. Agency may be limited by material insecurities and vulnerabilities, but it is not absent.

Finally, let’s consider system talk, which captures the idea that homelessness is the result of structural, not personal failures.

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<sup>35</sup> Farrugia *op cit* note 2 279.

<sup>36</sup> Somerville *op cit* note 25 388.

<sup>37</sup> Philip A May, et al. "The Dop System of Alcohol Distribution is Dead, but Its Legacy Lives On...." *International journal of environmental research and public health* 16.19 (2019): 3701.

We have already seen how colonial policies constructed the idea of homelessness at the same time that they criminalized it. For the colonial and apartheid governments, the control and segregation of space was central to the oppression of people of colour, and to securing the country's resources for the white minority.<sup>38</sup> When some of this institutional infrastructure was removed via the Abolition of Influx Control Act 68 of 1986, and migration into urban areas finally became possible, the number of homeless people swelled.<sup>39</sup>

The dismantling of the apartheid laws did not (indeed, could not) undo their consequences. Apartheid “geographically locked in racial inequalities”, and these inequalities have only deepened since the dawn of democracy in 1994.<sup>40</sup> The reasons for this are numerous, complex, and need not be fully canvassed here. Accordingly, I restrict my focus to three factors and discuss them only insofar as they are relevant to homelessness: the turn to neoliberalism, the lack of a coherent national homelessness policy, and the effects of economic stagnation.

Broadly, neoliberalism refers to a mode of governance characterized by “orthodox fiscal policy, open markets, international trade liberalisation, privatisation, and a pro-investment environment”.<sup>41</sup> The term is difficult to pin down: it means different things in different contexts; and is often used pejoratively to refer to globalisation and the influence of international institutions such as the World Bank.<sup>42</sup> While neoliberalism is not homogenous - it takes different forms at “different geographical scales” -<sup>43</sup> most commentators agree that since the adoption of the Growth, Employment and Redistribution (GEAR) policy in 1996, South Africa has largely operated under a neoliberal paradigm.<sup>44</sup>

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<sup>38</sup> Faranak Miraftab "Governing post-apartheid spatiality: implementing city improvement districts in Cape Town." *Antipode* 39.4 (2007): 603. This segregation was institutionalized through a series of laws, such as the 1913 Land Act, the 1950 Group Areas Act, and the pass laws discussed earlier,

<sup>39</sup> de Beer, Stephan, and Rehana Vally. "(Finding) Pathways out of homelessness: An engaged, trans-disciplinary collaborative in the City of Tshwane." *Development Southern Africa* 34.4 (2017): 386.

<sup>40</sup> Sagie Narsiah "Neoliberalism and privatisation in South Africa." *GeoJournal* 57.1 (2002): 37.

<sup>41</sup> Sophie Didier, Marianne Morange, and Elisabeth Peyroux. "The adaptative nature of neoliberalism at the local scale: Fifteen years of city improvement districts in Cape Town and Johannesburg." *Antipode* 45.1 (2013): 125

<sup>42</sup> Narsiah *op cit* note 40 29.

<sup>43</sup> *Ibid* 37.

<sup>44</sup> *Ibid* 31, Didier *op cit* note 41 125. Although GEAR was replaced in 2005 by a new macroeconomic strategy, the neoliberal framework it facilitated persists today. For a detailed discussion of the various macroeconomic policy shifts South Africa has undergone since 1994, see Naidoo, Vinothan, and Annelie Maré. "Implementing the National Development Plan? Lessons from co-ordinating grand economic policies in South Africa." *Politikon* 42.3 (2015): 407-427.

Perhaps the most relevant consequence of this for our purposes is that local governments are now “encouraged to be entrepreneurial and [to] improve local revenues by private sector participation and using market-based strategies”.<sup>45</sup> This has led to many urban and wealthy suburban areas voting to become “city improvement districts” (CIDs).<sup>46</sup> CIDs are managed by “non-profit, private partnerships between local governments and businesses”, which allow local governments to contract out certain services (like refuse management and traffic control) to private companies. Once more than 50% of an area’s property owners vote to become a CID, all owners must participate by paying a certain fee, collected by the municipality.<sup>47</sup>

Whether or not these CIDs have on balance been beneficial for South Africa is a contentious question. It is clear, however, that in prioritizing the marketability and investment potential of the areas that they govern, they have been harmful for the homeless.<sup>48</sup> While homeless people have an incentive to stay in economically prosperous areas - and indeed sometimes choose to do so rather than staying in informal settlements, because this is where they stand to make the most money (whether from relying on the donations of other citizens, or through “small-scale” jobs like car-guarding and gardening);<sup>49</sup> municipalities have a countervailing incentive to exclude them from these areas, because they are bad for attracting investment.<sup>50</sup>

Thus the anti-homeless by-laws mentioned above are often enforced as a pretext for “sanitizing” an area, so that it appears more palatable to potential investors. By catering primarily to the interests of businesses and wealthy citizens, and by pursuing “integration into the global economy” at the cost of national integration and social cohesion, the logic of neoliberalism “has continued to a certain degree the apartheid legacy of spatial inequalities”.<sup>51</sup> In many cases, property rights have been valued more than poor people.

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<sup>45</sup> Miraftab *op cit* note 38 604.

<sup>46</sup> Depending on the area, CIDs are sometimes referred to as “business improvement districts” or “urban improvement precincts”. Although the specifics of the frameworks under which they operate may vary from city to city, the core concept is the same.

<sup>47</sup> Ibid 605.

<sup>48</sup> Ibid 604.

<sup>49</sup> Desmond *op cit* note 10 1.

<sup>50</sup> Cross *op cit* note 13 6.

<sup>51</sup> Miraftab *op cit* note 38 615, 620.

Another structural factor worth noting is the “paucity of national guidelines and policies on homelessness”.<sup>52</sup> Government responses have primarily come from the housing and social welfare sectors, and have generally focused on those with inadequate housing - they have not specifically addressed homeless people.<sup>53</sup> While some provinces (such as Gauteng) have adopted more targeted policies, these have been disjointed and largely ineffective.<sup>54</sup>

Homeless shelters, usually driven by faith-based non-governmental organizations, have tried to fill these gaps, but these shelters often impose restrictions that limit their usefulness to homeless people. For example, many shelters impose curfews or require abstinence from drugs, alcohol, and sometimes even sex before marriage, in line with their internal value systems. This renders them practically inaccessible for those with substance use problems or in relationships.<sup>55</sup>

Finally, consider the links between national economic stagnation, unemployment, and homelessness. As unemployment and poverty have continued to rise in the last decade, so too has the number of homeless people.<sup>56</sup> It is reasonable to infer that the worsening state of the economy - and the lack of job opportunities available - has played a role in this increase.

While each type of explanation is in itself deficient, cumulatively they provide some insight into what causes homelessness. As Somerville notes, “‘structural’ factors create the conditions within which homelessness occurs, and then, ‘individual’ factors determine the likelihood of becoming homeless in those conditions”.<sup>57</sup> Although it is difficult to apportion responsibility between structural and individual factors, it is clear that in South Africa structural factors have played an outsized role. This explains why the country has much higher rates of homelessness than not only developed countries with strong social welfare systems, but also many other developing countries.<sup>58</sup>

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<sup>52</sup> De Beer *op cit* note 39 385.

<sup>53</sup> Vinothan Naidoo. "Government responses to street homelessness in South Africa." *Development Southern Africa* 27.1 (2010): 131.

<sup>54</sup> *Ibid* 139.

<sup>55</sup> Antoinette Oosthuizen 'Home first: a starting point for the chronically homeless?' (2020) 18(3) *HSRC Review* 27. Rinie Schneck et al. "Homeless in observatory, Cape Town through the lens of Max-Neef's fundamental human needs taxonomy." *Social Work* 53.2 (2017): 273.

<sup>56</sup> The World Bank *Overcoming Poverty and Inequality in South Africa: An Assessment of Drivers, Constraints and Opportunities* No. 124521 (2018) 1.

<sup>57</sup> Somerville *op cit* note 25 388.

<sup>58</sup> Cross *op cit* note 13 17.

Explanations grounded in sin talk, while mostly without merit, are useful insofar as they recognize that some people may end up homeless as a result of their own actions. Sick talk is useful for recognizing that many people have specific vulnerabilities - often caused by historic injustices - that increase their risk of becoming homeless.

Ultimately, however, it should be kept in mind that the pathways that lead one to homelessness, while often involving common elements - like financial difficulties, mental health and substance use issues, and violent or otherwise fractured family situations - vary immensely between people.<sup>59</sup>

### ii) The Experience of Homelessness

Homeless people are “among the most destitute members of society”.<sup>60</sup> They are deprived not just of a home, but also of the safety, privacy, and sense of rootedness that a home provides.<sup>61</sup> For this reason, homelessness is often considered a “multidimensional phenomenon”.<sup>62</sup>

Being homeless entails many practical challenges. One must carry all one’s possessions wherever one goes, under constant threat that they may be taken either by the police or by other homeless people.<sup>63</sup> Finding food, warmth, and a place to sleep is a daily struggle.<sup>64</sup> When food cannot be bought, it is often acquired from community sources (such as food banks and soup kitchens), from dustbins, or from other homeless people.<sup>65</sup>

Relatively few people rely on shelters, because of the difficulties noted above and because of their scarcity. Most sleep on the streets, in parks, in building sites and abandoned facilities; wherever they can.<sup>66</sup> There are, of course, no beds in these places, so people make do with what materials are available: flattened cardboard boxes, black bin bags, old sleeping bags, and more.

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<sup>59</sup> Hopkins *op cit* note 33 6 found that 50% of those surveyed in Cape Town were “chronically homeless”, having both been homeless for more than a year and struggling with a debilitating condition. See also Kerry-Lee Black ‘Exploring the lived experiences of homelessness in a Cape Town suburb.’ (2017) UCT Dissertation 14-17.

<sup>60</sup> Desmond *op cit* note 10 2.

<sup>61</sup> De Beer *op cit* note 39 385.

<sup>62</sup> Somerville *op cit* note 25 409.

<sup>63</sup> Black *op cit* note 59 15.

<sup>64</sup> *Ibid* 20.

<sup>65</sup> Schneck *op cit* note 55 274. That some homeless people acquire food from others in similar situations speaks to the generosity and sense of solidarity that infuses some people’s actions.

<sup>66</sup> *Ibid* 272; Kok *op cit* note 19 32.

Without a permanent home, and when so much of one's time and energy is expended on the daily demands of survival, it is exceedingly difficult to accumulate wealth and plan for the future.<sup>67</sup> This difficulty is exacerbated by the palpable prejudice that homeless people face.

They are often viewed by mainstream society as dirty, dangerous, and undesirable; at least partially due to the centuries of legislation linking homelessness to criminality. And it seems, from surveys and interviews, that they are well-aware of this perception. For example, one survey found that many homeless people were unwilling to approach government offices to receive social grants for which they were eligible, because they perceived their "unkempt appearance and irregular situation as unsuitable and perhaps likely to expose them to rejection".<sup>68</sup> The same logic also renders endeavours like going for job interviews difficult.<sup>69</sup>

This persistent stigma is corrosive to one's sense of self; to one's conception of their place in the world.<sup>70</sup> This perhaps explains why some seem to reject the "homeless" label and the negative connotations that come with it.<sup>71</sup>

Homeless people may be alienated from mainstream communities, but they are not "entirely isolated in the sense that is widely believed".<sup>72</sup> Many have "strong links with others on the streets" in the form of friendships, relationships, and, in some cases, quasi-family structures.<sup>73</sup> A sense of community is felt by many.<sup>74</sup> Leaving this community behind, when one is otherwise alone in the world, can be difficult; and often presents an additional challenge for people trying to transition out of homelessness.<sup>75</sup>

Taken together, these reasons clarify why homelessness is sometimes called a "slow moving tragedy".<sup>76</sup>

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<sup>67</sup> Cross *op cit* note 13 17.

<sup>68</sup> Kok *op cit* note 19 29.

<sup>69</sup> Black 21.

<sup>70</sup> Somerville *op cit* note 25 384. This is sometimes referred to as ontological security.

<sup>71</sup> The survey data analyzed in Kok at 33 found that 20% of those surveyed identified themselves as "temporarily stranded", and another 45% stated their home was "too far away to commute", although their actual situations may well have been practically identical to the 32% of respondents who unambiguously stated they were homeless.

<sup>72</sup> Kok *op cit* note 19 35.

<sup>73</sup> Ibid 35; Schneck *op cit* note 55 280.

<sup>74</sup> Ibid.

<sup>75</sup> Somerville *op cit* note 25 403. Farrugia *op cit* note 2 273.

<sup>76</sup> Cross *op cit* note 13 17.

#### **IV: Questioning Obligations**

Let us return now to the question posed at the end of section II: which of the three senses of sorry, if any, is most appropriate in interactions with homeless people?

In my view, the first sense - sorry as an acknowledgement of suffering and an expression of empathy - is merited in all cases where one can communicate this without fear for their own safety. This can be done with words or gestures, and ideally also with eye contact. Such acknowledgement can serve to combat the persistent stigma and sense of exclusion that homeless people face. At least, it enables an individual to not themselves perpetuate this exclusion, and for this reason amounts to an act of basic human decency.<sup>77</sup>

This is sufficient to conclude that one should as far as possible communicate that they are sorry in the first sense. And from the perspective of a homeless person, this may be all that matters; because while empathy is implied by all three senses, the degree to which the person saying sorry feels responsible for the homeless person's suffering is usually unclear unless it is explicitly stated.

That said, it is still worth discussing in which situations the other two senses of sorry may be appropriate - not because this would benefit homeless people, but because of what such analysis can reveal about how different people understand their connections to the homeless.

The second sense of sorry - sorry as an acknowledgement of full responsibility - would only apply if the suffering of homeless people was a direct result of one's actions, or arose from a failure to fulfil some obligation. Because homelessness is caused by a combination of structural and individual factors, there is little basis for attributing direct responsibility to any one individual due to their actions. It is however possible that there exists an obligation to assist someone in need. On this point, it is useful to distinguish social and moral obligations.

I call a social obligation one which arises from "the largely unwritten system of social mores and conventions through which [a] society is kept together as a coherent whole".<sup>78</sup> In contrast, a moral obligation is one which arises from philosophical reasoning.<sup>79</sup> These

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<sup>77</sup> Not everyone will agree with this conclusion. Those sympathetic to the logic of sin talk may believe that homeless people deserve their suffering and thus are not entitled to compassion. This perspective is largely without merit, for the reasons discussed in section III.

<sup>78</sup> Tim Dant *Television and the moral imaginary: Society through the small screen* Palgrave Macmillan, 2012 45. This largely unwritten system is what some sociologists refer to as "the moral order".

<sup>79</sup> Ibid 70.

different sources often produce the same obligations - for example, an obligation to refrain from violence is found both across different cultures and in different ethical schools of thought - and many people collapse this distinction altogether.<sup>80</sup> However, there are also cases where a moral obligation may exist in the absence of a social obligation. For example, one may feel a moral obligation to abstain from eating meat even if no such convention exists in one's society.

In South Africa, there does not seem to be a social obligation to assist homeless people. While little empirical research has been done on this point, my own experience is that no social sanctions attach to a failure to help someone on the street - failing to help is the normal state of affairs. Indeed, while I have made a normative argument above for a social obligation to say sorry in the first sense, it is not at all clear that any such obligation is currently part of the country's social conventions.

Various arguments have however been made for a moral obligation to assist those in need. The substance of these arguments need not be discussed in any detail here. For our purposes, it is sufficient to note that these can be grounded in various philosophical frameworks (perhaps the most famous of which derives from utilitarian ethicist Peter Singer's essay *Famine, Affluence, and Morality*);<sup>81</sup> and that if an individual considers themselves bound by these moral obligations, then it would be appropriate to say sorry in the second sense when they cannot fulfil them.<sup>82</sup>

Arguments for direct responsibility are typically 'forward-facing', by which I mean they claim that obligations arise if one is in a position to help someone else without thereby jeopardizing their own livelihood, and without regard for how one acquired their wealth. In South Africa, such obligations would therefore apply to the roughly 24% of the population that can be classed as "stably middle class or elite".<sup>83</sup>

Finally, consider the third sense of sorry - sorry as an acknowledgement of tangential responsibility, but not as an admission of fault. Depending on how one understands the role

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<sup>80</sup> Ibid 45.

<sup>81</sup> See Peter Singer "Famine, affluence, and morality." *Philosophy & public affairs* (1972): 229-243.

<sup>82</sup> This assumes that an apology is merited when one believes they have committed a wrong or failed to fulfil an obligation.

<sup>83</sup> Simone Schotte, Rocco Zizzamia, and Murray Leibbrandt. "Social stratification, life chances and vulnerability to poverty in South Africa." (2017) 23. This paper proposes five classes, defined by reference to the risk of one's vulnerability to poverty. The five classes proposed are the chronic poor, the transient poor, those that are not poor but remain vulnerable, the stable middle class, and the elites.

of morality in their own life, the same ‘forward-facing’ moral arguments hinted at above could also apply here with diminished strength. Furthermore, because what is required is only a tangential connection to the suffering of homeless people, this sense raises thorny questions around the relevance of one’s identity.

Unlike the ‘forward-facing’ conception above, here a ‘backward-facing’ approach is more appropriate, because to determine tangential connections one must account for history. Homelessness in South Africa is partially caused by historic structural injustices, injustices which explicitly benefited white people at the expense of people of colour (and in particular, black people), and which have resulted in race continuing to be one of the strongest predictors of wealth in the country.<sup>84</sup> Thus one could argue that these disparities should be accounted for when considering which sense of sorry is most appropriate: for example by suggesting that white people ought to be especially sorry insofar as they are tangentially responsible for the suffering of homeless people of colour.

Personally, I do not find such arguments convincing, because while it may be true that causal connections exist, by themselves they are too remote to infer the existence of any obligations; and furthermore because the value of an apology in this context lies in its expression of empathy, not its admission of responsibility. But I think they are worth mentioning, because they contextualize identity-based ideas that one sometimes encounters, such as that white homeless people are more deserving of their station than homeless people of colour due to history being slanted in their favour.<sup>85</sup>

If you feel guilty when interacting with a homeless person, it is worth questioning what the source of this guilt is. If you feel you bear some responsibility because you have failed to satisfy an obligation, question whether you think this is a social or moral obligation, and what you think this obligation entails. Such critical reflection can help to align one’s actions with one’s beliefs.

### **V: Cause for Compassion**

Homelessness defies easy explanation. It arises at the intersection of structural failures, personal choices, and medical vulnerabilities. Even so, it is clear that in South Africa, the widespread homelessness seen today is largely a product of the country’s unjust history.

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<sup>84</sup> Ibid 14.

<sup>85</sup> I reject this idea for the same reasons I reject the logic of sin talk, discussed above.

South Africa's homeless communities are heterogeneous, and, given the diversity of people that populate different provinces, operate differently in different regions. Most of us only glimpse these communities from the outside - we do not see the human connections that exist between people; the relationships, tensions, and struggles that comprise everyday life.

Indeed, homeless people are seldom paid attention to. Often they are treated as either inconvenient, threatening, or invisible. Anecdotally, I have found that many people feel a real discomfort around the homeless not necessarily because they fear for their safety, but because such situations force them to confront the realities of inequality and the suffering of others.

One way people mitigate this discomfort is by communicating that they are sorry. As we have seen, "sorry" is a loaded term. The sense in which it is used, if reflected upon, can shed light on how one understands the nature and extent of one's obligations towards others. My aim in this piece has not been to argue that there is a certain degree of responsibility that one ought to feel, but to provoke this critical reflection in the reader.

If this piece is to have any practical value for people currently experiencing homelessness, I think it will come from the following claim: if you do not fear for your safety, but you are nevertheless unwilling or unable to assist when someone approaches you in a public space; you ought to look them in the eyes and communicate that you are sorry. This is an inadequate response, insofar as it does little to mitigate the suffering of the person asking for help, but it is nevertheless necessary if one hopes to push back against the widespread social exclusion that homeless people face.

It is difficult to remain compassionate when there is so much suffering in South Africa. Even so, it is important to try.

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