

Episode 5: Violence is not a metaphor

- Hi y'all, I'm Marisa Zapata and this is the podcast where we examine homelessness by talking to researchers and experts, who of course include people with lived experience of homelessness, to understand what we're missing in the headlines and soundbites. In each episode, we will help clear up misconceptions about homelessness and to answer what it would take to prevent and end homelessness in Portland and beyond. Who am I? I'm an Associate Professor of Land Use Planning at Portland State University and director of PSU's Homelessness Research and Action Collaborative, a research center dedicated to reducing and preventing homelessness, where we lift up the experiences and perspectives of people of color.

- [Marisa] This is part two of our conversation with Coleen Carol and CeCe Powers of Don't Evict PDX. An all volunteer tenants organization that mobilized during the pandemic to observe eviction court and build tenant power. In this episode, we discuss the systemic flaws, their biggest fears and lessons from the LANDBACK movement. Colleen starts us off with a little more about how she came to this work.

- [Colleen] I'm somebody who has studied systemic violence academically, and then also have done a lot of work in anti-violence work, mostly around gender based sexual violence. And one of the things that I learned through that is the ways in which institutions, all right, the systems that we call our institutions, are either the doers of the violence or the site. Like as a building, right? How schools, how hospitals, how courtrooms are either doers of violence or the site of violence or both, and yet somehow in advocacy and in the conception of violence, a way in which how it is done is made invisible is that we're required to think about it in an interpersonal, like a one-on-one is a private thing, right? This is a thing that people who have been advocating for stronger protections against domestic violence have been doing for a really long time. This is not a private issue. This is not something that happens at home. It happens under the conditions of the society that has been created to benefit mostly white cis-het-men in this case, property owners as well. And I think gender based violence also falls into that. So my learning through doing 10 years of that work was to train myself to stop asking about what did, you know, the individual tenant stories, which is again, I think the thing that drives so much of this, it's like, "well, tell me the worst tenant story." "Tell me the hardest thing," you know, and I just refuse to the best of my ability to participate in that. And instead, what showing up to the courtroom does is it refocuses our eyes on the people who are there every day. And the people who are there every day are the judges, the clerks, the lawyers for the landlords and the landlords. Those are the people who are fluent in that language who are comfortable in that space because as CeCe said it was built for them. And so when we move our focus, I'm not discrediting the importance of tenant organizing at the site of housing. I think it is complimentary. They are not, they should be happening together, but by really just focusing on that, we are ignoring the larger systemic pieces that enable landlords to enact violence on us. The court provides a state system and the law enforcement, right? The armed foot soldiers of the state who are there to uphold property rights, right. Something that I've heard that has stuck with me really firmly in this conversation is a deed is a coupon for violence. That piece of paper doesn't really do much for us unless we buy into the whole system that it provides. And what it does is it allows one person to call in the

state to enact violence on their behalf to other people. For me, that's why I like showing up to the court so I just remind myself that this isn't because of an individual tenant or 10 tenants or, or a hundred tenants. I'm always refocusing myself on who is doing the violence who's doing and who's benefiting, who's profiting.

- [Marisa] Yeah I mean, I think this idea that the first, these systems are not set up for people who are vulnerable. They're being set up to be an exercise of power for people who are already in powerful positions. And this concept of privileging property over humans, I think is really powerful. And I wanted to see if you could talk a little bit about what you mean by violence, because I think that sometimes people hear some of that language and think of it's violence as a metaphor, but I don't think that that is what you're talking about here, particularly in the context of displacement. So I'm wondering if you could elaborate a little bit on that.

- [Colleen] So no violence is not a metaphor as it relates to housing and displacement and eviction. One of the things that I'm struggling with is coming up with the correct way to communicate that it is a variety of like layers of violence and not, and some of them are happening at the same time. Some of them happen one after the other. I think that there are, if we conceptualize violence as harm to a human done by another human, we see lots of examples of that with landlords threatening tenants, the ways in which landlords can directly threaten tenants either by access to units, pounding on doors, demanding of sex in exchange for the ability to stay, right. This type of violence is being done by an individual often right, what gets called a mom and pop, are considered mom and pop landlords. And especially if they are co-habiting in the, in the same residence, right? The ways in which coercion for sexual exploitation or threats of violence to the individual or to their family members, threatening to throw a kid out, right? Like that's violence. That is, that's an act of violence. So, right. What I'm saying is I don't, I think that there are surely employees of property management companies who are also take advantage of that position of power that they hold with their ability to report late rent or not report late rent, that sort of thing. So that's one form of violence, the ways in which, so if it goes through the court proceedings and there's a judgment, there's something called a writ of execution that is basically the landlord pays the Sheriff's office to go and forcibly remove the family from the home. And that is an extremely violent act. Having a sheriff show up at your home and have the right to bust down the door and forcibly remove you puts people in contact with police, which we know is automatically has raised the chances of bodily harm. Mental and emotional harm, specifically for communities that are persecuted by the police historically and contemporarily. Communities of color, immigrant communities, indigenous people, who have generationally persecuted by that body. And so every time somebody, an armed sheriff knocks on your door or pounds it down, like that's an act of violence. And then also anybody who experiences instability in meeting their immediate needs, especially because of the conditions created by the state, that's bodily violence as well. How you are exposed to the elements, how you are able to maintain your health, right? If you're somebody who has any health issues, de-stabilizing your access to a place to sleep comfortably, a place to store your food, a place to be in your body in privacy, all of those, when those get taken away, those are violence. We cannot take care of our bodies if we don't have access to electricity, to running water. And so all of that is violence.

- [Marisa] Yeah, I think that one of the things that we really try to lift up in homelessness research is that, you know, there is a health consequence and health outcomes to chronic stress, obviously living in a housing insecure situation, having a sheriff come to the door, but even having to go to the courts and defend yourself and be confused, that's going to contribute to chronic stress. Let alone the issues if you're trying to, you know, resolve a late payment, you are also potentially foregoing food and medicine and so forth. And so that these things are continually showing up. There's also this concept that Mindy Fullilove has promoted around what's called root shock. And that is what it does to both the individual, but a community psychologically and physically to be displaced, right. To be moved from your roots. CeCe, did you want to add something now? I saw your hand go up.

- [CeCe] Yeah, I think I did have one thing I wanted to add and kind of tying the violence back into like the ingrained fact that the court is the tool for violence for landlords, you know? We were talking about some of these actions by mom and pop landlords where we had to intervene physically and preceding the physical violence of trying to physically remove a tenant from the house, every time the landlord writes a notice. That invokes the court, that invokes the legal system and somehow legitimizes it, even though to us, it appears just like, you know, very odd, but that's the equation there. And on the most like primal landlord level, "I write notice, that means it's official, that means I can do violence." I just wanted to like, bring that back.

- [Marisa] That's great. Thank you. There were a couple of questions I'm going to give you time to like finish up with whatever you're excited to share. I think we've gotten at most of these questions, but I think that specifically thinking about, you know, what are your goals going forward? You know, when you're talking about some of the issues I'm immediately going to possible solutions, like where do you really see your work heading? And then, you know, what are you really scared about? What are your biggest fears in the next few months for tenants?

- [CeCe] As far as where we see ourselves going, we're getting into more activities like tenant association building, organizing with tenants who live in some kind of like complex or manufactured home park. And, you know, for us, we think that that organizing is one of the best eviction defenses people can have, sharing information with each other. One thing we see a lot of is like neighbors testifying against neighbors, and that's not good. Also tenant associations are great for making sure that those toxic relations maybe don't develop between tenants because they have a way to talk to each other. So there's that. We're trying to always expand our observation team. And I know we're expanding the collected information from these observations from a spreadsheet form, hopefully to some sort of database form. And we are also growing our membership, which continues to grow. We are also working on other projects that might involve coalitions towards the ends of getting representation for all tenants in court.

- [Marisa] What do you see as some of the solutions to the nightmare of evictions?

- [CeCe] Ending it just completely, there's a lot of living, working examples under other forms of capitalism that kind of actually don't involve evictions. I thoroughly believe it's all about

protecting kind of like a patriarchal conception of property that intrinsically involves violence, but the violence does not have to be involved. Actually you could still have the patriarchy and property, I think, without the violence. I would at least like that. For me, Portland has some unique challenges that make tenant organizing, like what you have in LA, a little bit difficult. I think one of them is the court. So one of the things I look at when, when I think about our work in coalition forum to, you know, working towards getting right to council for all, tenants and landlords, tenant court, that's like changing the conditions for tenants so that they can be empowered. That would open a flood gate for us, not of evictions, but of tenant power and empowerment. And that's something I want to see happen.

- [Colleen] Yeah, so I think in terms of my biggest fear is the way is watching capitalism consolidate and hoard more power coming out of this crisis, right? This is a thing that capitalism does extremely well. Creates crisis and then consolidates power and wealth coming out of it. I think there are probably some there's reporting already about the ways in which the rental market is being commodified even to a higher level coming out of this crisis with the purchase of single family homes. So my fear is that just as we have seen the courts work overtime to adapt to the conditions that by our human eyes were like, "this is bonkers. We should be stopping and pausing and changing and, and holding and listening and learning." And instead the court is invested and spends resources to adapt so that it can continue its work, right? And we see this show up in the way around the language question, even if a tenant asks for an interpreter because of the way that they have split these hearings to hybrid hearing, so tenants are in the courtroom and then for COVID protections of the court staff and the judges that they required to continue to come in, right? They're reducing the amount of people who are allowed in the room. So your interpreters on the phone, you're in the courtroom, you're interpreters on the phone. You're having to have private conversations out loud because of the way that that is structured. There's no other way around it. And so the use of WebEx, the use of technology, the use of email and all of that stuff is the ways that which the court is adapting itself so that it does not have to cede any of the power it has. And I think my fear is that capitalism will do that with housing. And so this conversation about is it around build more housing? Is it around, you know, not build more housing? Which is a conversation I'm not very versed in, but my sense is neither of those is a good answer. So long as that housing can be purchased and hoarded. And so ending the system of landlordism is I think one of our goals. Ending the system of how we control access to housing.

- Yeah, I think that there are a lot of examples around, you know, social housing, community based housing. We're not saying that people will not need to move, right? That's not, those are not the same thing. Having to move, for a variety of reasons, being able to move. Right that's the other thing, our contracts also lock us in, right? Like if you have to move, your landlord can require you to stay or pay. So that contract the reliance on property law and the reliance on contract law to police and control where we live and how we have access to it. I actually think that that system needs to be undone. And to tie it back to what CeCe was saying about the LANDBACK movement and the larger ongoing fight to regain sovereignty control over and access to lands by indigenous people. It's one of the things that we spend a lot of time thinking about because through learning about eviction law, we've been teaching and educating

ourselves as kind of a part of our collective goals, where these laws come from. And we inherit tenants. When I say we, I mean, tenants inherit from the laws that were designed for imperialism, colonialism, settler colonialism, all three, which are, which needed each other and continue to need each other. But so specifically in North America and what is now Canada and the US, I think that there is so much to be learned from understanding the ongoing fight led by indigenous people for decolonization and like yeah, much like violence is not a metaphor, I think one of the pieces that I can recommend the most is Eve Tuck "Decolonization is not a metaphor," along with, I've been reading a lot of Vine Deloria, who's a native legal scholar who talks about the creation of the conception of, of landlord tenancy relationships between the US government and tribal nations. It was designed to dispossess people. And the other thing is like around the Allotment Act, the concept of undoing any system of collective ownership. Andrew Jackson created a reserved space, west of the Mississippi, but held communally. And then they were like, "you know what? That's not profitable enough for us. We're now going to demand allotment," right? Which I'm not saying it's the exact same thing as individual housing ownership. It's not not related because what it does is it create surplus. And so when we look at how capitalism continues to take a finite resource and reinvent ways to dispossess people of it and hoard it and make it into a wealth accumulation project and individualize it. I think that there is no way to end the forced removal of people so long as anybody is individually allowed to control pieces of land. And so, yeah, I think the tenants movement, and it's not just in the US, right? Like I also think about the ways in which colonialism impacted Irish people in Ireland and the land wars there, right? Like this is not new stuff, we can be looking, I think it is both disheartening and heartening to see the ways in which this fight has reinvented itself over and over and over again. And we can learn from how collectivization of resources and our struggle against individual capital can inform us and also build solidarity.

- [Marisa] Well, do y'all have anything you want to share with us before you go? Parting thoughts? Things that we didn't cover that you were super excited to get to?

- [Colleen] As a practice, both in Don't Evict Portland, but also in our larger like everyday lives. I think one of the things I value a lot about this group is we're not only a place where we are skill sharing with each other and asking big questions and finding ways to answer them, you know, in the slow ways and in the, in the long ways. But we are also in the habit of deprogramming ourselves from our relying on obedience. I think that, the right one, when you begin, it's one of the things that like showing up to court, you see the ways in which that system relies so heavily and it enforces it, right? Like it is not, it's not a paper threat, right? It's a real threat, but it requires obedience. And so much of what is harming humanity and the earth today requires trained obedience. And if we all can find small ways that we can practice disobedience safely so that we can learn to take bigger risks, I think that's what's required. And I know we have kind of touched on and, and not gotten fully into the tactics of that. But I think it's one of the things, especially around housing, right? Like the concept of a rent strike is, is not a romantic story. The let there be romance novels told about it. I think that's a beautiful thing, right? But like, it is, it is a practice of struggle, of collective struggle. And that's not something somebody is born with. I think that's one of the things that we have to remind ourselves is it's not looking to the person who was born with the skills who's going to be yeah, who just developed or came out of the

womb with bravery and courage and stamina and resilience, right? Like that isn't, shouldn't be required of anybody. But instead, how are the ways in which we are teaching ourselves and making it safe for each other to practice those skills, because it's what we will need to fight. Be it a rent strike, be it a court action, be it, you know, an expert creation act. These are all ways in which housing can be, the balance of power can be shifted, either temporarily or in the long-term, but we have to practice those skills. And I think that that's one of the things that I value most about being a member of DEPDx is I am around people who allow me to say when I am scared, to say when I am unsure about a thing and we find ways to do it together, and then I practice it in a small way and I get a little bit braver and the next time I practice it in a larger way.

- [Marisa] That was beautiful. Thank you so much for talking about both like how you're approaching the work and the work itself. I think that listeners are going to learn a lot. I just cannot emphasize enough how amazing it is that you're out there doing this work.

- [Stefanie] Thank you Don't Evict PDX for all your work in Portland, Oregon. Since recording this episode, Oregon Law Center created the Eviction Defense Project, which now offers legal support to all low-income tenants facing a court eviction. Support includes a legal review of your case, legal advice, and in many cases some level of representation. It should only take one to two days to hear back from OLC. You can reach them at (888)-585-9638 or evictiondefense@oregonlawcenter.org.

Oregon still does not have a [Right to Counsel](#) in evictions law, which Don't Evict PDX continues to prioritize. But the immediate funds for lawyers will help reduce evictions in the short term. We are also seeing an uptick in interest from nonprofit law firms, who are starting their own tenant defense programs. If you are a tenant who has received a notice from your landlord or a summons from the court, you may be able to get help from [The Commons Law Center](#). Call or text 503-850-0811. Please share this information with anyone who needs it, and thank you for listening.