

Supreme Court millionaires criminalize being homeless

written by Scott Scheffer
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A group of unhoused people camp outside the Housing Matters shelter in Santa Cruz on Aug. 7, 2024.

On June 28, the unelected U.S. Supreme Court ruled in the Grants Pass, Oregon v. Johnson case that the U.S. Constitution does not protect people against cruel and unusual punishment for sleeping outside even if they have nowhere else to go. The six justices who voted to criminalize the homeless have a combined net worth of \$54 million.

California Gov. Gavin Newsom, a Democratic Party darling and rising star in U.S. politics, quickly followed up with an executive order instructing all state agencies in California to clear encampments of houseless people. While municipalities don't need to comply, Newsom has threatened to redirect state funds away from those who don't.

Mayor Bass of Los Angeles and other cities are refusing to comply. Bass campaigned on solving Los Angeles's major homeless crisis and launched a campaign called "Inside Safe," including a municipal state of emergency. In April she called on businesses to contribute to a new fund called LA4LA. The Bass administration claims it has made progress which may be statistically true, but the streets of Los Angeles are still checkered with small and large tent cities that are periodically pushed out and then reemerge weeks later.

One year ago the mayor and the city council approved a 12% raise for the Los Angeles Police Department, infamous for its racism and brutality, without having to beg for funds, but there are still not enough shelter beds. Adding more shelter beds is the bare minimum that should be done to get people housed. What is really needed are homes and jobs or income for all.

California leads in homelessness

According to a U.S. Senate fact sheet on homelessness, about 28%, or 181,399 of the 653,100 homeless in the U.S. are in California. Even worse, California leads the U.S. in the percentage of homeless that are unsheltered at 68% of its homeless population, or 123,423 people.

The rise and fall of the number of homeless people can be roughly correlated to the boom and bust cycles of capitalism. That was certainly the case after the Great Depression of 1929 when the number of homeless people rose to more than 2 million. Nationally there are 653,100 people homeless currently, and about 40% live unsheltered. Black, Indigenous, Brown, and other people of color are overrepresented in the homeless population, as are survivors of domestic violence, members of the LGBTQ+ community, and people with disabilities, per the Southern Poverty Law Center.

This current wave of homelessness can be traced back to the 1970s when the U.S. economy began to shift toward a high-tech, service economy, and the corporate ruling class, and all three branches of the capitalist government, began a decades-long assault on workers' living standards.

Over five decades, millions of jobs have disappeared. During the same period, the housing market, controlled mainly by individual landlords, became a source of super profits for huge investment groups. This has driven gentrification all across the country and caused rent prices to spike. Even mobile home parks, a last resort for impoverished workers, are being purchased by giant hedge funds who raise rents and use them as a cash cow.

After driving people into homelessness, capitalist politicians punish the victims. A report issued by the National Homeless Law Center states: "From vagrancy laws and the workhouses of pre-industrial England to legal segregation, sundown towns, and anti-Okie laws in the U.S., ordinances regulating the use of public space have long been used to exclude marginalized persons based on race, national origin, or

economic class.”

Racist, classist anti-homeless laws

The report indicated that from 2006 to 2019, it tracked anti-homeless laws in 187 cities and found that citywide bans on camping have increased by 92%, on sitting or lying down by 78%, on loitering by 103%, on panhandling by 103%, and on living in vehicles by 213%. Meanwhile, a 1300% growth in homeless encampments has been reported in all 50 states.

The Grant’s Pass decision now greenlights cities, counties, and states across the U.S. to apply racist and classist laws without legal repercussions. According to the unelected multi-millionaire Supreme Court justices, the U.S. Constitution doesn’t protect homeless people from discriminatory repression. In other words, someone going camping doesn’t get arrested as long as they can show they have a home. But, a homeless person can be arrested for life-sustaining activity, like lying down or sleeping anywhere.

Many housing advocates say that although the number of homeless people today is smaller than that of the Great Depression era, the situation is worse. There is some validity to that notion because unions and the working class generally have not yet moved from a defensive mode brought on by 50 years of corporate repression. However, the powerful movement in the 1930s was also a response to poverty and oppression, and it grew and led to a great deal of militant union and community activism.

The people’s movement became so strong that it forced the new administration of Franklin Roosevelt to institute major changes in how the capitalist government functioned. Programs like Social Security and unemployment insurance began to provide some relief to millions of unemployed and aged workers. The administration also scrambled to find ways to provide jobs, income, and affordable housing.

Most relevant to the issue of homeless people being criminalized today is the history of tremendous movement of “Unemployed Council” members who physically resisted evictions being carried out by moving people’s furniture back inside their homes as sheriffs moved it out. They also became experts at reconnecting electric or gas lines – “meter jumps.” These peoples’ actions occurred in many cities and towns across the country and were written about in Ralph Ellison’s famous novel, “The Invisible Man.”

The Unemployed Council movement was organized and led by the Communist Party and drew the participation of workers and activists everywhere. A modern-day movement to provide people with housing and stop evictions can happen. With the growing class awareness that has emerged during the U.S. funding of genocide against the Palestinian people, now is the perfect time for a militant, revolutionary movement that leads to an end to imperialist war and genocide while ensuring housing, medical care, and education for all. Capitalism belongs in the dustbin of history. It is on its way.

