

## Informal traders at Stretford station in agitations over eviction

The informal traders selling at Stretford station in Orange Farm (West of Johannesburg, South Africa) have been living in agitations recently after having received a verbal notice that they will be evicted from their trading site to make way for the construction of a mall. The traders in this place are against this agenda as it will affect their livelihoods. The imminent eviction of traders at this station will equally affect both the old and the young. Currently there are more than 100 informal traders affected with 60 of them being women. And if the eviction goes ahead, at least 25 families will lose their means of livelihood.

This eviction is eminent despite traders having their rights enshrined in our Constitution. Section 22 of the Bill of rights in the Constitution states that: "Every citizen has the right to choose their trade, occupation or profession freely, though the practice of a trade, occupation or profession may be regulated by law. The Business Act 72 of 1991 acknowledged that informal trade is an important sector which contributes to the economy and generates incomes and therefore it should be supported. However, the Business Act 72 of 1991 was amended in 1993 with the Business Amendment Act 186 of 1993 and municipalities were given powers to regulate trading. In effect, the amendment gave local authorities greater autonomy over the management of street trading.

As we visited the Stretford traders, we met Mama Ernestina Sithole, a widow and grandmother of seven, who shared with us in anguish how this all started:

*"When we started to trade here in 1989 during apartheid, there were no municipal by-laws or regulations of traders. With only two trains, we survived selling to commuters and why should they make our life hell now in a democratic dispensation when there is more trains and more commuters".*

Mama Sithole is amongst the first few people in Orange farm, who settled in Extension 1 since 1989, where they are still living. They approached the municipality (then known as the Transvaal Provincial Administration), to look for work but were without luck. Mr. DeBeers who was the land owner then encouraged women like Mama Sithole to brew mageu and make fat cakes to sell at the station.

She and other fellow traders in Stretford are now up in arms because of threats and plans to sell the land they have been trading in for years by December this year. If this sale goes through, the issue at hand for these traders is not just the loss of a trading space. Their sovereignty is at stake as their right to determine where they want to making their living will be taken away from them. Their loss is bigger than just the loss of a trading space. They will lose a sacred space that has become an important source of living for them. Speaking about the importance of this trading place to them, Mama Sithole proclaims:

*"If we are hungry most of us come here, **it has become a shared space for all of us to make a living** without having to produce qualifications or certain skills....We should be allowed to sell more freely to support our families because this is the only means of our livelihood,"- Mama Majola explains.*

The threat of displacement to this community of traders is not new. Mama Sithole explains that they started to receive these threats as far back as 1992 from a man called Majola. Like many others who followed after him, Majola tried to evict the traders from the station, claiming that this was his land. The traders resisted and won against their eviction. This was after carrying their own investigation which revealed that Majola was not even the owner of this land. After Majola, David Lieberman surfaced in 1994 as the new landlord. Like Majola, he also instructed the Stretford traders to stop trading at the station. Just like they said to those who wanted to take away their bread before, the determined traders told their new rival that they had been there long before he bought the land. They also told him that this station played an important role in their lives with more prospects for them to make money.

*"We explained to him that the station is a lucrative trading site because most of our customers were commuters using trains,"- Mama Sithole.*

The traders in this area have vowed to fight for their right to make a living, *stating that:*

*"We will not be timid, we are prepared to fight for our rights to trade here. ....We don't say we will not pay rent, we only want to be given a trading space that we can afford to pay".*

Already they have continuously defied verbal notices of eviction by continuing to trade at the station. At the same time they continue to embark on discussions with the landlord for a better deal that will work for them once the mall is built. They have since approached the Lawyers for Human Rights (LHR) to help them defend their sovereignty and the right to trade.

However, the discussions between Mr David Lieberman who is the owner of the land and the LHR have been disappointing to say the least. They were told that the building of the mall is imminent and that there is little that they can do about it. Despite this gloomy report, the Stretford traders are adamant that Mr Lieberman has retrogressed from their original Memorandum of Understanding (MOU). In that MOU, they were assured that no matter what, they will be allowed to continue trading at the entrance of the station where they have been selling. They also signed an MOU of such a decision which further assured them that they will only pay R100 per stall on a monthly basis.

In contrast to the original Memorandum of Understanding, Mr Lieberman now:

- Offer to accommodate 32 traders whom he found at the station when he became the new landlord in 1994.
- Is making available seven square metres each to the 32 traders inside the mall which may be sponsored by other big retailers such as Pick 'n Pay.
- Expect the traders to pay at least 25% of rental and when their businesses pick up; they are expected to pay up to a minimum of R1000 a month.
- Want the traders to either move or trade at the taxi rank away from his mall or inside the mall. He feels that if traders are allowed to sell outside the mall they will become a competition to other businesses and make his mall dirty.
- Wants to have a profit sharing of 5% from informal traders.

Baffled about the dishonesty and the disrespect for traders and their livelihoods being displayed by Lieberman, Bheki Mathebula, one of the traders at Stretford asks:

*"Is the landlord hell-bent on going ahead with the construction of the mall whereas it will result in many of us being forced to shut down our businesses and go home to suffer?"*

The Stretford traders are amongst many poor people facing exclusions from the cities and displacements from their homes, land and places of work in the name of 'development'. This kind of development is part of a bigger political agenda of neoliberal capitalism which exploits, oppresses and excludes the poor for profits. Deliberating on this kind of development in the context of the current South Africa, Gibson (2011) argues that the poor are "defined, excluded and criminalised by the new masters as other – dirty, uneducated, violent, criminal, mindless, reactive, not fully human and outside of civil society". There is clearly no concern whatsoever about the consequences on people's livelihoods and their dignity, as long as the capitalists will make money. The poor are often pushed out of the cities and productive spaces to make way for 'development'. It has done nothing but further marginalised and excluded the poor from the benefits of our economy.

Like many other, the people of Stretford want development. However, they want a different kind of development – the kind that will not cost them their livelihoods, undermine their dignity, life and rights. They also want to have a say in their own development as citizens of the country.

*"We do not want development that will marginalise and make us more poorer. If the development is genuine then we should all be consulted as stakeholders and reach amicable solution. We cannot allow government, business and the landlord to make decisions that negatively impact us without challenging them. This land belongs to us all"* (Daniel Letsholonyane, one of the youth traders at the station).

As we reflect on the plight of this community, we ask ourselves, is this too much to ask? If this is how we treat the poor amongst us, what does this mean about us as the society? Has money become so important that it supersedes the lives of people? The LHR have agreed to stand in solidarity with Stretford traders by taking their case to court. Clearly, the LHR cannot do it alone nor the Stretford traders. The struggle of Stretford traders is the struggle both for their livelihoods and for justice. ESSET is calling on all of us that are committed to the struggle for justice, including faith communities, social movements and civil society organisations to stand in solidarity with this community as they struggle to make their life in the midst of death.