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Editorial

Welcome to the *ESR Review 2*, the second of two issues in 2024 focusing on gender-based poverty, women and housing in urban areas.

The first issue contextualised the issue from a South African perspective. It highlighted the challenges of intersectional discrimination, and demonstrated the importance of participation and inclusion in the process of finding adequate and sustainable solutions to the right to adequate housing and gender-based poverty in urban areas.

This second issue puts the spotlight on housing's social function and its role in urban areas in regard to social inclusion and exclusion from the city.

It begins with a contribution by Andile Manyangaza that offers an overview of the South African historical context and how it affects the right to housing and, in particular, the component of location. Thereafter, Paul Mudau and Nomzomhle Kona discuss spatial discrimination and how it affects the component of location in the realisation of the right to housing in detail.

The third contribution, by Nduduzo Majozi, discusses spatial struggles and climate vulnerability. It examines resistance strategies that have revolutionised women's role in climate justice movements and therefore strongly links to the social function of housing as well. Next, Nobukhosi Ngwenya turns to look at the missing rungs on South Africa's housing ladder, with a focus on gender-based violence (GBV). The article examines the 'housing first' approach which addresses not only housing for survivors of GBV, but also homelessness more broadly.

Lastly, Favour Funke Akanbi, applying a gender lens discusses ending the criminalization of homelessness, a 2024 report of the United Nations Special rapporteur on extreme poverty and human rights. Arguably the most extreme form of social exclusion manifests itself in the criminalisation of life-sustaining activities such as sleeping, eating, and begging in public spaces, which disproportionately affects racialised minorities, women, children and people with disabilities.

As the articles in this issue suggest, there are various reasons for inequality in regard to the question of location within the city. From a South African perspective, the legacy of apartheid has certainly been fundamental in its impact. However, along with these historical inequalities, urbanisation has created new patterns of discrimination and inequality, leading to additional spatial and socio-economic marginalisation, spatial segregation, and unequal access to basic services.

For example, structural changes in housing and financial markets have given housing an increased economic function, leading to the financialisation and commodification of housing. According to the Special Rapporteur, *Leilani Farha, the social function of housing has been challenged by the private developers and investors that dominate housing systems in order to park, grow, and leverage capital – all of which has made housing a key driver of growing socio-economic inequality and poverty (Special Rapporteur 2019: paras 3–4; Special Rapporteur 2015: paras 53–56). *on the light to adequate housing (former)

Benito Sanchez (2020) states that, through the financialisation of housing, housing and urban policies lose their rights-based function in that housing is no longer considered a social good which is provided to those with less resources, but becomes a mechanism for rent extraction, financial gain, and wealth accumulation. An analysis of inequality in the realisation of the right to housing therefore needs to take into account these additional processes linked to the economic system and urbanisation.

There is a need for further analysis of these processes, with a focus on the South African context. Central questions remain. To what extent do current South African economic policies contribute to housing inequalities? Are urban development strategies effectively addressing the needs of low-income and marginalised communities? As cities like Cape Town experience urbanisation, it is essential to assess whether housing development is keeping pace with population growth. What steps are being taken to ensure that the growing demand for affordable housing is met, particularly for those most affected by socio-economic exclusion?

Additionally, the role of the private sector in either exacerbating or alleviating housing inequality warrants closer scrutiny. In cities with soaring real estate prices, how do private developers affect housing availability for lower-income households? Could public-private partnerships offer a viable path toward affordable housing solutions, and if so, how could they be structured to promote inclusivity?

Understanding these dynamics is critical to shaping policies that address both current challenges and long-term sustainability in housing development.

The international human rights framework envisages inclusive urban planning that promotes integrated communities and ensures affordability of housing for people living in poverty (Special Rapporteur 2013: paras 46–47). The Special Rapporteur also proposes addressing housing financialisation through housing strategies and taxation, which can encourage or discourage certain types of housing investments and prevent speculation. This approach can create revenue for states that influence the affordability of housing for people in need, affirming the social function of land and housing (Special Rapporteur 2023: para 91; Special Rapporteur 2018: paras 49–50, 54, 74, 77–84; Special Rapporteur 2013: paras 41–49).

These potential solutions offer significant promise, particularly when adapted to the South African context, and I look forward to continuing these critical discussions.

The articles in this special issue of ESR Review deepen our understanding of the intricate links between housing, gender, and socio-economic rights. I believe that the contributions not only enhance our understanding of these issues within the South African context but also hold the potential to shape international policy developments. Inspired by these invaluable insights and drawing on both my Swiss socialisation and my academic background in international and human rights law, I have sought in this editorial to provide a different perspective on the topic of gender-based poverty, women and housing in urban areas.

I am immensely grateful for the opportunity I have had to learn from the numerous experts, academics, and practitioners who contributed to this special issue of the ESR Review. I also extend my thanks to the Socio-Economic Rights Project at the Dullah Omar Institute for their trust and support throughout this process.

Kelly Bishop
Guest Editor

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