The Human Right to Adequate Housing in Theory and in Practice

by

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A thesis submitted in partial fulfillment of the requirements for the degree of

Doctor of Philosophy

in

Human Geography

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Abstract

Adequate housing is critical for the wellbeing, safety and dignity of individuals and households, as well as for the equality and inclusiveness of society. The human right to adequate housing was first introduced to international law in the *International Covenant on Economic, Social and Cultural Rights* in 1966. Yet, violations of the right to housing persist and are internationally pervasive, with an estimated 1.8 billion people lacking access to adequate housing worldwide in 2022. Escalating global housing crises are driven by factors including growing socioeconomic inequalities, financialization of land and housing, and systems that commodify housing. This thesis investigates the meaning of the human right to adequate housing in theory and in practice, with a focus on social and affordable housing ('community housing' in Canada). The three results chapters each present a distinct study, with their own data sources, methods and academic contributions.

First, a systematic literature review quantifies the diversity of topics, methods and theories utilized in 313 recent articles published in three leading housing journals. The findings of this review disrupt common assertions of under-theorization in the housing studies field, by identifying a complex and diverse theory-scape of both 'housing-specific' and 'generalist' conceptual approaches. Avenues for future research are also highlighted, including opportunities for scholars to build on the theoretical frameworks already being applied in contemporary housing studies, to engage with research topics that remain under-examined in the field, and to advance and clarify methodological approaches.

Second, a framing analysis of 24 United Nations Special Rapporteur country visit reports investigates the conceptualization and operationalization of a human rights-based approach to housing at an international level. This analysis addresses a gap in contemporary housing literature by

affording systematic, detailed attention to the right to housing – both in terms of how it is defined and conceptualized (in theory) and operationalized (in practice). Findings illuminate internationally prevalent housing problems, their underlying causes, and potential remedies aligned with human rights-based approaches. These insights provide a novel way of understanding how the right to housing is 'framed' by the Special Rapporteur in country visit reports in order to set international standards for its realization.

Third, a thematic analysis of interviews with community housing managers in Canada zooms in further on how the right to housing is operationalized in practice. This study examines how these organizations understand and realize the right to housing by improving equitable access to adequate housing and enhancing experiences of home for households in need. The capabilities approach is employed as a theoretical framework to conceptualize the operations of these providers. Findings underscore the critical role of this sector in realizing the right to housing in Canada, and reveal how community housing providers and human rights-based housing approaches can enhance households' capabilities and life quality, and contribute to social equality.

In bringing together insights from contemporary housing literature, the Special Rapporteur's work and community housing managers' perspectives, it is evident that agency with respect to one's home is an important, but often under-recognized, part of experiencing truly adequate housing. As such, the conclusion to this thesis proposes extending the definition of the right to housing to include agency, to ensure that every household can access adequate housing that is both physically safe and personally *meaningful*.

Preface

The research conducted for this thesis contributed to the work of *Community Housing Canada*, a research partnership led by Dr Damian Collins at the University of Alberta. This partnership received funding from the Social Sciences and Humanities Research Council of Canada [1004-2019-0002]. My thesis research received ethics approval from the University of Alberta Research Ethics Board, Project Name "Towards a Human Rights-Based Approach in Community Housing," No. Pro00100250, on the 22nd of May 2020.

Chapter 2 of this thesis has been published as *Bates, L., & Collins, D. (2023) Addressing the continuing quandary of theory in housing research: A systematic review of contemporary literature. Housing, Theory and Society, 40(4), 463-484* (IF 3.4). I was responsible for the formulating the study design, data collection, analysis and manuscript composition. D. Collins was the supervisory author and was involved with concept formulation and composing the manuscript.

Chapter 3 of this thesis is currently in review with the journal *Housing Studies* (IF 3.2). It was submitted as *Bates, L. & Collins, D. (2024) Framing the human right to adequate housing: An analysis of United Nations Special Rapporteur county visit reports.* I was responsible for the formulating the study design and conceptualization, data collection, analysis and manuscript composition. D. Collins was the supervisory author and was involved with concept formulation and composing the manuscript.

Chapter 4 is an original, sole-authored work, a version of which is currently in review with the *International Journal of Housing Policy* (IF 3.67) in July 2024 as *Bates, L. (2024) "An opportunity to grow, to exist, to be:" Examining how community housing providers operationalize the right to housing in Canada.*

Acknowledgements

This thesis was supported by the *Community Housing Canada* research partnership, which received funding from the Social Sciences and Humanities Research Council of Canada [1004-2019-0002]. I also gratefully acknowledge additional funding received during my enrolment: the Alberta Graduate Excellence Scholarship, the Ivy A Thomson and William A Thomson Graduate Scholarship, the Lorna and Alan Stickel Graduate Scholarship, the University of Alberta Graduate Fellowship, and the Vega Graduate Scholarship in Earth and Atmospheric Sciences.

Thank you to my supervision committee members. Dr Collins, thank you for giving me this opportunity and for your detailed feedback on my writing, and Dr Evans, thank you for your advice and reassurance, especially in the final stages of my degree. Thank you to Melissa Dhillon for all of your kindness and for your administrative support. I would also like to thank the ten interview participants who generously shared their time and expertise with me.

Special thanks to Dr Robin Kearns, Dr Tara Coleman and Dr Graeme Campbell for all of your guidance and encouragement. Your support means more than you can imagine.

To my dear friends in both Auckland and Edmonton, thank you for listening when I needed an ear, for chatting when I was all out of words, and for our adventures when distraction was the best option. Many thanks to the PEP Reading Group, my fellow Toastmasters, and my office buddies – you have all made my research journey so special. To the 124th Street Market veggie vendors and the lovely folks at Delavoye Chocolate Maker, thank you for keeping the thesis and I well fed!

Finally, and above all, heartfelt thanks to my wonderful family for all of your support, encouragement and patience throughout my education. I simply couldn't do any of this without you. This degree belongs to all of us – but I promise, this is the last thesis. ☺

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List of Abbreviations

ESC Rights: Economic, Social and Cultural Rights

HICs: High-income countries

HPD: *Housing Policy Debate*

HS: *Housing Studies*

HT&S: *Housing, Theory & Society*

LMICs: Low and middle-income countries

NHS: *National Housing Strategy*

UN: United Nations

UNSR: United Nations Special Rapporteur

1 Introduction
The right to housing in theory and in practice

The human right to adequate housing was first introduced to international law in the *International Covenant on Economic, Social and Cultural Rights* in 1966. This document declared adequate housing to be a universal human right, to which everybody is entitled. In United Nations documents and in academic literature, adequate housing is positioned as critical for wellbeing, safety, dignity and social participation for individuals and households. Equitable access to adequate housing can also mitigate social problems at a societal level. Yet, violations of the right to housing are enduring and internationally pervasive, with an estimated 1.8 billion people lacking access to adequate housing worldwide, including 150 million people experiencing homelessness (McRae, 2022).

In Canada, it is estimated that at least one in ten people live in unaffordable, inadequate or unsuitable housing (StatCan, 2023). These housing problems are most prevalent in large cities, and among rental households and vulnerable groups (Canada, 2017a; StatCan, 2019). Indeed, housing crises are increasingly recognized, especially in urban contexts and large cities such as Vancouver and Toronto (Dugan et al., 2024; Hackworth & Moriah, 2006; Padley & Marshall, 2018; White & Nandedkar, 2021). In these settings, and even outside of such expensive housing markets, low- and moderate-income households struggle to access adequate housing (Biss et al., 2022; Dugan et al., 2024; StatCan, 2018). Housing need is concentrated in the rental market, which is characterized by very low vacancy rates and rapidly escalating rents (Dugan et al., 2024).

The origins of Canada's housing crisis are manifold. In broad terms, four key contributing factors have been identified. First, homeownership has been persistently idealized (Grant & Scott, 2012; Stonham, 2020; Thorns, 2008), and has been a focus of both government and development industry activity (Evans & Wikander, 2023). One outcome of this has been neglect of the purpose-built rental sector, relative to investment in single-family homes and condominium development (Beer et al., 2022; Berlin, 2022; CCHR, 2023). Second, neoliberalization and withdrawal of the state from provision and funding of social housing (especially at the federal level) has contributed to a very limited stock of deeply subsidized housing across Canada, and significant variation between provinces based on their levels of investment (de Vos, 2022; Evans & Wikander, 2023; MacKinnon, 2024; Suttor, 2016). Third, financialization of housing – including through processes such as

international investment, asset-based welfare models, mortgage securitization and the privatization of social housing, among others – has also contributed to escalating housing costs for both owner-occupiers and renters (Aalbers, 2016; Fitzpatrick & Pawson, 2014; Murphy, 2012; Power & Bergan, 2019). As Leilani Farha (United Nations Special Rapporteur for Housing 2014-20) explains, these complex and multi-scalar mechanisms of financialization can have dire consequences for households' experiences of home and their ability to realize the human right to adequate housing (Gertten, 2020). Fourth, government actions have contributed to the problem of escalating housing costs. Municipal zoning restrictions that allowed only low-density development (i.e., single family homes, and sometimes duplexes) across large swathes of residential land in cities greatly restricted the supply of denser (and often, more affordable) housing options (Agrawal et al., 2023; Einstein, 2012; Gordon, 2016; Liberty, 2003). Multi-year municipal approval processes for larger buildings – including community housing projects, where these were not already allowed by zoning rules – further exacerbated this issue (Dej et al., 2023; de Vos, 2022; Lafleur et al., 2016; Nguyen, 2023). Unfavourable tax treatment of purpose-built rentals by all levels of government have also contributed to Canada's unaffordability problem, although an array of measures over the last year have sought to address this, including removing heightened taxes on apartments (Boothby, 2023), exempting buyers of purpose-built rental units from property transfer taxes (BC, 2024), and accelerated capital cost allowances for new purpose-built rental housing (BDO, 2024). The withdrawal of infrastructure subsidies for development of new housing can also stifle the rate of construction of new units and/or contribute to housing unaffordability if these costs are passed on to buyers or renters – a problem the Canada Housing Infrastructure Fund seeks to address (Prime Minister of Canada, 2024; Choi, 2024)

As a result of these challenges, Canada's housing market is increasingly unable to meet the needs of low-income households (Gertten, 2020; Hulchanski, 2006), a fact that underscores the essential role of social and affordable housing provided by public and non-governmental organizations (a sector known as 'community housing' in Canada). The unaffordability and unavailability of rental housing in Canada mean that an increasing number of households require community housing for a safe, secure place to call home (Dugan et al., 2024; Preece et al., 2019; Pomeroy, 2017; StatCan, 2018, 2019). However, many households are unable to rely upon this sector to meet their housing needs, due to very long waitlists, increasing demand and a lack of capacity (Biss et al., 2022; Pomeroy, 2017; StatCan, 2018, 2019).

Problems of unaffordable and inadequate housing conditions are not unique to Canada, nor to high-income countries (Farha, 2019b; McRae, 2022). Housing crises are internationally prevalent, driven at a global scale by processes including growing socioeconomic inequalities, financialization of land and housing, and systems that commodify housing (Farha, 2019b). Wherever these problems manifest, they represent violations of the human right to adequate housing, with consequences for individual wellbeing and dignity, as well as for social inclusion and equality (Meth & Charlton, 2017; Moons, 2018; O'Shaughnessy et al., 2020; Schloffel-Armstrong et al., 2024).

In this thesis, I investigate how the human right to adequate housing is conceptualized in academic literature, how it is formulated and operationalized at an international level by United Nations office holders, and what it means in practice for social and affordable housing providers in Canada. To this end, this Introduction chapter contains four key sections: i) an overview of my research objectives; ii) a summary of the right to housing as it is defined in international law; iii) background information regarding how the right to housing has been recognized in Canada; and iv) a brief overview of how the right to housing has been considered in academic literature. The chapter ends on a description of the structure and logic of the body of the thesis.

Research objectives

This research is situated within the interdisciplinary field of housing studies. The overarching research question for the thesis is: *How is the human right to adequate housing conceptualized in theory and operationalized in practice?* I have three specific objectives that flow from this question, one for each of the papers presented as findings chapters in this thesis:

1. To identify and evaluate the application of theory in the contemporary housing studies field;
2. To examine how the United Nations Special Rapporteur for Housing operationalizes and promotes the human right to adequate housing at an international level; and
3. To investigate how social and affordable housing providers operationalize the right to housing in practice in Canada.

These papers build on each other to investigate the meaning and operationalization of the right to housing, with a focus on social and affordable housing.

Introducing the human right to adequate housing

The right to housing was first introduced in the *Universal Declaration of Human Rights* (1948). It was later enshrined in the *International Covenant on Economic, Social and Cultural (ESC) Rights* (1976), which recognizes "the right of everyone to an adequate standard of living ... including adequate food, clothing and housing, and to the continuous improvement of living conditions" (Article 11(1)). ESC rights entail positive claims on society's resources, and are distinct from civil and political rights, which "emerged out of fundamental rights conceptions protecting life, integrity and liberty of a person against an overbearing state" and include rights to life, freedom of religion, freedom of speech and electoral rights (Bantekas & Oette, 2013, p313). Today, 171 countries are State Parties to the *International Covenant on ESC Rights* and a further four countries are signatories; as such the human right to adequate housing is "strongly embedded in international law" (Collins & Stout, 2021, p339). ESC rights, including the right to housing, are universal by definition – they seek to ensure the necessary conditions for human dignity and social participation for all individuals (Hohmann, 2013; King, 2003). States are accountable for *protecting* (e.g. enacting laws prohibiting rights violations), *respecting* (e.g. recognizing and prioritizing rights in policy and decision-making) and *fulfilling* (e.g. taking incremental actions to achieve 'progressive realization') ESC rights (Fukuda-Parr et al., 2009; OHCHR, 2021; Williams, 2010).

The right to housing is derived from the right to an adequate standard of living, and is "of central importance for the enjoyment of all economic, social and cultural rights" (OHCHR, 1991, p1). This right is addressed by a number of international instruments, and described most directly by *General Comment No. 4* (OHCHR, 1991) and *Fact Sheet No. 21* (OHCHR, 2009). *General Comment No. 4* takes a holistic view of housing as more than shelter:

> "The right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one's head or views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity." (s7)

General Comment No. 4 goes on to define *adequate housing* (to which every individual is entitled under the right to housing) using seven key components: security, availability of amenities, affordability, habitability, accessibility, location and cultural adequacy (OHCHR, 1991). These components of housing were intended to make national reporting on progressive realization of the right to housing "more uniform and universally applicable" (Oren & Alterman, 2022, p162). *Fact Sheet No. 21*

describes the right to housing in more depth, including the combination of *freedoms* and *entitlements* associated with this right beyond shelter as "four walls and a roof" (OHCHR, 2009, p3). These freedoms are legal protection from forced evictions or the destruction of a person's home, freedom from "arbitrary interference" with a person's house, privacy and family, and the right to choose where to live and how/when to move. Moreover, the entitlements encapsulated by the right to housing include security of tenure, access to housing without discrimination, and the ability to participate in decision-making about housing at community and national scales (OHCHR, 2009).

The right to housing differs from human rights to education and health care in that it does not entitle households to access housing at no cost: "Since housing is always provided through markets, analogies with other welfare sectors, where state allocation is the main mechanism of distribution, are often misleading" (Bengtsson, 2001, p257). That is to say, a commitment to realizing the right to housing does not require states to move away from market-based provision of housing, nor does it require states to provide public or social housing for all residents (Bengtsson, 2001; Loison, 2007). Rather, this is a commitment to *progressive realization*, which is defined as taking appropriate steps, using the maximum resources available, towards full, universal realization of a human right, including (but not limited to) legislative changes (OHCHR, 1966). In the example of the right to housing, this means states must take continuous steps towards ensuring all households have equitable access to adequate housing (Biss et al., 2022; Casla, 2016; OHCHR, 2009). States are obligated to ensure that their housing *systems* function in a way that is equitable and inclusive – including through homelessness and tenant protection policies (OHCHR, 2009), as well as housing market regulations and support for social and affordable housing providers (CERA & NRHN, 2022), and interventions in the market to ensure housing is affordable (Bengtsson, 2001).

Human rights are also implemented and monitored at an international level through a range of mechanisms by the United Nations. One of the ways in which the right to housing is operationalized is through the work of the United Nations Special Rapporteur (UNSR) for adequate housing: an independent expert appointed by the United Nations Human Rights Council to promote the right to housing, to investigate and report on breaches, and to advocate for groups whose rights have been violated. The UNSR for adequate housing role was established in 2000, and the mandate-holder reports annually to the Human Rights Council and to the General Assembly, issues thematic reports on key topics within their domain, and publishes communications with states (letters) regarding

human rights problems and policies (Hunt & Leader, 2010; Rotenberg, 2017). They also undertake 2-3 country visits per year, and provide a selection of targeted recommendations for each state visited. Former United Nations Secretary General Kofi Annan described UNSRs as the "crown jewel" of the Human Rights Council: they enable independent investigation of specific areas of human rights, which is important because the "rule of law cannot be left to the discretion of governments, no matter how democratically elected" (UN, 2006). Moreover, Rotenberg (2017) describes UNSR country visits and communications as "among the most well-established, powerful techniques for Special Rapporteurs to address human rights violations" (p64), because they enable independent, locally-specific investigations and targeted recommendations.

The right to housing in Canada

Canada's constitution safeguards political and civil rights (Canada, 1982), but offers few protections for ESC rights – including the right to housing. However, ESC rights are now receiving more attention in Canada: the 2017 *National Housing Strategy* (*NHS*) and subsequent legislation – the *National Housing Strategy Act 2019* – commits Canada to a human rights-based approach to housing (Canada, 2017a, 2018b, 2019). The goals of the Act (s4) are: to recognize that the right to housing is a fundamental right established by international law; to recognize that housing is essential for a person's dignity and wellbeing, as well as for a sustainable, inclusive community; to improve housing outcomes for Canadians; and to ensure progressive realization of the right to housing as described by the *International Covenant on Economic, Social and Cultural Rights*.

The *NHS* states "The Government of Canada believes every Canadian deserves a safe and affordable home" (Canada, 2017b, p4). The *NHS Act* observes that "housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities as well as a strong national economy in which the people of Canada can prosper and thrive." A range of aspirations are attached to this human rights-based approach, including targets for reducing chronic homelessness by 50%, constructing 100,000 new units and renewing 300,000 existing units (Canada, 2017b). This 10-year plan, with an initial budget of CAD40 billion, seeks to ensure that all Canadians can access housing that is affordable to them and that meets their needs (Canada, 2017b). Subsequent federal policy changes and budgets have added considerably to this initial estimate, due in part to the worsening housing crisis, and the total projected expenditure over the full 10-year

lifespan of the *NHS* is now estimated to be more than CAD82 billion, including CAD51 billion spent up to March 2024 (Canada, 2024).

Initiatives introduced by the *NHS* include a new Canada Housing Benefit payable to households in need, the Canada Community Housing Initiative to increase funding for this sector, a Federal Housing Advocate responsible for proposing solutions to systematic barriers to affordable housing, and increased funding for housing research (Canada 2017b). The *NHS* Act also notes that "improved housing outcomes are best achieved through cooperation between governments and civil society as well as the meaningful involvement of local communities" (Preamble). As such, the *NHS* also brings greater federal investment in provinces and territories to improve the quality and affordability of housing, in municipalities to "empower communities to lead the fight against homelessness," and in co-development of housing strategies for First Nations, Inuit and Métis communities (Canada, 2017b, p4). In light of these and other changes, the *NHS* has been described as a "tremendous step towards addressing the disproportionate levels of housing need and unique housing rights violations" experienced by vulnerable groups (Schwan et al., 2021, p7).

Despite the considerable investment and changes the *NHS* has effected, this new housing policy landscape is not without its limitations. The *NHS* has been criticized, for example, for relying on variable definitions of affordability, including one definition based on median market rents rather than household incomes (Holt, 2024; Malanik-Busby & Barkova, 2022). A critical distinction in this context is that between *affordable housing* that is offered at below-market rents, and *social housing* in which rents are set at less than 30% of household income (i.e. rent is geared-to-income). The *NHS* has supported the construction of below-market rental units, but relatively few new social housing units; only the latter exist outside the market and are truly affordable for low-income households (Beer et al., 2022). MacKinnon (2024) observes that while the *NHS* has brought significant overall investment in housing in Canada, much of this investment continues to support market strategies (including developing purpose-built rentals), and as such the *NHS* "will not achieve ... goals to end chronic homelessness by 2030 and remove 530,000 families from core housing need" unless it invests specifically in social housing. Relatedly, the *NHS* has also been criticized for failing to monitor if and how its targets are being met (Hayes, 2022; OAG, 2022).

In this context, it is clear that the community housing sector is critical to meeting the objectives and aspirations of the *NHS and* realizing the right to housing (Biss et al., 2022; Canada, 2017b; DesBaillets & Hamill, 2022). The sector exists outside of market mechanisms and enables people experiencing core housing need to realize their right to housing, thus enhancing their wellbeing and dignity (Meth & Charlton, 2017; Moons, 2018). Since its inception in Canada in 1949, social housing has sought to afford dignity, stability and wellbeing to low- and moderate-income Canadians through the provision of adequate, affordable and suitable housing (Moons, 2018; Globe & Mail, 2018). During the 'prime' period of social housing in Canada between 1965 and 1985, the government's role in the housing sector expanded, and social housing comprised up to 10% of all housing construction, primarily financed at a federal level (Suttor, 2016). Yet, by the mid-1990s, federal policy and funding for new social housing ceased, and federal ownership and responsibility for social housing was devolved to provinces and territories, giving rise to uneven investment in (and provision of) social housing across Canada (MacKinnon, 2024; Suttor, 2016). This trajectory of fluctuating engagement with social housing and shifting responsibilities has contributed to the diversity of community housing providers in Canada, including a mixture of social, non-profit, co-operative and co-housing organizations, all with diverse operating models.

Canada now has the smallest social housing sector among western nations outside of the United States (Hulchanski, 2007), and fragmentation and under-funding of the sector contribute to insufficient supply of non-governmental affordable housing. As a result, social housing in Canada increasingly services only the lowest-income residents in most dire housing need and those most severely excluded from market housing (Smirl, 2019), leaving other types of affordable housing providers to cater for those whose needs are met by neither social housing nor the housing market. The *NHS* signals potential (albeit largely unrealized as of 2024) for significant reengagement with social housing aligned with a human rights-based approach. It is in this context that advocates and researchers are calling for more investment in social housing – including both capital investment (for new construction and acquisitions) and operating investment (to subsidize rents and maintain deep affordability over time) (e.g. SH&HRC, 2023; MacKinnon, 2024). The key role of social and affordable housing in realizing the right to housing underscores the timeliness of this study, grounded in human rights-oriented analysis, while the right to housing is in the public policy spotlight both in Canada and elsewhere (Lefebvre & Chaperon, 2021; Meth & Charlton, 2021; Stewart, 2019; Whitzman, 2022).

The right to housing in literature

There has been uneven academic attention given to the right to housing, with notable gaps in understanding outside of human rights legal scholarship, including within the field of housing studies (as explicated in Chapter 2). Hohmann's (2013) book, for example, considers theoretical and conceptual issues related to the right to housing from a legal perspective, addressing what was, at that time, said to be an "under-studied and ill-defined right" (pV). Given the descriptions developed in *General Comment No. 4* and the UNSR for housing's work since the role was established in 2000, the right to housing is no longer particularly "ill-defined," although it may still be misconstrued, criticized or poorly understood (Marks, 2004; Nussbaum, 1997; Turok & Scheba, 2018; Whitzman, 2022). The right to housing is also no longer "under-studied," per se. Some aspects of the right to housing have been well-investigated, including *security*, *affordability* and *habitability* (e.g. see Hohmann, 2020; Preece et al., 2019; Schloffel-Armstrong et al., 2024), while others such as *cultural adequacy* remain loosely conceptualized and less concretely understood. Moreover, Housing First has been well-researched as a policy framework (Collins & Stout, 2021) and program (Stadler & Collins, 2023) that takes a human rights-based approach by ensuring timely access to adequate housing, offering choice of units to clients, and removing behavioural or sobriety conditions on tenancies. Housing First positions adequate housing as a necessary starting place for 'ending homelessness' and promoting wellbeing and social participation (e.g. see Clarke et al., 2020; Greenwood et al., 2021; O'Shaughnessy et al., 2020; Verdouw & Habibis, 2018).

The right to housing is also more thoroughly documented in literature in some contexts than others. Scotland is often heralded as a model example where this right is enshrined in policy and realized in practice (Anderson, 2019; Stewart, 2019). South Africa is recognized for offering strong constitutional protections for the right, but continues to grapple with large-scale housing challenges (Ranslem, 2015; SERI, 2018). France presents a curious case where this right was introduced relatively quickly, and continues to be critiqued and refined (Lefebvre & Chaperon, 2021; Lévy-Vroelant, 2015). Research is also increasingly engaging with the right to housing in Canada since the country adopted a human rights-based approach under the *NHS* (e.g. see CERA & NRHN, 2022; DesBaillets & Hamill, 2022; Ramage et al., 2021; Schwan et al., 2021; Stadler & Collins, 2023).

Further, Oren and Alterman's (2022) review of the national constitutions of 189 UN member states revealed that 84 offered a constitutional right to housing, and three specifically recognized all seven

components of adequate housing (per *General Comment No. 4*). It is interesting to note a disparity here between national constitutions and academic literature: in Oren and Alterman's review, Ecuador, Venezuela and Portugal offer the greatest recognition of the right to housing in constitutional law, while in housing scholarship, Scotland, South Africa and France are most commonly cited as examples of places where the right to housing is realized (see Lefebvre & Chaperon, 2021; Meth & Charlton, 2021; Stewart, 2019, and Chapter 4 for more detail).

These case studies and international reviews all contribute to the depth and breadth of contemporary understanding of what the right to housing means outside of UN documents. Nonetheless, within housing studies, and especially outside of homelessness-specific scholarship, there is a gap in engagement with the right to housing (and other human rights), as both a concept and a subject of empirical inquiry. At the conceptual level, there is an additional shortfall when housing literature engages with the right to housing without conceptual framing, or without bringing it into conversation with another form of theory to bolster the depth and transferability of findings (Bengtsson, 2009; Kemeny, 1992; Ruonavaara, 2018; Saegert, 2018). At the empirical level, shortfalls include a lack of international or cross-country comparative analysis (see Oren & Alterman, 2022, and Chapter 2), and limited engagement with the question of how the right to housing is operationalized in practice in Canada (including by social and affordable housing providers).

Thesis structure

This thesis employs three distinct approaches to examining the theory and practice of the right to housing as it is utilized i) in contemporary literature, ii) by the United Nations Special Rapporteur at an international scale, and iii) in the day-to-day operations of social and affordable housing providers in Canada. Each paper builds on the insights of the previous papers, with a view to expanding conceptual and operational understandings of the right to housing. These papers are grounded in detailed descriptions of research methods and clear articulations of the theoretical framing and contributions, in response to criticisms of under-theorization and inadequate methodological rigour in housing research (Clapham, 2009; Kemeny, 1992; Ruonavaara, 2018). Over the trajectory of the thesis, my research zooms in from the broad foundation of housing research, to the international scale of UN Special Rapporteur documents, to the operations of community housing providers within Canada, before zooming out to reflect on the meaning of the right to housing in theory and in practice.

Chapter 2 presents the findings of my systematic literature review of contemporary housing scholarship. This chapter was initially planned as a scoping review of conceptual engagement with the right to housing in housing studies, but when it became clear that the right had seldom been used conceptually in contemporary research, I pivoted to systematically investigate the field more broadly. The chapter catalogues the most common theories, topics and methodologies in recent articles across three leading housing journals, and identifies opportunities for advancement in the field. This chapter identifies gaps in the literature that provide opportunities for empirical and conceptual contributions to be generated by the subsequent two papers.

Chapter 3 picks up on one issue highlighted in the previous chapter, by affording systematic, detailed attention to the right to housing with an international scope and from a housing studies perspective. In this chapter, I use framing analysis to investigate the United Nations Special Rapporteurs' conceptualization of the right to housing in their country visit reports. This analysis reveals internationally prevalent housing problems and their causes, as well as potential remedies – insights that provide a novel way of understanding how the right to housing is defined at an international level, and how it can be operationalized in a range of contexts.

Chapter 4 zooms in further on the right to housing in practice. Here, I use a thematic analysis of interviews with community housing providers in Canada to examine how they operationalize the right to housing by seeking to ensure equitable access to adequate housing and enhance experiences of home for households in need. I employ the capabilities approach (seldom applied in contemporary housing literature, see Ch. 2) to conceptualize the operations of these providers and the aspirations of a human rights-based approach to the provision of community housing in Canada.

In Chapter 5, I provide a summary of the findings and key contributions of these three papers, as well as broader reflections on how the right to housing is conceptualized in theory and operationalized in practice. I conclude by offering a selection of recommendations for realizing the right to housing. I also propose broadening the United Nations' definition of adequate housing (to which everybody is entitled, per the human right to adequate housing) to include an eighth component that accounts for household *agency* – an important part of human experiences of housing and home, but one that receives little attention in official descriptions of the right to housing in international law.

2 The continuing quandary of theory in housing studies
A systematic review of contemporary literature

Authors: Bates, L. & Collins, D. (published in *Housing, Theory and Society,* 2023)

Abstract. The housing studies field has been critiqued since the 1980s for under-engagement with theory. In this paper we present the findings of a systematic literature review that investigates the extent to which contemporary housing scholarship engages with theory. By reviewing all research papers published in three leading housing journals in 2019 and 2020, we identify *references to* theory, and evaluate the extent of *engagement with* theory. In total, 313 papers were reviewed to assess current theoretical 'frontiers' in housing studies. We conclude that the theory-scape of housing research is more complex and nuanced than previously depicted, with contemporary scholarship engaging meaningfully with diverse theoretical frameworks of both 'general' and 'housing-specific' application. Our findings illuminate how housing studies is growing not only as an interdisciplinary field, but also as a well-theorized one.

Keywords: systematic literature review; housing studies; research methods; theory.

Introduction

Housing research has strongly positivist, empiricist origins, with a tendency to focus on producing practical and tangible outcomes for policy makers, housing providers and administrators (Allen, 2005; Bengtsson, 2012; O'Neill, 2008). Consequently, housing scholarship tended to eschew normative standpoints and questions of political philosophy, and was limited in its social critique (Lawson, 2012; 2018). In 1987, Jim Kemeny identified a problem of 'under-theorization' in housing studies, characterized by "tentative probings and theorisings, some of it quite half-baked and ill thought through" (Kemeny, 1987, p249). By the early 2000s, Kemeny observed theoretical progress in the field, but characterized its development and application across core topics as uneven (Allen, 2005). These concerns persist in contemporary literature. Lawson (2018) notes an enduring tension between the "competing interests of theoretically orientated academic research and more instrumentalist evidence-based policy demands" (p236) and a lack of direct engagement with theory in some housing research, with "concepts and strategies … used in an unexamined way, [which] can

be said to be atheoretical and oblivious to both broader social structures and their contingent context" (p235).

In this paper, we examine and characterize the theory-scape of contemporary housing research, employing a systematic literature review in order to identify applications of theory, and evaluate the extent of theoretical engagement. In so doing, we are attentive to both theories of general application (i.e., within/across the social sciences) and those that are housing-specific (i.e., generated within housing studies). We also attend to the topics, geography and methods in our sample of housing research – key aspects of study design inherently connected to both practical relevance *and* theoretical engagement (Allen, 2005; Jacobs & Manzi, 2000; Mertens, 2020; Saegert, 2018; Tracy, 2010; Willgens et al., 2016).

What is theory – and why does it matter?

In general terms, theory can be understood as a way of categorizing ideas and phenomena, in order to build systematic knowledge of the world (Chijioke et al., 2021). Theory can take different forms depending on how and where it is applied: it may have predictive or explanatory value, or it may provide a framework for organizing information and connecting findings and conclusions across diverse studies, fields or disciplines (Blaikie, 2007). In the specific case of housing research, Somerville (2018, pp242-243) defines theory as "concepts about the world of housing that facilitate explaining, predicting, or intervening." Housing research that utilizes structuralist theories, for example, has a central concern for *explaining*: it seeks to identify "causal tendencies or mechanisms, [which] in combination with contingent relations and other necessary relations, help to explain the nature and development of housing-related events and experiences" (Lawson, 2012, p190). This explanatory focus can, in turn, inform *intervening:* "Having sought explanations for housing problems … researchers should be able to suggest appropriate and feasible alternatives, which may require different structures and mechanisms to achieve more desirable outcomes." (Lawson, 2012, p200). Depending on how it is used, then, housing theory can contribute to conceptual understanding, to problem-solving or to enrichment of social life (Saegert, 2018).

In a seminal paper, Kemeny (1992) advocated for theorization in housing studies to enable lateral thinking, broader consideration of social structures, and reflexivity regarding interrelationships between research and the social contexts within which it is embedded. Later, in conversation with

Chris Allen (2005, p104), Kemeny explained that "[t]heory forces housing researchers to lift their gaze from the nuts and bolts of housing issues and to make wider links." Engagement with theory can enable deeper understandings of housing phenomena, greater analytical power, and improved transferability or applicability of findings and conclusions to other research within and beyond housing – as well as influencing policy and practice (Bengtsson, 2009, 2012; Blessing, 2018; Lawson, 2018; O'Neill, 2008; Saegert, 2018). More generally, Tracy explains that a "richly rigorous" researcher with "a head full of theories, and a case full of abundant data, is best prepared to see nuance and complexity ... [and] better equipped to make smart choices about samples and contexts" (2010, p841).

Given the importance of theory, as well as claims of under-theorization in housing research, our objective is: *to identify and evaluate the application of theory in contemporary housing studies*. In so doing, we seek to establish the conceptual 'frontiers' of housing research, and to 'test' assertions that the field is under-theorized – goals that can be supported by a systematic literature review (Xiao & Watson, 2019). The paper is arranged as follows. First, we provide an overview of current and longstanding critiques of under-theorization in housing studies. Second, we describe the review process used in this study. Third, we present our findings via a blend of tabulated summaries and descriptive text. Fourth, we reflect on the presence of theory in our sample and discuss its significance for understanding the field. We conclude that housing studies is rich and nuanced, with a complex landscape of theoretical engagement that is deeper and more diverse than has been previously documented.

Literature

Approaches to housing research

It is generally accepted that housing studies is a *field* of study, rather than a discipline in and of itself. O'Neill (2008, p171) suggests that "in the wider social sciences arena, housing is seen not so much as a social world with a depth and breadth capable of spawning a disciplinary tradition but as a heuristic device for the study of society more generally." Similarly, Ruonavaara (2018, p189) identifies housing as a common avenue of inquiry in social science research, rather than a contained or independent topic.

Given this status, a critical question concerns how theory can and should be applied in housing studies, in order to enrich analysis and draw connections with other areas of social scientific inquiry (Blessing, 2018; Clapham, 2009; Kemeny, 1987; Lawson, 2012; Saegert, 2018). The relative merits of inter- and multi-disciplinary approaches to housing research have been widely debated. Gibb (2009) argues that economics has been one of the most influential disciplines in housing studies, particularly in terms of applied economic theory, and suggests such contributions illustrate the usefulness of *multi*-disciplinary housing research. However, Clapham (2009, pp2-3) contends that the "live and let live attitude" of multi-disciplinarity is "very difficult to justify," because different disciplines working largely in isolation do not foster holistic understandings of housing. Instead, Clapham favours an *inter*-disciplinary housing field that is "more integrated ... [and] uses insights from a wide range of disciplines" (2009, p4). For this review, we see housing studies as an interdisciplinary field that can borrow from and contribute to theorization and understandings in a range of disciplines (Bengtsson, 2009; Fitzpatrick & Watts, 2018; O'Neill, 2008).

Theory in housing studies

As one of the field's founding scholars, Kemeny was among the first to identify a relative lack of theorization in housing research. He connected this lack to *epistemic drift* – "the process of de-conceptualization that takes place in respect of conceptual frameworks applied to concrete social phenomena" (Kemeny, 1992, p16). De-conceptualization occurred as the focus of research shifted from wider social science problems and contributions, towards specific housing issues identified by administrators and politicians. One consequence was that "concepts degenerate[d] from a theoretically grounded and dynamic explanation into a static and sterile descriptive category" (Kemeny, 2001, p60).

In response to this shortcoming, Kemeny advocated for application of theory from other disciplines (e.g., sociology, geography, economics) to housing research so that it may become "theoretically adequate" (1987, p253) and more holistic in its consideration of diverse aspects and meanings of housing. Allen (2005, p96) notes that following Kemeny's intervention, housing studies experienced a "turn – or rather return – to theory" (see also Blessing, 2018). For example, structuralist theories gained strength in housing studies at this time, applying insights from the urban political economy of Harvey and Castells (itself grounded in Marx's historical materialism) to diverse issues including the production of housing, extraction of rent, and residential filtering (Lawson, 2012). Overtly

theoretical work in the structuralist tradition has since declined, but gave rise to "tributary streams" of housing research that utilize concepts such as inequality, uneven development and state/capital relations (Lawson, 2012, p193). Connections between such concepts and the theory from which they originated are often implicit and indirect, however, and critiques of under-theorization in housing studies endure (see Allen, 2005; Clapham, 2009; Lawson, 2018; Ruonavaara, 2018).

In direct contrast to Kemeny's argument, King (2009) calls for *theory of* housing, rather than the application of theory from other fields or disciplines, on the grounds that housing is a sufficiently unique and distinct field of inquiry to warrant its own theory. Ruonavaara (2018) also engages in this debate around the appropriate form of theory in housing studies, exploring the possibilities of theory *of*, *from* or *about* housing. He suggests that creating definitive theory *of* housing is "questionable" because housing is not a research topic in and of itself, but is instead a "common denominator" of many different topics. Theory *from* housing would be limited in its contributions to general theorization, but could play a role in cross-checking the application of other theories. Theory *about* housing is "acceptable," provided it can contribute to advancement of theory more generally. Ruonavaara concludes that even if a "grand, total theory *of* housing" (emphasis added) was possible, it would not be sensible, and instead research efforts should focus on advancing theory *about* and *from* housing (2018, p189). The critical importance of context in housing research also agitates against universalizing theoretical claims (Lawson, 2012).

Allen (2005) strikes an alternative note, and largely opposes the use of theory due to the potential for some (e.g., academic) knowledge to be privileged or deemed superior to other (e.g., residents') knowledge. However, Clapham (2009) notes that this critique holds true for most social science research, and that respectful, ethical methods and appropriate use of theory can mitigate these problems, which are more commonly identified in positivist research (Hearne & Kenna, 2014). In a subsequent intervention, Clapham (2018) makes a helpful distinction between research that "break[s] new ground in theoretical and conceptual development" (p173) and research that applies theory to housing issues without pursuing novel development. In this paper we consider both approaches – and others, including writing about theorization or defining a concept – as a form of engagement with theory (as does Clapham).

Method(ologie)s in housing research

Methodological approaches can influence and enhance theoretical framing and contributions in housing studies. 'Congruence' of methodology and theory can bolster the clarity, rigor and overall quality of research (Tracy, 2010; Willgens et al., 2016). For example, the structuralist tradition reviewed by Lawson (2012) was characterized by a shared methodological and theoretical approach focused on structures and systems, and a deductive logic that built on "preceding explanatory developments and debates … to generate explanations of causal processes" (p190). However, as described above with regards to theoretical engagement, methodological choices and considerations are not consistently signposted in housing research, and have often been overlooked in the field (Allen, 2005; Jacobs, 2001).

In response, several possibilities to extend and advance the field have been proposed. Jacobs and Manzi (2000) consider the potential contributions of social constructionist epistemology to housing studies, with reference to work that has advanced knowledge (conceptual, theoretical or otherwise) even without a salient, tangible 'real-world' application. They identify how social constructionist research can enable scholars to expand the scope of the field and deepen understanding of (often complex) housing-related issues and experiences.

Hastings (2000) advocates for the use of discourse analysis in housing research, citing benefits of the critical perspective this method can provide in the pursuit of understanding housing phenomena, as well as in researcher reflexivity regarding the use of language, positionality and the privileging of academic voices (see also Allen, 2005). Similarly, Jacobs (2001, p127) argues for (enhanced) application of methods and methodologies drawn from the discipline of history in order to "sharpen [the] conceptual framework" in housing studies. Jacobs notes that while some historical methods have been adopted in housing research (e.g., oral histories, archival research, textual analysis, etc.), they have tended to be used in less-than-critical ways. He also calls for more theoretically-informed approaches to studying the history of housing. Similar arguments have been made vis-à-vis other fields, for example by Bengtsson (2009) regarding political science and housing, and Gibb (2009) regarding economics and housing. Further, Kimhur (2020) identified opportunities for application and extension of the capabilities approach in housing research – a theoretical and methodological framing originating in welfare economics and closely related to human rights. Calls to broaden and

advance housing studies highlight opportunities for contemporaneous methodological *and* theoretical development in the field.

Methods: A scoping-critical systematic literature review

Our systematic literature review sought to identify and evaluate how theory is being applied in housing research. The following subsections detail how papers were selected for inclusion, the specific review process, and key variables of interest.

Inclusion criteria

This review included all research articles (excluding obituaries, book reviews etc.) published in 2019 and 2020 in *Housing, Theory and Society* (*HT&S*), *Housing Studies* (*HS*), and *Housing Policy Debate* (*HPD*). These journals were selected because they are generalist, international, and ranked as the top three housing journals in 2019 and 2020 according to the *Journal Citation Reports* database (Clarivate, 2021). These journals also have differing research scopes and objectives. The journal aims for *HT&S* specify "explicit engagement with theory" as a "critical criterion" for publication (T&F, 2022a). In *HS*, international applicability and theoretical or analytical developments are encouraged, but there is no formal requirement for theoretical engagement (T&F, 2022b). In *HPD*, emphasis is placed on practical contributions that "evaluate and inform" policy (T&F, 2022c), although this does not prohibit theoretical engagement. Together, these journals allow breadth and depth in our review of theory in housing studies.

Systematic review process

Xiao and Watson (2019) outline 16 sub-types of systematic literature review, differentiated by their primary objectives and the type(s) of literature being reviewed, thereby enabling clarity regarding the review objectives, process and contributions. Their categorization also accounts for and justifies subtle variations in methods, inclusion criteria, objectives and outputs, depending on the research question. To this end, Xiao and Watson recognize the value of formulating a hybrid approach tailored to the needs of a specific study: 'Reviewers should not be constrained by or 'siloed' into the synthesis methodologies. Rather [they should] choose elements that will best answer the research question" (Xiao & Watson, 2019, p102)

The systematic literature review presented in this paper draws on aspects of Xiao and Watson's *scoping* and *critical* review approaches. The individual stages and steps required to operationalize this hybrid approach are summarized in Figure 2.1. A scoping systematic review is characterized by an interest in providing a "snapshot of the field" (p99), giving an overview of a field's conceptual boundaries, methodologies, types of evidence collected in previous work, and research gaps (etc.). This form of review lends itself to deeper analysis of each article: generating richer data about the field than would be gathered in bibliometric analyses, and broader data than would be gathered by review approaches that screen articles for 'quality' as part of (or subsequent to) the initial selection process (see also Pluye et al., 2016).

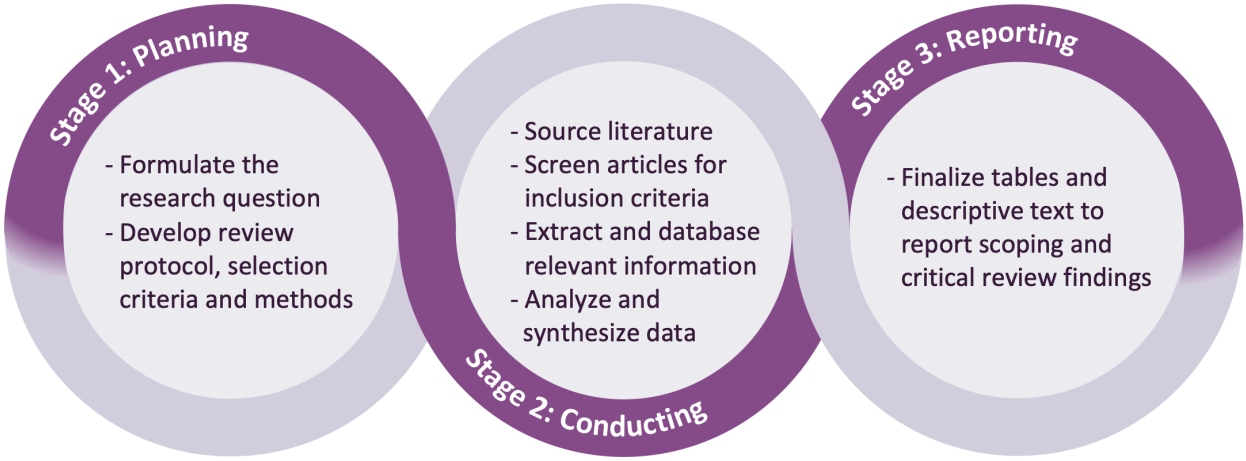

Figure 2.1: Process for undertaking a systematic review drawing on scoping and critical review approaches (informed by Xiao & Watson, 2019).

A critical systematic review approach can be integrated with this scoping approach. It can include all forms of literature identified; it is not limited by discipline or by the qualitative or quantitative nature of findings (Xiao & Watson, 2019). In this approach, each item is compared based on criteria established at the start of the review process. In our study, these criteria are the four variables of interest we identified in critiques (both recent and longstanding) of the housing field. The first variable centred on our primary interest, the *theoretical approaches* applied. We also included three supplementary variables – (i) the *geographical foci* of the studies reported; (ii) the *topics* investigated (e.g., dwelling quality, housing markets, policy); and (iii) the *research methods* employed. Our

definitions for each of these variables are presented in Table 2.1. These four variables reflect the core elements typically expected of research papers (as identified in journal guidelines), and were selected because they enabled us to develop a broad perspective on contemporary housing research, ensuring that we did not examine theory in isolation from other key characteristics of scholarship. At the same time, the critical-scoping review approach allowed us to identify not only if articles *reference* theory, but also to evaluate the extent to which they *engage* with it.

Determining application of theory in the papers proceeded as follows. First, we made an initial identification of theory by reading the title, abstract and keywords for each paper. Second, if theory was not initially identified in these opening sections, the remainder of the paper was scanned for presence of theory. Third, each paper that referenced theory was explored more deeply, in order to evaluate the extent of engagement. This was achieved by recording all sections in which the theory was applied. For the purposes of this analysis, 'application of theory' included description or definition of a theory, use of a theory to interpret data/findings, and drawing connections between conclusions and broader literatures, etc. Theory was recorded as being present in a section provided it exceeded a fleeting mention (i.e., more than just 1-2 sentences).

Table 2.1: Overview of variables and analytical process.

Variable	Definition	Sections where commonly identified
Geographical focus	The location(s) of data collection or case studies presented.	Keywords, Abstract, Introduction, Methods.
Topic	The main research topic, subject or focus of inquiry (distinct from location or theory).	Title, Keywords, Abstract.
Methods	Data sources and/or means of data collection.	Abstract or Methods where possible; alternatively, Findings and References.
Theory	Theoretical or conceptual basis used to frame findings and/or connect the study with broader literatures.	Variable combinations of all main sections.

Throughout this process, we also distinguished between *housing-specific theory*, which is predominantly or exclusively applicable to housing, and *general theory*, which has broader applicability or has been borrowed from other disciplines. In so doing, we drew upon a distinction made by other authors

(e.g., Aalbers, 2018; Ruonavaara, 2018), which is consequential in that it speaks to the origins of theory, within or beyond the field.

All papers were catalogued in a Microsoft Excel database. The process of recording details for all variables of interest took 20-40 min per paper, largely depending on structure and clarity, for a total of ~120h of information extraction and databasing activities. These details were subsequently coded, enabling categories to be developed for reporting in frequency tables. A balance of tabulated overview and textual description is used to summarize and contextualize review findings, as is conventional for both the scoping and critical systematic review approaches (Xiao & Watson, 2019).

Findings

Geography of housing studies

Table 2.2 summarizes the geographical foci of the 313 papers in our study. Across the three journals, 109 studies were focused on the US (34.8%), 58 (18.5%) on Europe and 49 (15.7%) on the UK. In general, Anglophone and higher-income countries were more strongly represented, although Canada accounted for just 13 papers (4.2%). Also of note is a predominance of US-focused research in *HPD* as compared to the other two leading housing journals (76.2% in *HPD*; 17.1% in *HS*; 10.6% in *HT&S*). Across all three journals, South/Central America and Africa together accounted for just 16 papers (2.9% and 2.2% respectively). Eighteen papers (5.8%) were literature reviews (or similar) without a geographical focus.

Table 2.2: Overview of the geographical foci of papers reviewed.

Geographical focus	HT&S	HS	HPD	*Total*
United States	7	25	77	*109*
Europe	23	33	2	*58*
United Kingdom	16	32	1	*49*
Oceania	11	24	0	*35*
Asia	2	20	11	*33*
Canada	2	11	0	*13*
South/Central America	1	5	3	*9*
Africa	1	2	4	*7*
None	8	6	4	*18*
*Total papers reviewed**	*66*	*146*	*101*	*313*

**Note that columns and rows sum to greater than the total number of papers reviewed, because some papers considered more than one case study location.*

Topics in housing studies

More than one third (109; 34.8%) investigated aspects of housing experience (see Table 2.3). Many explored residents' relationships with their dwelling. Mackay and Perkins (2019), for example, investigated how people's idealized relationships with their dwelling play out through DIY home improvement plans. Nóżka (2020) explored sense of home and residence as experienced by people who are homeless. Some authors adopted a broader scale of inquiry, investigating residents' experience of (and satisfaction with) neighbourhoods (e.g., Jaramillo et al., 2020; Yoon & Lee, 2019). Other papers in this category explored new migrants' housing experiences during resettlement (e.g., Balampanidis, 2020; Iglesias-Pascual, 2019; Peters, 2020), multi-generational living (e.g., Burgess & Muir, 2020), and thermal comfort practices (e.g., Roberts & Henwood, 2019).

Table 2.3: Overview of the central topics in papers reviewed.

Topic	HT&S	HS	HPD	*Total*
Housing experience	30	53	26	*109*
Social and affordable housing	15	33	19	*67*
Policy	9	25	29	*63*
Urban change and spatial features	5	23	15	*43*
Housing markets	6	22	14	*42*
Community social characteristics	4	16	18	*38*
Financing	2	7	26	*35*
Homelessness	10	13	8	*31*
(Un)affordability	5	9	21	*35*
Dwelling characteristics	8	10	8	*26*
Household composition	5	7	4	*16*
Housing studies (theory/methods)	7	5	4	*16*
Landlord-tenant relations	3	6	2	*11*
Other	8	27	10	*45*
*Total papers reviewed**	*66*	*146*	*101*	*313*

**Note that columns and rows sum to greater than the total number of papers reviewed, because some papers spanned several topics.*

Social and affordable housing was also a frequently recorded topic, with 67 papers (21.4%) exploring the definition, provision, management, growth/loss or experience of non-market housing. Granath Hansson and Lundgren (2019, p149), for example, argued that 'social housing' has tended to be a "floating signifier ... with no agreed upon meaning," and proposed a definition to offer greater

clarity. Lang et al. (2020) reviewed and analyzed the meaning and purpose of collaborative housing – a community-driven subtype of affordable housing. With interest in built form rather than definition or provision, Raynor (2019) explored innovation in social housing, using an example of transportable, modular-construction units in Melbourne, Australia. In a US context, Glaster (2019) considered how social housing policy could be reformed to improve residents' experience of neighbourhood.

Relatedly, 63 papers (20.1%) were concerned with housing policy. Topics within this category were diverse, reflecting the inherent breadth of housing policy and the varied jurisdictions under consideration. Many papers investigated how policy affects housing-related experience, provision or built form; a smaller number also explored how changes to real world phenomena could feed back into changes in policy. Several papers explored policies that have contributed to, or sought to mitigate the effects of, financialization (e.g., Aalbers et al., 2021; Heeg et al., 2020). A number of papers profiled a specific housing policy, act or regime. For example, six were written about the *Fair Housing Act*, US legislation intended to protect people from discrimination in accessing housing. With similar specificity, Bierre and Howden-Chapman (2020) documented how rental housing conditions are regulated in New Zealand. Others undertook broader-scale, comparative work, such as comparing trajectories in urban housing problems and policy in Auckland, Singapore and Berlin (Wetzstein, 2019).

The fourth most common topic category was 'other' (45/577; 7.8% of topics recorded). Examples included urban riots, housing activism, neighbour disputes, social work, bank closures, construction sector practices, and domestic violence, among others. These topics had varying degrees of relevance to housing, but all speak to the breadth of the housing studies field and the importance of housing to diverse aspects of society and everyday life. Sixteen papers specifically considered methodological or theoretical issues within the housing studies field (i.e., without an empirical focus on a specific housing topic), none of which presented a systematic review.

Methods in housing studies

A diverse range of methods was identified, indicative of the inter-disciplinarity of housing research (Clapham, 2009; Gibb, 2009; Ruonavaara, 2018) and the array of topics investigated. The most common methods were conventional in nature: interviews and focus groups (126 instances; 27.5%

of 458 methods recorded), followed by (predominantly qualitative) document analyses such as media and policy reviews (18.3%) (see Table 2.4). Quantitative methods were also commonly used, with quantitative modelling, inferential statistics and descriptive statistics collectively comprising 34.0% of all methods recorded. Contemporary methods such as community engagement and photo-based approaches, which have been increasingly popular in other fields and disciplines (Mertens, 2020), were least commonly recorded in this sample. Methods recorded as 'other' included social experiments, GIS mapping and oral history analysis.

Table 2.4: Overview of methods used in papers reviewed.

Method	HT&S	HS	HPD	*Total*
Interviews, focus groups (etc.)	33	68	25	*126*
Document analysis	20	37	27	*84*
Quantitative modelling	1	24	36	*61*
Inferential statistics	9	25	17	*51*
Descriptive statistics	6	17	21	*44*
Literature review	12	10	6	*28*
Observation/participation	8	12	5	*25*
Community engagement	0	3	6	*9*
Visual or photo-based	4	3	1	*8*
Other	5	8	9	*22*
*Total papers reviewed **	*66*	*146*	*101*	*313*

**Note that columns and rows sum to greater than the total number of papers reviewed, because some papers used multiple different methods.*

Theory in housing studies

Across the 313 papers in our sample, we recorded 346 instances of theory being applied. Use of theory was recorded where its application went beyond a fleeting mention (as described above), and each theory applied in a paper was recorded once. We also classified theories into two categories: housing-specific theory or general theory (see Table 2.5).

The most-commonly employed housing-specific theory was residential mobility (including housing pathways), with 22 uses recorded (22.4% of engagements with housing-specific theory). Most papers in this category relied solely on residential mobility theory (or theories). Firang (2019), for example, investigated the housing careers of Ghanaian immigrants in Toronto, while Dantzler and Rivera (2019) explored the residential mobility intentions and realities of public housing tenants in the US.

Others used residential mobility alongside another theory. For example, Sissons and Houston (2019) employed residential mobility theory in tandem with a generalist form of lifecourse theory to document how residents' tenure choices and transitions from renting to homeownership changed in the face of increasing house prices. It is clear that residential mobility theory has become a powerful investigatory and explanatory tool.

Table 2.5: Overview of the ways in which papers engaged with or contributed to theory.

	Form of theory	HT&S	HS	HPD	*Total*
Housing-specific theory	Residential mobility (incl. pathways)	4	15	3	*22*
	Sense of home	6	8	0	*14*
	Housing preference/satisfaction	3	5	1	*9*
	Home-making	5	1	0	*6*
	Gentrification	0	4	1	*5*
	Housing comfort	2	3	0	*5*
	Housing market mechanisms	1	3	1	*5*
	Other	8	17	7	*32*
General theory	Economic and financial	2	16	13	*31*
	Governance and power	11	11	1	*23*
	Social incl/excl, community	8	10	3	*21*
	Political economy	6	8	3	*17*
	Emotional	8	7	0	*15*
	Urban planning	2	5	5	*12*
	Vulnerability, precarity, insecurity	0	5	5	*10*
	Assemblage	1	6	0	*7*
	Materiality	3	4	0	*7*
	Bourdieu, social capital	2	3	1	*6*
	Other	25	54	9	*88*
Writing about theory	Defining a concept/topic	4	4	0	*8*
	Describing theory in housing studies	2	0	1	*3*
	None	3	27	56	*86*
	*Total papers reviewed**	*66*	*146*	*101*	*313*

**Note that columns and rows sum to greater than the total number of papers reviewed, because some papers engaged with multiple theories.*

Engagement with sense of home as theory was recorded 14 times (14.2%), and theories relating to housing preference/satisfaction were recorded nine times (9.2%). More than one quarter (32; 32.7%)

of the 98 engagements with housing-specific theory were categorized as 'other' – a reflection of the diversity of theory available to housing scholars. Theories in the 'other' category included ethics of dwelling (Mosteanu, 2020), domesticity (Martella & Enia, 2020), housing commons (Aernouts & Ryckewaert, 2019; Vidal, 2019), energy cost burden (Ray et al., 2019), neighbouring (Cheshire, 2019; Moreira de Souza, 2019), and housing regimes (Blackwell & Kohl, 2019; Stephens, 2020).

In contrast to popular housing-specific theories such as residential mobility and sense of home, engagements with theories of general application tended to be less focused on human experience or emotional attachment. The most common general theories were economic and financial in nature (31 instances; 13.1% of 237 general theory engagements recorded). Eleven of these papers employed financialization as theory (distinct from financialization as research topic). Smyth (2019), for example, used financialization theory in considering the future of social housing and conceptualizing the nature of housing policy in England. Reyes (2020) employed financialization theory in combination with political economy and governance to investigate the levels of government and institutions involved in advancing housing financialization in Mexico. In the UK, Humphry (2020) used economic theories of individualization and residualization to understand tenants' experiences, and providers' management, of post-Olympic village dwellings as social housing. Other economic theories included basic (Been et al., 2019) and neoclassical (e.g., Prentice & Scutella, 2020) economic theory, consumer choice theory (Flambard, 2019), stakeholder theory (Wang et al., 2020) and microeconometrics (Brunet & Havet, 2020).

Theories of governance and power (23 instances; 9.7%) and social inclusion or exclusion (21 instances; 8.9%) were also relatively frequently recorded. More than 10 engagements were also recorded for four other categories: emotional theory, political economy, urban planning, and vulnerability/precarity. Further, 88 engagements with general theory were recorded as 'other' (37.1%) – the most frequently recorded code for this category. This speaks to the ways in which a plethora of theories from other fields and disciplines can be developed and applied within housing studies. Examples included path dependence (Aguda & Leishman 2020; Soaita & Dewilde, 2019), lifecourse (Maroto & Severson, 2020; Sissons & Houston, 2019), actor network (Becerril, 2019; Bradley, 2020), organizational (Kleit et al., 2019), time (Li et al., 2019), modernity (Goodchild et al., 2020) and policy mobility (Thompson, 2020) theories.

In eight papers, theoretical contributions took the form of developing a definition of a concept or topic – for example, a typology of tiny houses (Shearer & Burton, 2019) or a definition of social housing (Granath Hansson & Lundgren, 2019). In three papers theory itself was the object of inquiry, in descriptions or critiques of theory in housing studies. Lang et al. (2020), for example, systematically reviewed collaborative housing research with a view to conceptualizing this as an independent field. In contrast, Kimhur (2020) focused specifically on the capabilities approach as a particular conceptualization that holds promise for housing studies.

Extent of engagement with theory in housing studies

In addition to categorizing papers – and the housing studies field – in terms of theories mentioned or referenced, our analysis also enables an examination of *how* papers engage with theory. A total of 179 papers (57.2%) used theory in all major sections (Introduction, Literature, Findings, Discussion and Conclusion, or equivalents), including the majority of papers in *HT&S* (84.8%) and *HS* (63.0%) (see Table 2.6). By contrast, only 30.7% of papers in *HPD* engaged with theory in this substantive manner.

Table 2.6: Overview of the extent of engagement with theory in papers reviewed.

Engagement with theory	HT&S	HS	HPD	*Total*
All major sections	56	92	31	*179*
Limited (2-3 main sections)	4	20	8	*32*
First half only	3	4	6	*13*
Second half only	0	2	0	*2*
None	3	28	56	*87*
Total	*66*	*146*	*101*	*313*

Forty-seven papers (15.0%) engaged with theory to a lesser extent. Of these, 32 (10.2%) engaged with theory in a limited fashion, i.e., connections to theory were made, but these were more subtle and limited to 2-3 main sections, rather than comprising a substantial portion of the paper. This was most common in *HS*, which encourages but does not require theoretical engagement. In another 13 instances (4.15%), theory was only used in the first half of the paper (Abstract, Introduction, Literature, Methods – or equivalents), generally to connect the work to other literature, rather than to frame/explain findings or to advance the theory itself. On the other hand, two papers (0.6%), both in *HS,* used theory only in the second half (Findings, Discussion, Conclusion – or equivalents),

as a way of explaining findings. Papers that lacked theoretical connection in any section, or made only fleeting mention of theory without elaboration, were recorded as 'none' (87 papers; 27.8%). This was most common in *HPD* (55.4%) and least common in *HT&S* (4.5%).

Discussion

Kemeny's criticisms of early housing studies were centred on under-engagement with theory and "de-conceptualization" of the field – a multi-faceted process he summarized as *epistemic drift* (1992, p16). More recent commentaries have also signalled persistent under-theorization, in terms of the application of theory from other disciplines, and/or the generation of unique concepts within housing scholarship (Allen, 2005; Bengtsson, 2012; Clapham, 2009, 2018; Lawson, 2012, 2018; Ruonavaara, 2018; Somerville, 2018). In our review, however, a clear majority of contemporary papers engaged meaningfully with theory: 179 of 313 (57.2%) utilized one or more theories in all main sections. Moreover, almost three-quarters of papers (226/313; 72.2%) applied theory in some way, including those where it was used in a more piecemeal or partial manner. The application of theory to explain findings, connect to broader literature or form conclusions – even if that theory does not frame the study design and inform the research in its entirety – is still a form of engagement. In short, we observed significantly more application of theory in contemporary literature than long-standing critiques of the field led us to anticipate.

Diversity of theory in housing studies

Our findings illuminated the sheer diversity of theory being utilized in contemporary housing research. The most common general theories ranged from economic and financial theories, to governance and power, social inclusion/exclusion and political economy. Housing-specific theories were also varied: residential mobility, sense of home, housing preference/satisfaction and home-making all appeared frequently.

Moreover, for general and housing-specific forms of theory alike, *other* was the most common code recorded (at 37.1% and 32.7%, respectively). The 'other' category encompassed an array of theories recorded up to five times each, including many recorded only once. This illustrates the sheer diversity of theories available to, and utilized by, researchers to frame or explain housing phenomena. Often, authors engaged with more than one theory in a single paper, including pairing general and housing-specific theories, and sometimes utilizing this combination to propose a new

conceptual model or bespoke explanatory framework. This indicates a 'buffet' of potential opportunities for theorization in housing studies, with no (or very few) hard limits on the types or origins of theory that could be used – either alone or in tandem – to explore and explain a wide range of housing issues.

We also noted just how diverse research *topics* are in the field. The most common topics, recorded more than 40 times each, were housing experience, social/affordable housing, housing policy, urban change, and housing markets. It seems that little, if anything, is off-limits to contemporary housing scholars – consistent with the inter-disciplinary nature of the field and its intellectual contributions, and the importance of housing to everyday experience and society at large. These diverse housing topics were 'mixed and matched' with a range of theories; there did not appear to be an orthodoxy that dictated particular approaches to particular empirical interests.

This diversity of theory and topics in housing research could, perhaps, be viewed as a limitation of the field. It may create a sense of fragmentation or a lack of cohesiveness, with few core theories being used to unite housing scholars and scholarship. On the other hand, this diversity means housing scholars have tremendous intellectual freedom in framing and interpreting their research. Selection of theory can be based upon the interests of the research group or community, the methodological approach, and/or the specificities of the research problem and findings (Tracy, 2010; Willgens et al., 2016). In this sense, the opportunity to choose from diverse theoretical approaches enables researchers in the field to be flexible, nimble and responsive to context. Moreover, diversity of theory may be difficult to avoid in a field as multi-disciplinary and wide-reaching as housing studies, which O'Neill (2008) observes is not particularly suited to following or generating specific disciplinary traditions so much as to facilitating understandings of society more broadly.

We also observed key differences in levels of engagement with theory across the different journals. Most papers in *HS* and *HT&S* were well-theorized (81.5% and 95.5% respectively), whereas a majority of those in *HPD* were non-theoretical (55.4%). These differences likely result from variation in journal scopes and expectations described at the outset of this article. Of note is that the scope and aims of *HPD* are reminiscent of the 'historical' housing studies critiqued by Kemeny, and many articles published in this venue are quantitative and/or less-theoretical work that prioritizes

policy recommendations and practical relevance. As such, we contend that while Kemeny's arguments may still apply to *HPD*, and to some individual papers within *HS* and *HT&S*, the weaknesses he identified in early housing research no longer hold true for the field at large.

In a sense, these three journals reflect what is possible when theory is required in housing research (*HT&S*), what engagement occurs when theory is encouraged but not explicitly required (*HS*), and what happens when practical contributions and policy recommendations are valued ahead of theory (*HPD*). This complexity is consistent with the breadth of practical, academic and conceptual contributions that the inter-disciplinary field of housing research is well-positioned to make (O'Neill, 2008). Indeed, we acknowledge that papers along a full spectrum of engagement with theory, from entirely theoretically-charged pieces through to atheoretical outputs that generate toolkits or other tangible recommendations, all have an important place in the field.

Geography, methods and theory in housing studies

The diversity of theories and topics we observed did not extend to the two other variables considered in our analysis: locations and methods. First, the geography of contemporary housing scholars' gaze is somewhat limited. Most papers investigated housing issues in high-income 'developed' countries (264/313; 84%). This may be partly, but not entirely, related to the fact that all three journals are English-language (only) publications, and *HPD* in particular is dominated by US-focused publications (77/109; 70.6% of *HPD* papers reviewed). Such a skew towards high-income countries does not reflect the diversity of global housing issues, representing both a shortcoming of the field, and an opportunity for housing researchers to broaden its scope. Expanding the geography of housing studies may also create opportunities (and needs) for more diverse research approaches and methods.

Second, the methods most commonly applied in our sample of housing research tended to be relatively traditional in nature – e.g., surveys, quantitative databases, interviews and focus groups. These approaches appear to be 'tried and trusted' and have proved effective in studying diverse housing phenomena. However, this is a limited set of methods from which to draw, and more novel approaches, such as visual or photo-based approaches and community engagement projects, remain relatively rare (17/458 methods recorded; 3.7%).

Most papers provided details of their research methods (usually data collection, and sometimes also analysis) in a designated methods section. However, some papers did not include a methods section at all, leaving us to determine the methods used by examining the findings sections and reference list. Very few articulated a deliberate, overarching methodological approach, let alone epistemological foundations.

The relatively narrow scope of methods used in these papers, combined with the almost complete absence of more conceptual methodological or epistemological reflections, is relevant to our analysis given (potential) interconnections with theory. Well-executed methodological approaches in housing research can enhance conceptual framing and contribute to theorization (Jacobs, 2001; Lawson, 2012). As such, our findings support arguments made elsewhere that housing scholars could, and should, draw inspiration from the methods (and methodologies) used in other fields/disciplines (Bengtsson, 2009; Gibb, 2009; Jacobs, 2001; Jacobs & Manzi, 2000; Kimhur, 2020).

Gaps, shortfalls and conspicuous absentees

Our review identified impressive diversity in topics and theories that have been incorporated into papers in leading housing journals, including a range of theorization 'styles' from explicit, intensive engagement, to implicit connections (as detailed in Table 2.6). There were, however, several topics and theories that were conspicuous by their absence or under-investigation.

In light of the international emergence of human rights-based approaches to housing, including in France (Houard & Lévy-Vroelant, 2013), Scotland (Stewart, 2018) and South Africa (Meth & Charlton, 2017; Turok & Scheba, 2018), we found it curious that connections to human rights (and indeed other forms of rights) were seldom present within our sample. Indeed, writing from a Canadian context, where the right to housing has been foregrounded in policy since the adoption of the *National Housing Strategy* in 2017, we were surprised to observe that human rights featured within our sample just six times as a *topic*, and twice as *theory*. The capabilities approach appeared twice, and 'rights' that were not human rights (e.g., property rights, tenant rights) also appeared three times as a topic. Given the close intersection between legal studies and human rights, engagement with housing and human rights may be more common in specialized venues (i.e., law journals). However, the lack of engagement with human rights in housing journals is problematic, as it signals that

'mainstream' housing studies is not engaging with the ethical foundation of housing as a human right as deeply/frequently as it could (and arguably should).

Similarly, we noted that housing issues related to aging populations and the experience of aging were infrequently included in our sample. Just six papers focused on the experience of aging as a topic or specifically included seniors as participants. This seemed a remarkable minority: significant issues related to aging, including older population structures, multigenerational households and aging-in-place, have important implications for housing supply, demand and experience – as highlighted by the handful of papers in our sample that did engage with these matters (e.g., Bates et al., 2020; Burgess & Muir, 2020; Filipovič Hrast et al., 2019; Yoon & Lee, 2019). As with the case of human rights (above), it is possible that aging-plus-housing matters have been more extensively covered in gerontology journals, however we contend that they also merit investigation from an explicit housing studies perspective.

Gentrification was also under-represented as topic or theory in our sample: just four papers engaged with gentrification as *both* theory and topic, two as a topic only, and one as theory only. This was surprising given the pivotal role this process has taken in restructuring contemporary urban centres. Indeed, Skaburskis and Moos observe that gentrification is "perhaps the most important change in the structure of cities in the past half-century" (2015, p220). Moreover, gentrification theory originated within housing studies and remains distinctly housing-oriented – while being interconnected with a range of other important urban and social issues (Ellen & Torrats-Espinosa, 2019; Hyra et al., 2019; Lees & White, 2019). It is possible that issues such as gentrification, while clearly relevant to housing studies, have been more frequently examined in urban studies or planning journals.

Another pertinent – indeed, pressing – issue that was under-represented in our sample was climate change and energy efficiency. Just four papers explored these issues, generally in terms of energy efficiency targets and heating/cooling costs or best practices (e.g., Fijalkow, 2019; Goodchild et al., 2020). Energy costs are a significant expense for private households and social/affordable housing providers alike (Arman et al., 2009; Makantasi & Mavrogianni, 2016; Tsenkova & Youssef, 2011), and contribute to energy poverty (Das et al., 2022). Further, greenhouse gas emissions associated with maintaining thermal comfort in homes are significant, especially in older dwellings that are ill-

prepared for climate change – a problematic feedback loop with consequences for the resilience of housing systems and for residents' health (Arman et al., 2009; Gianfrate et al., 2017; Makantasi & Mavrogianni, 2016). In the current academic and atmospheric climate, this topic is laden with important technical and ethical dimensions, both of which ought to be incorporated more widely into research presented in leading housing-specific publications in the future.

Reflecting on the review approach

Our scoping-critical systematic literature review approach was designed to identify and evaluate contemporary research interests in housing studies. It has enabled us to investigate – and largely dispel – long-standing critiques of under-theorization in the field, as well as explore interrelated criticisms regarding methods and methodologies. Such quantification of approaches to research in housing has not, to our knowledge, been pursued previously.

The level of detail sought during our review process necessarily limited the window of publication dates for our selection criteria. Including all research papers across two years in three journals yielded 313 papers, each of which was analyzed across four key variables. This enabled relatively deep and detailed analysis of the *contemporary* housing field, providing a sense of the current theory-scape, but did not seek to capture longitudinal trends or evolution of theory in the field (e.g., since Kemeny's initial critiques).

For logistical reasons we limited the sample of papers in our review to those published in the three leading housing-specific journals. The field's interdisciplinarity means that housing research (theoretical or otherwise) could also be found in journals that fell outside the parameters of our review (e.g., in gerontology and legal studies). This limitation was mitigated by the fact that all three journals are generalist and international in scope, meaning our sample canvassed a wide spectrum of disciplines, topics, theories and geographical foci.

Conclusion

In this paper we systematically reviewed 313 journal articles in light of long-standing critiques of under-theorization in housing studies. Although our findings revealed no clear theoretical orthodoxy that might unite the field or constitute a 'theory *of*' housing (Ruonavaara, 2018; see also Fitzpatrick & Watts, 2018), we observed a tremendous diversity of theory being developed and applied. This

theory-scape is more complex and nuanced than criticisms of under-theorization suggest. Our findings indicate that housing studies might be viewed as a 'magpie-like' field, drawing on many different (metaphorically shiny) forms of theory without a set of core theoretical frameworks.

Engagement with theory can enable ideas to be adopted from one field and applied to another, enhancing depth of understanding and transferability of findings/conclusions (Bengtsson, 2009; Lawson, 2012, 2018; O'Neill, 2008; Saegert, 2018). Moreover, theory is not static. Diverse and evolving applications of theory in housing research can contribute academic rigor at the scale of individual papers, as well as to theoretical advancement at field, disciplinary and even interdisciplinary scales. We can see the advantages of theorization in the many and varied forms of both housing-specific and generally-applicable theory in our sample – particularly, but not exclusively, in qualitative research. Clearly, housing studies is generating its own theory, as well as borrowing from and contributing to wider interdisciplinary debates and theoretical development.

In a minority of papers (less than one quarter of our sample), engagement with theory was limited or non-existent. We do not interpret the absence of theory in these cases as a *weakness* of individual studies, or of the field more broadly. Rather, we see them as a largely benign form of *difference*. While engagement with theory has become a majority/mainstream pursuit in contemporary housing studies, less-theoretical papers clearly have contributions to make: in our sample they were almost always focused on practical solutions, policy recommendations or other tangible outputs – recalling the norm observed in earlier housing studies (Allen, 2005; Kemeny, 2001). However, these papers sit within a field that is now otherwise well-theorized, and to exclude theory is, at minimum, to miss opportunities for making intellectual connections.

Diverse theoretical framings represent abundant possibilities for housing researchers. Our findings offer cause for optimism and appreciation of the diversity of theory that has been (and can continue to be) applied in housing studies as a theorized *and* practical research field. We welcome and applaud the variety of theory and topics in contemporary housing studies, and challenge housing scholars to diversify the locations of their investigations, and their methods and methodologies, correspondingly.

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3 Framing the right to housing
An analysis of the United Nations Special Rapporteur's country reports

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Abstract. The United Nations Special Rapporteur (UNSR) for Housing is mandated with promoting and protecting the human right to adequate housing at the international level. However, their work has received little academic attention in either housing or human rights scholarship. This paper investigates how the UNSR for Housing identifies human rights breaches and advocates for solutions across diverse contexts. We conceptualize these contributions using a framing analysis of 24 country reports published over 15 years (2007-2022), which allows us to develop a systematic understanding of the work of the UNSR. This dataset includes 12 high-income countries and 12 low- and middle-income countries, enabling a broad perspective on how housing problems and the right to housing are framed. We identify similarities across all 24 reports that highlight internationally pervasive issues, such as the vulnerability of certain social groups to diverse housing problems, and inadequate housing conditions. We also find that some issues received greater emphasis among high-income countries, such as shortages of social housing, while in low/middle-income country reports, large-scale informal housing settlements were more commonly emphasized. Our analysis illuminates how the UNSR operationalizes the right to housing by setting international standards and promoting tangible improvements in housing conditions, both within and beyond the countries visited. We also demonstrate the utility of framing analysis as a method and conceptual approach in housing studies.

Keywords: human rights, adequate housing, framing analysis, United Nations.

Introduction

In 2000, the United Nations established the position of '*Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living, and on the Right to Non-Discrimination in this Context*,' commonly known as the United Nations Special Rapporteur for Housing ('UNSR-Housing'). The UNSR-Housing identifies rights breaches and advocates for solutions in diverse contexts. In this paper, we analyze country reports published over 15 years (2007-2022), for a total of 24 countries: Algeria, Argentina, Australia, Cabo Verde, Canada, Chile, Croatia, Egypt, France, India, Indonesia, Israel and the Occupied Palestinian Territories, Kazakhstan, Korea, Maldives, New Zealand,

Nigeria, Portugal, Rwanda, Serbia and Kosovo, South Africa, Spain, the United Kingdom, and the United States. Our analysis seeks to answer the question: *How does the UNSR-Housing operationalize and promote the human right to adequate housing?* We employ a framing analysis to identify and categorize the housing problems, causes, remedies and moral judgements articulated by the UNSR-Housing in their country reports. This analysis provides a foundation for understanding how housing rights issues manifest at the international scale, and how the UNSR-Housing works to fulfil their mandate.

The work of the UNSRs has received very little scholarly consideration to date. Our scoping searches identified just 11 journal articles examining UNSR activities, of which six were authored or co-authored by former UNSR mandate holders themselves. None of these 11 articles focused on the UNSR-Housing. It follows that UNSR reports are a largely untapped resource for human rights scholars, as well as for scholars working in other academic fields for which there is a corresponding UNSR (e.g., housing studies, public health, migration studies). In this research, we examine a sample of country reports published by the UNSR-Housing as data for our framing analysis. These documents were an interesting and important data source for this analysis because UNSR country reports provide an international scope for understanding the definition and operationalization of the right to housing, including illuminating the diverse ways in which the right to housing can be realized in pursuit of tangible improvements to a wide range of housing problems.

The paper is structured as follows. First, we review literature about the right to housing and about UNSR mandate holders. Second, we present our methodological approach, including our inclusion criteria and framing analysis approach. Third, we present our findings, arranged into four sections, one for each aspect of the framing analysis. Fourth, our discussion connects the framing of housing problems, causes and remedies in country reports with the right to housing more broadly. Finally, our conclusion reflects on the framing methodology and how the UNSR operationalizes the right to housing.

Literature review

The human right to adequate housing

The human right to adequate housing (henceforth, the right to housing) falls within the broader category of economic, social and cultural (ESC) rights, which seek to ensure adequate living standards. ESC rights are universal by definition; they seek to ensure the necessary conditions for

human dignity and social participation for all individuals (Hohmann, 2013; King, 2003). These rights are "strongly embedded in international law" (Collins & Stout, 2021, p340) and have been recognized by almost all states. This recognition imposes three broad duties on states: *to protect* (e.g., enact laws prohibiting rights violations); *to respect* (e.g., recognize and prioritize rights in policy and decision-making); and *to fulfil* (e.g., take actions towards progressive realization of these rights) (Casla, 2016; Fukuda-Parr et al., 2009; OHCHR, 2021).

The right to housing is enshrined in several international human rights treaties, most notably the *Universal Declaration of Human Rights* (1948) and the *International Covenant on Economic, Social and Cultural Rights* (1976). The substantive meaning of the right was developed in detail in *General Comment No. 4* (1991), which sets out seven essential components: security of tenure; availability of amenities; affordability; habitability; accessibility; location; and cultural adequacy (OHCHR, 1991).

The Office for the United Nations High Commissioner for Human Rights (2009) describes the combination of *freedoms* and *entitlements* contained within the right to housing, emphasizing that these extend far beyond access to "four walls and a roof" (p3). Freedoms include protection from forced evictions or the destruction of homes, and from "arbitrary interference" with a person's house, privacy and family, as well as the ability to choose where to live and how/when to move. Entitlements include tenure security, access to housing without discrimination, and the ability to participate in decision-making about housing at community and national scales (OHCHR, 2009). Moreover, the right to housing is interrelated with other human rights, including the rights to health, water, food, privacy, work and education (OHCHR, 2009).

The right to housing does not require states to provide public or social housing for all residents; rather, states are obligated to ensure that their housing *systems* are equitable and inclusive (OHCHR, 2009). This includes undertaking measures to "prevent homelessness, prohibit forced evictions, address discrimination ... [and] ensure security of tenure for all" (OHCHR, 2009, p6). In practice, it requires governments to create and maintain favourable conditions for all residents to realize their right to housing, including members of vulnerable groups (OHCHR, 2023; Schwan et al., 2021). Examples of relevant measures include regulating the housing market, funding affordable housing providers, and adjusting economic and social policies to improve housing affordability, adequacy and security (CERA & NRHN, 2022). As with ESC rights more generally, states must be committed

to *progressive realization* of the right to housing; that is, they must take continuous steps – including but not limited to legislative and policy changes – to improve equitable access to housing, and avoid measures that might lead to retrogression (Casla, 2016; OHCHR, 2009).

United Nations Special Rapporteurs

United Nations Special Rapporteurs (UNSRs) are independent experts appointed by the UN Human Rights Council. Their mandates may focus on human rights themes (including housing), or on individual countries with particular human rights challenges (Gallagher & Ezeilo, 2015). Former United Nations Secretary General Kofi Annan described UNSRs as the "crown jewel" of the Human Rights Council: they enable independent investigation of specific areas of human rights, which is important because the "rule of law cannot be left to the discretion of governments, no matter how democratically elected" (UN, 2006). UNSR roles are established when a need becomes apparent or in response to international concern (Subedi, 2011). There are currently 45 thematic mandates (including the UNSR-Housing) and 14 country-specific mandates (OHCHR, 2023). However, literature addressing the purpose and work of UNSRs is very limited in quantity and scope. Of the few the papers written on this topic, most are narrowly focused on specific issues – e.g., the work of a UNSR with respect to the International Law Commission (e.g., Arajärvi, 2017), or policy discourse around food security and food sovereignty (Sage, 2014) – and do not present substantive analysis of the role, activities or outputs of the relevant UNSR. Moreover, none of the papers we identified outlined an explicit research approach or described their methods and data sources. Nevertheless, these papers provide insights into the objectives, accomplishments and achievements of UNSRs.

The role of a UNSR

UNSRs seek to protect and promote human rights through research, policy advice and activism (Ertük & Purkayastha, 2012; Subedi, 2011), and through publicly documenting human rights violations, with the goal of increasing state accountability (Gallagher & Ezeilo, 2015). The overarching aims and activities of UNSRs can be summarized as: undertaking country visits; communicating with states regarding violations of human rights; contributing to development of international human rights standards; engaging in advocacy and promote public awareness; and advising on technical cooperation (OHCHR, 2023). Writing in the context of the right to health, Hunt and Leader (2010) identified three key objectives of the UNSR role: raising the profile of the

right, clarifying its contours and content, and finding practical ways of operationalizing it. Similarly, Carey (2020, p33), writing in the context of the right to safe drinking water and sanitation, described the role of a UNSR as a "norm entrepreneur," monitoring and clarifying what a human right means, how it should be realized, and "advocat[ing] for reparative action for victims."

Thematic UNSRs (including the UNSR-Housing) issue thematic reports on key topics within their domain, country visit reports (typically 2-3 per year), and communications with states (letters) regarding human rights problems and policies (Hunt & Leader, 2010; Rotenberg, 2017). Rotenberg (2017) describes country visits and communications as "among the most well-established, powerful techniques for Special Rapporteurs to address human rights violations" (p64), because they enable investigations, communications with states, and making targeted recommendations. The reports published after a UNSR country visit establish the scope and nature of the right within specific contexts, identify rights violations, evaluate the effectiveness of current protections for the right, and make recommendations for improvements (see Gallagher & Ezeilo, 2015).

Achievements and successes of UNSRs

Through their investigative work and reporting, UNSRs play a crucial role in setting standards, thereby influencing how international human rights law is interpreted and implemented. In practice, much of their work centres on encouraging change in domestic policy and legislation (Stavenhagen, 2013; Subedi, 2011). For example, Stavenhagen (2013) explains how the recommendations of the UNSR for the Rights of Indigenous Peoples have resulted in a range of policy and legislative changes, as well as on-the-ground human rights training and education. Gallagher and Ezeilo (2015) explain how the UNSR for Human Trafficking has been able to increase awareness of states' obligations to prevent, investigate and prosecute trafficking, leading to stronger legal frameworks, although problems of exploitation and trafficking endure.

UNSRs have been said to "br[ing] the human rights work of the United Nations to ordinary men and women around the globe" (Subedi, 2011, p204). They do so by employing a range of communication tools to direct public and political attention towards human rights issues. These tools include formal publications (such as the country reports examined in this paper), as well as newsletters, online content, resources for NGOs, factsheets, and plain-language descriptions of human rights and state obligations (Rotenberg, 2017). Ertük and Purkayastha (2012) observe how

the UNSR for Violence against Women has used such tools to increase visibility of the complex structures underpinning patriarchal violence and gender inequality, and to advocate for the empowerment of women.

UNSRs can also produce tools that can be implemented to initiate, improve and monitor rights-based approaches. As the UNSR for Health, Paul Hunt authored a thematic report that constructed a human rights-based approach to measuring health indicators, identifying benchmarks that could be used to ensure progressive realization of the right, and to identify (and assist in resolving) stagnation or regression (Hunt & Leader, 2010; Williams, 2010). While UNSR recommendations are typically directed at states in the first instance, they can also highlight the duties of non-governmental actors, for example where they have responsibilities that are contracted out by orders of government, as often occurs in homelessness service provision (Stadler & Collins, 2023).

The mandate of the UNSR-Housing

Each UNSR-Housing mandate holder serves a three-year term. The UN defines the scope of the Housing mandate as encompassing eight core elements: (1) to promote full realization of the right to housing; (2) to identify best practices and challenges; (3) to emphasize practical solutions; (4) to apply a gender perspective; (5) to pay special attention to vulnerable people and marginalized groups; (6) to provide technical assistance; (7) to work cooperatively with other UN bodies; and (8) to submit an annual report (OHCHR, 2023). In fulfilling this mandate, the UNSR reports on specific sub-themes (e.g., climate resilient and carbon-neutral housing; housing during violent conflict), and on the findings of country visits. The full suite of UNSR-Housing reports reflects the priorities and activities of mandate holders, and shines light on diverse challenges and solutions with respect to the right to housing.

Criticisms, limitations and shortcomings of UNSR activities

UNSR mandate holders also encounter a range of challenges and limitations to their roles. For example, while they are in principle "giv[ing] a voice to the voiceless and defending the defenders of human rights" (Pinheiro, 2011, p204), UNSRs have been denied entry to some countries, had strict limits placed on their activities while undertaking investigations, and have experienced harassment, restriction, detention and deportation during country visits (Hunt & Leader, 2010; Pinheiro, 2011). UNSRs can only conduct official country visits with the state's approval, meaning that in instances

when a visit is repeatedly postponed or refused, the UNSR's ability to examine and expose human rights violations is severely constrained (Gallagher & Ezeilo, 2015; Pinheiro, 2011). This is problematic given that countries where human rights violations are especially prevalent may have an incentive to refuse UNSR visits.

The main activities of UNSRs are investigative, consultative and advisory in nature. While they monitor and report on human rights policies and breaches, as per the "principle of non-interference in the internal affairs of states" set out in the *Charter of the United Nations,* they cannot enforce international human rights (Subedi, 2011). This can limit the impacts of their activities on the realization of human rights. For example, there is no mechanism for requiring states to act upon the recommendations of a UNSR in a timely and through manner. In the case of the UNSR for the rights of Indigenous Peoples, Stavenhagen (2013, p137) observes that "while the Special Rapporteur's reports have had an important impact in some countries, the recommendations … do not generate automatic and speedy changes in the situation of the rights of [I]ndigenous peoples." As a former UNSR on this theme, Stavenhagen identifies measures that could help ensure progress towards the realization of human rights – such as follow-up initiatives regarding if/how UNSR recommendations are put into practice – in order to "bridge the 'implementation gap' that divides international and domestic norms and ... serious human rights violations" (p137). However, such collaborative interventions and monitoring are contingent on the participation of relevant institutions, which can be difficult, as Williams (2010) observed regarding a lack of communication between the Director General of the World Health Organization and the UNSR for health across an entire six-year UNSR term.

Despite logistical and political challenges, and limitations imposed by the UN system, the investigatory and advisory work undertaken by UNSRs is an important mechanism for advancing the protection and promotion of human rights, as well as encouraging state accountability and progress towards realization. Their work sets international standards and expectations by drawing attention to problems,and advocating for solutions that are aligned with human rights-based approaches (Carey, 2020; OHCHR, 2023; Subedi, 2011; UN, 2006). From a scholarly perspective, however, there is no established approach for analyzing the work of UNSRs in a systematic manner. To develop such an approach, we turn to framing analysis.

Methods

Framing analysis as theory and as a methodological approach

Framing analysis originated in sociology (Goffman, 1974) and is underpinned by a social constructivist epistemology (Lau, 2018). It has been especially influential in communication studies (Entman, 1993) and is increasingly applied in other social science areas, including housing studies and urban planning. For example, framing analysis has been used to illuminate how frames can influence public perceptions of land use changes (Kaufman & Smith, 1999), environmental issues (Lakoff, 2010) and affordable housing developments (Nguyen et al., 2013; Scally & Koenig, 2012).

Framing analysis can be employed as "a theory and approach in research seeking to understand how messages are created, deciphered, and promulgated" (White & Nandedkar, 2021, p215). Its central theoretical position is that the way in which an issue is presented and explained holds power and influences how people perceive reality (Goffman, 1974; Lakoff, 2010). In framing analysis, the verb 'framing' refers to the conscious or sub-conscious articulation of an issue or problem, and, as a noun, a 'frame' is what is adopted/internalized by individuals and used to interpret phenomena/situations and make sense of reality. In this sense, framing is connected to "all the mundane ways by which individuals understand and make sense of situations at hand" (Silvast & Virtanen, 2019, p464). Critically, such understandings have "concrete implications" for decision-making, for example when frames become incorporated into policy (Lau, 2018, p670). In practice, framing is operationalized through written and spoken communications (Lakoff, 2006), and is always present in those communications, even if it is not always deliberate (White & Nandedkar, 2021).

Counter-framing is possible when an individual or group seeks to change dominant perceptions of a situation by presenting an alternative framing to one that already exists (White & Nandedkar, 2021). Re-framing is also possible when an alternative interpretation of a situation is promoted (Lakoff, 2006). The success or credibility of a particular framing is contingent on the extent to which it aligns with common preexisting values and beliefs – and where more than one framing is available for a particular situation, these factors influence which becomes dominant (Benford & Snow, 2000; Lau, 2018). Counter-framing has been documented, for example, in affordable housing development settings where 'NIMBY' narratives present an alternative/negative framing that may prevail over a more positive framing centred on the social benefits of affordable housing (Lau, 2018).

As a methodology, framing analysis attends to four key aspects of how an issue is presented: defining problems; diagnosing causes; suggesting remedies; and making moral judgements (Entman, 1993; White & Nandedkar, 2021). In this paper, we employ these four dimensions in analyzing country reports, specifically considering how the UNSR-Housing understands housing problems, identifies the causes of those problems, proposes solutions that will help to realize the right to housing, and makes moral judgements about housing systems and government actions (or inactions), across diverse international contexts.

Inclusion criteria and systematic analysis process

There is no established norm for analyzing UNSR activities over a particular timeframe: in the few academic studies of UNSRs, periods of analysis range from one year (Rotenberg, 2017) to 10 years (Gallagher & Ezeilo, 2015) and 12 years (Carey, 2020). Additionally, one report published by the UN Human Rights Council (2009) reviewed the activities of the UNSR for Violence against Women over 15 years. For the purposes of this work, our sample included all country reports published between 1st January 2007 and 31st December 2022 (excl. government responses, the UNSR's mission to the World Bank, and addenda). This 15-year sampling window included 24 country reports, producing a dataset of 533 pages (mean report length 22.2 pages). Importantly, it did not include any duplicates, which would result from repeat visits of the UNSR-Housing to any of the countries. Over this time, three individuals served in the role of UNSR-Housing. For the purposes of our analysis, we do not distinguish between these authors, as our central interest is in how the UNSR-Housing as an institution (or, more specifically, a mandate holder within the UN Human Rights Council) understands and responds to housing problems, and advocates for the right to housing.

Data analysis involved inductive coding of subthemes within each of the four aspects of framing: defining problems, diagnosing causes, suggesting remedies, and making moral judgements. Themes were coded and recorded (with examples) in a Microsoft Excel database. Table 3.1 offers examples of how reports were coded, working from the fine resolution of individual sentences in a report, through to higher-level summary categories. One challenge presented by our dataset was that the report format does not necessarily align specific problems with direct causes. For example, reports commonly identified the vulnerability of certain social or demographic groups as a problem, but did not consistently attribute this vulnerability to a particular underlying cause or causes. Moreover, we encountered ambiguity and entanglement of *problems* and *causes* – for example, in categorizing

recurring issues such as 'lack of social housing' or 'discrimination in accessing housing.' In practice, we differentiated between the two by defining 'problems' as issues that can be directly experienced by households, and by accounting for how these points were articulated in-text (e.g., whether an observation was presented as a problem in itself, or as a cause of other problems).

Table 3.1: Overview of operationalizing our systematic analysis of country reports, featuring example quotes from Kothari's (2009) Canada visit report.

Quote	Subtheme	Overarching theme	Framing aspect
"*The Special Rapporteur calls for Canada to adopt a comprehensive and coordinated national housing policy based on indivisibility of human rights and the protection of the most vulnerable.*" (p24)	Implement a comprehensive, coordinated national housing strategy	Governance	Suggesting remedies
"The Special Rapporteur observed a shortage of social housing stock across the country, despite significant construction during the period from 1973 to 1993. ... Canada has only 5 per cent of its overall housing stock as social housing." (p14)	Social housing: waitlists or lack of units	Social housing availability	Defining problems
"Many [private] landlords ... [are] screening-out tenants based on ... source of income or because they receive social assistance; refusing to rent to single mothers ... young people and new immigrants … refusing to accommodate persons with disabilities" (p15)	Discrimination: gender Discrimination: other	Discrimination	Diagnosing causes

During our analysis, we divided our dataset into 'high-income countries' (HICs: 12 reports) and 'low- and middle-income countries' (LMICs: 12 reports). These groupings were based on the classification of each country by the World Bank in the year the report was published. Presenting our analysis in this way helps to avoid conflating countries with markedly different levels of development, and allows us to make visible the differences between these groupings, without precluding the identification of similarities across them. Logistically, this distinction also improves the readability of the findings and tables.

Below we present our findings in six summary tables, supported by more detailed examples in text. Our selection of examples was guided by two principles: first, to capture points that were broadly illustrative of the issues identified *across* reports; and second, to include more unique points that reflected the diversity *within* reports. In so doing we sought to include examples that captured both similarities and differences in housing problems, causes and remedies across an international sample.

Findings

In the following sub-sections, we present our findings organized around each of the four aspects of framing analysis. Codes qualified for inclusion in our tables if they were recorded at least three times. For simplicity, within the tables we use abbreviations for each country.[1]

Defining the problem

Common problems across most countries

Our analysis identified a wide range of housing problems, some of which were prevalent across all or almost all reports. The vulnerability of certain social or demographic groups to adverse housing outcomes was ubiquitous (see Tables 3.2 and 3.3). The composition of these groups varied between countries. New migrants, refugees and asylum seekers were commonly identified as vulnerable in both HICs (11/12) and LMICs (6/12). Among HICs specifically, the other vulnerable groups most frequently recorded were young people (11/12), persons with disabilities (10/12), and households with low income or experiencing poverty (10/12). Among LMICs, the most common vulnerable groups were women (9/12) and children (7/12), with fewer vulnerable groups identified overall.

The problem of inadequate housing conditions was also identified in all reports. In some cases, this inadequacy was experienced by owner-occupiers, although more commonly it was a problem for renters and occupants of informal housing. This code captured diverse quality issues such as cold and damp housing in New Zealand, homes that were collapsing causing fatalities in Egypt, and homes without access to flushing toilets in India. Highlighting the interconnectedness of common housing problems, in many cases inadequate housing conditions were observed to disproportionately impact vulnerable groups. For example, Indigenous peoples were noted as being

[1] Algeria (ALG), Argentina (ARG), Australia (AUS), Cabo Verde (CBV), Canada (CAN), Chile (CHI), Croatia (CRO), Egypt (EGT), France (FRA), India (IND), Indonesia (IDO), Israel and the Occupied Palestinian Territories (I/OPT), Kazakhstan (KZS), Korea (KOR), Maldives (MAL), New Zealand (NZL), Nigeria (NGA), Portugal (POR), Rwanda (RWA), Serbia and Kosovo (S&K), South Africa (SAF), Spain (SPA), United Kingdom (UK), and United States (US).

vulnerable to physically and/or culturally inadequate housing in Canada, New Zealand and Argentina. Similarly, seniors and persons with disabilities were often noted as being vulnerable to the problem of physically inaccessible housing across many national contexts.

Problems common to HICs

Within HICs, two further problems were identified across all reports. The first problem was housing insecurity, described in terms of vulnerability to evictions, and heightened residential mobility for renters and other precarious households. Housing insecurity was described in particular detail for Australia, Croatia, France and New Zealand. Examples of households experiencing insecure housing in these contexts included women escaping domestic violence, Indigenous peoples and new migrants, people who are homelessness or living in boarding houses, and those living in social housing. The second problem was social housing shortages, involving a lack of units available for households in need, lengthy waitlists, and/or declining stocks. These issues were particularly prominent in the reports for Canada and France, where social housing received attention in a dedicated subsection. Moreover, several reports detailed context-specific social housing problems, such as displacement in the US, mismatches between household size and unit size in the UK, over-crowding in Portugal, and poorly-located social housing in Chile.

Both housing unaffordability and homelessness were identified as problems in 11/12 HICs. Unaffordability received particular emphasis in eight of these reports. In the US, a significant and growing number of renting households were spending more than 50% of their income on rent and "facing serious affordability constraints" (Rolnik, 2010, p7), with more than one in six children living in households experiencing unaffordable housing. In Australia, a key concern was a growing proportion of the population whose income was too high to be eligible for social housing or accommodation supplements, but too low to afford market-rate housing. The UNSR-Housing commented that these households may constitute a "future poor class" (Kothari, 2007, p17). Interestingly, in Spain, the US and the UK, unaffordability was also documented for people living in social housing – a particular concern given that the overarching purpose of social housing is to address affordability.

Homelessness was emphasized across most HIC contexts. The specific issues identified included street homelessness in 8/12 HICs, people living in caravan parks in Australia, substandard 'vinyl

houses' (akin to plastic greenhouses) in Korea, and insufficient homeless shelters and service capacities in Australia, Canada, France, Spain and the US. Over-representation of Indigenous peoples among those experiencing homelessness was noted in Australia, New Zealand and the US.

The only two contexts in which problems of both unaffordability and homelessness were not identified were Chile (homelessness only) and Israel & Occupied Palestinian Territories (unaffordability only). These exclusions likely reflect the prioritization of other problems within the concise format of the country reports (and a consequent level of largely unavoidable oversight), rather than the absence of housing unaffordability and homelessness, respectively, in these two countries. The Israel & Occupied Palestinian Territories country report was an outlier within the HICs, given markedly different levels of economic development between its two component parts, and a unique focus on conflict-related housing issues.

Problems common to LMICs

Among LMIC reports, housing problems were somewhat more variable, with commonalities across multiple countries but fewer ubiquitous problems. Large-scale encampments or informal settlements were identified in all LMICs except Maldives, where a traditional land allocation system meant that some housing issues manifested differently. In six reports (Cabo Verde, India, Indonesia, Nigeria, and South Africa), this problem received a dedicated sub-section. Housing in encampments and informal settlements was often described as grossly inadequate, characterized by over-crowding, lack of access to basic services, poor sanitation, health risks, and insecurity due to clearances and mass evictions. One example of this was the forced displacement of residents from encampments in Kigali, Rwanda as part of a plan to 'improve' living conditions in the city.

Problems with access to housing-related infrastructure and social services were identified in every LMIC, except Serbia & Kosovo. These were often discussed in the context of differences in housing quality between urban and rural communities, and/or rural-to-urban migration. In Kazakhstan, for example, these problems took the form of housing quality and infrastructure availability being *lower* in urban centres than rural areas. Conversely, in Maldives, migration from small islands to larger and more urbanized islands was driven in part by the *higher* standard of housing and infrastructure in the latter. Overall, housing and social issues associated with rural-to-urban migration were recorded in 7/12 LMICs.

Table 3.2: Housing problems in HICs.

	2007	2008	2009	2010	2010	2012	2013	2017	2018	2019	2020	2021
Problems	**AUS**	**SPA**	**CAN**	**US**	**CRO**	**I/OPT**	**UK**	**POR**	**CHI**	**KOR**	**FRA**	**NZL**
Vulnerable groups												
Inadequate housing conditions												
Evictions, heightened mobility, tenure insecurity												
Shortages of social housing												
Discrimination in accessing housing												
Unaffordable housing												
Homelessness												
Insufficient supply of shelters/emergency housing												
Inadequate access to infrastructure and social services												
Negative health impacts of housing problems												
Barriers to accessing social housing												
Middle income groups affected by housing problems												
Lack of available housing												
Inadequate conditions in social housing												
Broader consequences for society or enviro (e.g. sustainability, crime)												
Large-scale encampments or informal settlements												
Rural housing problems												
Other												

Table 3.3: Housing problems in LMICs.

	2008	2010	2011	2011	2011	2013	2013	2015	2016	2017	2019	2020
Problems	**SAF**	**MAL**	**ALG**	**ARG**	**KZS**	**RWA**	**IDO**	**CBV**	**S&K**	**IND**	**EGT**	**NGA**
Vulnerable groups												
Inadequate housing conditions												
Large scale encampments or informal settlements												
Inadequate access to social services (e.g. infrastructure, maternity care)												
Rural housing problems												
Inadequate in-home amenities (water, electricity, sanitation)												
Homelessness												
Evictions, heightened mobility, tenure insecurity												
Discrimination in accessing housing												
Unaffordable housing												
Barriers to accessing social housing												
Negative health impacts of housing problems												
Clearing of entire informal settlements (large scale evictions)												
Middle income groups affected by housing problems												
Broader consequences for society or enviro (e.g. sustainability, crime)												
Shortages of social housing												
Other												

Diagnosing causes

Common causes across most countries

The causes diagnosed for housing problems in our sample of UNSR-Housing reports were as diverse as the housing problems these reports defined. One particularly prevalent cause, identified in all countries except Kazakhstan, was discrimination when trying to rent or purchase a home – again disproportionately experienced by vulnerable and minority groups (see Tables 3.4 and 3.5). In Canada, for example, young people and new immigrants may be excluded from accessing housing due to discrimination from landlords based on their lack of rental, credit and employment history. Discrimination was also documented in New Zealand for vulnerable groups, including Māori households, persons with disabilities and people experiencing homelessness. Similarly, in France socially-excluded groups, including homeless people, migrants and refugees, and Roma or other 'travelling' communities, were vulnerable to discrimination in accessing housing. Across these cases, the interconnection between housing discrimination and other axes of social exclusion was rendered highly visible.

Causes of housing problems that originate outside of the housing system (coded as 'non-housing') were noted in all country reports, except Argentina. These included extraordinary circumstances occurring at an international scale, including the Global Financial Crisis, climate change, and the COVID-19 pandemic. Other non-housing causes were more locally-specific, such as natural disasters (e.g. earthquakes in Chile and Algeria, hurricanes in the US and Cabo Verde, tsunami in Maldives), pressures associated with hosting the FIFA World Cup in South Africa and the Winter Olympics in Canada, as well as rapid population growth in Indonesia, Egypt, Israel & the Occupied Palestinian Territories, and Cabo Verde.

Causes coded as 'other' were recorded for all 24 reports. This frequency reflected the diversity of contexts in our sample and the ways in which the UNSR-Housing was able to capture the finer details of how housing problems. The 'other' code captured examples such as the pitfalls of using motels as emergency accommodation in New Zealand, the effects of transitioning from state-run to market-led housing in Croatia, and a mismatch between solutions introduced by international experts and local realities in Maldives.

Eligibility constraints for access to social housing units or housing subsidies were identified as causes in 18/24 reports. In Canada, this included a lack of prioritization given to women fleeing domestic violence. In Croatia, citizenship as an eligibility requirement for assistance meant that Roma communities experienced barriers to accessing housing supports. In India, housing rehabilitation programs required proof of long-term slum residence, effectively excluding 'newcomers' from receiving support. In all of these examples, the causative factor is housing assistance failing to address an underlying need, with eligibility constraints exacerbating the problems faced by households in need.

Causes common to HICs

Among HICs, financialization and speculation in the housing market was a leading cause of housing problems, identified in all countries except Israel & the Occupied Palestinian Territories. These issues received particular attention in the homeownership-dominant context of New Zealand, as well as in France, where financialization has incentivized sale of social housing units and speculation has contributed to 7.5% of residential units in Paris being vacant. Further, in Spain, privileging of homeownership, combined with foreign investment, corruption and uncontrolled speculation were said to have contributed to a 500% increase in the price of land and 150% increase in the price of housing in seven years.

A related cause of housing problems in 10/12 HICs was cost of living increases, especially in terms of growing mismatches between house prices and incomes. In Canada, this problem was intensified by welfare benefit cuts in most provinces, leaving low-income and vulnerable households even more prone to experiencing unaffordable housing. Similarly, in Chile, women in lower-paid work and seniors on pensions were observed to have insufficient incomes to cover the cost of living. In New Zealand, benefits were insufficient to cover increasing living costs, contributing to energy poverty and undermining households' dignity. These diverse examples reflect how cost of living pressures contribute to housing problems, and highlight the importance of ensuring incomes and benefit payments are sufficient to cover changes in living and housing costs.

In all HICs except Chile, Korea and Spain, reduced funding for social and community housing providers also contributed to housing problems, especially for the vulnerable groups this sector most often assists. In Canada, decreasing funding for social housing and an "uneven and

disorganized" (Kothari, 2009, p9) approach to provision of social and community housing and related subsidies across provinces, was found to undermine efforts to address unaffordability and homelessness. In the US, substantial cuts to funding for non-market housing also created problems, such as deteriorating social housing units in need of maintenance and repair. It is clear that cutting funding for social housing has material, detrimental impacts on the sector's capacity to meet the needs of vulnerable households. Funding cuts can even be a cause of poor conditions *within* social housing – one of the very problems that the sector seeks to remedy.

Causes common to LMICs

Among LMICs, two additional common causes of housing problems were identified in 9/12 reports: land use and titling concerns, and a lack of community consultation in decision-making. Access to land was a particular concern in South Africa, where interrelated problems of landlessness and homelessness were attributed to insufficient land redistribution post-Apartheid. In a similar vein, Indonesia's complex land tenure system was described as inequitable and exclusionary, leading to widespread tenure insecurity.

A lack of community consultation and participation in housing-related decisions was associated with issues of housing insecurity and inadequacy. In South Africa, a lack of meaningful consultation between levels of government, NGOs, communities and households resulted in frustration among residents facing possible eviction from informal settlements. In Maldives, the UNSR-Housing observed that government consultation tended to be 'paternalistic' and failed to empower communities to self-organize in post-tsunami reconstruction efforts. In both contexts, a lack of meaningful participation in decision-making was observed to inhibit the success of new initiatives and solutions.

Table 3.4: Causes of housing problems in HICs.

	2007	2008	2009	2010	2010	2012	2013	2017	2018	2019	2020	2021
Causes	**AUS**	**SPA**	**CAN**	**US**	**CRO**	**I/OPT**	**UK**	**POR**	**CHI**	**KOR**	**FRA**	**NZL**
Discrimination												
Financialization and speculation												
Increasing cost of living; house price/income mismatch												
Eligibility constraints or other barriers for social housing or related benefits												
Other non-housing problems affecting the right to housing												
Inadequate tenant protections (or enforcement of them)												
Reduced funding for social and affordable housing												
Homeownership dominance/privileging												
Extraordinary circumstances (e.g. COVID-19, recession, disasters)												
Ineffective or lack of avenues for complaints/justice re: right to housing violations												
Lack of available housing												
Discriminatory or harmful polices (e.g. criminalisation of homelessness)												
Lack of community consultation/participation (e.g. leading to cultural inadequacy)												
Lack of recognition or protection of right to housing (and other ESC rights)												
Unclear who is responsible (e.g. levels of govt, NGOs, individual)												
Slow/no uptake of previous rights-based recommendations												
Lack of rights-based national housing strategy in law												
Problematic or inadequate urban planning												
Other												

Table 3.5: Causes of housing problems in LMICs.

	2008	2010	2011	2011	2011	2013	2013	2015	2016	2017	2019	2020
Causes	**SAF**	**MAL**	**ALG**	**ARG**	**KZS**	**RWA**	**IDO**	**CBV**	**S&K**	**IND**	**EGT**	**NGA**
Discrimination												
Other non-housing problems affecting the right to housing												
Extraordinary circumstances (e.g. COVID-19, recession, disasters)												
Issues with regulation of land use, availability, access, titling												
Lack of community consultation/participation (e.g. leading to cultural inadequacy)												
Lack of transparency, evaluation and accountability												
Inadequate tenant protections (or enforcement of them)												
Eligibility constraints or other barriers for social housing or related benefits												
Inadequate implementation of existing housing policy, regulations or initiatives												
Housing problems arising from internal displacement of residents												
Lack of available housing												
Ineffective or lack of avenues for complaints/justice re: right to housing violations												
Financialization and speculation												
Increasing cost of living; house price/income mismatch												
Inefficient bureaucracy or uncoordinated efforts in housing policy and provision												
Problematic or inadequate urban planning												
Discriminatory or harmful polices (e.g. criminalisation of homelessness)												
Houses in locations vulnerable to extreme weather or other disasters												
Other												

Suggesting remedies

Common remedies across most countries

Suggesting remedies is an important aspect of the UNSR country reports – each ends with a bolded, 2-3 page section dedicated to recommendations. Although many of these were context-specific and locally oriented, we identified a number of overarching commonalities. Perhaps unsurprisingly, the most frequent suggestion was to 'adopt human rights-based responses' – made for every country in our sample (see Tables 6 and 7). This code captured a range of closely related recommendations, all centred on endorsing human rights-based initiatives promoted by the UN more broadly, including ratification of various UN protocols, recognition of ESC rights, incorporating international human rights instruments into domestic policy, and monitoring and accountability with respect to the right to housing. In Algeria, for example, a shift was recommended from a focus on housing construction to broader implementation of the right to housing. In France, there was a need for the right to housing to be extended to all, regardless of immigration status (a recommendation relating to conditions in migrant camps). Relatedly, in 16/24 reports, the UNSR-Housing recommended accessible complaint mechanisms for reporting violations of the right to housing, to enhance enforceability of the right.

In all contexts except Rwanda, it was recommended that tenancy laws and tenant protections be improved. The suggested changes included improving tenure security by reforming eviction law, limiting/regulating rent increases, preventing discrimination, making private actors aware of their responsibilities, and improving housing conditions and accessibility. In Chile, for example, the UNSR recommended modernizing legislation to increase tenant protections and regulate private landlords. In both New Zealand and Korea, it was recommended that the capacity of tenant protection associations be increased, and tenants' access to legal advice and assistance be enhanced. In Maldives, the need for legislation to require basic building standards was identified.

Another set of remedies made for all countries except Rwanda regarded improving housing conditions and affordability for vulnerable groups. Some of these recommendations were specific and detailed, such as distributing payments to vulnerable groups to enable them to renovate their homes to healthier standards in New Zealand, or introducing transparent housing allocation mechanisms that attend to the needs of vulnerable groups in Argentina. In other instances, these recommendations were broader: suggesting a focus on protecting most vulnerable households in

Spain, or improving living conditions for Indigenous communities in Canada. In all cases, these remedies spoke to the intersection of housing problems and social vulnerability – a running theme in our analysis.

Remedies common to HICs

In all HICs, expanding social housing was recommended. In Canada, France, New Zealand, Portugal and the UK, this included both construction of more social housing units as well as greater funding and support for NGOs that provide affordable housing. In seven HICs, calls for more social housing supply extended to providing a greater *range* of units to meet the needs of diverse households. In Portugal, promoting collective and cooperative forms of ownership was specifically encouraged. In the US, the UNSR-Housing strongly recommended an "immediate moratorium" on the demolition of social housing units until replacement units have been secured and residents have been granted a right to return (Rolnik, 2010, p21). In five HICs, more funding was recommended for maintaining, repairing and upgrading existing social housing units. This included Croatia, somewhat of an outlier among the HIC contexts, where funding was needed to repair units damaged during conflict and illegal occupation. These diverse recommendations for scaling-up social housing highlight the important role this sector plays in realizing the right to housing for people whose needs are not met by the market.

In all HICs but the UK, changes to governance were recommended. In 9/12 countries, this included introducing of a "comprehensive and coordinated" human rights-based national housing strategy. The reports present such strategies (supported by stable, long-term funding) as mechanisms to ensure human rights-based policies and programs are introduced that address structural problems, protect vulnerable groups, and penalize discrimination, corruption and other harmful practices. In Australia, the UNSR also suggested creating a Federal Ministry for Housing. Additionally, this code included recommendations to improve collaboration and coordination between levels of government, and between governments and NGOs – such as those that provide shelter or other supports to households experiencing homelessness (8/12).

The UNSR-Housing called for more effective responses to homelessness in 10/12 HICs. This encapsulated a range of interrelated recommendations, including amending (or avoiding) laws that criminalize homelessness and poverty, guaranteeing the right to housing for people experiencing

homelessness, adopting/adjusting an official national definition of homelessness, improving services for responding to homelessness, and providing support to households who are at risk of becoming homeless. Further, in Canada, Chile and Portugal, developing a coordinated national strategy for addressing homelessness was suggested. The UNSR-Housing set a more specific goal for France: to specify in domestic law and policies the goal of eliminating homelessness by 2030, to be achieved by addressing its structural causes. Reiterating the importance of addressing the needs of vulnerable groups, a recommendation for Korea was to focus on providing support to older homeowners who are struggling with affordability, so that they are not rendered homeless.

Remedies common to LMICs

In all LMICs, improving community participation in housing-related decision-making and policy development was recommended, often with a focus on vulnerable groups. In Argentina, the UNSR-Housing emphasized ensuring Indigenous communities' participation in decision-making, empowerment and self-determination. In South Africa, consultation and participation in planning was encouraged for all communities, with the suggestion that civil society organizations be funded to facilitate this. In India, improving participation of residents affected or displaced by natural disasters was recommended.

For 9/12 LMICs, the UNSR-Housing recommended improvements for how land titling and registration is managed and how landlessness is addressed. In Maldives, the traditional land allocation system was recognized as struggling to meet demand, prompting a call for a new approach. In Serbia & Kosovo, it was recommended that all pre-conflict land records be transferred back to appropriate Kosovo authorities. In India, the UNSR-Housing recommended that the 2013 National Right to Homestead Bill be introduced to Parliament to ensure that "the most deprived and poor landless individuals" can realize their right to housing and to a livelihood (Farha, 2016, p21). These examples illustrate the diverse ways in which land and housing issues can manifest in different contexts, and highlight the importance of grounded, locally-specific solutions.

Table 3.6: UNSR's recommendations to improve housing in HICs.

	2007	2008	2009	2010	2010	2012	2013	2017	2018	2019	2020	2021
Recommendations	**AUS**	**SPA**	**CAN**	**US**	**CRO**	**I/OPT**	**UK**	**POR**	**CHI**	**KOR**	**FRA**	**NZL**
Adopt human rights-based responses												
Expand social/affordable housing												
Improve tenancy laws, tenant protections and enforcement												
Improve housing conditions and affordability for vulnerable groups												
Changes to governance												
Clarify/adjust the role of the state												
Respond more effectively to homelessness												
Community participation in decisions, policy development												
Address non-housing problems affecting the right to housing												
Improve data collection/disaggregation/publication												
Better realization of Indigenous peoples' rights												
Encourage better use of vacant buildings												
Other												

Table 3.7: UNSR's recommendations to improve housing in LMICs.

	2008	2010	2011	2011	2011	2013	2013	2015	2016	2017	2019	2020
Recommendations	**SAF**	**MAL**	**ALG**	**ARG**	**KZS**	**RWA**	**IDO**	**CBV**	**S&K**	**IND**	**EGT**	**NGA**
Adopt human rights-based responses												
Community participation in decisions, policy development												
Improve tenancy laws, tenant protections and enforcement												
Clarify/adjust the role of the state												
Improve housing conditions and affordability for vulnerable groups												
Improve management of land titling, partnerships, landlessness												
Expand social/affordable housing												
Changes to governance												
Improve data collection/disaggregation/publication												
Address non-housing problems affecting the right to housing												
Respond more effectively to homelessness												
Improve provision of basic services (water, sanitation, electricity)												
Ensure displaced households are resettled fairly												
International community should provide support/funding												
Encourage better use of vacant buildings												
Other												

Making moral judgements

Framing analysis positions moral judgements as an important aspect of how an issue is portrayed and understood. Moral judgements are implicit in the UNSR-Housing mandate and country visit approach, but these were rarely present as explicit statements in country reports. This may be because the advisory and supportive role of the UNSR requires feedback to be delivered constructively and tactfully. Indeed, the very nature of the country visit procedure involves a level of moral judgement in identifying housing problems and causes, highlighting ways in which previous attempts to resolve them have been inadequate, and suggesting new ways forward based on the mandate holder's expertise and international human rights norms. This judgement could extend, albeit infrequently, to clear and direct moral assessments. When present, these generally took one of three forms: overt criticism; overt praise; or a strategically balanced statement.

Direct criticisms were the least common form of moral judgement, and appeared to be reserved for only the most dire situations. In some examples, the UNSR-Housing went so far as to refer to 'failures.' For example, "Australia has failed to implement its international legal obligation to progressively realize the human right to adequate housing," particularly as a "rich and prosperous" country (Kothari, 2007, p32) and "the Government [of Nigeria] is failing to uphold its human rights obligations in relation to homeless persons" (Farha, 2020a, p10). Unusually scathing criticism was also made of the US with regards to demolition of social housing: "Government policy has sometimes resulted in tearing apart [an] important sense of community, removing a source of stability for subsidized housing residents, and engendering a sense of mistrust of Government" (Rolnik, 2010, p20). Such direct criticism appears to be used sparing to highlight the most critical housing problems.

Conversely, in some instances overtly positive feedback was offered to recognize successful interventions or initiatives. For example, the UNSR-Housing commended the United Kingdom for "its history of ensuring that low- and middle-income households have access to adequate housing and have been protected from insecure tenure forms and poor housing conditions. People ... have a deeply anchored trust in the right to housing, regardless of their income or other status" (Rolnik, 2013, p19). Praise was also afforded to South Africa, where "the constitutional and legal emphasis given to the right to adequate housing" was "welcomed" (Kothari, 2008, p15), and held up as a

model for other states. Indeed, another way of interpreting these statements is that where praise was afforded to one country, it often indicated that this issue was more problematic in other countries.

The most common delivery of moral judgements combined praise and criticism into a balanced observation. For example, Egypt had "made significant efforts to provide housing to its fast-growing population and in a short period of time it has built an impressive number of units" but "much of the new housing supply ... [is] unaffordable for many households and poorly located" (Farha, 2019a, p18). Similarly, for Cabo Verde, the UNSR-Housing "commend[ed] the priority accorded to housing in recent years, including ... putting in place a legal framework and other mechanisms that are consistent with the right to housing" while also identifying "a number of significant barriers to the enjoyment of the right to adequate housing, particularly for groups in vulnerable situations" (Farha, 2015, p20). An almost identical point was made for France, which "must be commended for enshrining the right to housing in its national legal order ... [but] must increase its efforts to ensure that … the right to adequate housing reaches all people, particularly the most vulnerable and marginalized groups" (Farha, 2020b, p17). In these examples we infer that moral judgements are imbued in both positive terms such as 'commended' and 'impressive,' *as well as* in articulations of shortcomings and need for improvements.

Discussion

The UNSR-Housing country reports provide a fascinating entry point for understanding the scope of housing problems and violations of the right to housing at the international level. Broad differences between HICs and LMICs, as well as more intricate differences between individual contexts, were notable in our analysis. First, however, we observe overarching similarities across all 24 reports, which correspond to pervasive housing problems at the international level.

Commonalities across country reports

Consistent with the UNSR-Housing's mandate, vulnerable groups receive particular attention within all reports. One core concern of the UNSR-Housing in articulating housing problems is identifying the groups who are rendered most vulnerable to experiencing housing problems. This interest in vulnerability speaks to how housing problems are deeply interconnected with axes of disadvantage, discrimination and poverty (Borell et al., 2009; McKee et al., 2017). This was a persistent theme across all contexts, although the specific groups that were most vulnerable and the mechanisms by

which their vulnerability was produced varied – again reflecting the sensitivity of country reports to the specificities of national contexts. This sensitivity is consistent with Waite's (2009) observation that vulnerability is not about individual or group *identity* per se, but about the wider socioeconomic *structures* that produce vulnerability for certain groups within specific contexts. Moreover, the emphasis in country reports on insecure tenancies, and calls for improved tenant protections as a remedy, speak to how vulnerability is often concentrated in the rental sector of the housing system.

Although the country reports do not directly assign specific causes to specific housing problems (i.e., the format does not explicate direct cause-and-effect relationships), they do illuminate both common and bespoke, context-specific causes of housing problems. Common causes encompassed factors that occur or are expressed within the housing system (e.g. eligibility constraints for receiving housing support) and external factors that impact the housing system (e.g. natural disasters, pandemics, hosting Olympic games). Once again, the vulnerability of particular groups was a running theme; reports recognized that vulnerability was, at least in part, created *within* housing systems, due to factors such as discrimination, denial of access to social housing, cost of living and housing cost increases, and landlessness and homelessness. Vulnerability could also be created or introduced by external forces that affect the housing system – such as the impact of the Global Financial Crisis on both housing and unemployment, or the health and social problems generated/exacerbated by the COVID-19 pandemic, all of which placed an increased number of households into unaffordable or precarious housing situations (Berry et al., 2011; Martino et al., 2023). Many of these causes that led to violations of the right to housing were also interrelated with violations of other human rights, such as rights to health, water and sanitation, education and work, reiterating the importance of diagnosing and addressing these causes in order to ensure households' wellbeing and dignity (Meth & Charlton, 2017; Moons, 2018).

One strength we observe in the UNSR country reports is the ability to combine general recommendations with locally specific, targeted suggestions. Recommendations sections included relatively generic advice – such as adopting human rights-based responses, or improving tenancy laws and tenant protections – alongside specific proposals targeted to unique contexts. In addition, the sheer diversity of recommendations reflects how states' responsibilities regarding the right to housing extend well beyond the provision of housing (social or otherwise), to encompass a range of

policies and interventions required to ensure adequate living conditions (Kocak, 2023), and an equitable and inclusive housing system (CERA & NRHN, 2022; OHCHR, 2009).

Throughout the reports, where problems were defined, causes diagnosed or remedies suggested, our analysis revealed that the UNSR also made moral judgements (albeit often implicitly). We did not observe any notable differences in the content or delivery of these judgements across HICs and LMICs. Whether these judgements were critical, positive or balanced, they all speak to how the UNSR-Housing seeks to establish norms and set international standards (Carey, 2020). Indeed, many of these moral judgements involved a level of comparison, for example suggesting a state is experiencing problems that do not befit its relative wealth and resources, or indicating how one country might learn from another's successes.

Notable differences between HICs and LMICs

We also noted differences between HIC and LMIC contexts, including in terms of the most commonly identified problems. One problem that was almost exclusively identified among LMICs was the inadequacy of running water, sanitation and electricity – issues that are much less likely to be experienced in more developed contexts. Other differences between HICs and LMICs were not absolute, but an issue of degree. For example, encampments and informal settlements, although more prevalent in LMICs, were also identified in HICs – particularly in the form of migrant/refugee camps (France) and Roma settlements (UK, Spain, Portugal, Serbia & Kosovo). Rural housing issues also received far more attention in LMIC reports, which could be explained in part by differences in population distribution, but also suggests the reports may be overlooking rural housing problems that exist in HICs (e.g. see Kauppi et al., 2021; Wiles et al., 2020).

There were two notable differences in the causes of housing problems between the HICs and LMICs. In most HICs, reduced funding for social housing was identified as a cause of housing problems – yet this cause was not identified in any of the LMIC reports. We cannot determine with certainty why this difference exists, although it was noted that social housing did not exist in one LMIC (Rwanda). On the other hand, in almost half of the LMICs, inefficient bureaucracy and uncoordinated efforts in housing policy and provision were diagnosed as a cause of housing problems. This cause was only identified in one HIC (Croatia), which is curious given that HICs are not immune to these challenges (Bates et al., 2019a).

One key difference between common remedies suggested for HICs and LMICs was the recommendation to improve realization of Indigenous peoples' rights, which was suggested for six HICs, but only two LMICs. One pertinent example was the UNSR-Housing's recommendation that Australia address the "humanitarian tragedy of the lack of housing and basic services for the [I]ndigenous peoples ... living on [I]ndigenous lands and elsewhere" (Kothari, 2007, p33), including by improving Indigenous communities' participation in policy and decision making. It was also suggested that New Zealand adopt a human rights-based housing strategy that incorporates the UN Declaration on the Rights of Indigenous Peoples and establish a Commissioner for Indigenous peoples' rights. Rwanda and Nigeria were the only LMIC reports to contain recommendations for Indigenous peoples' rights, and these were less detailed in nature.

One recommendation made exclusively in LMIC reports was that the international community should provide support and funding to help improve housing problems. This suggestion was made for four countries, including calls for international aid to improve living and housing conditions for refugees in Algeria, and for aid or loans to be aligned with both international human rights obligations and domestic priorities in Cabo Verde. Further, improvements to basic services and sanitation were recommended for most LMICs, but only in two specific HIC contexts: for Indigenous communities in Australia, and for informal settlements and migrant camps in France. The differences between HIC and LMIC reports reflect how the UNSR-Housing's in-person country visits enable them to capture and respond to significant on-the-ground differences in framing the right to housing.

Insights about the right to housing and the UNSR

Our findings reveal just how pervasive violations of the right to housing are across diverse contexts with varying levels of development, wealth and resources. It is clear that housing is indeed about more than "just four walls and a roof" (OHCHR, 2009, p3), and violations of the right to housing are substantially more complex than the absence or inadequacy of shelter. While these violations and their causes could be broadly similar across differing contexts, their specific manifestations were extremely diverse (e.g. *poor housing conditions* ranged from damp homes in New Zealand to collapsing homes in Egypt). Despite the nuances of each context, it is clear that very few housing problems and causes were truly isolated or unique – most problems identified in one country shared underlying commonalities with at least some of the other countries.

Vulnerability is an example of a theme that flows from the definition of the right to housing through the UNSR-Housing mandate to country reports and their recommendations for human rights-based improvements to policy and practice. We observe that this is a crucial part of how the right is framed by the UNSR-Housing. Our analysis highlights the importance of recognizing the vulnerability of some groups to housing problems (Casla, 2016; OHCHR, 2023; Schwan et al., 2021), and addressing this vulnerability – whether through the provision of social housing and welfare benefits, improving building standards, eliminating discrimination, or increasing tenant protections (etc.).

We also noted differences in which specific issues and remedies were emphasized in different contexts. The reports are not exhaustive lists of all housing problems or causes in each context, and clearly some prioritization was required within the confines of the report length and structure. This may explain the conspicuous absence of some housing issues that appeared surprising to us, including a lack of acknowledgement of housing issues experienced by women fleeing domestic violence in New Zealand, or of the specific housing problems experienced by First Nations communities in Canada – perhaps because these issues are already well-documented elsewhere. We also observed relatively minor differences in emphases depending on who held the UNSR mandate at the time the report was written. One mandate period featured emphasis on the intersection of domestic violence and housing problems in every report, while other mandate holders did not consistently follow this focus to the same extent. This reflects a 'human' aspect to the UNSR-Housing's work during country visits, a substantial proportion of which is fundamentally qualitative research. While the mandate description remains the same across different terms, individual mandate holders bring their own expertise and interests to the role, especially in activities such as country visits, which involve on-the-ground investigation and embeddedness in each context (Ertük & Purkayastha, 2012; Mertens, 2020). Yet, some problems and causes received ubiquitous attention from all mandate holders across all of the countries in our sample, including vulnerable groups and housing conditions, which were clearly crucial to the right to housing.

Beyond these variations, however, we contend that differences in the housing issues prioritized across different contexts reflect the sensitivity of the country reports to the nuances of individual contexts, as well as the UN focus on encouraging incremental steps towards *progressive realization*. It would be potentially discouraging and counter-productive for the UNSR-Housing to provide a state

with hundreds of recommendations, or recommendations that are not practically attainable in the short- to medium-term. Our findings demonstrate that a country with very limited economic resources, or one recovering from conflict, for example, may experience some housing problems that are broadly similar to those in wealthier or more peaceful states, yet the most realistic and meaningful recommendations would be tailored to its circumstances. In this sense, we infer that recommendations are intended to 'meet states where they are,' and are thus aligned with the imperative of progressive realization – a standard that is sensitive to a state's available resources, and to what is appropriate in particular contexts (Farha, 2019b).

Conclusion

Our findings illuminate how the UNSR-Housing frames the right to housing in their country reports, to establish norms and set international standards (see Carey, 2020). The seven components of adequate housing identified in General Comment No. 4 (OHCHR, 1991) all featured in our sample. For example, habitability was captured by our *poor housing conditions* code, and affordability was captured by *unaffordable housing*. The reports were not, however, structured around these components – indicating a broader meaning of the right to housing and its realization beyond a core 'checklist' style definition. This also illustrates flexibility in the UNSR-Housing's work, with the country reports responding to (and emphasizing) the most pertinent issues in each context.

This also reflects how the UNSR-Housing promotes the right to housing and addresses violations of this right through the 'defining problems' aspect of framing. A core goal in the UNSR-Housing's mandate is to "protect and promote" the right to housing (Subedi, 2011, p201) and advocate for victims of violations of this right (OHCHR, 2023). In country reports, UNSRs pursue this goal by identifying housing problems and explicating their underlying causes, without alienating or discouraging states from working to resolve these issues. Consistent with this approach, remedies and judgements are typically presented in a constructive and tactful manner, which is aligned with the UN principle of non-interference in the internal affairs of states (Subedi, 2011).

Contributions of this research

Analyzing UNSR-Housing country reports has enabled us to bring a novel, international scope to understanding how the right to housing is operationalized and promoted. Such multi-country analysis is unusual within the field of housing studies, where research is commonly focused on a

single context – and comparative work, when it is undertaken, is typically limited to 2-3 contexts (Bates & Collins, 2023). We also extend the field of human rights scholarship by identifying and analyzing a dataset that is both novel (as country reports have previously gone unexamined) and international (encompassing 24 countries with diverse housing systems and levels of development).

In this work we also demonstrate the utility of framing analysis as a methodology for analyzing UNSR country reports in a systematic way – a potentially useful contribution, given the absence of an established methodological approach for examining the responsibilities and work of UNSRs. We found a good fit between the four aspects of framing analysis (Entman, 1993; White & Nandedkar, 2021) and the goals and structure of the UNSR-Housing's country reports, although minor adjustments were required. First, careful analysis was required to categorize causes and problems in a consistent manner, and in some instances ambiguity between these two categories was apparent, requiring judgement calls on the part of the authors. The compact format of country reports likely agitates against UNSRs being able to assign a cause(s) to every problem they identify (and vice-versa). Second, while moral judgements were present in country reports, we found that they were often implicit, and direct critique was used sparingly and strategically. We note that although moral judgements were not necessarily highly visible or frequent within reports, they are imbued within UNSR-Housing's mandate; making judgements about housing issues is, after all, the raison d'être for country visits. Overall, we conclude that framing analysis is well matched for analyzing country reports and that it provided a robust platform for interpreting the work of the UNSR-Housing.

Directions for future research

In 5/24 reports analyzed for this article, the UNSR specifically observes the importance of human rights-oriented research into housing problems and their structural causes. These reports also call for research to identify and advocate for potential solutions, thereby informing housing policy and practice. Thus, housing researchers could build on the insights this paper has generated regarding the formulation of the right to housing by the UNSR in order to respond to these calls in a manner that is well-placed to inform international understandings and debates. In this paper our research was breadth-oriented and exploratory, as befitted our interest in the conceptualization and operationalization of the right to housing at the international level. Further research could fruitfully favour depth instead, for example by focusing on specific countries, including communications beyond the main reports included in our sample. Such an approach may enable greater investigation

of the plausibility and practicality of the remedies suggested by the UNSR-Housing, and an assessment of post-visit implementation (or resistance). Evaluating the degree to which country visit reports are catalysts for meaningful change – in particular, through the up-take of recommendations – falls outside the scope of this study, but merits further attention (Hunt & Leader, 2010; Stavenhagen, 2013; Subedi, 2021).

Framing the right to housing

We have observed that the UNSR-Housing role and the country visit and reporting process serves to define problems, diagnose causes and suggest remedies. Our analysis has illuminated the sheer diversity of violations of the right to housing across 24 country contexts, and the multifaceted and interconnected causes of these problems. The country reports contain an abundance of proposed remedies, providing states with practical advice on how they can achieve their duties to respect, protect and fulfil the right to housing. We have also revealed the ways in which moral judgements are inherent in the UNSR-Housing mandate, and implicit in how housing problems, causes and remedies are conveyed in country reports. Consistent with Carey's (2020) description, our findings highlight the UNSR-Housing's work as a "norm entrepreneur" (p33), promoting the right to housing as part of their mission to set international standards and advocate for those whose human rights have been violated. Ultimately, then, the UNSR-Housing country reports not only *frame* the right to housing in terms of problems, causes and remedies, but also provide a foundation for progressive *realization* of this right through tangible improvements in housing, health and living standards in the countries visited.

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4 "An opportunity to grow, to exist, to be"
How community housing operationalizes the right to housing in Canada

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Abstract. The right to housing is well-defined in international law, and has recently been adopted in domestic law in Canada. The community housing sector plays a crucial role in realizing this right in Canada, especially for households on low incomes. This paper explores how community housing providers across Canada understand and seek to operationalize the right to housing. To do so, it uses the capabilities approach as a lens, exploring the role of community housing in enhancing tenants' wellbeing, dignity and life opportunities. Participants in this study were managers at 10 community housing providers across Canada. Analysis of interviews with these participants led to identification five main themes: the core values and purpose of community housing; perspectives on the right to housing; changes in the sector as a result of the introduction of a human rights-based approach; how managers envisage success for community housing tenants; and recommendations for how the sector could improve its efficacy and outcomes. This study finds that community housing providers not only seek to ensure tenants are safe and securely housed, but also prioritize their access to relevant supports, infrastructures and opportunities for participation in society. It also illuminates how community housing providers recognize the value of their tenants being able to make their own decisions about housing and life more broadly, including choosing to engage in activities that are meaningful to them as individuals. Thus, community housing providers are not only seeking to fulfil their tenants' right to adequate housing, but also enhancing their capabilities.

Keywords: Social housing, affordable housing, human rights, capabilities approach, Canada.

Introduction

The human right to adequate housing is well-established in international law, and takes centre-stage in Canada's *National Housing Strategy Act* (2019). This Act commits Canada to a human rights-based approach to housing. Specifically, its goals are: to recognize that the right to housing is a fundamental right established by international law; to recognize that housing is essential for individual dignity and wellbeing, as well as for community sustainability and inclusivity; to improve housing outcomes for Canadians; and to ensure progressive realization of the right to housing, as

described by the *International Covenant on Economic, Social and Cultural Rights*. The community housing sector, including social, affordable and non-profit housing providers, can play a critical role in meeting the objectives and aspirations of the *NHS Act* (Biss et al., 2022; DesBaillets & Hamill, 2022; Ramage et al., 2021). This is because the sector exists outside of market mechanisms and seeks to ensure low- and modest-income households can access affordable, adequate homes that enhance their wellbeing and dignity (Canada, 2019; Meth & Charlton, 2017; Moons, 2018).

This paper asks how Canada's community housing providers understand and seek to operationalize the right in practice. It focuses on what the right means for these housing providers, and if and how these organizations have adopted or responded to Canada's commitment to the right to housing since it was adopted in the *National Housing Strategy* in 2017, and then codified in domestic law in 2019. I employ the capabilities approach to conceptualize the goals, operations and outcomes of community housing providers, and to explore how these are aligned with operationalizing the right. In so doing, I go some way to bridging a gap in housing studies research regarding the right to adequate housing in practice (see Bates & Collins, 2023), and also respond to calls for "further empirical research into the connections between housing ... and capabilities, particularly with regard to the operationalization of the capabilities approach in the housing space" (Coates et al., 2021, p1).

The paper is structured as follows. First, I provide an overview of the human right to adequate housing international law, as well as how the right has been defined and promoted in Canadian policy and legislation. Second, I review literature regarding the operations and goals of community housing providers, and introduce the capabilities approach as the conceptual framing for this study. Third, I describe my research methods, encompassing semi-structured interviews and qualitative analysis. Fourth, I present my findings, categorized by five core themes. Finally, I consider how these findings are consistent with the capabilities approach, and offer conclusions regarding the role of community housing in realizing the right to housing and enhancing households' capabilities.

The human right to adequate housing

Background: International law

The human right to adequate housing (henceforth, the right to housing) is one example of economic, social and cultural (ESC) rights, which seek to ensure adequate living standards for all. ESC rights are universal by definition; they are intended to ensure the necessary conditions for

human dignity and social participation for all individuals (Hohmann, 2013; King, 2003). These rights are "strongly embedded in international law" (Collins & Stout, 2021, p4) and have been recognized by almost all states. This recognition imposes three broad duties on states: *to protect* (e.g., enact laws prohibiting rights violations); *to respect* (e.g., recognize and prioritize rights in policy and decision-making); and *to fulfil* (e.g., take actions to achieve progressive realization of these rights) (Casla, 2016; Fukuda-Parr et al., 2009; OHCHR, 2021).

The right to housing is enshrined in several international human rights instruments, most notably the *Universal Declaration of Human Rights* (1948) and the *International Covenant on Economic, Social and Cultural Rights* (1976). The substantive meaning of the right was developed in detail in *General Comment No. 4* (1991), which sets out seven core components of the right to housing (see Table 4.1).

Table 4.1: Seven components of the right to housing (OHCHR, 2009, 1991).

Aspect	Definition
Security	Tenure security and legal protection from forced evictions or harassment by landlords.
Availability	Availability of services, facilities and infrastructure, for example safe drinking water, sanitation, heating, cooking facilities, lighting.
Affordability	Housing costs must not be so high as to compromise residents' realization of other human rights.
Habitability	The dwelling must be physically safe, offer protection from weather and other threats to health, and of adequate size for the number of occupants.
Accessibility	Housing must account for residents' specific needs, including those of vulnerable or marginalized groups.
Location	Housing must be suitably located to allow residents to access to employment, healthcare, education and other neighbourhood facilities, and distanced from dangerous (e.g. polluted) areas.
Cultural adequacy	Housing and housing providers must be respectful of, and enable residents to express, their cultural identity.

The right to housing does not require states to provide public or social housing for all residents (Loison, 2007). Rather, states are obligated to ensure that their housing *systems* function in a way that is equitable and inclusive – including through homelessness and tenant protection policies (OHCHR, 2009), and housing market regulations (CERA & NRHN, 2022). Of particular relevance to this research, the obligation also includes support and funding for social and affordable housing providers (CERA & NRHN, 2022), which are known in Canada as the community housing sector. This is a commitment to *progressive realization*: the state must take appropriate steps, using the maximum of its available resources, towards full, universal realization of a human right, including (but not limited to) legislative changes (OHCHR, 1966). In the case of the right to housing, this means states must take continuous steps towards ensuring the housing system enables all households to access to adequate housing (Biss et al., 2022; Casla, 2016; OHCHR, 2009).

Examples of the application of the right to housing

The right to housing is well-defined at an international level in United Nations documents (see Chapter 3). In practice, Scotland, South Africa and France present key examples of states that have incorporated the right to housing into domestic policy and legislation.

Scotland has been held in high regard internationally for its strong rights-based legislative framework for housing, especially since changes to the country's responses to homelessness in 2003 (Stewart, 2019). Scotland's approach prioritizes security, peace and dignity (Anderson, 2019), and places emphasis on meeting people's housing needs immediately (or as close to immediately as possible). In practice, this involved restructuring a 'priority need' category that had previously been used to triage people in need of housing (Stewart, 2019). This category previously included solo parents, families with young children, and other designated vulnerable groups – making it difficult for a single homeless person to access housing assistance. The priority need category was abolished in 2012, with a view to ensuring all homeless households could have prompt access to housing (Stewart, 2019). Related to this, policies were updated so that any household in need could only be housed in temporary accommodation (e.g. B&Bs or hotels) for seven days before more secure, adequate housing arrangements were made (Anderson, 2019). Other practical interventions have included initiatives to ensure temporary and longer-term accommodations are good quality, and ensuring tenants are aware of their rights and legal entitlements (Scotland, 2020; Stewart, 2019). Despite these and other rights-based changes in Scotland, challenges in realizing the right to housing endure

(Anderson, 2019). Health consequences and deaths associated with homelessness, in particular, are ongoing problems that are receiving increasing media and political attention (Fitzpatrick et al., 2020), with the number of households 'trapped' in temporary housing increasing by more than 50% between 2014 and 2023 (Shelter Scotland, 2024). These problems endure because adopting a rights-based approach does not, in and of itself, address the underlying causes of housing problems, and continual adaptation is required – consistent with the commitment to *progressive realization* (Casla, 2016; OHCHR, 2009). The COVID-19 pandemic also increased the prevalence of street-based homelessness in Scotland, especially among people who were already precariously housed and experienced fewer housing options (e.g. couch surfing, etc.) during the pandemic (Watts et al., 2021). Nevertheless, the Scottish model for implementing the right to housing is often held up as a "ready to use" example for other states to follow in responding to homelessness, at least in part because it offers a viable alternative to other approaches that have also not resulted in complete resolution of homelessness and unmet housing need (Lévy-Vroelant, 2015, p93; Loison, 2007).

A rights-based approach in South Africa has similar motivations and aspirations, albeit in a different context with its own unique housing system and challenges. The right to housing is enshrined in South Africa's national constitution and was clarified in legislation passed in 2001 (Kothari, 2008). Yet, extensive housing problems endure in this context – including an estimated 2.9-3.6 million people living in informal settlements (i.e. shacks, slum communities) and thousands more experiencing homelessness (SERI, 2018). The extent and persistence of these problems, despite a well-established right to housing, are believed to be attributable to a lack of clear planning and timelines for how the right would be realized in practice (Kothari, 2008). South Africa also faces challenges with 'temporary relocation areas.' These areas were intended to be used as temporary accommodation for households in need (including those moved out of informal settlements) en route to more permanent housing, but in practice they have become spaces where households live indefinitely due to a lack of social housing and limited alternative options for permanent, affordable housing (Ranslem, 2015; SERI, 2018). Nonetheless, there have been 2.7 million social houses constructed since South Africa's shift to democracy and associated efforts to improve housing conditions and resolve Apartheid-era land ownership regulations (Kothari, 2008; Meth & Charlton, 2021; Turok & Scheba, 2018). South Africa provides a clear example of how legal protections for the right to housing do not automatically translate to successful housing outcomes in practice. However in places where social housing has been expanded, vulnerable households have received

permanent homes where they experience benefits such as a sense of stability, identity, confidence, wellbeing, privacy, social inclusion and improved relationships with friends and family (Meth & Charlton, 2021).

Since 2007, France has had an 'enforceable' right to housing, meaning a person can assert their right to housing in court, should they find themselves "unable to access and remain in decent housing of their own with their own resources" (Houard & Lévy-Vroelant, 2013, p210; Balan, 2022; Loison, 2007). Part of France's commitment to ensuring "access to housing for all" is a six-point charter with the following aims to address homelessness: i) 24-hour hostel provision for people exiting homelessness; ii) everyone who is accepted into a homeless shelter should be given an opportunity to move on to settled housing; iii) increase supply of temporary accommodation; iv) increase supply of social housing that is available to very low-income households; v) develop alternatives to shelters, temporary and social housing; and vi) make the right to housing enforceable across the entire country (Loison, 2007). Despite this commitment to resolving homelessness, and residents' ability to "compel local governments to allocate them a home," lingering inefficiencies/deficiencies in the process mean that applicants who do take their case to court "may not find any positive solution ... [in their] journey through the justice system, or may be allocated a temporary shelter, but not a proper house" (Houard & Lévy-Vroelant, 2013, p210). France continues to see widespread housing problems and unmet housing need: in 2021, four million people experienced a form of inadequate housing, and the country had two million 'pending' social housing applications (Lefebvre & Chaperon, 2021). Although 17% of France's housing stock is social housing (Lefebvre & Chaperon, 2021), realization of the right to housing in this context is limited by broader issues such as a lack of available housing, insufficient emergency shelter capacity, and the fact that the right is only enforceable for permanent residents and French citizens (Lévy-Vroelant, 2015). Despite these challenges, adopting a human right to housing in France has directed much-needed attention to housing needs and problems, contributing to removing barriers to accessing housing, especially for low-income households (Bouchet, 2009, cited in English by Houard & Lévy-Vroelant, 2013).

These examples from Scotland, South Africa and France illustrate some of the diverse ways in which states can seek to realize the right to housing. They also highlight some of the challenges that can be encountered in this process. Looking to international examples is particularly instructive when

considering the Canadian case, given that these states are much further into their journeys of operationalizing the right to housing (decades ahead, in the cases of Scotland and South Africa).

The right to housing and the community housing sector

The three international examples introduced above highlight the importance of the community housing sector in implementing the right to housing in practice. Community housing providers can vary widely by ownership and management structure, funding source(s), building type and target residents (Aernouts & Ryckewaert, 2019; Czischke et al., 2020), but share fundamental goals of providing safe and secure housing to people experiencing unaffordable or inadequate housing (Granath Hansson & Lundgren, 2019). In so doing, they realize at least some aspects of the right to housing, even in places where this has not been formally prioritized by policy. Indeed, the sector's core goals are well-aligned with the moral foundation of the right to housing (Canada, 2019; Granath Hansson & Lundgren, 2019; Meth & Charlton, 2017; Moons, 2018). Mikkola (2008) explains that ensuring timely access to adequate, dignified housing for people in need is crucial to realizing the right to housing, and that this necessarily requires states to "have at their disposal a sufficient and sufficiently rotating stock of social rented housing, which is accessible to vulnerable persons and families" (p249). Yet, affordability is just one of the key goals of community housing provision. Beyond this, the sector seeks to address other forms of housing need – including tenure insecurity, homelessness, poor dwelling quality, and unsuitable housing (Hackett et al., 2019), many of which intersect and overlap with the core components of the right to housing.

In striving to provide good *quality* housing, community housing providers contribute to fulfilling the 'habitability' component of the right to housing. Physical characteristics of a house, including structural soundness, warmth, weather-tightness, space, accessibility, and proximity to support services and public amenities, have important implications for residents' wellbeing and dignity (Bierre & Howden-Chapman, 2017; Izuhara & Heywood, 2003; Macintyre et al., 2003; Weeks & LeBlanc, 2010). Housing that is poor quality, overcrowded, or otherwise inadequate can undermine long-term security, heighten residential mobility and erode residents' sense of home and place-attachment (Colic-Peisker et al., 2015; Cristoforetti et al., 2011; Robison & Moen, 2000). Aneshensel et al. (2007) observe that clinical symptoms of depression are prevalent among people living in a neighbourhood where they do not feel satisfied; this is a particular problem for people whose residential choices are constrained by income and/or market dynamics. These housing-wellbeing

connections underscore the importance of adequate housing – and the role of Canada's community housing sector in realizing these objectives with a view to operationalizing the right to housing.

Yet, many community housing buildings are aging and in need of rejuvenation, repair or other improvements (Pomeroy, 2018; Suttor, 2016). In new community housing developments, insulation, heating, physical accessibility, social cohesion and connectivity to services and the surrounding neighbourhood are all important considerations (May, 2018; Oyebanji et al., 2017). In older buildings, retrofitting some of these features is possible in order to improve the quality of the housing and the wellbeing of inhabitants (Copiello, 2015; Tsenkova, 2018), but many providers are do not have sufficient funding for these improvements (Arman et al., 2009; Suttor, 2016; Tsenkova, 2018). In this respect, funding shortfalls may undermine community housing providers' capacity to meet accessibility and habitability components of the right to housing (Bierre & Howden-Chapman, 2017; Izuhara & Heywood, 2003; Milligan et al., 2009). This can mean that households with heightened access needs may be forced to compromise on their preferences for location or dwelling type in order to live in physically accessible housing (Stadler, 2020; Wearing, 2011); an example which highlights the importance of ensuring sufficient availability of affordable *and* accessible dwellings that can realize the right to housing for diverse households (Albert, 2018; PBO, 2019).

Community housing also commonly seeks to ensure stability for households. Granath Hansson and Lundgren (2019) identify both *affordability* and *long-term tenure* as critical to their definition of social housing. Stable housing facilitates participation in society and access to opportunities, thereby enabling ontological security, flourishing, greater life quality and the "unfolding of life in ways not previously possible" (Hackett et al., 2019, p24; Howell, 2019; Suttor, 2016). However, community housing providers are not always able to provide the level of stability they seek to, especially when faced with multifarious challenges and pressures within and beyond the sector. In Canada, one community housing provider reported in 2020 that Indigenous people, who made up about 10% of their residents, accounted for 44% of all 'negative exits' (evictions and non-renewal of leases), with 78% of these tenancies lasting less than one year (Falvo, 2021). Similar housing instability challenges are commonly observed for other resident groups experiencing intersectional vulnerabilities (Nethercote, 2015; Pendall et al., 2012; Preece et al., 2019). Seniors renting in retirement, for example, usually have a limited income and may experience increased healthcare needs, both of which can be exacerbated by complicated housing pathways involving multiple social and/or private

rental tenancies (Colic-Peisker et al., 2015; James et al., 2022). Conditions applied at the start of a lease and/or at every renewal of a fixed-term lease can also create uncertainty and instability for community housing tenants: in addition to the conditions of a 'regular' lease (e.g. on-time rent payment and refraining from illegal or disruptive behaviours), community housing may require evidence of ongoing program eligibility and/or have set maximum income limits as a condition for tenancy (Costarelli et al., 2021; Preece et al., 2019). These conditions are often intended to ensure community housing is being used 'well' (i.e. efficiently, effectively, sustainably and with the 'rotation' Mikkola (2008) calls for), but can also undermine core premises of affordability and stability, or even "erode access" for some households in need (Preece et al., 2019, p.1). These forms of eligibility constraints and conditionality can undermine the extent to which the sector contributes to realizing the right to housing for some households – as has also been articulated with respect to homelessness support and Housing First programs (Clarke et al., 2020; Parr, 2022; Stewart, 2019).

Context: The right to housing in Canada

In 2016, Census data indicated that one in eight Canadians (12.5%) lived in unaffordable, inadequate or unsuitable housing, thereby experiencing Core Housing Need[2] (StatCan, 2018). However, 2021 Census data indicated that these rates declined in all provinces and territories, with an estimated 8% of Canadians – 2.7 million people – experiencing core housing need, including 17% of all renters (StatCan, 2023). While this appears to be a promising trend, these most recent statistics were skewed by income supports during the pandemic and so do not reliably reflect substantive improvements to housing conditions or affordability. Indeed, beyond Census data, evidence suggests housing need has worsened in recent years, with enduring problems of housing shortages and record high homeownership and rental costs (Dugan et al., 2024; Hogue et al., 2024). The number of people experiencing homelessness was also estimated to have increased by 20% between 2018 and 2020-22 (Infrastructure Canada, 2024).

[2]A household is formally defined as experiencing Core Housing Need when: "its housing does not meet one or more of the adequacy, suitability or affordability standards. ... Adequate housing does not require any major repairs, according to residents. Suitable housing has enough bedrooms for the size (number of people) and makeup (gender, single/couple, etc.) of the needs of the households, according to National Occupancy Standard (NOS) requirements. Affordable housing costs less than 30% of before- tax (gross) household income." (Canada, 2018, p3)

Canada currently has a particularly competitive rental market, with demand outpacing supply in both 2022 and 2023, contributing to rapidly escalating rent prices (+8% in 2023) and very low vacancy rates (1.5% in 2023) (Dugan et al., 2024). These trends contribute to making rental homes unavailable and/or unaffordable to many households – especially, but not exclusively, in major cities (Dugan et al., 2024; Hackworth & Moriah, 2006; Hogue et al., 2024; Padley & Marshall, 2018). In 2023, Calgary saw the sharpest increase in rental costs (+14.3% for a two-bedroom apartment) of any city in Canada, and its vacancy rate fell from 2.7% to 1.4% (Dugan et al., 2024). In Canada's three largest metro areas, the equivalent figures were: Toronto (rent: +8.8%; vacancy rate: 1.4%); Montreal (rent: +7.9%; vacancy rate: 1.5%); and Vancouver (rent: +8.6%; vacancy rate: 0.9%).

In this context, it is clear that the housing market is unable to meet the needs of low-income households. The fact that the market cannot meet this "social need" (Hulchanski, 2006, p223) points to the essential role of the community housing sector. Specifically, the unaffordability and unavailability of rental housing in Canada mean that an increasing number of households require community housing for a safe, secure place to call home (Dugan et al., 2024; Preece et al., 2019; Pomeroy, 2017; StatCan, 2018, 2019). However, the sector has a limited ability to meet this need, due to a lack of capacity (stemming from systemic under-investment over many decades), which results in long waitlists and targeting of those deemed in greatest need (Pomeroy, 2017; StatCan, 2018, 2019).

In response to housing and homelessness crises in Canada, the *NHS* is said to represent an "explicit commitment to improving housing outcomes for persons in greatest need" and is a "tremendous step towards addressing the disproportionate levels of housing need and unique housing rights violations" experienced by vulnerable groups (Schwan et al., 2021, p7). The community housing sector plays a critical role in operationalizing the ambitions and commitments associated with the right to housing, by providing affordable and adequate units to households whose needs can not be met by the market (Biss et al., 2022; DesBaillets & Hamill, 2022). In the Canadian context, community housing is an "umbrella term" that includes all forms of non-market housing – including social housing, affordable housing, and co-operative housing (Canada, 2018, p2).

As such, the sector is a frontline response to shortfalls in market housing affordability and affordable housing capacity. In Canada, the community housing sector is comprised of more than

3000 public, co-operative, and non-profit organizations, some of which specialize in providing housing for a particular household demographic or vulnerable group (Canada, 2018; Pomeroy, 2017). However, the sector faces a range of challenges, including increasing operational costs, unstable funding, and aging buildings (HPC, 2015; Power & Bergan, 2019; Preece et al., 2019; Suttor, 2016). Such challenges contribute to a lack of capacity and lengthy waitlists, with most households in need waiting more than two years to access community housing (StatCan, 2018, 2019). These limitations are exacerbated by ongoing losses of affordable units in Canada's private rental sector (Pomeroy, 2020), illustrating an urgent need to renew and expand community housing in order for all Canadians to realize their right to housing (Biss et al., 2022).

Theoretical framing: The capabilities approach

Introduction to the capabilities approach

The capabilities approach is a theoretical framework that understands wellbeing in terms of individual *functionings*. It focuses on "what people are able to do and be – the *real* opportunities available to them" (Watts & Blenkinsopp, 2022, p100; emphases added). The capabilities approach prioritizes understanding "the opportunities that individuals have to lead the kinds of lives they have reason to value," as compared to quantitative measurements of wealth and material resources, or subjective indicators such as satisfaction of desires or fulfilment of preferences (Irving, 2021, p985).

Related to this central interest in wellbeing, the capabilities approach is concerned with justice, dignity, life quality and what it means to be human (Formosa & Mackenzie, 2014; Gasper, 1997; Watts & Blenkinsopp, 2022). As Batterham (2020, p2) explains, "the promise of the capabilities approach is the egalitarian idea that justice is equality of capability, and that through increasing equality of capability we increase human flourishing." Further, Robeyns (2005, p94) explains that the capabilities approach can be used as a "broad normative framework for the evaluation and assessment of individual well-being and social arrangements, the design of policies, and proposals about social change in society." The broad scope of the capabilities approach makes it well-suited to guiding policy development and evaluation through social cost-benefit analyses (Robeyns, 2005). Tanekenov et al. (2018) also observe that when the capabilities approach is used to inform social policy development it can facilitate operationalization of 'empowerment' as a common objective.

A summary of the capabilities approach as it is applied in this study is illustrated in Figure 4.1 (see also Kimhur, 2020). **Resources** include material things, facilities or services that can contribute to a person's daily activities, experiences and wellbeing. **Conversion factors** are the personal, social or environmental circumstances that determine if/how a person may be able to utilize these resources and convert them into **capabilities** – feasible opportunities to do an activity or be a particular way. **Functionings** are *realized* "doings and beings," i.e. activities and states that a person values and has exercised agency in order to achieve. As Sen (1987, p36) summarizes, "a functioning is an achievement, whereas a capability is the ability to achieve." Functionings, then, are a product of the material resources available, a person's circumstances (conversion factors), their real/feasible opportunities (capabilities), and their exercising of agency in realizing an activity or state of being.

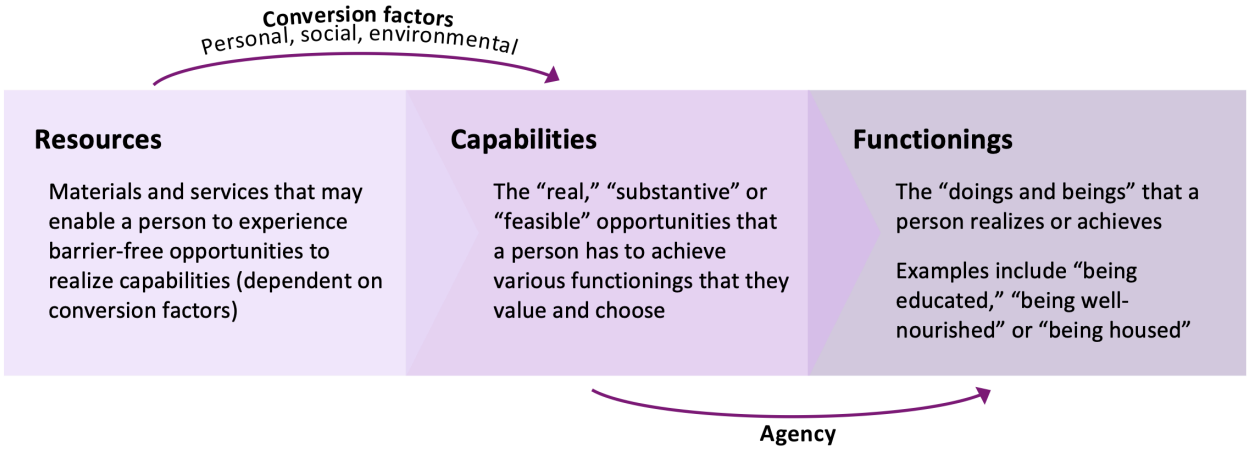

Figure 4.1: Overview of core aspects of the capabilities approach.

For the purposes of this paper, I contend that these aspects of capabilities can be applied to housing. As a *resource*, a house has certain material characteristics that can make it valuable to a person – it has four walls and a roof, and can provide warmth and shelter from the elements. A house, therefore, can contribute to *capabilities*, such as feasible opportunities for domestic activities and experiences of stability, security and social participation. However, this is not the same for all individuals: *conversion factors* (e.g. physical abilities or limitations, financial position, social supports) influence how an available house (a *resource*) can be transformed into real opportunities for stability, shelter, domestic activities and a sense of home (*capabilities*); and *agency* (e.g. choosing the house, neighbourhood, or activities undertaken, etc.) is then crucial for these capabilities to be chosen as valuable and realized as *functionings* such as 'being at home,' 'being employed' or 'doing domestic tasks' (see Figure 4.2).

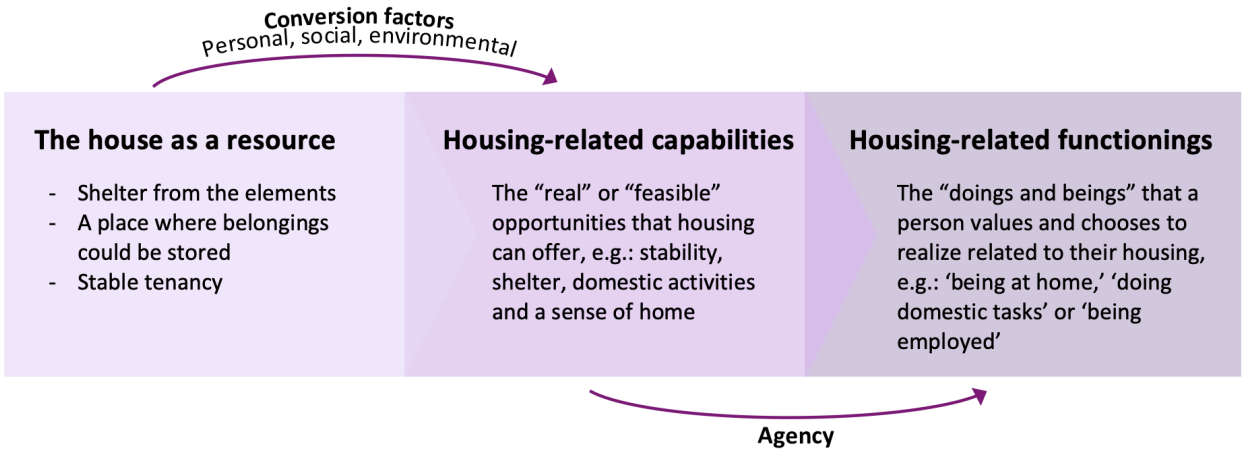

Figure 4.2: Overview of a housing-related capabilities approach.

Capabilities as conceived by Sen and Nussbaum

Two scholars were instrumental in founding the capabilities approach: Amartya Sen and Martha Nussbaum. Sen proposed the capabilities approach as a way to measure wellbeing and human development by considering individual freedoms and self-determination, rather than income or material resources alone (Gasper, 1997; Greenwood et al., 2021). He advanced understanding of human wellbeing and quality of life by considering – and distinguishing between – wellbeing and agency in ways that had not previously been pursued in utilitarian and welfare economics approaches (Gasper, 1997). He contended that a just society allows citizens the freedom to choose which capabilities they value and pursue, with this freedom to realize capabilities being an indicator of human development and social justice (O'Shaughnessy et al., 2020). Sen's capabilities are context- and purpose-specific; overarching core capabilities that transcend different contexts cannot be determined under this approach, and must instead be determined through appropriate bottom-up democratic processes (Kimhur, 2020).

While Sen's capabilities approach is relatively abstract in nature (Gasper, 1997), Nussbaum's subsequent approach is more structured. Nussbaum proposed 10 central capabilities: life/longevity; physical health; bodily integrity; senses, imagination and thought; emotions and attachments; practical reason and life planning; affiliation with other people; interaction with other species; play/recreation; and control over one's political and material environment (Nussbaum, 1997). In comparing Sen's and Nussbaum's approaches to capabilities, Kimhur (2020) observes that Nussbaum's conceptualization is less focused on critiquing utilitarian and welfare economics

understandings of wellbeing, and more concerned with offering "a more full-blooded capabilities ethic" that "gives a richer, more realistic picture of people and of agency, choice and action" (Gasper, 1997, pp281-282). Anund et al. (2004) determined that many of Nussbaum's capabilities connect with common measurements of wellbeing – both at the individual level (i.e. the health of each person) and at a broader community level (i.e. the health, fairness and justness of society) (Prilleltensky, 2012).

Sen's and Nussbaum's capabilities approaches are distinct but complementary (e.g. see Batterham, 2019; Formosa & Mackenzie, 2014; Kimhur, 2020). Both scholars emphasize the importance of autonomy, choice and agency in achieving capabilities (Gasper, 1997; Kimhur, 2020; Nussbaum, 1997; Sen, 1987). While experts, scholars, professionals and policy-makers can influence the availability of resources, conversion factors and capabilities, only the individual can choose which capabilities (opportunities) are valued or important to them personally, in order for these to be pursued as *functionings* (doings and beings).

Both Nussbaum and Sen have drawn connections between capabilities and human rights (Nussbaum, 1997, 2017; Sen, 2005). Sen states that capabilities and human rights "go well with each other, so long as we do not try to subsume either concept entirely within the territory of the other" (p151). In considering exactly how these two concepts can be drawn together productively, Nussbaum (1997) positions the capabilities approach as a useful way to conceptualize and extend understanding of human rights. She observes that "the language of rights is not especially informative, despite its uplifting character" unless it is connected to a theory that answers questions such as "When we speak of human rights, do we mean, primarily, a right to be treated in certain ways? A right to a certain level of achieved well-being? A right to certain resources with which one may pursue one's life plan? A right to certain opportunities and capacities with which one may, in turn, make choices regarding one's life plan?" (p274). Nussbaum contends that the capabilities approach is well placed to consider these questions and account for equality of wellbeing, resources and opportunity.

Vizard et al. (2011) articulate the connections between capabilities and human rights particularly clearly. They observe that the capabilities approach and human rights frameworks have a "common motivation" (p1) in that they both focus on dignity and freedoms at an individual level. In addition,

when applied to public policy, the capabilities approach also emphasizes the importance of opportunities available to individuals and groups, whereas the human rights approach emphasizes the measures required to protect and promote respect, equality, non-discrimination, participation and autonomy (Vizard et al., 2011). These authors also identify the significant contrast between capabilities and human rights approaches as compared to economic policy approaches, which prioritize GDP over dignity, freedoms, rights and capabilities of individuals (see also Gasper, 1997; Kimhur, 2020).

Capabilities and housing

Both Sen and Nussbaum position the capabilities approach as a theoretical framework that can be valuable for understanding public policy (see Nussbaum, 1997). This value was initially identified with respect to international development, although it is increasingly applied in other social and public policy arenas, including housing and homelessness research. For example, Coates et al.'s (2015a) early research in this direction employed the capabilities approach to understand the connections between housing satisfaction and quality of life. It concluded that housing policy needs to take a holistic view of housing and life quality if the two are to be meaningfully improved (Coates et al., 2015a). Further, Batterham (2019) employed the capabilities approach to construct a conceptual understanding of homelessness as capability deprivation. This enabled Batterham to create a framework that "specifies what is required to end someone's homelessness ... [and] situat[es] homelessness within a broader political-philosophical discourse about social justice and the basic entitlements of all people" (p274). Relatedly, Greenwood et al. (2021) used the capabilities approach to understand the experiences of formerly-homeless adults when accessing support services. They found that Housing First programs were superior to 'traditional' programs in in enhancing many of Nussbaum's 10 central capabilities, including affiliation with others, bodily health and control over environment, and afforded individuals the freedom to "become who they want to be and do what they want to do" (p318). In their study, the capabilities approach provided a broad perspective regarding individual experiences of homelessness services, and enabled the authors to make recommendations for social policy, practice and professional training with a view to enhancing equity, ontological security, choice and quality in housing (Greenwood et al., 2021).

None of these studies directly connected their capabilities findings to the right to housing. However, literature in the wider housing studies field indicates that Housing First was revolutionary in

pioneering a human rights-based response to homelessness – it demonstrated the value of the right to housing and normalized many of its core values (see Stadler & Collins, 2023). Moreover, use of phrases such as 'quality of life,' 'justice' and 'entitlements' in Coates et al.'s (2015a) and Batterham's (2019) work indicate a potential intersection of the capabilities approach and the right to housing. Further, given the importance of housing for so many dimensions of dignity, wellbeing and life-quality (e.g. see Howden-Chapman & Wilson, 1999; King, 2003; Meth & Charlton, 2017), many (if not all) of Nussbaum's central capabilities are applicable to aspects of the human right to adequate housing (including physical health, practical reason and life planning, control over one's environment).

Methods

Ten participants were recruited through a mixture of direct invitation via professional connections and snowball sampling. Efforts to recruit through Canada-wide professional network newsletters and social media calls did not elicit any participants – likely reflecting the workload and staffing pressures faced by many organizations in this sector (Bates et al., 2019b). This sample size was, however, sufficient to capture considerable geographical and organizational diversity in community housing providers across Canada, while also being small enough to enable detailed, up-close analysis of how these providers have responded to the formal adoption of the right to housing in Canada, and how they contribute to their tenants' capabilities.

I opted to undertake interviews with managers at these organizations (rather than, for example, frontline staff) because they could provide a 'bird's eye' overview of the organization's operations, collaborations and any interactions with the *NHS*. All participants were recruited by email, and consent was obtained digitally prior to interviews being conducted on Zoom. Participants had the right to decline any question, and to withdraw from the study up to 30 days after the interview. Ethical approval for this study was granted by the Research Ethics Board at the University of Alberta. The one-hour interviews were semi-structured in nature, allowing participants to share in-depth information about their experiences and understandings of both the community housing sector and the right to housing (Mertens, 2020). I ensured that the depth of these interviews yielded data with specificity and relevance to my research question, providing sufficient "information power" to generate meaningful qualitative findings (Malterud et al., 2016, p1753).

Given that the *NHS* represents a relatively recent shift in Canada's housing policy landscape, one of the key contributions of this research is an exploratory analysis of if and how the operations of community housing providers play a role in operationalizing the right to housing. As such, thematic analysis was selected as a "descriptive [and] ... reliable qualitative approach to analysis" that accounts for context and nuanced meanings more thoroughly than content analysis, while maintaining a broader perspective across the sample than narrative analysis of individual participants' responses (Vaismoradi et al., 2013, p400). Thematic analysis of interview transcripts enabled up-close understandings of participants' experiences and expertise in overseeing community housing operations. This approach offered a qualitative, systematic way to identify and categorise "patterns of meaning" across a diverse sample of managers, with a focus on drawing together commonalities regarding how the right to housing is perceived and operationalized (Braun & Clarke, 2012, p57). Specifically, I followed Braun and Clarke's (2012) six stages of thematic analysis (see Table 4.2).

Table 4.2: Overview of thematic analysis process, following Braun and Clarke's (2012) stages.

Stage of thematic analysis	Application in this paper
1: Familiarization with the data	Initial reading of interview transcripts
2: Generating initial codes	Codes generated inductively, by identifying recurring ideas and emphases across the sample, such as "support for the *NHS*" or "organization values"
3: Searching for themes	Grouping related codes together to identify patterns and meaning in the data – e.g. "organization values" and "purpose of community housing sector" became one theme
4: Reviewing potential themes	At this stage, I noted that some examples provided by participants were not captured by my themes, and so added the theme "recommended changes for the community housing sector"
5: Defining and naming themes	Considering what distinguished each theme from the others, and devising a logical order for their presentation
6: Producing the report	Producing descriptions of the themes and organizing supporting evidence from the data

In following this process, I sought to create themes that served as "coherent integration of ... disparate pieces of data" (Vaismoradi et al., 2013, p402) and connected the diverse knowledge my participants shared into a "compelling story" (Braun & Clarke, 2012, p69). Codes and themes for this analysis were developed inductively, prioritizing the ideas and examples that were emphasized by participants (Mertens, 2020). It would have been inappropriate to impose predetermined codes and assumptions upon this data through deductive coding, given the diversity of participants' expertise and limited baseline knowledge on how Canada's community housing sector seeks to operationalize (or not) the right to housing (Biss et al., 2022; Ramage et al., 2021).

Thematic analysis typically prioritizes finding common ground rather than attending to bespoke examples within the dataset (Braun & Clarke, 2012; Vaismoradi et al., 2013). Yet, in this paper it also enabled me to capture and explore nuanced and specific perspectives about the role of the community housing sector and aspects of the right to housing (Merriam, 2009; Morgan, 1993). My findings are arranged into five sub-sections, one for each theme, each featuring illustrative quotations that reflect commonly-held perspectives among my sample of community housing managers, as well as some unique points raised by individual participants where these were particularly insightful. In the Discussion, I use the capabilities approach as a lens in order to understand community housing providers' operations, and investigate the important role they play in translating the right to housing from policy and legislation to practice.

Findings

This study's sample is comprised of 10 experts working in managerial positions at community housing providers across Canada (see Table 4.3). Confidentiality is preserved through use of pseudonyms. Community housing providers vary in their approaches and values, processes, ownership structures, unit types and priority groups. Five of the organizations represented in my sample provided housing to low-income households in general, while four focused on a specific vulnerable group or household type. Below I present key themes from these community housing managers' accounts, featuring a balance of illustrative quotations and longer vignettes to capture the complexity of situations described in interviews.

Table 4.3: Overview of participants.

Pseudonym	Province	Specialization
Bolton	Ontario	Low income and moderate income (general)
Amberley	Nova Scotia	Mostly supportive housing (disabilities, seniors)
Constantine	New Brunswick	Youth (16-25 years of age)
Hillary	Ontario	Indigenous people
Eilean	British Columbia	Low and moderate income (general)
Fernie	Alberta	Low and moderate income (general)
Leslie	British Columbia	Low and moderate income (general)
Mirabelle	Alberta	Low and moderate income (general)
Nellie	Ontario	Women, women with children, gender-diverse people
Rose	Alberta	Seniors

Values, principles and the purpose of community housing

Participants articulated diverse principles and purposes of their organizations, underpinned by core goals of providing "*stable, equitable, and affordable housing solutions"* (Hillary). This is a critical contribution of community housing:

> [Community housing] ... provide[s] a safety net, of not having to choose between paying rent or buying groceries. It provides a place for their kids to be comfortable in ... and I think there's people who are just grateful for a safe and dry place to have their home. ... Having a house just checks off one thing one less thing to worry about. (Fernie)

> Safe and affordable housing is essential to a person's well being and a foundation for success in life. We imagine a community where everyone feels at home and where everyone has a home. (Leslie)

> People that are on lower or fixed incomes ... achieve long-term, stable housing, and then the safety and security of their home is not even a blip on their radar, so they're able to develop community connections, partnerships, interests. (Leslie)

Community housing also assists people who experience other "*barriers [that] get in the way of traditional forms of renting or homeownership*" (Nellie), due to a range of social vulnerabilities. Low income was not the only barrier faced by households in community housing, as these interviewees explained:

> Our portfolio mostly consists of supportive housing across a continuum of acuity. There's some people in our housing who ... need daily intervention and support for just normal activities of daily living. But then we have also very low acuity individuals who need might need a check in once a week or once a month with a social worker, just to make sure that there's nothing they need, and that they feel supported and they're in a good place in their health and wellbeing. People who live with us are typically individuals who suffer with mental illness, and people sometimes who are struggling with addiction. (Amberley)

> We house women, women with children, and gender diverse people. We focus on those who are experiencing homelessness and those who are facing gender-based violence. ... We also have a lot of housing for adults with developmental disabilities, primarily women and gender diverse people. (Nellie)

> Our mandate is 65 and over ... I like to describe it as an entry point into supportive living. ... Community housing is a social responsibility ... it's a needed service right across the world, and we have to become more strategic in how we, as a society, ensure that it is available, [and] doesn't stigmatize. ... It's one thing to have a building, but it's a different thing to have a building that meets the needs of the people that it's meant to serve. (Rose)

Beyond meeting the diverse needs of vulnerable households, participants explained additional pressures and expectations of community housing providers – including environmental sustainability, neighbourhood amenities, social connections and support services:

> We operate housing from the point of view of what makes sense for the people who are living there. ... We think about cultural competency, about being accessible ... [and] environmentally sustainable. But we have always thought about it from economically sustainable point of view as well, for the people who are living there ... but also for us, operating housing. (Nellie)

> There's [also] immense value for low and moderate income Calgarians to have an opportunity to live in an amenity-rich, vibrant community where they have access to things that are important – transit, community supports, shopping, employment opportunities. (Mirabelle)

These purposes and additional supports fall outside of 'traditional' conceptions of community housing as accommodation for households experiencing affordability challenges, reflecting a shift in the pressures and expectations placed upon housing providers as the sector caters to tenants with increasingly complex needs (see de Vos, 2022). Moreover, many of these concerns are above and beyond the seven core components of the human right to adequate housing, reinforcing burgeoning understandings of how realization of the right to housing is more nuanced and complicated than a

checklist-style definition can capture (see Chapter 3). Indeed, Bolton reflected on this expanded role directly:

> If you're running a non-profit, [affordability] is the bare minimum you are required to do. ... beyond that, our lives are governed by our sense of identity and purpose and belonging ... and all of these things are wrapped into how we are perceived by the world ... and I think those are the things that are harder for a housing provider to take on as an additional responsibility.

Relatedly, other participants also spoke of the importance of a sense of home – another less-tangible aspect of community housing provision that is not captured by 'affordability' alone:

> Part of it is ... not having to worry about paying rent and not having to worry about being evicted. But to me, I also think it is about tenants ... [feeling] this is a home, and there's nothing wrong with that, there's no shame in living in here. (Fernie)

> Having a sense of joy, being in the home, there's a feeling of good health and wellness ... it's a place you want to be, you're not looking around and going "oh, my crummy cupboards in my kitchen, or my broken fridge" - things work, things feel good, [they] don't feel like they're living in poverty. Dignity! (Nellie)

Moreover, some participants explained in detail how community housing contributes to residents' wellbeing, as well as their *capabilities* to participate in society, determine their own life plans and pursue their personal aspirations, thus enhancing their dignity and independence:

> The overall wellbeing of people is … more than just the physical home, it's about giving people the second chance ... [or] the life opportunity that they might have never been given. ... We have a lot of individuals who are struggling with addictions [and] mental health, so acknowledging those components and giving them the supports to stabilize themselves, giving them the autonomy that they need, ... and just supporting them along the way. (Hillary)

> We strive to demonstrate respect, we exercise compassion, we protect dignity of others, and we respect individuals' right to housing, self-determination, and the right to have a say in how their lives unfold. ... We exist to serve the community by providing that safety net, operating housing that's in good condition, is inclusive, and provides community connection for residents who wish to have that, at all income levels. ... In maintaining buildings and the units, we do it in such a way that we would be proud to live there. (Mirabelle)

> I think we have to look at community housing as a means of helping people live good lives. ... Housing is so foundational ... to people's success and being able to advance their goals, whatever they may be. ... We want people to feel at home and to be living their lives. (Eilean)

> A woman [living here], independently or with her family, experiences safety and feels comfortable in her housing ... has a sense of community ... [and] the housing itself ... is an enhancement, to their quality of life. They feel stability and an opportunity to grow, to exist, to be, ... and they have a sense of belonging, a real sense of meaning. (Nellie)

> The purpose of [community housing] is to provide dignity to every single member of the community, no matter what. (Amberley)

These observations emphasize the importance of a safe, stable home as a foundation for other important life activities and social engagement. Notably, these participants adopted capabilities language (e.g. 'live good lives' and 'self-determination') unprompted, to explain their goals for tenants – whether in conjunction with, or independent of, human rights language (e.g. 'the right to...' and 'dignity'). These descriptions of how stable, safe housing can enable a person to live a 'good' life and 'advancing their goals' is also consistent with the emphasis the capabilities approach places on wellbeing, autonomy and quality of life.

Perspectives on the right to housing and the National Housing Strategy

Participants described mixed, but generally positive, perspectives regarding the introduction of a human rights-based approach to housing in Canada. Most viewed the adoption of right to housing in domestic law and policy as a broadly constructive change that had beneficial "*ripple effects*" (Leslie) in the community housing sector – even in the face of challenges or complexities associated with its implementation. Participants also explained how, in practice, a rights-based approach involves providing access to safe housing, a sense of community and home, and a focus on the needs and goals of individuals and households, "*not just a focus on the dwelling*" (Fernie). In addition, participants noted that the right to housing required ongoing improvements within the community housing sector:

> In practice, the human rights-based approach means that you are centring your housing around the rights of the people who are living there, ... [and] creating safety, inclusion, and accessibility. [Ensuring] that the people who live there are ... informing the environment within which they're living, that they have ... autonomy within their living situation. (Nellie)

> I do believe the right to housing has potential to strengthen the sector ... help[ing] us to streamline ... with a consistent framework ... [while maintaining] slightly different personalities for different providers, to meet diverse needs. (Rose)

> I think there's potential [for the right to housing] to strengthen the housing sector in terms of paying more attention ... to the need for more bricks-and-mortar units to achieve the goal of adequate housing. (Eilean)

Some participants also expressed concern for difficulties in operationalizing the right to housing. Specifically, they connected this challenge to the universal concern regarding the sector's funding:

> Not a lot of organizations have the capacity ... because many of them are just treading water, just trying to do the bare minimum to survive. ... Layering on something like housing as a human right, we ... have very limited tools to operationalize it. (Bolton)

> To be honest, like so many of the providers out there, our costs have gone up. [Client] needs have continued to become more complex and more deep. ... So many providers are already dealing with money flows that are aren't sufficient to maintain buildings, ... and a lot of the housing stock is old and needs to be replaced. ... We're trying to juggle all those balls in the air, so until the right to housing actually becomes something more tangible, I don't think it'll be really thought of beyond an abstract or theoretical proposition. (Eilean)

Beyond funding-related constraints, Medora gave a potent example of challenges faced by community housing providers that target a specific vulnerable group. Her organization specializes in providing safe and stable housing for women and gender diverse people, including those fleeing domestic violence, without being either paternalistic (e.g. constraining tenants' independence by interfering in harmful relationships or restricting guests) or exposing other tenants to risk (e.g. by allowing disruption or violence in one household to affect the rights of other tenants in the building). She explained:

> A challenge to the rights based approach ... we struggle with ... is try[ing] to reduce as much as possible having to ask people to leave. ... Our goal is a 0% eviction rate, [but] that may not be realistic long-term. ... The safety component of it becomes very complicated. That's where we bump up against human rights, we find ourselves balancing rights in those situations. It's not about somebody's behaviour just being a problem, it's literally somebody's behaviour being dangerous and putting other people at risk. ... [Tenants] have the right to make the decision to leave or to end it [the relationship] or not, but [for us] the line is when that violence infringes on other people's well-being and safety. (Medora)

Despite moral challenges such as Medora explained, as well as a backdrop of funding and logistical challenges, participants were clear in their belief that, overall, a human rights-based approach would ultimately strengthen community housing in Canada.

Interestingly, some participants also articulated a tension between the universality of the right and the specialization of their organization's approach to targeting particular vulnerable groups. Some of these descriptions seemed to reflect confusion around what the right means in practice. One participant expressed concern that her organization may not be fully realizing the right to housing (at least not in the 'correct' way) because they required all tenants to pay rent, limited their intake to one specific vulnerable group, provided temporary accommodation to some clients, and operated in a way that meant it was not possible to be "*all about people being self-determinate in their housing, entirely*." This is an interesting insight, given that these are characteristics of housing provision that are a perfectly allowable and productive within the broader right to housing process. Moreover, this overarching concern about "*self-determinat[ing]*" is more directly a concern for *capabilities* than for realization of the right itself.

Moreover, Rose and Eilean also observed uncertainty around what the right to housing meant, including its definition and application:

> I don't think there is enough resources, especially for housing providers. ... All the times I've interacted [with the right to housing] it's because I've stumbled on it, ... or seeking it because of my own professional needs. But we have 500 staff members, some who struggle with ... understanding housing as a right, so I think we have education that we need to do to help people understand that we're not doing something that's nice – we're providing a service that is a human right. ... I think from a more macro perspective, the conversation has not come together very well to ensure that we [providers] are all plugged in. ... We need to have a common framework about what's the minimum that we need to be doing. (Rose)

> Everyone hears 'rights-based,' but no one can explain what that means, which I think is a horrible disservice to the people who are struggling with affordability and finding housing, because they're hearing ... everyone talked about a right to housing that's not their reality and no one can really explain to them what that means, or how it translates into them being able to realize housing. ... Most jurisdictions have not really even begun to grapple with what a rights-based framework looks like. Even the federal government, ... they're talking about the right housing, a lot of it is like who should have the right to housing and reiterating what the right is, but no one's kind of gone into operationalization of that right. (Eilean)

A lack of clarity and tangible definitions are common criticisms of human rights-based approaches, both within and beyond housing (see Marks, 2004; Nussbaum, 1997; Turok & Scheba, 2018; Whitzman, 2022). This does not detract from the value of recognizing the right to housing; rather, the fact that participants recognized some confusion and lack of clarity underscores the need for clearer communication, including in setting goals and expectations around realizing the right to housing in Canada. Just one participant felt that the right to housing had limited potential to strengthen the sector. She emphasized that even before the *NHS* "*nobody*" was suggesting that some people did not deserve housing at all, but acknowledged that a rights-based approach could perhaps improve housing availability – "*as long as there's practical steps behind it*" (Fernie).

Changes since the right to housing was adopted

Despite the aspirations of Canada's federal government, and the well-recognized importance of the community housing sector in realizing these aspirations, no participants felt that their organization's processes had changed as a direct result of the introduction of the human right to housing into domestic law and policy. For example:

> I don't think practically [the right to housing] has changed too much on the ground. (Fernie)

> Not yet, or not anything noticeable, and I would say that we're not alone in that across the country (Eilean)

> No. ... We've been in community housing for 50 years ... we've been around a long, long time. ... I feel like the government caught up to us. (Amberley)

Relatedly, several participants suggested that their organizations' operations had essentially co-evolved to be human rights-oriented *alongside* the NHS's focus on the right to housing:

> I actually think it hasn't directly influenced [our processes]. Maybe indirectly, because, as the human rights to housing language and thinking was evolving in Canada, we were also evolving our housing at the same time, so I think indirectly, there are connections. (Nellie)

> I would say that that we just we naturally had our own sea change occurring here, anyway. ... When [new executive director] came in, she had a strong focus that was a bit of a shift from where we were before on equity, diversity, inclusion, and ensuring consideration of human rights under the whole affordable housing umbrella. I think that kind of coincided with a lot of awareness about the National Housing Strategy. (Leslie)

Further, four participants explained that their organization's operations were *already* aligned with a human rights-based approach, for example:

> I would say the organization, and the people that lead the organization, always felt they had a moral obligation to serve the people that we currently serve, and to serve more. ... I think it's just enshrined in who we are and what we exist to do ... I don't think that has changed since the *NHS*. ... Delivering these services and how we approach housing, stems from this belief that housing is a human right ... I think it was always part of like the DNA and the intent, and so we have gotten more comfortable saying that over the last couple of years. (Mirabelle)

> It's always been common language in our organization to refer to housing as a human right, and certainly, at least in in my department, there's a required fluency in the national Human Rights Act ... I would say that [realizing the right to housing] is a common, accepted part of what we what we look to do. (Leslie)

While the *NHS* establishes a framework, it is clear that these organizations have their own values, processes and specialities, and so it is unsurprising that they have differing operating approaches and adopted human rights-based thinking in different ways and at different times – whether related to, distinct from, or alongside the *NHS*. The seemingly indirect, co-evolved or even coincidental connections between some organizations' responses and formal recognition of the right to housing in Canada speak to the ways in which the sector was already engaged/engaging with human rights thinking and principles – including in terms of tenants' needs, experiences and futures, as the next section demonstrates.

Community housing success stories and tenants' futures

Community housing is often perceived as a 'hand up' or stepping-stone to assist households out of housing hardship and onto a pathway to market rental housing or homeownership. In Canada, this perception is linked to a normative housing pathway, and to a liberal welfare regime that targets social housing (in particular) to those deemed most in need (de Vos, 2022; Grant & Scott, 2012; Suttor, 2016). For most participants, this understanding of community housing was at least one part of their organizations' purpose. Hillary, for example, explained that "*our affordable units are long-term, so there's no timeline for people to leave, but ultimately our goal is to give them the tools so that they can move into market level housing."* Similarly, Fernie noted that *"we envision their future as being temporary with [us], ... not long term, even though we know we have tenants that have been with us for a long time.*" This can be interpreted, in part, as an appropriate organizational response to high levels of need for subsidized housing;

when an existing tenant moves on to the 'next step' in the housing pathway, a unit is opened up for a household in need.

However, in most cases success stories were not positioned as exiting community housing; rather, participants spoke of multiple pathways, futures and successes for diverse households that *"can just manifest in so many different ways"* (Leslie). As Nellie described: "*Success can be staying a long time, or not. ... We're happy to have people live with us forever, if they're comfortable, if that's what they want.*" Indeed, several other managers also spoke of how understandings of the importance of community housing have evolved to reflect the role of the sector in providing permanent housing:

> I think we recognize that there's going to be some people that, for a variety of reasons, are going to need some form of housing supports ... for a long time, if not their entire lives, and other people may not. (Eilean)

> We have many success stories. For some of them, it's been an apartment early in their life ... and then they're able to save and purchase a home. We've had lots of those really positive exits. Success also means living here for as long as you need to, and as long as you like. We have residents that have been there for almost 40 years. I think success also means, ... for residents, knowing that you're going to be treated with dignity and respect and compassion, ... you're going to have that stability. (Mirabelle)

> I think success really is so, so dependent on the individual and what they're striving to achieve. One of our clients, since getting housing has not gone back to school, has not gotten a job, and is still struggling with mental health, but success for him is that he's yet to be kicked out of his apartment, and this is the first time in his life that he has felt safe. That is just as much of a success as another client who did end up going back and finishing his high school and went to college, and now has a job in the career of his choice. (Constantine)

> We want them to feel autonomy in their future. If that means that they're with us from the age of 19 to 100 and that is their choice, that's success. ... As long as they feel that they ... have autonomy over their future, no matter what that autonomy looks like, as long as it's what that person wants, that's what our hope is. (Amberley)

Interestingly, no participants mentioned external rules governing eligibility, such as provincial income cut-offs that apply to social housing, which necessitate (as a matter of law) ending tenancies for households who exceed annual income limits. It is possible that providers with social housing stock that is regulated in this way offer affected tenants alternative housing (e.g. affordable or below-market units), thus ensuring a degree of continuity. It is also possible that participants were focused

on providing positive stories, as they continued to do when describing tenant success in terms of wellbeing, social connections and fulfilment:

> Housing is one small, small fraction of [tenants'] success, and it's so beautiful to see. ... You just give them the base, which is housing, and then you see that they've now excelled in their community or their relationships with family members, and we're just a small fraction of that. It's about the individual doing good, having good health, thriving for themselves, not relapsing or regressing on the housing continuum. (Hillary)

> Success [includes] people finding housing stability and being able to start living their life more fully when they're not in survival mode. ... not everyone will achieve … non-housing outcomes in the same way. So, [success is] for tenants to live their best lives as they see fit - being able to be healthy and live well ... they're happy, or at least content, and have some meaning and a feeling of community and belonging. People still have agency, no matter where they are in the housing continuum ... allowing people to choose what is important ... [and] not having their lives be dictated by where they can afford to live. (Eilean)

> For us, the service providers, success is really focused on the wellbeing of our clients and their ability to advocate for themselves. So we always strive to make sure that we're really promoting spaces where they can use their own voices for what they need. (Constantine)

These comments indicate that successful outcomes and positive futures for community housing tenants encompass both housing and non-housing outcomes. These successes are facilitated by the agency that community housing can facilitate for tenants – having stable housing gives a solid foundation and the ability to choose the activities, relationships and goals they wish to pursue. This idea was most clearly captured in Eilean's observation that community housing frees people from "*having their lives be dictated"* by the forces of the housing market.

Recommendations for changes to the sector

At the conclusion of each interview, I asked participants *"If you could make one change to the community housing sector to ensure it supports wellbeing, what would it be?"* In an intentional departure from the previous four inductively developed themes, this section presents and examines participants' responses to this specific question.

Several participants explained improvements that were at least partly centred on the availability and allocation of funding. For Nellie, the single biggest improvement for the community housing sector would be "*a straightforward, clear path to funding for housing,*" which she described as "*an easy fix [that] just*

takes courage and will." Hillary took this one step further, suggesting that funding should be allocated "*proportional to need in the community*," and gave the example of providing 40% of funding to providing Indigenous-specific housing if 40% of the homeless population in a particular place identify as Indigenous. Mirabelle made a similar call for improved funding, as well as increased public support for the sector:

> We need the support of the public, the people that vote, the community, and an understanding that [housing] is as fundamental as education and health care. ... If you want true community housing, and you want it to be a community asset, and you want it to be delivered in perpetuity, you want it to be socially and financially sustainable and successful. ... We need money, investment ... and people to stand up and say 'we believe in this, and this is fundamental, it's important to us living a good life.'

In addition to funding changes, Leslie identified several other adjustments to land acquisition, planning and bureaucratic processing that would create follow-on financial improvements for community housing providers:

> The biggest thing would be if municipalities would provide land and affordability breaks, and minimize the application and review process for providing land for us to construct multi-resident housing. That would be huge. Other than funding, we're really only limited by that.

Amberley similarly spoke of challenges presented by bureaucracy in seeking both funding and land for development:

> We can't, as an organization, just decide to build affordable or supportive housing, because [given] the rents that we will collect, no bank would give us a loan. We have to go to government to get financing for that type of a development, and then … often we also go to government to get operational funding to help offset deficits that the building runs because the rents are so low. The bureaucracy that we have to wade through to get to the finish line is the most soul sucking process of all time. So one thing I would change is remove the red tape and reduce the bureaucracy, make it a much more streamlined process.

Rose also picked up on the stresses and constraints that inflexible bureaucratic processes can place on community housing providers and tenants. She called for a centralized application system for people experiencing housing need, so that "*once you're in with one, you're in with all,*" rather than needing to make multiple applications. This would reduce the burden to households in need, and alleviate some of the stress experienced when they are repeatedly informed of years-long waitlists at each

organization. Rose also noted that this is not a novel concept: "*They've done it with health and placement into long-term care, so it's not impossible.*"

Amberley also explained bureaucratic challenges faced by her organization as a rural housing provider, and called for funding systems to be adapted for rural organizations:

> We are a more rural area, and a lot of the government programs to support community housing are really geared towards large city centres. Fair enough, there's obviously extreme homelessness in places like Vancouver and Toronto, but in our area, our [rental] vacancy rate is 0.8% in 2023. It often feels like the government programs are designed for those larger city centres. … When a smaller place like us applying for funding, we're told 'oh, there's not that much of a need' or we just score really low, because it's impossible for us to score high on certain criteria, whereas a city it's very easy for them to score high because their walking scores are really high, or their access to transit. But here, that's a lot harder. … It doesn't feel like our housing programs are designed for rural places at all. We have to scream and fight and advocate, and God it's so hard it to get a project up and off the ground. It would be great if we had programs that were more inclusive of rural areas or smaller towns.

In a related vein, Constantine explained how a shift in how policy-makers understand and measure the success of community housing providers would be helpful, especially in terms of positioning the sector as one way to *prevent* housing insecurity, homelessness and other social problems:

> I think so many of our services and our resources are set up as reactionary to a problem, they're band-aid solutions, and they're very responsive to crisis. ... I think the biggest [improvement] would be a shift in understanding [to] set up systems so that if you *don't* end up seeing problems, that is the success. ... Starting to look at housing as a social determinant of health, as something that can be part of prevention for a lot of issues that are coming up with the justice system, with substance abuse, even with health care and mental health, the list goes on and on. If we're looking at housing as prevention, then I think we're going to start seeing a very different implementation strategy.

Consistent with the emphasis participants placed on tenants' agency and independence when describing the values, goals and successes of community housing sector, Fernie called for more empowerment and autonomy for tenants:

> One change I would love to see implemented is more of a focus on community development and empowering tenants ... handing over power to tenants, allowing them to have more agency over things, including painting their walls or doing minor maintenance repairs, or having tenant

> advisory boards, and tenant-influenced policy ... including more voices of people with lived experience. (Fernie)

This suggestion captures experiences of identity and independence that are consistent with a capabilities approach to understanding the value of housing, as well as the tangible, physical 'things' that contribute to these experiences. Constantine similarly spoke of how the physical qualities of community housing can improve tenants' emotional experiences:

> I actually think that it's really important to look at ... trauma-informed design, ... basically taking the principles of trauma-informed care and applying them to the built environment. You can work with architecture to try and create a space that can contribute to the healing process, and you work with tenants to be able to understand how the physical environment impacts their sense of safety. ... It's neat because it's something quite practical.

Constantine's example is perhaps, at face value, novel and curious among the suggestions proposed by participants. Yet, it also captures the physical and emotional components of home, and the complexity of providing housing that is respectful, inclusive, safe and healthy for a diverse range of households who have commonly experienced hardships and traumas. Community housing is indeed about much more than 'four walls and a roof.'

Discussion

The findings of this study underscore the importance of safe, stable housing as both a preventative measure and a solution for a range of problems – consistent with extensive literature documenting the importance of housing as a foundation for wellbeing and social participation (e.g. Bates et al., 2019a; Bierre & Howden-Chapman, 2017; Chui, 2008; Macintyre et al., 2003; Weeks & LeBlanc, 2010). Similar observations regarding the centrality of housing to inclusion and recovery informed the Housing First approach, which was the first explicitly human-rights based approach to housing need in Canada (Gaetz, 2012; Stadler & Collins, 2023). Indeed, important aspects of the ethos of Housing First are also present in the work of community housing providers, including ensuring client choice in unit and neighbourhood, ensuring tenants are not required to pursue addiction treatment in order to maintain access to housing, and promoting social inclusion and participation.

This paper illuminates alignment between the right to housing and how community housing managers describe the values and aspirations of their organizations. Participants' accounts illustrate how the physical resource of a house is only one part of providing community housing. As has

previously been identified for both social housing and Housing First programs (see Gaetz, 2012; Greenwood et al., 2021; Meth & Charlton, 2021; Ramage et al., 2021; Verdouw & Habibis, 2018), many of these community housing organizations also connect their tenants with other non-housing supports (e.g. addiction support, mental health services, supportive living arrangements) and opportunities for social connections (whether in the building, or indirectly by providing stability and a foundation for education, employment or family reconciliation). The provision of housing and supports not only contributes to realizing the right to housing, but also empowers households and enhances their dignity, capabilities and life quality – experiences that are both connected to and distinct from human rights (Nussbaum, 1997; Sen, 2005).

While housing in itself as a physical 'resource' can offer many benefits for wellbeing and dignity (Jaramillo et al., 2020; Meth & Charlton, 2017; Moons, 2018), for many households (especially those with heightened needs or vulnerabilities) these non-housing aspects of community housing can elevate the resource of a house to a place with social and environmental 'conversion factors' (Kimhur, 2020) that enable capabilities for tenants – and, as much as possible/practical, enabling their agency in determining which of these they value and wish to pursue. The following discussion identifies connections between these findings and other literature regarding community housing, Housing First and the right to housing, and conceptualizes in more detail the outcomes of Canada's community housing providers as enhancing *capabilities*.

Diverse tenants, diverse needs, diverse providers

Canada's community housing sector is comprised of a diverse range of providers, each with their own approaches, priorities and processes. Such diversity reflects managers' awareness that there is no one-size-fits-all approach to housing provision (see also Howell et al., 2019; Verdouw & Habibis, 2018). Diverse operating models are, in some ways, a strength of the sector – particularly with respect to meeting the needs of diverse households, as Amberley, Constantine, Hillary and Nellie's accounts illustrate. Yet, this diversity also makes the sector less cohesive, complicating tenants' application journey, as Rose described, and contributing to inefficiencies due to fragmentation and duplication (Pomeroy, 2017; Kothari, 2009).

Half of the community housing providers represented in my sample specialized in providing housing for a particular household type or vulnerable group. Participants described concerns and advantages associated with specializing in this way. On one hand, some felt this focus was inconsistent with the

universality of the right to housing. In fact, identifying and meeting the needs of specific vulnerable groups is outlined in descriptions of the right to housing at an international level (OHCHR, 2023; see also Chapter 3) as well as in Canada's *NHS* (Canada, 2017a; Schwan et al., 2021). On the other hand, they recognized that this focus enabled their organization to meet the unique needs and priorities of their target group – for example, accessibility and social connections for seniors (Rose), or safe spaces for Indigenous cultural practices and ceremonies (Hillary). Such accommodations are important for meeting core components of the right to housing – including, in these examples, accessibility and cultural adequacy (see Biss et al., 2022; Canada, 2017a; Chui, 2008; OHCHR, 1991, 2009). They are likely to confer physical and psychological wellbeing benefits, while also enhancing a variety of capabilities for tenants. Physically accessible places and homes can, for example, improve social inclusion, dignity and life quality (Iwarsson, 2003; Wearing, 2011), while spaces for cultural practices honour individual and collective freedoms of expression and self-determination, and enable meaningful connection with others (Biss et al., 2022; Campbell et al., 2019; Cittadini, 2015).

While participants described variable organizational histories and perspectives vis-à-vis the right to housing, it was clear all of these organizations held values and aspirations that were congruent with the right and its formal adoption in Canada. It is encouraging to note that even participants whose organization did not explicitly use human rights language before the *NHS* perceived value in a human rights-based approach, and their operations and values were certainly not disconnected from or opposed to the right to housing. Collectively, the community housing sector plays a critical role in realizing the right to housing by providing stable, affordable safe units to households whose needs can not be met by the housing market, but no single provider is required to accept any/every household in need. Rather, the responsibility for ensuring the housing system, at a broader scale, enables all households to realize their right to housing lies primarily with the state (Biss et al., 2022; CERA & NRHN, 2022; OHCHR, 2009).

Tenant autonomy and the importance of choosing what to value

Agency in choosing which capabilities are pursued or considered to be of personal value is key to the capabilities approach (Coates et al., 2021; Greenwood et al., 2021; Kimhur, 2020; Tanekenov et al., 2018). Consistent with this framework, accounting for and enabling individual agency (as much as possible) was an important undercurrent running through all participants' descriptions of their operations and tenant successes. They described how this could take three key forms for tenants:

being able to choose the activities they undertake within their home and in their everyday lives; determining their own housing pathway once they had a stable home; and having a say in the operations and decisions that affect their housing. These forms of agency are broadly aligned with Nussbaum's (1997) description of control over one's physical (material) and political (social) environment in her capabilities framework.

Community housing managers described being cognizant of the importance of allowing their tenants to have control over who they form/revive social connections with, who they accept as visitors, and what they do within their home – even if these choices might seem at face value to be harmful or counter-productive from an 'outside' perspective. Several participants explained, for example, that they offer to connect tenants with drug or alcohol addiction support, but also accept that some tenants may not be ready or willing to accept this help. This approach to offering support without forcing its uptake is a considerable step forward from conditional social housing tenancies featuring evictions due to drug use or addiction, and echoes the Housing First approach to prioritizing harm reduction, client choice and independence (Clarke et al., 2020; Gaetz, 2012; Greenwood et al., 2021; Parker, 2020). Regardless of other personal circumstances, a person is almost certainly safer and healthier when they live in adequate, affordable housing than they would be while homeless or inadequately housed (Gaetz, 2012; Greenwood et al., 2021; McNeil et al., 2021).

Another form of autonomy concerned how long tenants chose to live in community housing, and what they chose to pursue in everyday life during their tenancy. Most participants felt that living in community housing long-term could be considered success for a tenant if this was what they chose for themselves and they had "*autonomy over their future*" (Amberley). Constantine elaborated that this stability allowed tenants who wished to pursue education, career or homeownership goals to have the necessary resources and capabilities to achieve these *"positive exits"* (Mirabelle). This emphasis on stability and self-determining the goals that are pursued when stable housing has been secured, echoes the emphasis the capabilities approach places on the importance of agency in achieving capabilities that are of value to the individual, thereby allowing them to live a meaningful and dignified life (Kimhur, 2020; O'Shaughnessy et al., 2020; Watts & Blenkinsopp, 2022).

It is clear that community housing can support these experiences of agency in several ways, whether as an enduring foundation for a tenant to experience safety and wellbeing in everyday life, or as a

more temporary 'stepping stone' that provides stability at one point in a tenant's pathway to market rental housing or homeownership. However, the question of how long tenants should stay in community housing is perhaps inevitably a tense one, as it involves weighing two competing objectives: providing security and stability on the one hand, and helping as many households as possible (including by working through waitlists) on the other. A similar conundrum exists in Housing First programs, where 'staying as long as you need' is important, and imposing time limits on support could be antithetical to the human rights-based approach, yet housing tenants 'forever' limits how many people can be assisted (Anderson-Baron & Collins, 2018). Ultimately, participants explained that it was crucial to enable tenants to determine their own aspirations and futures – and important that community housing providers did not intervene or attempt to impose their own goals. This was consistent with open-ended forms of support and eligibility.

Related to enabling tenants' agency in terms of choosing their duration of tenancy, a minority of participants spoke of the importance of empowering tenants and ensuring that they had a say in matters relating to their housing. There did not appear to be a widespread standard for how this was to be upheld: some participants gave sweeping descriptions of *"giving them autonomy"* (Hillary), while others described accommodating tenants' choice of unit size, orientation or location when possible, thereby *"informing the environment they live in"* (Nellie). Preferences regarding unit characteristics and location are referred to as *client choice* in Housing First literature (Parker, 2020), and are also aligned with *control over environment* in capabilities literature (Nussbaum, 1997). It is also interesting to note that these conversations about agency – including tenant choice, autonomy and empowerment – evolved out of conversations about the right to housing. Evidently, community housing providers understand and operationalize the right to housing (at least in part) in terms of tenant agency – which raises the question of if or how definitions of the right to housing could be expanded to legitimize this understanding and reflect community housing providers' expertise.

Consideration for tenants' agency is clearly an important part of community housing providers' operations, despite being a relatively minor part of the United Nations' description of the right to housing. *United Nations Fact Sheet No. 21* outlines the freedoms and entitlements encompassed by the right to housing – including a passing mention of "the right to choose one's residence, to determine where to live and to freedom of movement" (p3), and gives particular attention to the importance of self-determination for Indigenous peoples (OHCHR, 2009). However, it does not elaborate on the

form(s) that these freedoms and choices may take, or how they can be protected or enhanced. *General Comment No. 4* is even less specific on this point: it identifies interconnection between the right to housing and the right to political participation, calls for consultation with people experiencing homelessness and inadequate housing during the development of national housing strategies, and defines adequate housing by seven core components (OHCHR, 1991). These seven components focus primarily on material aspects of housing as a *resource* and do not account for the forms of household agency articulated by participants in this research.

These considerations are, however, a critical aspect of the capabilities approach (Greenwood et al., 2021; Kimhur, 2020; Tanekenov et al., 2018). Applying the capabilities approach to the insights of community housing providers illuminates how stable, affordable, adequate housing (plus the additional infrastructures, supports and resources that community housing providers may offer or facilitate) enables a range of capabilities to be *available* to tenants. However, it is the process of enabling individual agency – including respect for a person's ability to choose which of these capabilities (i.e. the 'real' or 'feasible' opportunities) they *value* – that ultimately results in these capabilities being *achieved* (as 'functionings' in the language of the capabilities approach). In this respect, the capabilities approach provides a way of thinking one step further than the content of the right to housing, to consider the importance of empowering tenants, respecting their choices, and ensuring they have a say in matters that affect their housing so that they can live personally meaningful and fulfilling lives.

Recommendations for the sector

Many participants' recommendations for improving how the sector realizes the right to housing were also oriented towards enhancing capabilities. These recommendations can be conceptualized as potential interventions or changes at different stages/parts of the capabilities framework (see Figure 4.1, and Kimhur, 2020; Nussbaum, 1997; Sen, 1987). In particular, recommendations were made for: i) improving community housing as a resource, ii) providing or facilitating *conversion factors* that give rise to possible capabilities available to tenants, and iii) enhancing tenants' *agency* in housing.

Some participants focused on adjustments that could be made to community housing as a *resource*, such as constructing new buildings and ensuring a range of different unit types are available to meet diverse households' needs. Other examples of resource-related recommendations included funding

changes that could improve the extent to which community housing providers could scale-up their operations to meet demand – and the pace at which they could do so (see also Biss et al., 2022). Consistent with *General Comment No. 4*, these recommendations include material characteristics of community housing – such as the *habitability* and *location* of units, and the *availability* of amenities within them (OHCHR, 1991, 2009), all of which have clear, tangible benefits for households' wellbeing and capabilities. However, participants also made a range of other recommendations that, while clearly related to the right to housing, were not centred on housing as a resource.

Another set of recommendations encompassed policy and funding changes, which I contend represent *conversion factors* in this context. Increasing the amount of funding available for community housing, or adjusting how funding is distributed between different providers, for example, improves these organizations' ability to enable a range of capabilities for tenants living in their buildings. A well-funded provider is better able to facilitate social gatherings, improve accessibility, connect tenants with appropriate supports when needed, maintain and repair units, etc. – all of which are, once again, important for realizing the right to housing (OHCHR, 2009; Ramage et al., 2021) *and* for enhancing tenant capabilities (Batterham, 2019; Greenwood et al., 2021; Kimhur, 2020).

Participants also made recommendations for how experiences of agency could be enhanced for tenants. Examples included respecting their wishes regarding the duration of their time living in community housing (see Pawson & Munro, 2010), giving households the freedom to undertake home-making practices such as painting walls or doing repairs (see Stout & Collins, 2024), as well as providing formal and meaningful opportunities for input into housing providers' operations and decision-making through tenant advocacy groups or advisory committees (see Condie & Ayres, 2022). Ensuring tenants' agency in these ways is key to the final stage of the capabilities framework (see Figure 4.1): agency is required for *functionings* – that is, capabilities that have been made *possible* by housing, and have been *chosen* and *achieved* by the household (Greenwood et al., 2021; Sen, 1987).

Conclusion

This study has explored community housing managers' perspectives regarding the meaning of the right to housing, how it is operationalized within the sector, and opportunities for advancement of human rights-based approaches in community housing. Their accounts demonstrate aspirations for a more effective, streamlined community housing sector that enables wellbeing, social support and

opportunities for tenants to do and to be the things that they value (see also Greenwood et al., 2021; Kimhur, 2020). These goals of the sector and the associated outcomes for tenants are well-aligned with the intentions of the right to housing and Canada's *NHS*, in terms of ensuring tenants are not only physically sheltered, but also feel at-home in housing that is affordable, adequate, suitable and can serve as a foundation for their participation in society (Canada, 2017, 2018).

Contributions

This paper makes three key academic contributions. First, it bridges a gap in understanding regarding what the right to housing means in practice and how it can be operationalized (see Bates & Collins, 2023) – in this case, by community housing providers in Canada. Second, this paper identifies specific ways in which social and affordable housing can contribute to realizing the right to housing– including by satisfying key components of adequate housing (especially affordability and habitability, at the heart of the sector's purpose), by prioritizing and meeting the needs of specific vulnerable groups, and by ensuring the homes they provide can serve as a foundation for tenants' wellbeing, social participation and agency. Third, it connects the right to housing (as a topic) to the capabilities approach (as a theoretical lens), thereby demonstrating one way the right to housing can be theorized. This is a point of novelty for this work, and offers an advancement on, for example, using human rights theory to conceptualize the right to housing (which would likely be less insightful, and risks tautology and circular logic). Bringing capabilities and the right to housing into direct conversation provides an opportunity to consider the content of the human right to adequate housing, how it can be operationalized in practice by housing providers, and how it may be experienced by individuals and households. Relatedly, the strong congruence observed in this paper between the language of the capabilities approach and the language used by interviewees to describe their mission and operations points to the potential for the capabilities approach to serve as a constructive normative framework for the practice of community housing. The capabilities approach could be particularly useful in this respect, given that it is already well-formulated and conceptualized, mirrors how housing providers are already talking about their work, and is closely aligned with the right to housing.

Rejections, ghosts and no-shows: challenges and future directions

The sample size for this study was limited by difficulties in recruitment, particularly in the follow-up process after a prospective interviewee's initial agreement to participate. Attempts to recruit

additional participants through professional network email newsletters and social media calls did not result in a single additional interview. After discussing with both colleagues and participants who chose to reschedule, it appears that these incidents were a result of community housing managers experiencing extremely heavy workload responsibilities, rather than an unwillingness to be involved in research per se. Ultimately, I contend that this relatively small sample size does not present a weakness of this study. In later interviews I was not receiving significantly different or new information from participants in response to the majority of questions (with the exception of one question about 'recommendations for change in the sector'), suggesting a level of saturation regarding the key themes my interviews explored (see Cameron, 2016). Malterud et al. (2016) expand the concept of saturation, explaining that sample size is less important than the amount of information obtained through the interviews in qualitative studies. These authors propose "information power" as an approach to determine whether a sample size is appropriate/meaningful by accounting for the specificity of the research aims, the relevance and richness of data collected, and the extent of conceptual connections – including, in many cases, prioritizing depth of understanding over breadth of data (see also Tracy, 2010). In this paper, the 10 interviews completed were sufficient to balance specificity, conceptualization, quality and relevance of material to reach an overall level of "information power" that enabled "responsible analysis" and generated meaningful findings (Malterud et al., 2016, p1753). Moreover, a relatively small sample has enabled closer analysis and engagement with participants' accounts, and therefore deeper connections to the capabilities approach than might have been possible with a larger sample size (Mertens, 2020; Tracy, 2019). Indeed, other studies regarding social and affordable housing organizations have involved relatively small sample sizes, including Cauvain and Karvonen's (2018) study of low-carbon innovation among 13 social housing providers in Manchester, Cooper's (2024) research interviewing 14 non-profit and cooperative housing providers in Manitoba, Kennedy et al.'s (2017) work involving interviews with five providers in Ontario, and Owczarzak et al.'s (2013) study interviewing 10 supportive housing organizations in Connecticut.

In light of the recruitment challenges faced in seeking to recruit community housing managers as participants, future research could springboard from my findings and consider canvassing the sector more broadly using written surveys, which may be a more efficient and fruitful means of engaging with providers, by offering flexibility and a reduced time commitment in light of their workload constraints. It would be particularly interesting to explore a wider range of providers'

recommendations for change in the sector, given that my research revealed such diverse and variable perspectives in response to this question. Other opportunities to build on the findings of this research could be to undertake a cross-country comparative study regarding social and affordable housing, for example drawing together insights from Canada, France and Scotland – an unusual approach to research in housing studies (Bates & Collins, 2023), and a potentially fascinating way to explore contexts with broadly similar commitments to housing as a human right. In a different vein, it would also be interesting to explore perceptions and experiences of the right to housing and capabilities from the perspective of tenants. Interviewing tenants themselves would likely still require some support from community housing managers (e.g., recruitment assistance or sharing researcher contact details). An alternative approach could be to engage with providers' tenant satisfaction survey data where available, to gain a broader overview of tenants' experiences – although such an approach would limit the ability to ask specific questions of the data regarding human rights or capabilities, and each provider may collect different information from their tenants (if at all). Nonetheless, it would be fruitful to explore how *tenants* perceive the role of the community housing sector in realizing their right to housing and if/how they experience enhanced capabilities.

The right to housing, community housing and capabilities

This study has highlighted the diversity of providers in Canada's community housing sector, each with their own unique priorities and "*personalities*" (Rose), united by shared goals of ensuring equitable access to housing that meets the needs of individual tenants and households. Consistent with both the right to housing and the capabilities approach, these goals are not centred exclusively on providing 'four walls and a roof' (i.e., shelter), but also on providing homes that enhance agency, life quality and opportunities (Kimhur, 2020; Nussbaum, 1997; OHCHR, 2009; Sen 1987). Participants revisited these themes in describing their recommendations for the sector, with diverse suggestions ranging from application processing to building design, all centred on improving tenant experiences of home, health and quality of life. These goals of improving wellbeing and dignity are a common denominator that unite the capabilities approach as academic theory, human rights-based approaches to housing policy (including Canada's *NHS*), and the goals and operations of community housing providers.

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5 Conclusion
The right to housing in theory and in practice

This research has investigated the meaning of the right to housing in theory and in practice, with a focus on social and affordable housing ('community housing' in Canada). Across the three results chapters presented in this thesis, I have: (i) unsettled common assertions of under-theorization in housing studies by revealing the diversity of theories utilized within contemporary housing scholarship; (ii) illuminated internationally prevalent housing problems, their underlying causes and potential remedies identified in the UNSR's work to conceptualize and operationalize the right to housing; and (iii) underscored the importance of social and affordable housing in realizing the right to housing in Canada, including identifying how the aspirations of these housing providers and human rights-based housing policies are aligned with the capabilities approach.

In this conclusion chapter I begin with a summary of key findings, before reviewing the conceptual and empirical contributions of my research. I then reflect on these findings and contributions to present a set of key recommendations for realization of the right to housing, and propose an additional component of adequate housing to extend the existing definition outlined by the United Nations in *General Comment No. 4*. Finally, I reflect on the challenges encountered during my research process and consider opportunities for future research to build on the understandings of the right to housing and of social and affordable housing developed in this thesis.

Summary of findings

My research findings, presented in Chapters 2, 3 and 4 of this thesis, utilized diverse data sources, methods and conceptual frameworks to understand the formulation and operationalization of the right to housing from three different perspectives. In this section I summarize my findings, including the insights these papers have provided regarding the right to housing and the social and affordable housing sector. Figure 5.1 provides an overview of the findings of the three papers in terms of the *process* of laying the foundations for a right to housing, the tangible characteristics of adequate housing in *practice*, and the positive *outcomes* of realizing the right to housing.

Chapter 2 presented a systematic review of 313 articles published in leading housing journals. This paper documented the research topics, methods and theories utilized in contemporary housing studies, and revealed the tremendous diversity of theories being developed and applied in this field. My analysis also documented the origins of theories used in housing studies, by taking a novel approach that distinguished between 'housing-specific' theory that had been developed *within* the field, and 'general' forms of theory that had been developed *beyond* the field, but could be applied to understand housing phenomena. As such, my findings dispelled long-standing critiques of "half-baked" theorizing (Kemeny, 1987, p249), "uneven" application of theory (Allen, 2005, p98) and "atheoretical" research in this field (Lawson, 2018, p235). In my sample, 227/313 papers (73%) engaged meaningfully with one or more forms of theory. The most commonly applied theories in my sample of housing research were residential mobility and housing pathways, followed by economic and financial theory, and then governance and power. These findings are important because engagement with theory – especially when drawing from other fields, as in the case of economic and financial theory or governance and power – can enhance the depth of conceptual understandings and bolster the generalizability and transferability of findings (Bengtsson, 2009; Lawson, 2018; O'Neill, 2008; Saegert, 2018). Diverse and evolving applications of theory in housing research contribute to academic rigor at the scale of individual papers, as well as to theoretical advancement within the field and at disciplinary and interdisciplinary levels. I contend that the absence of theory in 27% of papers did not reflect a weakness of the individual studies, nor of the field more broadly. Rather, this was a relatively benign form of difference that echoed early traditions of prioritizing practical solutions and tangible outputs in housing research (Aalbers, 2018; Allen, 2005; Kemeny, 2001), albeit by (potentially) compromising on opportunities for broader intellectual connections within and outside of the field. The findings of my review also signalled abundant possibilities for housing researchers, including greater engagement with human rights theory, and housing-oriented investigations of topics such as climate change and energy efficiency.

Shifting from reviewing housing studies literature to considering how the right to housing is conceptualized and operationalized at the international level, Chapter 3 presented a framing analysis of 24 country reports from the United Nations Special Rapporteur for Housing. This study demonstrated how the UNSR-Housing's country visit and reporting process serves to define problems, diagnose causes and suggest remedies – actions that were unavoidably underpinned by and intertwined with implicit moral judgements inherent in the UNSR mandate and activities.

Analyzing these country reports illuminated the sheer diversity of violations of the right to housing across 24 contexts, and the multifaceted and interconnected underlying causes of these problems. UNSR country reports included an abundance of proposed remedies, which provided states with practical advice on how they could fulfil their duties to respect, protect and fulfil the right to housing. With respect to social and affordable housing, the UNSR made a series of recommendations, including: expand the sector to increase availability; renovate units to ensure they provide adequate housing conditions and can meet diverse needs; ensure timely access to housing for vulnerable groups; strengthen collaboration between governments and affordable housing providers; and ensure sufficient funding for providers (to increase supply) and benefit/rent subsidy payments for households to ensure these units are *truly* affordable (i.e. not just 'below market rate'). This paper also revealed how moral judgements are inherent much of the UNSR's work, including in how problems, causes and remedies are conveyed in country reports. Consistent with Carey's (2020, p33) description, these findings highlighted the UNSR-Housing's work as a "norm entrepreneur," promoting the right to housing at an international level as part of their mission to set international standards and advocate for those whose human rights have been violated. Ultimately, my findings demonstrated how the UNSR-Housing country reports not only *frame* the right to housing in terms of problems, causes and remedies, but also provide a foundation for progressive *realization* of this right by advocating for tangible improvements in housing, health and living standards.

The findings presented in Chapter 4 zoomed in on the operations of Canada's community housing providers and how they seek to realize the right to housing in practice. This study considered a diversity of providers in the community housing sector, each with their own unique priorities and 'personalities,' yet with shared goals of ensuring equitable access to housing that is affordable and meets the individual needs of diverse households. Affordability is critical, given that the cost of market housing underpins housing crises and is the largest threat to low-income and vulnerable households' access to stable housing (Biss et al., 2022; Baker et al., 2015; Padley & Marshall, 2018; Preece et al., 2019; Pomeroy, 2017). Consistent with both the right to housing and the capabilities approach, community housing providers' goals extended beyond providing access to a minimally adequate standard housing, to providing *homes* that enhanced wellbeing, dignity and opportunities – as well as individual agency (Kimhur, 2020; Nussbaum, 1997; OHCHR, 2009; Sen 1987). These themes were also dominant in participants' recommendations for the sector, with suggestions ranging from smoother funding application processes, to improved building design, and encouraging

a shift in policy-makers' and public perceptions of social and affordable housing – all broadly centred on improving tenant experiences of home, wellbeing and dignity. These goals reflect interconnections of the intent of the right to housing and the operations of Canada's community housing providers. Ultimately, a human rights-based approach to housing and the human rights-aligned operations of community housing providers all seek to enhance equitable access to adequate housing and, by extension, the *capabilities* available to tenants. To this end, in this chapter the capabilities approach offered a way to understand the right to housing and community housing providers' operations in Canada.

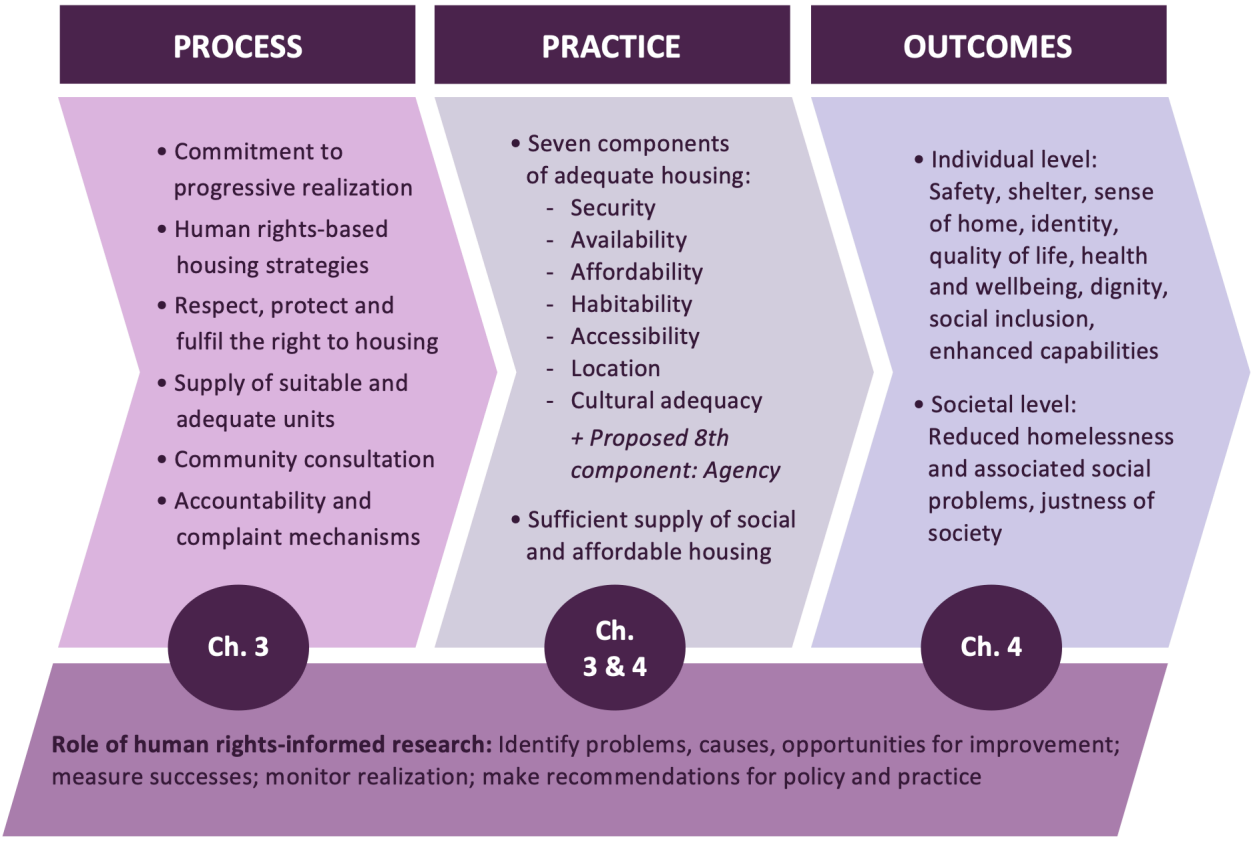

Figure 5.1: Summary of findings in terms of the process, practice and outcomes associated with realizing the human right to adequate housing, including the role of research in this journey.

Contributions

Each of the findings chapters in this thesis made specific academic contributions. Additionally, the three chapters can be read in combination to shed light on the theorization and practice of the right to housing, including the role of social and affordable housing in its realization. This section

identifies these contributions, with particular attention to the insights regarding both the right to housing and social and affordable housing. As observed by the UNSR and demonstrated in Chapters 3 and 4, human rights-oriented housing research has a crucial part to play in identifying housing problems and their causes, advocating for improvements to policy and practice, and monitoring progressive realization of the right to housing.

The study presented in Chapter 2 began life as a scoping review of how the right to housing has been used conceptually in housing studies. As initially planned, it was intended to establish a baseline of knowledge, necessary to set the foundation for the contributions of this thesis. When it became clear the right to housing had, in fact, very seldom been used conceptually in housing studies, I broadened this study to investigate the field of housing studies more systematically, including its theories, topics and methods. With respect to the overarching storyline of my thesis, this provided a detailed snapshot of contemporary housing research, identified opportunities for research in housing studies, and generally 'set the scene' for my investigation of the right to housing in theory and in practice (see Table 5.1). The paper also made a contribution to long-standing debates around the place and relevance of theory in housing research. After almost 40 years of academic debate around the place of theory in housing studies (see Kemeny, 1987), this paper was the first to quantify theoretical engagement. Specifically, it revealed a theory-scape that was far more complex and nuanced than had been identified in previous literature. This paper also revealed the origins of theories used in housing studies, and developed a distinction between theories that had been *developed within* the field, and were relatively 'specific to housing,' and 'general' theories that had been *developed beyond* the field. This distinction had been alluded to in previous literature (see Aalbers, 2018; Ruonavaara, 2018), but had not previously been concretely defined, quantified or used as an analytical tool. The paper also identified a full spectrum of contributions that contemporary housing research has made, ranging from squarely-theoretical to squarely-practical, with many papers making a combination of conceptual and tangible contributions. Accordingly, it proposed a number of potential avenues for future research to extend and advance the field. With particular relevance to this thesis, human rights and the right to housing were noticeably under-utilized in my sample of housing studies papers (8/313; 2.6%). This finding signals an opportunity for housing studies to engage more frequently and deeply with the ethical foundation of housing as a human right. For example, social and affordable housing was a common topic in my sample (67/313; 21%), and the importance of this sector in realizing the right to housing (see Biss et al., 2022; DesBaillets & Hamill,

2022) makes a strong case for bringing human rights theory into this research in order to advance understandings of both social and affordable housing *and* the right to housing. The findings of this systematic review also drew my attention to the capabilities approach as a seldom utilized way of conceptualizing housing research (2/313 papers), which subsequently informed my research exploring the role of community housing in realizing the right to housing in Canada (see Chapter 4).

Table 5.1: Gaps in the literature identified in Chapter 2 and corresponding contributions made by subsequent chapters in this thesis.

Gap	Contributions in this thesis	Chapter
Lack of clear description of data sources and methods of analysis	Each paper contains clear, detailed description of data sources, methods of data collection and analysis: systematic review of a specified window of literature; framing analysis of UNSR reports; thematic analysis of interviews	2, 3 & 4
Under-engagement with human rights as theory or topic	Taking seriously the right to housing as a research topic, and bringing its conceptualization into conversation with other forms of theory (framing and capabilities)	3 & 4
Multi-country analyses are seldom undertaken	A detailed analysis of UNSR reports for 24 countries, revealing housing problems, causes and potential remedies across diverse contexts	3
Under-engagement with the capabilities approach	Employing the right to housing and the capabilities approach in tandem to conceptualize the perspectives of social and affordable housing managers	4
Canada is under-represented	A Canada-wide investigation of perspectives regarding the introduction and realization of right to housing in practice	4

Chapter 3 represented the most direct overlap between my interests in the right to housing *in theory* and *in practice*. This paper explored how the UNSR defines and conceptualizes (the theory) and operationalizes (the practice) the right to housing at an international level through their country visit reports. In planning the rationale and direction of this paper, I identified just 11 papers that had examined UNSR outputs – more than half of which were authored by previous UNSR mandate-

holders themselves, and none of which were focused on the work of the UNSR for adequate housing. Thus, one contribution of this paper was highlighting how UNSR reports – seldom examined within or beyond housing studies – can be an insightful data source for human rights scholars and advocates. A second contribution was demonstrating the utility of framing analysis for examining UNSR country reports in a systematic way – a useful insight, given the absence of an established methodological approach in the hitherto modest literature examining the responsibilities and work of UNSRs. A third, related, contribution of this study was its novelty in considering the operations and outputs of UNSRs, including, in this example, deepening understandings of the definition and operationalization of the right to housing. Moreover, the international scope of this paper contributed to both its complexity and its significance: it was clear that housing problems identified by the UNSR were pervasive across disparate international contexts, yet these problems and the housing systems they exist within are often considered in isolation. Indeed, Chapter 2 revealed that an overwhelming majority of recent papers in housing journals focused on one city or country context, and when cross-country comparisons were undertaken (in just 19/313 papers; 6%), they tended to be limited to two or three contexts. This signals a fourth contribution of this chapter: analyzing 24 UNSR country reports illuminates the many and varied ways in which the right to housing can be realized in pursuit of tangible improvements to diverse housing problems – including, but certainly not limited to, ensuring equitable access to housing that satisfies the seven core components of adequate housing.

The paper presented in Chapter 4 explored the right to housing in practice more closely. It investigated the perspectives of community housing managers regarding the meaning of the right to housing and how it is realized by the sector. This paper brought a human element to the thesis, which is important for providing insights and recommendations that are grounded in real experiences (Shields, 2021). It made three key academic contributions. First, it bridged a gap identified in Chapter 2 regarding understanding of what the right to housing means in practice and how it can be operationalized – in this case, by social and affordable housing providers in Canada. Second, the paper identified specific ways in which this sector can contribute to realizing the right to housing in Canada, including by satisfying key components of adequate housing (especially affordability and habitability, which are core to the sector's purpose), prioritizing and meeting the needs of specific vulnerable groups, and ensuring the homes they provide can serve as a foundation for tenants' wellbeing, social participation and agency. Third, it connected the right to housing (as a

topic) to the capabilities approach (as a theoretical lens), thereby demonstrating one way in which the right to housing as a research topic can be theorized. This was a point of novelty for this work, and offered an advancement on, for example, using human rights theory to conceptualize the human right to housing (which would likely be less insightful, and risks tautology and circular logic). Considering capabilities and the right to housing together also enabled consideration of what is involved in understanding and realizing this right – above and beyond existing definitions (e.g. *General Comment No. 4*). In particular, the capabilities approach brought to the conversation an emphasis on life quality and *agency* – broadly including autonomy, control over environment, and the importance of an individual determining what is personally valuable (see also Coates et al., 2015a). These concepts complement human rights understandings (see Nussbaum, 1997; Sen, 2005) and speak to the intended goals and outcomes of social and affordable housing (as demonstrated in Chapter 4).

In combination, these three chapters contributed to, and extended, the field of housing studies by building knowledge about the right to housing in theory and in practice. In addition to setting the scene for my thesis research as a whole, Chapter 2 demonstrated how all three of my thesis papers are novel in their engagement with theory: investigating its engagement, in the case of Chapter 2, intertwined with methodology in Chapter 3, and in the form of deeper conceptual grounding in Chapter 4. Chapter 2 also highlighted a relative lack of consideration for and description of methods in housing research – a weakness of the field that I consciously responded to by ensuring rigorous methods in all three papers, including highly systematic approaches in Chapters 2 and 3, and providing detailed description of the planning and execution of data collection and thematic analysis in Chapter 4. Further, reflecting on Chapters 2 and 3 in tandem demonstrates how, while the right to housing is seldom employed as a theoretical lens in academic housing literature, it has been well formulated at an international level by the UNSR. As such, the right to housing is considerably more tangible than suggested by descriptions of human rights approaches as vague, unclear or difficult to measure and achieve (Nussbaum, 1997; Turok & Scheba, 2018; Whitzman, 2022), and better defined than suggested by some critics, including one participant in this research who felt that "everyone hears 'rights-based' but no one can explain what that means" (Eilean, Chapter 4). Building on this foundation of understanding about the right to housing, Chapters 3 and 4 also made empirical contributions to understanding how this right is operationalized by the UNSR-housing at an international level, and by community housing providers within Canada. The findings of these two

papers made it clear that concrete definitions of the right to housing and international standards for progressive realization exist, are publicly accessible, and are achievable.

Recommendations for realizing the right to housing

My research has made it clear that a human rights-based approach to housing, such as has been adopted in domestic policy and law in Canada and elsewhere (including Scotland, South Africa and France), can have positive, meaningful impacts on the operation of housing systems (see also Gaetz, 2012; Greenwood et al., 2021; Houard & Lévy-Vroelant, 2013; Meth & Charlton, 2017; Stewart, 2019, and Chapters 3 and 4). Below I have curated recommendations from across all three of my thesis papers into a set of recommendations for how the right to housing can be realized (see Table 5.2). These recommendations are not specific to one sector of the housing system, nor are they specific to a single country or level of socioeconomic development. Importantly, while these recommendations do not seek to be universal nor definitive, they have an intentionally broader scope than the seven core components of adequate housing, and are more generally-applicable than the remedies proposed in UNSR country reports for a single context.

In light of these recommendations, I propose an additional, eighth component of adequate housing: *agency*. This term has previously been criticized for "maintain[ing] an elusive, albeit resonant, vagueness," commonly associated with other concepts such as initiative, choice, purposiveness and freedom without being clearly defined or systematically analyzed (Emirbayer & Mische, 1998). More recently, agency has been defined in a general sense as how "individuals make choices and act on these choices that affect their life courses as well as their environment" (Goller & Harteis, 2017, p85). Goller and Harteis (2017) also observe that, while agency is often discussed with respect to individuals, the agency an individual experiences or acts upon is also influenced by socio-cultural, material and economic circumstances, which may provide 'affordances' or 'constraints' to one's agency and/or impact the outcomes of exercising agency. This conceptualization suggests that agency can be facilitated or enhanced by processes and policies that seek to provide individuals with a level of choice and freedom. Importantly, however, respecting and ensuring agency does not mean allowing one person to act with no regard for the law or for the dignity and rights of others (e.g. see Liao, 2010).

Table 5.2: Summary of recommendations for realizing the right to housing in practice.

Recommendation	Chapter	Relevance to the right to housing	Intended outcomes
Ensure adequate funding and capacity of social and affordable housing, including building new units as needed	3 & 4	Affordability	Improving overall capacity of social and affordable housing sector and its ability to meet the needs of diverse households
Ensure land use, housing, tenant protection and homelessness policies enable equitable access to adequate housing for all	3 & 4	Location, security	Reducing homelessness; ensuring people displaced by conflict can access safe, stable housing in places that are meaningful to them; laying policy foundations for progressive realization of the right to housing
Ensure that social and affordable housing is presented as prevention for a range of social problems	4	Location	Destigmatizing social and affordable housing and tenants, and increasing support for funding and expanding the sector
Ensure efficient application process for social and affordable housing	3 & 4	Accessibility, cultural adequacy	Enabling prompt access to adequate and affordable housing for households in need, including vulnerable groups
Ensure buildings and units are physically accessible, inclusive, homely and healthy	3 & 4	Accessibility, cultural adequacy, habitability	Meeting diverse household needs; tenants feel safe, at-home, and experience dignity
Ensure household choice in housing type, location and design, including participation in housing decision-making	3 & 4	*Proposed 8th component of adequate housing: agency (see below)*	Tenants feel more at-home, adequately housed, respected as individuals and experience autonomy and stability; resident and non-profit providers' knowledge is respected and utilized
Ensure accountability, complaint mechanisms and monitoring of progress	3	Progressive realization	Human rights-based initiatives bring positive change, and people whose right to housing has been violated can access justice/remedy
Ensure funding and support for research into the conceptualization, operationalization and outcomes of the right to housing	2 & 3	Accountability and monitoring of realization	Greater theoretical and empirical understanding of the right to housing; states can monitor progress and outcomes of human rights-based housing initiatives, measure outcomes and devise new strategies

In this thesis, contemporary housing scholarship (see Chapter 2), UNSR reports (see Chapter 3), community housing provider interviewees and the capabilities approach (see Chapter 4) all pointed to the importance of a person having a sense of agency regarding their housing (see Figure 5.2). Agency-related concepts appeared only briefly in UN descriptions of the right to housing, and were not included at all in the official definition of seven components of adequate housing in General Comment No. 4 (see OHCHR, 1991, 2009, and Chapter 4). Yet, it is clear that multifaceted experiences of agency play an important role in ensuring housing is not merely *shelter*, but also serves as a meaningful *home* and a foundation for other positive life involvements – including, but not exclusively, for tenants in social and affordable housing.

Experiences that can contribute to or be derived from a sense of agency – including sense of home, place attachment, home-making, residential satisfaction, household preferences, residential mobility and housing pathways – all featured in my quantification of topics and theories in contemporary housing studies, reflecting the relevance of these concepts in housing research *and* the importance of individual agency in creating positive housing experiences (see Chapter 2). Further, at various points in 19/24 country reports, the UNSR specifically called for community consultation, participation and residents' involvement in housing related decision-making, as well as respect for the values and expertise of local communities. Moreover, community housing managers emphasized the importance of tenants having opportunities to contribute to decision-making that affects their housing, choosing the location and type of unit and the duration of their tenancy, as well as being able to make their own housing and life plans for the future. The capabilities approach similarly underscored the importance of a person having control over their physical and political environment, including where and how they choose live, and the plans they choose to make for their own lives (Nussbaum, 1997; Watts & Blenkinsopp, 2022). Tanekenov et al. (2018, p142) describe this situation as one of "having the (material) resources and (political) power to pursue one's own version of the good life" – including having control over housing as a resource, a living space and a sanctuary. These insights were also congruent with the prioritization of client choice within Housing First (Greenwood et al., 2021; Parker, 2020), which takes a human rights-based approach to homelessness that predates the formal introduction of the right to housing in social and affordable housing spheres in Canada.

A home is also a place where a range of other capabilities may be enjoyed, including bodily integrity (safety and privacy), positive emotions and affiliation (social interactions, respect and dignity), and bodily health (Nussbaum, 1997; see also Coates et al., 2015; Greenwood et al., 2021; Kimhur, 2020; O'Shaughnessy et al., 2020; Tanekenov et al., 2018). Chapter 4 demonstrated how these capabilities can stem from the physical and emotional security housing can offer, and the choices and opportunities available to a person when they live in truly adequate housing. My findings illuminated the importance of agency for individual wellbeing and dignity – core aspirations that represent an overlap of the capabilities approach and human rights (see Nussbaum, 1997; Sen, 2005). Facilitating a household's agency can also enhance their experiences of *home* as a place that is meaningful, aligned with their preferences and enables valued capabilities to be pursued, as compared to *shelter* as a place that may be physically adequate but may not enhance its residents' capabilities, dignity or wellbeing (see Coates et al., 2015; Greenwood et al., 2021; O'Shaughnessy et al., 2020).

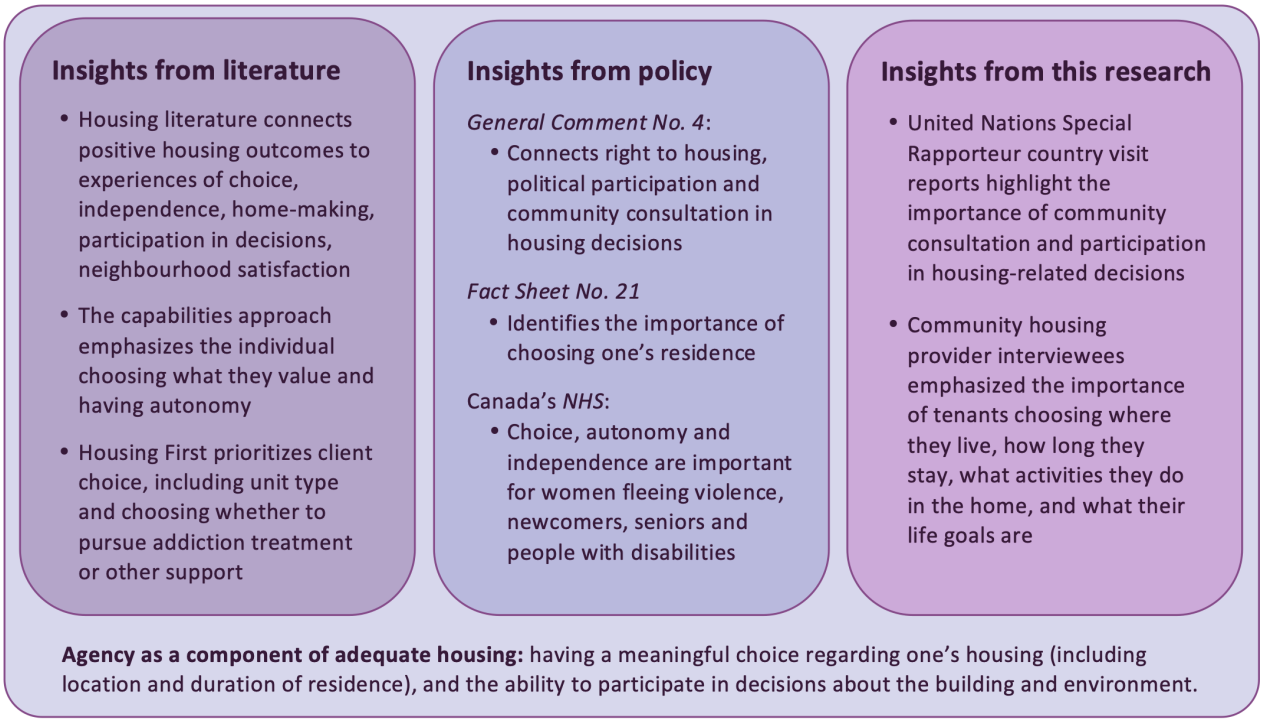

Figure 5.2: Insights from all three papers, relevant literature and policy documents support the importance of *agency* in experiences of adequate housing.

I contend that the definition of agency as an eighth component of adequate housing would be closely aligned with articulations of *participation* in UNSR reports, of *control* in the capabilities approach, and of *choice* in Housing First literature. In this sense, agency involves an individual or

household having *a meaningful choice in housing (including duration of residence and location), and the ability to participate in decisions about the building and environment*. Drawing on the findings presented in Chapters 3 and 4, examples of potential violations of agency as a component of adequate housing would include tenancies that are conditional on sobriety, time-limited housing eligibility or support, programs that force a household in need to move to a neighbourhood not of their choosing, short-notice or no-cause evictions, and highly-regulated or non-personalizable material environments. Conversely, examples of realizing this component of adequate housing include: being able to choose the neighbourhood and type of unit one resides in; choosing how long one wishes to stay in a house; being able to influence decisions about community rules and shared spaces, participating in (or being represented by) a tenant advisory organization; and landlords or body corporate organizations collecting feedback from tenants (and acting on this as much as possible).

It is important to note that some of these examples already occur in practice, albeit inconsistently across housing types, providers and systems (see Chapters 3 and 4). Adding this component to the definition of adequate housing would increase recognition of its importance and the consistency of its application across the housing spectrum. Agency as a component of adequate housing is particularly (but not exclusively) important for social and affordable housing tenants, whose housing-related choices and capabilities are likely already constrained by income and/or other axes of vulnerability. Without accounting for the importance of agency, housing providers and policy-makers risk making presumptions about what a household *should* want (see Chapter 4). Such presumptions provide space for the right to housing to be deemed "realized" for a household living in a place that may be physically safe and adequate by (current) definition, but also experienced as personally unsatisfactory. Formally including agency as part of the right to housing would go some way to resolving such concerns, and improve households' experiences of home by enhancing the life quality and opportunities that safe, stable housing can offer.

Moreover, recognizing agency specifically as a component of adequate housing in *General Comment No. 4* (i.e. through a process of revision and updating) offers promise beyond drawing greater attention to understanding and enhancing experiences of agency in housing. Oren and Alterman (2022) identify a range of positive, tangible impacts that the General Comments can have on national policies and the implementation of human rights in practice. These authors observe that although they are not legally binding, General Comments provide guidance to UN member states,

carry weight in national courts, and contribute to the universality of human rights through associated requirements for regular national reporting and public complaint mechanisms. With particular relevance to the right to housing, *General Comment No. 4* promotes implementing this right in domestic legislation, and the core components of adequate housing thereby influence housing-related decisions made at national levels. Further, General Comments can reinforce linkages to other human rights and the international legal system (Oren & Alterman, 2022), which is particularly helpful in the example of expanding the definition of adequate housing to include agency, given how directly this concept can be connected to other ESC rights, including to participation, education, work and cultural identity.

Reflecting on the research process

This thesis has utilized three quite different approaches to understanding the theory and practice of the right to housing: in contemporary literature in housing studies, by the UNSR at an international scale, and in the day-to-day operations of social and affordable housing providers in Canada. Developing this triptych was not without its challenges. Below I reflect on the limitations of my research process and explore a selection of opportunities for future research to build on the findings of this research.

Positionality and the pandemic

The COVID-19 pandemic struck six months into my doctoral enrolment, and became a backdrop for many of the decisions and directions taken in my research. I was personally impacted both acutely and long-term by the virus, and as an international student I was also affected by border closures. These challenges resulted in disruptions, slowing and complications at various points in my research process – especially during participant recruitment and interviews.

The complexity of conducting research during the pandemic required flexibility and adaptability in terms of the research questions I asked, and the methods I selected to answer them. The first paper of my research (Chapter 2) was always intended to be a literature review paper. However, the paper presented in Chapter 3, drawing on UNSR country reports, was specifically devised to sidestep the challenges of recruiting participants during the pandemic. At this time, I was mindful of the fact that many of my prospective participants were dislocated from their usual workplaces and routines. In short, it was more efficient and practical to work with secondary data at this time, and postpone

interviews until later in my research process. In 2023, I returned to recruiting community housing managers for interviews, although as explained in Chapter 4, this process remained challenging.

Challenges and future research directions

The systematic literature review approach used in Chapter 2 was designed to identify contemporary research directions in housing studies. It enabled me to investigate – and dispel – long-standing critiques of under-theorization in the field, as well as explore interrelated criticisms regarding methods and methodologies. Yet, the level of detail sought in this review process determined (and somewhat limited) what was a logistically plausible window of publication dates for my selection criteria. Including 313 papers and analyzing four key variables enabled relatively deep and detailed analysis of *contemporary* housing studies, providing a sense of the current theory-scape, but did not seek to capture longitudinal trends or evolution of theory in the field (e.g., since Kemeny's initial critiques). Moreover, limiting the sample of papers in this review to those published in the three leading housing-specific journals meant I was unable to fully capture the extent of the interdisciplinarity of the field (see Bengtsson, 2009; Clapham, 2009; O'Neill, 2008). Housing research could also be found in journals that fell outside the parameters of this review (e.g., in gerontology, architecture and legal studies). This limitation was mitigated by the fact that all three journals are generalist and international in scope, meaning our sample canvassed a wide spectrum of disciplines, topics, theories and geographical foci. Future research could build on the findings of this systematic review by tracing the evolution of theory in housing studies over a longer time period, or could investigate the theory-scape of housing research outside of the key housing studies journals. The specific breed of systematic review method formulated in Chapter 2 could also be employed to review the dominant topics, methods and theories used in other, non-housing research fields.

In a similar vein to Chapter 2, my analysis of UNSR reports presented in Chapter 3 was breadth-oriented, considering a total of 24 diverse country contexts, reflecting my interest in the conceptualization and operationalization of the right to housing at the international level. Further research could instead be depth-oriented, for example by focusing on a smaller selection of specific or comparable countries, and including communications documents beyond the main reports included in my sample. Such an approach may enable greater investigation of the plausibility and practicality of the remedies suggested by the UNSR-Housing, and assessment of post-visit implementation (or resistance). Evaluating the degree to which country visit reports are catalysts for

meaningful change – in particular, through the uptake of recommendations – merits further attention (see Hunt & Leader 2010; Stavenhagen 2013; Subedi 2021). It would also be possible to investigate *thematic* reports published by the UNSR-Housing, which provide detailed accounts of specific housing problems without being focused on a single country context. UNSR documents (including, but not limited to country visit reports) can provide interesting entry-points for understanding how human rights are being defined at an international level and how they are playing out in individual contexts: a fascinating intersection of theory and practice.

The research presented in Chapter 4 was the most logistically challenging of the three research ventures encapsulated in this thesis. My sample size was limited by inconsistent communication, scheduling challenges, cancellations and no-shows during the participant recruitment and interview stages. Future research could consider canvassing the sector more broadly using written surveys, which may be a more efficient way of engaging with social and affordable housing providers, by offering flexibility and a reduced time commitment to participants. Alternatively, there is scope for Canada-wide research that focuses on gaining deeper understanding of the role of one individual type of specialized housing provider (e.g. Indigenous housing providers, or affordable seniors' housing) in realizing the right to housing through prioritization of a specific vulnerable group – a point of tension/confusion identified by housing providers in my research (see Chapter 4). It would also be interesting to undertake multi-country research regarding social and affordable housing, for example comparing contexts with similar human rights-based housing policies, which would be particularly insightful given that international research is uncommon in housing studies (see Chapter 2). In all of these possibilities, the research approach would need to minimize the potential burden of research participation on social and affordable housing employees – both out of respect for their heavy workloads, and to ensure successful recruitment of participants.

Concluding remarks

This thesis has investigated the meaning of the human right to adequate housing in theory and in practice, with a focus on the role of social and affordable housing. I identified a relative lack of engagement with the right to housing in contemporary housing scholarship, where it seldom appeared as a research topic or as a theoretical framework. I also investigated the work of the UNSR in setting international standards regarding realization of the right to housing, and illuminated the many and varied ways this right can be violated and realized across diverse contexts. In Canada

specifically, my findings have illuminated the critical role of the social and affordable housing sector in operationalizing the aspirations of the *National Housing Strategy* and realizing the right to housing, as well as enhancing their tenants' wellbeing, dignity and capabilities. The findings of this thesis point to diverse forms of work required to progressively realize the right to housing: *research* to monitor housing problems and identify their causes; *advocacy* by the UNSR to draw attention to violations of the right to housing and to propose potential remedies; and *provision* of social and affordable housing that enhances the lives of households in need. It is also apparent that individual agency with respect to one's home is an important, but often under-recognized, part of experiencing truly adequate housing. As such, this thesis has highlighted opportunities for extending the definition of the right to housing to include agency, so as to ensure that all households can access adequate housing that is both physically safe and personally *meaningful*.

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