



ITP Research Form

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Paper Title: **The Constitutional Right to Housing in South Africa: A Case Study of Johannesburg and Cape Town**

Abstract: This paper examines the scope of South Africa's constitutional right to housing and the role that strategic litigation, legislation and policy have played in advancing the right to housing in Johannesburg and Cape Town. Part One explores the historical context of the right to housing in Cape Town and Johannesburg and the myriad of factors that have contributed to South Africa's modern day housing crisis. Part Two assesses the role that strategic litigation and legislation have played in advancing housing rights in South Africa. Part Three examines the landscape of housing rights in Johannesburg, while Part Four analyzes the right to housing in Cape Town. Part Five compares and contrasts the current housing landscapes in Johannesburg and Cape Town, and the contemporary policies and strategies that government agencies, non-profit organizations and housing rights activists are employing to advance the country's constitutional guarantee to achieve adequate housing for all of its citizens. This paper concludes by finding that although South Africa's constitutional right to housing is very progressive and the judicial landscape has affirmed and advanced this right in theory, implementation of housing law and policy remains a major obstacle, and both Johannesburg and Cape Town have a long way to go to transform this right into a reality.