THE HURRICANE AND THE RIGHT TO HOUSING

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While it strains the imagination to think of any silver linings to the Katrina cloud, some observers have suggested that it could produce a greater popular and political understanding of - and response to - the extent of deep poverty and structural racism in the U.S.

And perhaps another long-neglected, profound need - decent, affordable housing - will also come to the surface and receive the attention it deserves. While there's been lots of recent focus on "housing bubbles," eminent domain takings of people's houses, the high cost of heating oil, and rents rising faster than incomes, we need a broader approach: one of basic rights.

The concept of rights is constantly evolving - often as a result of political struggle: the right not to be enslaved, the right to a free public education, the right of women to vote, the right of workers to organize, and of course the civil rights movement.

Can we see the value of and accept the concept of a right to decent, affordable housing? The loss of housing and community caused by Katrina has unleashed a flurry of immediate government, nonprofit and private activity to house those without homes - tens of thousands, joining the estimated 2-3 million Americans who are homeless for myriad other reasons.

Why is housing so important? Some answers are obvious: to protect ourselves from the elements, to provide personal safety and security. But housing also determines access to community resources - schools in particular - and employment opportunities; neighborhood location defines one's place in society; racial, ethnic and other discrimination, subtle and overt, situates itself in housing decisions and patterns; many health and safety problems (lead poisoning, asthma, fires, etc.) are correlated with poor housing conditions; and of course, for most lower-income households, housing expenditures take up the largest portion of their budget - millions upon millions of households pay more than half their income for housing, leaving them with insufficient sums for food, clothing and other of life's necessities. The insecurities produced by the workings of the housing market lead to millions of involuntary displacements each year, less traumatic than natural disasters like Katrina but profoundly disruptive nonetheless.

We already have instituted some housing rights: local housing codes that set minimum quality standards; in some jurisdictions a "warranty of habitability" with accompanying rent-withholding provisions; rent, just-cause eviction and condominium conversion controls in a few cities; and antidiscrimination laws. We have federal, state and local housing subsidy programs, which aid only a small portion of those in need, and which are not an entitlement. (By contrast, and tellingly, the one right to a federal housing subsidy is the tax code's homeowner deduction feature, by which tens of billions of dollars annually go, in indirect form as tax deductions, overwhelmingly to middle-, upper-middle- and upper-class families, for mortgage interest and property tax payments.)

What would guaranteeing all Americans the right to decent, affordable housing cost? It depends on the program and approach, but with increasing reliance on the nonprofit sector (what in Europe and Canada is called the Social Sector and results in far, far fewer housing problems and far less homelessness than is true for the U.S.) to develop, own and operate housing, most estimates put it at somewhere in the $100 billion/year range - far less than the Iraq War, about the same amount the homeowner deduction costs us. It's hardly a question of ability to pay, it's how we choose to spend our tax money.

The benefits to society of a people well housed - in terms of family life, poverty reduction, education,

health, security, race relations, access to all the benefits subsumed under the category of "social capital" - would be immense. Would that we can take this larger lesson from Hurricane Katrina.

(September 13, 2005)