



Water Ethics: Value Judgments in Environmental Policy

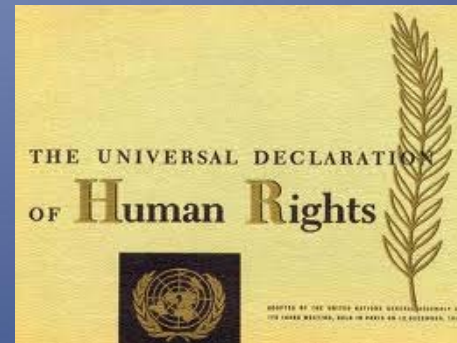
A.D. Latornell Conservation Symposium 2011
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Water Ethics

- *“...moral questions have received comparatively little attention in the decision-making frameworks that dominate water policy and management....”*
- -Jeremy Schmidt

A Common Dilemma

*Water: Marketable Commodity or...
a Human Right?*



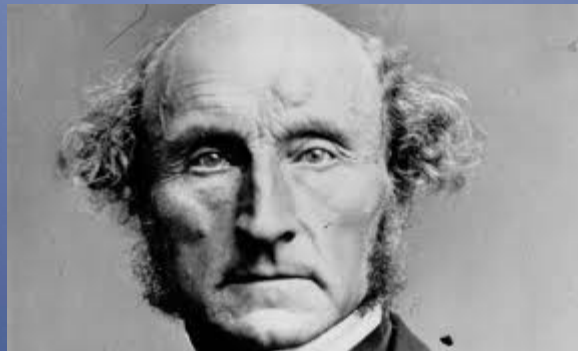
Presentation Outline

1. Water as a Commodity: Utilitarian Ethics
2. Water as a Human Right: Deontological Ethics
3. Beyond the Conflict: Charting the Road Ahead

Part One: Water as a Commodity

Utilitarian Reflections

- Utilitarianism: “The greatest good for the greatest number” and optimal efficiency



John Stuart Mill: 1806-1873

“Material” Realities

- *“Water and sanitation have concrete and practical aspects...Exercising the right to water requires adequate quantities of water, in a regular and predictable manner and of sufficient quality, as well as sanitation, to be made available to everyone. Having a right to water but no water is not a satisfactory position.”*
- *–Jack Moss, “Water Ethics and Business”*

Efficiency, Water Markets and Water as Corporate Interest

“Institutions that govern water allocation must foster conservation and more efficient allocation of existing supplies and take water’s growing...value into account. Water markets provide a way of doing this.”

-T.L. Anderson and D.R. Leal

Supporters suggest that Water Markets can....

- Encourage efficient use
 - Discourage detrimental environmental effects
 - Reduce drain on government's budgets.
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- -T.L. Anderson and D.R. Leal

Commodifying Water

- Water infrastructure and services
- Determining efficient water provision through public policy decisions
- Taxation as a means of conservation
- Subsidies for the poor
- Measuring through CBA the most efficient manner of providing the greatest good for the greatest number

Questions to ponder

- Does “commodifying” water necessarily mean privatizing?
- By subsidizing the poor, don’t we ensure greatest good for the greatest number...and the greatest equity and justice in terms of provision of clean water?
- Does commodification of water respect the fact that water is a “special case” of commons?

Part Two: Water as a Human Right

Deontological Ethics

- *Deon* = Ancient Greek for “duty”
- The language of duties, rights and principles



Immanuel Kant: 1724 –1804



Water Not in 1947 UN Universal Declaration of Human Rights

Why? Because “water was not perceived to have a human rights dimension.”

(Maude Barlow, *Blue Covenant*)

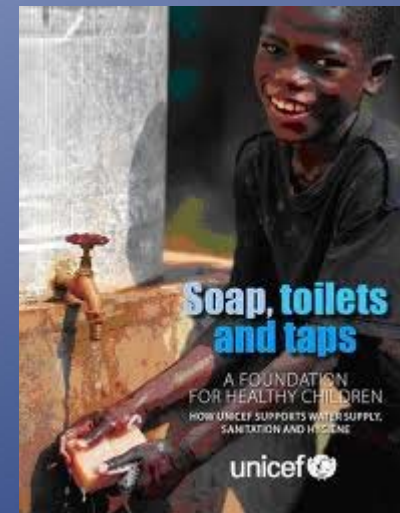
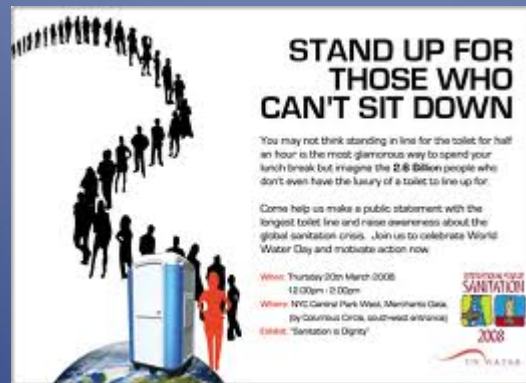


Recently, “rights” to water recognized in:

- 2000 General Assembly Resolution on the Right to Development;
- 2004 Committee on Human Rights resolution on toxic wastes;
- May 2005 statement by 116-member Non-Aligned Movement on the right to water for all
- General Comment Number 15 in 2003 by UN Committee on Economic, Social and Cultural Rights, recognizing right to water as a prerequisite to all other human rights and “indispensable for leading a life in dignity.”

United Nations General Assembly 26 July, 2010, Sixty-fourth session

“declares the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights.”



Why Water as a “Right?”

According to Barlow, Water Privatization has:

- Failed to provide water to the poor;
- Compromised the basic human right to water;
- Jeopardized democratic principles;
- Encouraged foreign control of water, creating monopolies;
- Discouraged conservation efforts

The Solution to the Water Crisis

“...does not appear to lie in the ‘invisible hand’ of the market, in the profit motive and the law of supply and demand....

Rather, it seems to lie in a clearly defined and secure set of individual or household rights.”

-Ecological Anthropologist, Paul Trawick

Water and the Rights of Communities

The Passaic River Story and the Supreme Court



Some Related Questions

- Do First Nations have distinct water and fishing rights?
- Do Ecosystems Have rights?
- What about the rights of animals and fish?
- Do water service providers have rights too?



Part Three

Beyond the Conflict: Charting the Road Ahead

Questions for Reflection

- Can anyone really “own” water? Or does one only own rights of access?
- Is stewardship better encouraged through rights language, or through financial incentive?
- If water is a commons, do we properly avoid the tragedy of the commons by privatization?

A Final Word from Maude Barlow

“Water is not ours... It belongs to the Earth and to all species, including humans...Our responsibility is to be stewards of this precious resource so it will be here for all generations to come.”



Thank-you!

Discussion?....