

IN AN AGE OF WATER SCARCITY, SHOULD ACCESS TO WATER BE A MATTER OF RIGHTS OR OF CORPORATE PROFIT?

Is access to water a matter of rights? In order to answer this question, a second question must first be answered: is water essential to life? If water is essential to life, then it is a matter of rights. This leads to a third question: If water is a matter of rights and if the corporations control access to water, would this infringe on the rights of the public?

In this paper, I will argue that water is essential for any living being; therefore, it is the right of any being to have a full access to clean, good and healthy water. The access to water should not be dependent on the bottom profit line of the financial ledger of corporations.

All living beings from the plant to animal kingdom depend on water for life. After air, water is the most essential element for survival. In some organisms, up to 90 percent of their body weight is made of water. Up to 60 percent of the human body is water. In addition, water is essential for maintaining health and hygiene. Water is also important for agricultural and other economic activities. The importance of water for humans makes water a matter of human rights. On December 10, 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights (United Nation Website). Article 3 of the 30 articles in the declaration states: “Everyone has the right to life, liberty and security of person”, and article 25-1 declares:

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Water is not mentioned specifically in the two articles mentioned above; however, as water is the most basic element of life, “the right to life” and “the right to a standard of living adequate for the health and well-being” include the right to water.

Even though more than 70 percent of the earth is covered by water, most of it is salt water. Less than one percent of the Earth’s total water is fresh water easily accessible for human use. The increase in the world’s population and the growth of industrialization and consequent pollution means that the humans “might” face a global crisis of fresh water shortage. I use the word “might” because even though, one billion people, nearly 20 percent of the world’s population, do not have access to even minimal supply of fresh and clean water (The Center for Economic and Social Rights), the problem is not so much water supply shortage as it is one of water distribution. As Douglas Jehl (2003) mentions:

“[T]he world is nowhere close to running out of fresh water; even the most dire assessments suggest that today’s population consumes about half of available freshwater supplies. The basic problem is less one of supply than distribution...” (p. xvi).

To combat this crisis, the United Nations has named the decade 2005-2015 as the decade of “Water for Life” to work towards an effective and coherent response to the challenge of water scarcity in some parts of the world. Furthermore, at the Evian Summit in the summer of 2003, leaders of G8 countries set the goal of halving the number of people without access to safe drinking water or proper sanitation by 2015 (University of Toronto).

What could be done on providing access to the nearly one billion peoples who do not have access to adequate water supply and sanitation facilities? How could the world meet such a great goal in a short time of 10 years? Critics of water privatization are worried that the set targets result in a push for privatization in the water sector. They worry that private companies are profit-oriented and therefore, have no incentive to provide access to water to poor and rural communities. On the other hand, the pro-privatization camp says that governments have already failed the poor population segments of their nations and only the private sector can run the water facilities with enough efficiency to provide water for everyone. Is the privatization of water the solution to a problem that needs urgent attention?

The case for water privatization

Up until the 1990’s, water services and deliveries were run by the public sectors. The aging infrastructures, as well as budget constraints, forced some municipalities and national governments to contract out water management to private companies. Another reason was the political ideology of the 1980’s of Margaret Thatcher and Ronald Reagan who saw privatization as the silver bullet

for running an efficient and successful government. The arguments for privatization of water are:

- **Efficiency. Governments, for the most part, are not efficient and overspend their budget. Privatization will increase access to water with affordable prices through increased efficiency and better service because the private sector is customer-centred.**
- **Improvement. The infrastructures of water facilities as well as sewage systems in most parts of the world are decaying. Repairs and upgrades are very expensive, and with budget cuts in most levels of governments and excessive bureaucracy, the job cannot be handled properly and efficiently by most governments. Private companies, on the other hand, can easily raise the needed capital in the financial markets.**
- **Competition. Since private companies' main goal is making a profit, they serve their clients' needs. Private companies have to convince their clients to buy their products and not the products of their competitors. Competition keeps the prices down and makes the product delivery more efficient.**
- **Commodity. Water is a commodity like oil, and if it were not for private companies, oil would never have been discovered, extracted, and distributed. Privatization of water is also compared to food production and distribution, which is done for the most part by private companies. The argument is that since food is also an**

essential element of life and is provided by the private sector then why not privatized water.

The case against water privatization

The opponents of the privatization of water, on the other hand, raise important questions. They point to the many pitfalls of privatization of water. Privatization, specifically of essential services, has rarely worked ideally because privatization programmes are politically very sensitive. Governments are very susceptible to lobbying and corruption and the bid for water facility maintenance will not always go to the best bidder. In response to the points raised by the proponents of water privatization, the opponents of privatization argue that:

- Efficiency. Privately run water facilities, especially the big, international ones such as Suez and Vivendi, do not have a better record of efficiency than the publicly run water facilities. An example is Atlanta, Georgia where in 1991; the city awarded a 20-year contract to United Water, a subsidiary of French-based multinational water corporation Suez, to run the day-to-day operations of its water system. The water department, in the words of an Atlanta city councilor was “a poster child for government inefficiency...” (CBC News). However, in 2003 the City of Atlanta and United Water jointly agreed to dissolve the contract. One of the first things United Way did after they took over the running of the Atlanta City water system was to cut their operating costs by reducing the number of employees**

and services. The effects of these cuts were laps in water services that sometimes lasted a couple of days and rusty water pipes that discoloured water brown. Leaking water mains and fire hydrants remained unrepaired for days. The breaks in water lines created health concerns and resulted in five boil-water advisories in a year. In some occasions some of Atlanta citizens did not get the advisory until a day or two later, which could have resulted in major public health problems.

Similarly, since Suez and Bechtel, two international water corporations, jointly took over the water facilities in Manila, Philippines, some parts of the city only have two hours of service per day and the water rates have increased. In the Bolivian city of Cochabamaba, after the World Trade Organization forced the local government to sell all the water facilities to private sector, water rates increased by 35 percent. The high rates resulted in violent demonstrations and the unrest forced the president of Bolivia, Hugo Banzer, to break the contract with Suez and Bechtel (Barlow (1), 2002, p. 155).

- Improvement. In cases where public utility services are privatized, the private companies look after their bottom-line profit margin first. This creates a conflict between operating with the minimum possible budget and maintaining a sufficient basic service to their customers.**

Therefore, since the private companies answer to their shareholders first rather than not to the citizens they serve, maximizing profit takes priority over everything else.

- **Competition. The counter-argument against the benefits of competition in lowering the price and providing better service is two fold. First, water is a human right. It is not a commodity for trade and therefore, water services should not be open to competition. Secondly, providing healthy clean water requires large investments for the building of new water facilities infrastructures or simply repairing the old ones. Corporations are not interested in investing large amounts of money for projects that do not have a large margin of return. Therefore, water corporations ‘cherry pick’ their customers and provide water service to large urban centres with large middle-class populations and fail to extend water services to poor and remote areas (Watson, 2005). If privatization were to create a healthy competition, which would result in lower prices and better services, then health insurance in United States would be the envy of the world. Instead, approximately 46 million Americans, or roughly 16 percent of the population do not have any kind of health insurance coverage (US Census). So far, only a handful of multinational corporations are involved in providing privately run water services and have created a “water oligarchy” by which the corporations do not compete against each other but rather, cooperate with each other in joint ventures.**

- **Commodity.** At the World Water Forum meeting in March 2000, where over 140 governments were represented, multinational water corporations, such as Suez, Vivendi, Nestle and Unilever lobbied to change the definition of water from a “human right” to a “human need”. In the end, the government representatives bowed to the pressure of the corporations and water was declared a “human need” rather than a “human right” (Barlow (2), 2002, p. 79). If access to water remained a “human right”, then it would be protected under international agreements and it is would be the responsibility of the governments to provide every citizen with equal access to water. As it is now defined as a “human need”, it can be provided on a for-profit only basis. Therefore, the change in definition of water from a right to a need is very convenient for corporations because water can now be considered as a commodity. However, as discussed above, water is not a commodity comparable to oil. The comparison of water to food is more accurate because food is as basic as water for survival and is, in fact, a good example of why water should not be privatized. The disparity of food distribution and the lack of adequate food supplies in poor societies provide us with enough reasons to repudiate privatization as the solution to the problem of universal access for every human being to water and other essential elements of life.

Further discussions

So far, in this essay, I have only discussed the importance of water as an essential element of life for human beings. I deliberately avoided discussing the rights of non-human animals and plants because of the scope and length of the essay. I think that there is much to be written and discussed on the subject of water access. The first step is to mention water, specifically, as a “human right” in the Universal Declaration of Human Right of the United Nations. The second step is to consider “rights” not from an anthropogenic (human-created) but as a biogenic (life-created) point of view. As Rolston (1991) states:

“Only the human species contain moral agents, but perhaps conscience on such an Earth ought not to be used to exempt every other form of life from consideration, with the resulting paradox that the sole moral species acts only in its collective self-interest toward all the rest.” (p. 87)

Concluding remarks

In civil societies, the elected members of government should manage essential services such as water, sewage, road, electricity, health care, and justice. Private corporations do not answer to the citizens and therefore, they cannot be held accountable for their actions. There are many ways of preserving and maximizing the sustainability of water. Declare access to clean and fresh water as a human right. Establish an international organization with no ties to the World Bank, International Monetary Fund or World Trade Organization and free of the influences of the multinational water corporations. Involve local citizens in decision

on local water management. Furthermore, involve scientific communities in the evaluation of all policies regarding transnational groundwater boundaries.

As a final point, we have to bear in mind that water is the reason life exists on this planet and we must respect it as the primary element of life. Seven hundred years ago, Mahmud Shabistari , the Persian Sufi and poet wrote:

A Drop of Seawater (from The Secret Rose Garden)

*Behold how this drop of seawater
has taken so many forms and names;
it has existed as mist, cloud, rain, dew, and mud,
then plant, animal, and Perfect man;
and yet it was a drop of water
from which these things appeared
. Even so this universe of reason, soul, heavens, and bodies,
was but a drop of water in its beginning and ending.
...When a wave strikes it, the world vanishes;
and when the appointed time comes to heaven and stars,
their being is lost in not being.*

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