

Case Study: The Right to Water

Is there an inalienable human right to water? What are the limits of that right?

By: Ida M. Jones
Finance and Business Law
Fresno State University

The town of Arroyo, California (a fictional city) was started in the early 1930s when a group of 15 people traveled north from Mexico looking for work and landed in the Valley and began working in the citrus orchards. In order to be near their work, to have the ability to grow food and livestock, to have freedom from government interference and to avoid the costs and discrimination of the nearby larger city, the farmworkers took possession of land in the areas near the farms where they worked. As part of settling on this land, they dug wells to obtain water for personal uses and to irrigate their own farms.

The town of Arroyo grew as an unincorporated community and by early in the year 2000, had nearly 300 residents. The nearby large city, Grande, California, grew even more quickly and by the early 2000s, had nearly 60,000 residents. The City of Grande's borders expanded until they reached the borders of Arroyo. The City of Grande's economy was dependent on agriculture, local warehouse distribution centers and other light industry. The City of Grande, as an incorporated city, developed an infrastructure for water distribution, and other city facilities. The town of Arroyo remained a collection of homes dependent on well water.

By 2013, the wells in Arroyo dried up due to the state's continued drought. In those wells that still contained water, state testing revealed high levels of arsenic, nitrates and other fertilizer-related contaminants. For water, the residents of Arroyo relied on a combination of bottled water, showers in public shower locations, and state-provided water tanks coupled with weekly water delivery. Although it has rained a great deal in this and the prior winter season, this rain does not solve Arroyo's water crisis.

Questions

1. Do the residents of Arroyo have the right to potable water for drinking water and other household uses? Do you think that every Californian has that right? Explain.
2. What is groundwater? Is it different than surface water? In the scientific community, is surface water different from groundwater? Explain.

3. Apply ethical theories to reach a conclusion on whether every Californian should have the right to potable water as drinking water and for other household uses. Be prepared to use each of the following ethical theories to discuss your conclusion.
 - a. Outcomes based ethical theories
 - b. Duty based ethical theories
 - c. Justice based ethical theories
 - d. Virtue ethics based theories

4. What is corporate social responsibility? Assume you are a soft drink manufacturer. What is your social responsibility when it comes to managing water usage? Explain.

Creative Commons



This work is licensed under a [Creative Commons Attribution-NonCommercial 4.0 International License](https://creativecommons.org/licenses/by-nc/4.0/).