

Potential Conflicts between Individual and Group Rights in Accessing Renewable Energy

by Paul Fagan

It may be argued that over time, people have been awarded increasing levels of human rights. It may be further argued that this is a process that will continue into the future. For instance, the vast majority of humanity now no longer suffers serfdom or slavery. Furthermore, they now enjoy rights conferred upon *individuals*, such as the freedom of speech and the right to own property. More recently, moves to sanction *socioeconomic* rights such as the rights to education, housing and healthcare appeared in the United Nations' 'Universal Declaration of Human Rights' of 1948. And this trajectory shows no signs of stopping: most recently many nations have granted people the right of gay marriage, as one example. For the regions of the world that enshrine human rights, this trend of respecting increasing levels of human rights is likely to continue.

However, it may be asked, where is this trajectory taking us? What will constitute future human rights? Here, planet Earth's future situation may dictate some of these. For instance, with stocks of conventional fuels such as oil, coal and gas depleting then humanity must seek other forms of energy. Here, let us accept that renewable energy fills this gap.

Now this scenario is a strong possibility for two good reasons. Firstly, all the equipment to harness and store renewable energy is already here, and most people in developed societies and beyond are familiar with the sight of solar panels and wind turbines; but in addition, storage is possible via a range of methods with batteries notably coming to the fore. Secondly, renewable energy is widespread and unlimited; with sunlight, wind and ground source energy available to just about everybody inhabiting planet Earth!

Once we accept that widespread renewables usage is feasible, then we are one stage away from proposing that all persons should have access to renewable energy. But what would the worldwide promoters of human rights, namely the United Nations say about this? To answer this question, let us focus upon Article 25.1 of the Universal Declaration of Human Rights from 1948:

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.

Unfortunately, for the purposes here, the right to adequate energy is not mentioned specifically. That said, over sixty years later the United Nations had firmly considered the

prospect of widespread renewable energy usage. In 2012, ‘The Future We Want’ produced for the Rio +20 Earth Summit, noted that ‘fossil fuels would increase the risk of dangerous climate events’ and its aim was to increase the usage of renewables; with the ultimatum of ensuring ‘that every person has full access to modern fuels and electricity by 2030’.

Therefore, the developments of the twenty-first century may lead us to interpret that ‘the right to a standard of living adequate for the health and wellbeing’ from the Declaration of 1948, will encompass the right of an individual to obtain enough renewable energy to do this. With ubiquitous sources of renewable energy available and all the equipment devised to take advantage of the resource; and given the inevitable backing of the United Nations, we should rest assured that we will have a *human right to renewable energy* in the future.

However, there is a spanner in the works. Although individuals may gain a *human right to renewable energy*, they may prefer to join with others to attain a higher level of welfare: for instance, by grouping with others they may benefit from economies of scale and enjoy a greater supply of energy. Added to this, a business motive may operate whereby energy may be sold on to others: as an example, a village in the northern English county of Yorkshire, bordering the River Esk, has grouped together to harness the river’s energy and this provides one way that individuals may increase their level of welfare. (The reader may like to visit <http://whitbyeskenergy.org.uk/>).

For completeness, it should be noted that other groupings will exist and this may comprise those individuals who prefer to live communally. Once more, turning to northern England, but this time to Lancashire; there are some who prefer communal living and have gathered to harness renewable energy from solar, biomass and hydroelectricity. (The reader may like to visit <http://www.lancastercohousing.org.uk/>).

All in all, with regard to future supplies of renewable energy, it will be imperative to respect the rights of groups. Group rights are interesting as they are a relatively new and growing concern for political philosophers and provide a third category of rights after the individuals’ rights and socioeconomic rights previously mentioned. Often groups associate voluntarily and agree upon their own guiding principles; furthermore, they often maintain a mutual understanding that they are obliged to assist each other and the group as a whole. The Lancastrians and Yorkshire folk provide typical examples.

And so there we have it; human rights will be accompanied by group rights. But the more thoughtful reader may ask some questions; won’t these two clash? Who comes first in the pecking order, the human right or the group right? This will ultimately depend upon how much value each society places upon each of the two types of rights. Possibly, societies that have traditionally valued the community over the individual, will privilege group rights. However, in many societies, and particularly westernised societies, the smart money must be on the *individual* coming first.

To demonstrate how this may work in practice, a group may feasibly consist of a coastal city generating energy from a tidal barrage. Some individuals within the city may feel that the arrangement does not fulfil their own preferred level of welfare: they may

find that it would be more beneficial to install a solar panel or wind turbine on their home; or join another scheme which would deliver a greater supply of energy. However, provided that the city satisfies individuals' human rights to renewable energy, then the greater assuring body of society need take no action and leave the individuals to seek other means of energy provision. However, if the coastal city did not satisfy the human rights obligations, then society should retain the right to intervene and remedy the situation; by either coercive measures or incentives. Hence, human rights may trump group rights.

However, those living in communitarian settlements may recoil at the award of a *human right to renewable energy* biased towards individuals. They may exclaim that such a move would distance persons from the heart of the community; and they may further stress that we all need a community around us to exist. Hence, there will be those who fervently argue in favour of supporting group rights and so the dominance of any type of right may not be so clear cut.

A further concern that may be voiced by some, is that all of this is unrealistic. In a highly mechanised world with industrialised societies, would the right of an individual to obtain enough renewable energy be seriously entertained? Isn't a way of generating energy that harks back to a bygone age still appropriate? Too many people are accustomed to having their energy piped to their homes and they have become lazy: the days of gathering firewood are over for many. Isn't providing one's own energy a backward step?

To answer such naysayers, those fortunate enough to enjoy domestically generated energy, when the harnessing equipment is fitted correctly, have little maintenance to endure: no effort akin to gathering firewood is necessary. And for those not fortunate enough to be in charge of their own energy generation, then there is no reason why they cannot generate energy at a great distance: possibly by owning a share of an offshore wind turbine and having their electricity transported to them via the existing grid systems. Of course, this latter category may have to pay the transporting company a fee for the services provided. But looking on the bright side, persons would be generating and using their own energy and the situation would never arise where, after a particularly harsh winter, persons would be faced with a colossal fuel bill that they struggle to pay!

However a further question may arise; surely only those societies with enough wealth to afford renewable energy will take part in a *group rights versus human rights* debate? Even then, won't the poorest members of such societies struggle to gain their human rights? Well, focussing for a moment on those with a low income in developed societies, it is a possibility that they should be supplied with harnessing equipment as a matter of honouring social justice. This is a move that should really pay for itself as the costs of supplying equipment will be offset against the portion of welfare payments currently accounting for fuel costs. And for those who are better off, as renewable energy establishes itself and becomes commonplace, all the equipment should become more affordable and tradable.

As for whether a *human right to renewable energy* will only ever be realised in wealthy societies; it should be noted that this *need not* be the case. This is because, in general, developing societies lie in regions that receive great amounts of renewable energy with solar power being prominent: as beneficiaries of such a direct and limitless supply of energy, they may expect to attract investment. Furthermore, successful examples of this process are already ongoing with: a booming business in solar powered goods occurring in Kenya; the Bangladeshi government distributing solar panels funded via a loan from the World Bank; and Costa Rica benefitting from private capital.

Returning to the claim I first made, that human rights would continue into the future, then renewable energy certainly provides a new area into which human rights may be extended. It may be expected that both individuals' and group rights would be recognised: although deciding upon which one should dominate will provide a conundrum for societies.

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