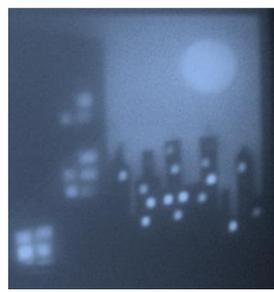
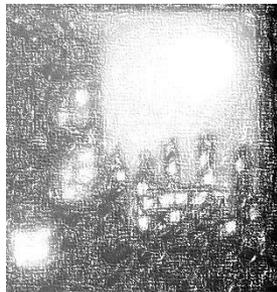
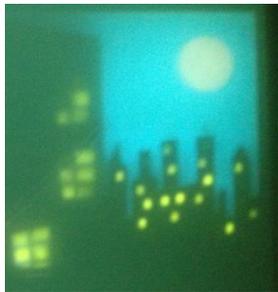


The right to energy: an analysis of meaning and implications

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Project 4.1: Energy, Need and Justice explores the various forms of linkage between energy demand and questions of needs, rights and justice, through an interplay between:

- conceptual reasoning
- analysis of outcomes of public deliberation
- analysis of media discourse
- analysis of explicit and implicit notions of need within energy policy and energy provisioning systems

With **Rosie Day** (Birmingham) and **Neil Simcock** (Lancaster)

Political space

The right to use

The right to have access

Two complexities

Rights-talk



Rights-talk



Right to energy

relatively recent addition to ‘rights-talk’; added to right to water, shelter and food



Fuel Poverty Action ‘Energy Bill of Rights’

<http://www.fuelpovertyaction.org.uk/home-alternative/energy-bill-of-rights-2/>

"Energy is essential for life. It is essential for achieving the Millennium Development Goals. And it is essential for safeguarding a broad range of basic human rights. The right of access to energy is, in fact, implicitly conferred by a number of international treaties and conventions, but now the time has come to make such an assumption explicit and formally declare—with the full backing and authority of the United Nations—**that access to modern energy is, and shall henceforth be deemed, a basic human right**" (Freling, executive director of the Solar Electric Light Fund 2014)

‘Founded in 2000, **DROIT A L’ENERGIE-SOS FUTUR (Right to Energy SOS Future)** an international nongovernmental organization with head office in France. It is in special consultative status with the Economic and Social Council of the United Nations (ECOSOC).

- members are 401 organizations (NGOs, national and international union organizations) from 68 countries distributed among four continents and representing more than 40 million members’

‘Objectives:

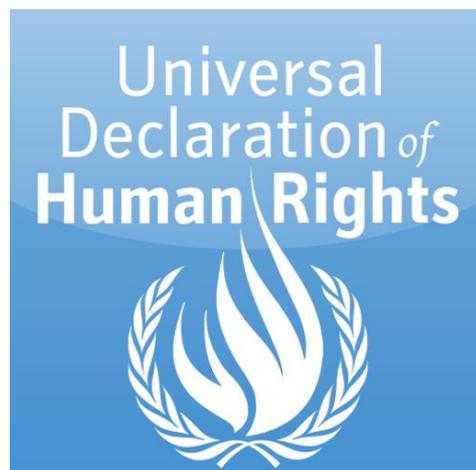
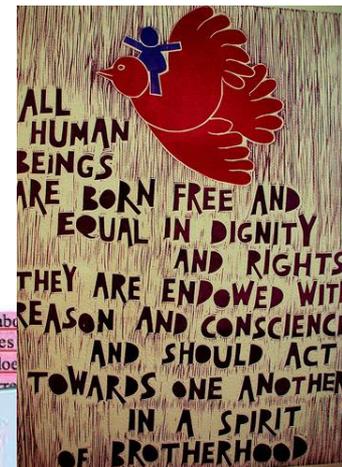
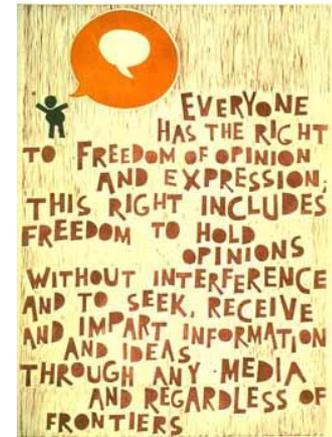
- To assemble all those wishing to **act for the recognition of the right to energy as a basic human right**, for the sharing of energy resources and for the protection of the global environment;

- To mobilize around **extreme situations of energy destitution** in the world;

- To initiate specific and constructive proposals in partnership with major international institutions, governments, and the key actors of global civil society’



- Talking about ‘rights’ = a pervasive political framing and discourse; *‘rights inhabit our ordinary moral and political thinking’* (Jones 1994)
- Mode of claim-making about what should be in place and protected for individuals (or groups) = duties and obligations on others
- Waldron (1993)
 - 1st generation rights – liberty rights
 - 2nd generation rights – socioeconomic, welfare rights
 - 3rd generation rights – attachment, minority group rights, environmental rights



49. Laws that penalize the expression of opinions about with the obligations that the Covenant imposes on States freedom of opinion and expression.¹¹⁶ The Covenant does expressions of an erroneous opinion or an incorrect Restrictions on the right of freedom of freedom of



Rights talk is easy ... but meaning and implications on the ground are complex and contested, and a matter of politics

*“the popularity of rights has been achieved at a price. If an idea is **promiscuously available** to all, it will find itself pressed into every sort of interest, cause or persuasion” (Jones 1994)*

*“the **practical significance** of rights depends both on how we define a right and on the specific form a given right takes” (Attoh 2011)*

*“Essential services have become symbolic clash-points between competing programmes of privatisation, public–private partnerships, and public systems of provision, attracting fundamental questions about the relative balance between **market rights** and **human rights**” (Morgan and Trentmann 2006).*

*“the adoption of human rights discourse by private companies indicates its limitations as an anti-privatization strategy ... **‘rights talk’ offer us an unimaginative language** for thinking about new community economies ..” (Bakker 2007)*

- What does it mean to talk of a right to energy?
- What is there to include and resolve in giving this right a 'practical significance'?
- What alternative resolutions are there?
- How much depends on context and situation?
- What is the political space of the right to energy?

universal right



situated meaning and implications

Two complexities



Water is essentially one thing

- one chemical formulation, if coming in different flavours and purities
- quality matters



'Energy' is not one thing

- not a 'natural' category; socially made
Illich (1983) a '*verbal symbol*' a '*collage of meanings*'.
- multiple material forms and sources
- is a right to energy, for all its forms?
- or are some more important, more necessary than others? '*modern*', '*clean*', '*sustainable*', '*right to electricity*'
- form & quality matters



Water has one primary, vital and direct contribution to well being

- consumption for survival as a (truly) universal need
- other services subsidiary

'Energy' provides multiple services

- energy has no purpose in and of itself
- the services that are 'needed' – warmth, cool, light, mobility ...
- demand is 'derived' rather than direct
- which services are more or less important or vital? ... the '*right to warmth*'??
- variability with nature over time and space (e.g. daylight and climate)
- service need contextual in other terms = universality is problematic



The right to have access



- Right to *access* energy
 - to have an accessible supply system, to have infrastructure and a system of provision
 - gives attention to:
 - grid connection of some form (electricity, gas)
 - or other system of distribution (petrol, LPG, wood)
 - or increasingly local or own microgeneration
 - energy form, capacity and reliability matter
 - the *possibility* of demand, not necessarily its realisation

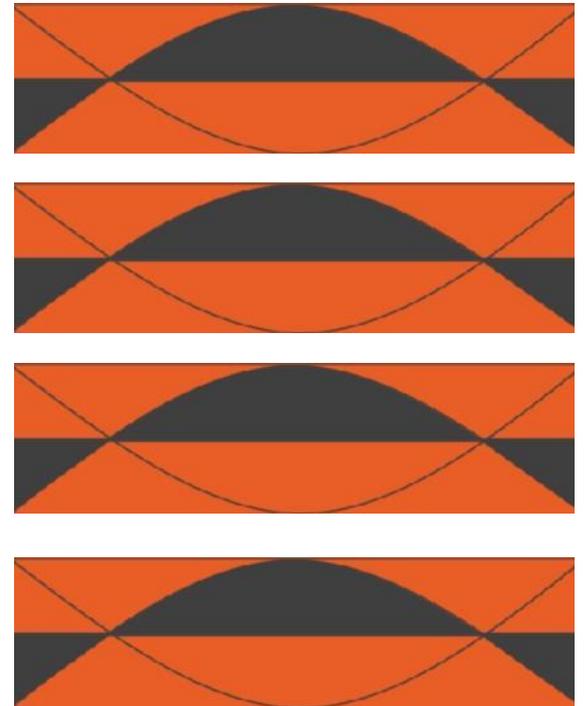


UK connection

	Estimated % of households connected	Right of connection	Cost of connection	Differentiation
Electricity	100%	Duty of distribution company to connect when requested (unless not reasonable to do so)	Any reasonable expenses may be charged to person requesting	
Gas	90%	Duty of distribution company to connect if premises within 23m of main pipeline	All costs are charged to person requesting + they may lay own pipe to get within 23m	Ofgem 'assisted gas connection' scheme for vulnerable consumers

**maybe that's enough and
no more ... or ...**

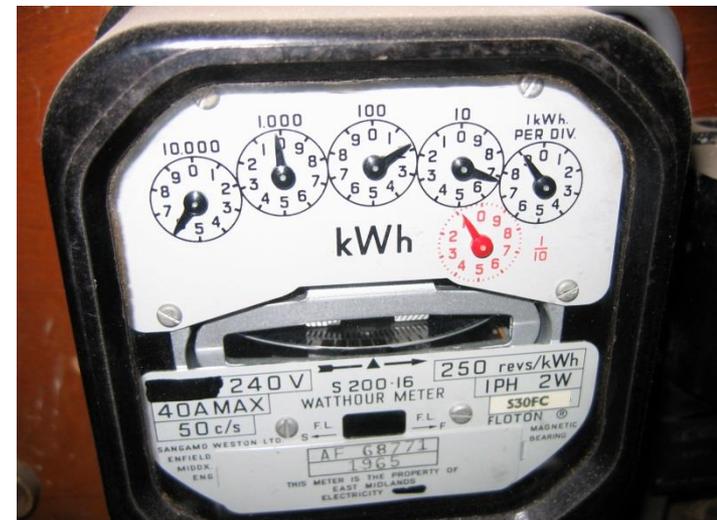
The right to use



- Right to *use (consume)* energy
 - affordability and ability to pay
 - to achieve some level of ‘essential’ energy service, or ‘basic need’?
 - the *necessity* of demand, not just its possibility
 - right to (some) consumption without payment?

gives attention to:

- **pricing, metering** and **billing** systems
- terms of **disconnection** and customer service
- which **energy services** are crucial
- welfare benefits to enhance **affordability**
- **energy efficiency** in conversion of paid for energy consumption to services



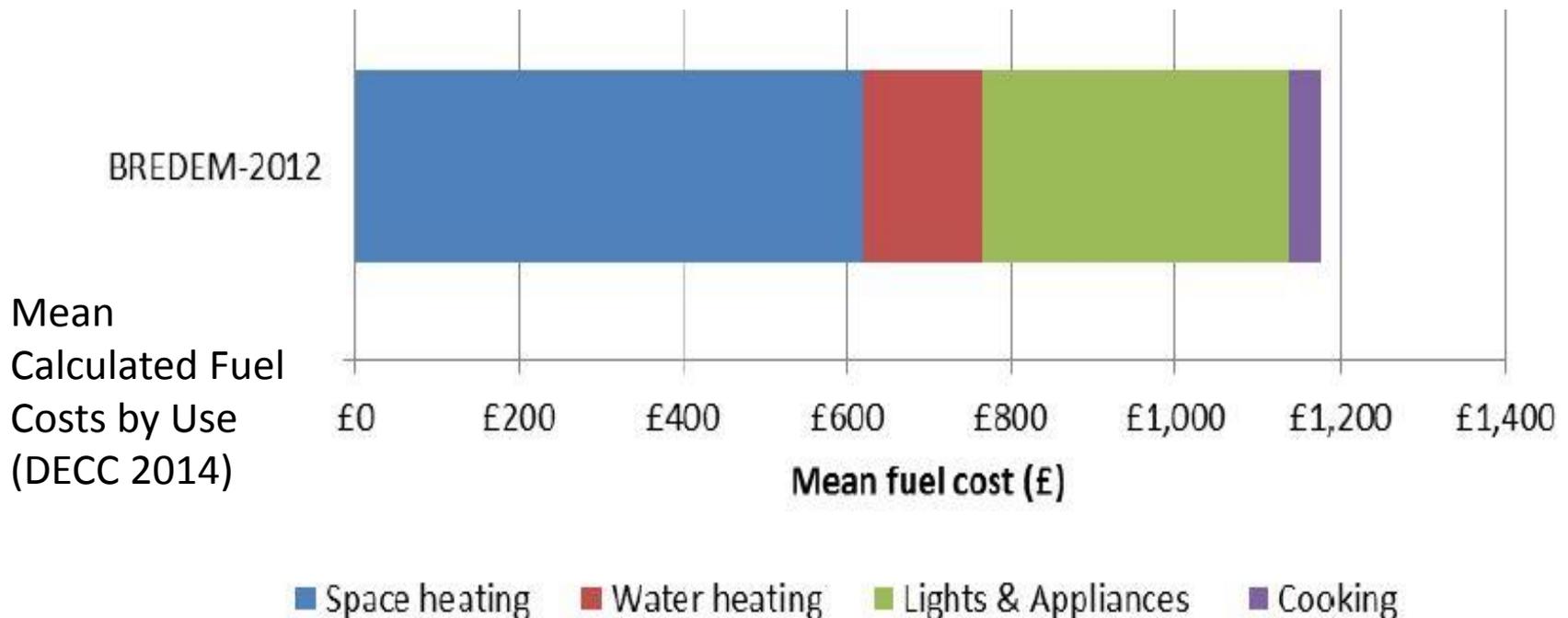
disconnection

	Action 1	Action 2	Action 3
All customers (regulated)	Try and agree a payment plan the customer can afford	Offer to install a prepayment meter to enable consumer to pay debt and avoid disconnection	Send a disconnection notice 7 days before disconnection
Vulnerable Customers (regulated)	Distribution companies to hold a Priority Services Register (PSR). Listing: old people; disabled; long term ill health	Those on PSR cannot be disconnected between 1 st October and 31 st March	
Energy UK Safety Net (voluntary)	Never knowingly disconnect a vulnerable customer at any time of year	Any customer found to be vulnerable after disconnection to be reconnected	Additional restrictions on disconnection for families with young children

‘Required’ energy – ‘essential’ energy service

As of Energy Act 2013 a household is considered to be fuel poor if:

*“they have **required fuel costs** that are above average (the national median level) were they to spend that amount, they would be left with a residual income below the official poverty line”.*



political space



The possibility of demand

Right to have access



Right to use/consume

The necessity of demand

Which forms of energy?

What qualities of energy/supply?

What terms of connection?

What uses/services matter?

How much service is needed?

Affordability in what terms?

What conditions to being a customer?

Access without payment?

1. The 'right to energy' is a complex right

- Ambivalent; slippery meaning, multiple alternatives ... re form, quality, service, access, use
- Contingent; it makes sense, has practical significance in different ways in different places and contexts
 - what energy is *for*, why it matters
 - how much it matters for different social groups?
 - variable relation between natural and non-natural service provision
 - infrastructural histories

2. More than 'just a commodity', but any straightforward *universality* is hard to find necessarily *situated* in its meaning and implications

'a generic discussion of "essential services" needs to engage with their cultural, regional, and political specificities' (Morgan and Trentmann 2006)

3. The politics of (energy) infrastructural provisioning systems is continually open to contestation & struggle

- e.g. UK 'right to energy' did not become fixed and resolved once universal electricity grid connection was put in place
- questions of form, service, affordability, necessity, vulnerability have been the subjects of ongoing political work
- privatisation and liberalisation in UK haven't entirely taken apart consumer rights, arguably, have been strengthened through regulation imposing duties and obligations on suppliers (Graham 2006);
- the prepayment meter isn't necessarily and intrinsically discriminatory (Coutard and Guy 2007)

4. This politics matters because there is nothing *intrinsically* that serves to align a 'right to energy' with either just and inclusive human development *or* climate transition objectives

- can serve to reproduce problematic existing regimes and institutional arrangements; rather than support innovation and change
- can enable the possibility of access by some, but not the actuality of use by all
- can sustain energy efficiencies and waste; and ratchet-ing up of expectations over time
- can sustain and reproduce carbon based energy systems and lock-in