Who Protects Water?

Compare how two democracies assign rights and responsibilities.

WG.P.2.1 "Demonstrate an understanding of the principles of government, the benefits of democratic systems, and their responsibilities as citizens..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline constitutional rights, circle duties assigned by laws, and number two ways residents can use these tools to press for action.

When the Tap Is Unsafe

1. Imagine turning on a tap and finding a warning not to drink. Who must respond, and what can residents demand? In the United States, the Constitution does not expressly guarantee a right to water. Its First Amendment protects the right to petition government, however, so residents can press officials to act. The Safe Drinking Water Act of 1974 gave the federal Environmental Protection Agency power to set national drinking water standards. States generally enforce these rules for public water systems if their programs meet federal requirements. This division of power allows national protection while leaving much day-to-day oversight to states.

2. South Africa offers a different starting point. Under apartheid, government policies denied many Black communities equal access to services. Its 1996 Constitution states that everyone has the right to access sufficient water. It directs the state to take reasonable measures, within available resources, to realize that right progressively. The 1997 Water Services Act assigns municipalities responsibility for providing water services and sets a national framework for doing so. Residents may challenge policies in court using the constitutional right. A right does not mean every home receives safe water immediately; budgets, infrastructure, and accountable decisions still matter.

3. The two systems give residents different legal tools, but neither treats citizens as spectators. In the United States, 1996 amendments to the Safe Drinking Water Act required community water systems to send customers annual reports on their drinking water. Such reports can help residents question officials about hazards. In South Africa, people can cite the constitutional right when they challenge a municipality's water plan. Both democracies depend on public scrutiny, yet their approaches differ: the United States relies on statutory standards and shared federal-state enforcement, while South Africa also places access to water in its constitution, giving courts a direct constitutional measure for reviewing state action.

2 ANSWER WITH EVIDENCE

Use the passage

1. How do the two constitutions give residents different grounds for demanding action on water?

2. How does the division of government power shape drinking water enforcement in the United States?

3. How did South Africa's 1996 Constitution and 1997 Water Services Act change the government's responsibilities for water?

4. How did the 1996 U.S. amendments give residents another way to scrutinize water policy?

3 YOUR TURN

Your own words

A U.S. town finds lead in its public water system. In four or five sentences, propose a citizen response using a legal tool from the passage, identify which level of government generally enforces drinking water standards, and explain how residents' argument would differ if the town were in South Africa.

ANSWER KEY

Who Protects Water?

HIGH SCHOOL · WG.P.2.1

PART 1 · READ AND MARK

Underline constitutional rights, circle duties assigned by laws, and number two ways residents can use these tools to press for action. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How do the two constitutions give residents different grounds for demanding action on water?	**The U.S. First Amendment protects residents' right to petition officials, but the Constitution does not expressly guarantee water. South Africa's Constitution gives residents a right to access sufficient water that they can cite when challenging a policy.**
2	How does the division of government power shape drinking water enforcement in the United States?	**The federal Environmental Protection Agency sets national standards, while states generally enforce them for public water systems if their programs meet federal requirements.**
3	How did South Africa's 1996 Constitution and 1997 Water Services Act change the government's responsibilities for water?	**The Constitution established a right to access sufficient water and directed the state to take reasonable measures to realize it progressively. The act assigned municipalities responsibility for providing water services under a national framework.**
4	How did the 1996 U.S. amendments give residents another way to scrutinize water policy?	**The amendments required community water systems to send annual drinking water reports to customers. Residents can use the information to question officials about hazards.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Residents could use their annual drinking water report to ask officials whether the system meets federal standards. They could petition state regulators to enforce those standards, since states generally oversee public water systems under federal requirements. If the town were in South Africa, residents could cite the constitutional right to access sufficient water when challenging the municipality's plan. The municipality would be responsible for water services, although improvements might take time and depend on available resources.

Accept other responses that accurately distinguish a U.S. right to petition from South Africa's constitutional right to access sufficient water. Responses should identify state enforcement in the United States and municipal responsibility for water services in South Africa.